

BRIGHTON & HOVE CITY COUNCIL MEETING

4.30PM 16 JULY 2015

COUNCIL CHAMBER, BRIGHTON TOWN HALL

AGENDA



**Brighton & Hove
City Council**

Council Meeting

Title:	Council
Date:	16 July 2015
Time:	4.30pm
Venue	Council Chamber, Brighton Town Hall
Members:	All Councillors You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Reverend Alice Whalley
Contact:	Mark Wall Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	<p>Public Involvement The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.</p> <p>Please note that the Public Gallery is situated on the second floor of the Town Hall.</p> <p>If you wish to attend and have a mobility impairment or medical condition that may require you to receive assisted escape in the event of a fire or other emergency, please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting. Measures may then be put in place to enable your attendance and to ensure your safe evacuation from the building.</p>
	The Town Hall has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However in the event of an emergency use of the lift is restricted for health and safety reasons please refer to the Access Notice in the agenda below.
	An infra-red hearing enhancement system is available within the council chamber to assist hard of hearing people. Headsets and neck loops are provided. If you require any further information or assistance, please contact the receptionist on arrival.

This Agenda and all accompanying reports are printed on recycled paper

AGENDA

13 DECLARATIONS OF INTEREST

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

14 MINUTES

1 - 40

To approve as a correct record the minutes of the last Council meeting held on (a) the 26th March 2015 and (b) the Annual Meeting held on the 21st May 2015 (copies attached).

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 01273 291006

15 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

16 TO RECEIVE PETITIONS AND E-PETITIONS.

Petitions will be presented by Members and/or members of the public to the Mayor at the meeting.

17 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of 12noon on the 9th July 2015 will be circulated separately as part of an addendum at the meeting.

18 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

A list of deputations received by the due date of 12noon on the 9th July 2015 will be circulated separately as part of an addendum at the meeting.

COUNCIL

19 PETITIONS FOR COUNCIL DEBATE

41 - 44

St. Aubyns Playing Field Rottingdean. Petition to be debated at Council. Report of the Monitoring Officer (copy attached).

Contact Officer: Mark Wall

Tel: 01273 291006

Ward Affected: Rottingdean Coastal

6.30 - 7.00PM REFRESHMENT BREAK

Note: A refreshment break is scheduled for 6.30pm although this may alter slightly depending on how the meeting is proceeding and the view of the Mayor.

20 WRITTEN QUESTIONS FROM COUNCILLORS.

Note: No written questions have been submitted by Members for the Council meeting.

Contact Officer: Mark Wall

Tel: 01273 291006

Ward Affected: All Wards

21 ORAL QUESTIONS FROM COUNCILLORS

45 - 46

A list of Councillors who have indicated their desire to ask an oral question at the meeting along with the subject matters has been listed in the agenda papers.

Contact Officer: Mark Wall

Tel: 01273 291006

Ward Affected: All Wards

22 CALL OVER FOR REPORTS OF COMMITTEES.

(a) Call over (items 23 - 28) will be read out at the meeting and Members invited to reserve the items for consideration.

(b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.

(c) Oral questions from Councillors on the Committee reports, which have not been reserved for discussion.

23 APPOINTMENT OF THE ACTING CHIEF EXECUTIVE

47 - 50

Report of the Interim Executive Director for Finance & Resources (copy).

Contact Officer: Sue Moorman

Tel: 01273 293629

Ward Affected: All Wards

COUNCIL

24 TREASURY MANAGEMENT POLICY STATEMENT 2014/15 - END OF YEAR REVIEW 51 - 74

Extract from the proceedings of the Policy & Resources Committee meeting held on the 9th July 2015 (to be circulated), together with a report of the Interim Executive Director for Finance & Resources (copy attached).

Contact Officer: James Hengeveld
Ward Affected: All Wards

Tel: 01273 291242

REPORTS FOR INFORMATION

25 AUDIT & STANDARDS COMMITTEE ANNUAL REPORT 2014/15 75 - 92

Extract from the proceedings of the Audit & Standards Committee meeting held on the 23rd June 2015, together with a report of the Interim Executive Director for Finance & Resources (copies attached).

Contact Officer: Mark Dallen
Ward Affected: All Wards

Tel: 01273 291314

26 WHISTLEBLOWING POLICY 93 - 118

Extract from the proceedings of the Audit & Standards Committee meeting held on the 23rd June 2015, together with a report of the Head of Legal & Democratic Services (copies attached).

Contact Officer: Sarita Arthur-Crow
Ward Affected: All Wards

Tel: 01273 294687

27 CODE OF CORPORATE GOVERNANCE 119 - 130

Extract from the proceedings of the Audit & Standards Committee meeting held on the 23rd June 2015, together with a report of the Head of Legal & Democratic Services (copies attached).

Ward Affected: All Wards

REPORTS REFERRED FOR INFORMATION

28 NEW HOMES FOR NEIGHBOURHOODS - FINAL SCHEME APPROVAL 131 - 166

Extract from the proceedings of the Housing & New Homes Committee meeting held on the 17th June 2015, together with a report of the Executive Director for Environment, Development & Housing (copies attached).

Contact Officer: Jaine Jolly
Ward Affected: East Brighton

Tel: 01273 290356

NOTICES OF MOTION

29 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION: 167 - 172

- (a) **St. Mungo's Charter for Homeless Health.** Proposed by Councillor Yates (copy attached).
- (b) **Reinstate the Independent Living Fund.** Proposed by Councillor Mac Cafferty (copy attached).
- (c) **Personal, Social, Health and Economic Education.** Proposed by Councillor Knight (copy attached).

30 CLOSE OF MEETING

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

Note:

1. *The Mayor will put the motion to the vote and if it is carried will then:-*

- (a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*
- (b) *Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.

- (c) *Following completion of the outstanding items, the Mayor will then close the meeting.*

2. *If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*

3. *Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

Once all the remaining items have been dealt with the Mayor will close the meeting.

PUBLIC INVOLVEMENT

Provision is made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Mayor will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

ACCESS NOTICE

The lift cannot be used in an emergency and Evac Chairs are not suitable due to limitations of the escape routes. **For your own safety please do not go beyond the Ground Floor if you are unable to use the stairs.**

Please inform staff on Reception if this affects you so that you can be directed to the rear of the Council Chamber or an alternative room where video conferencing facilities will be available for you to use should you wish to watch the meeting or need to take part in the proceedings e.g. because you have submitted a public question.

We apologise for any inconvenience caused

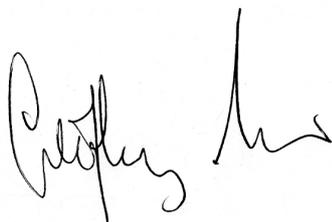
FIRE / EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- **You should proceed calmly; do not run and do not use the lifts;**
- **Do not stop to collect personal belongings;**
- **Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and**

Do not re-enter the building until told that it is safe to do so.

Date of Publication - Wednesday, 8 July 2015



Executive Director of Environment,
Development & Housing
King's House
Grand Avenue
Hove
BN3 2LS

BRIGHTON & HOVE CITY COUNCIL**COUNCIL****4.30pm 26 MARCH 2015****COUNCIL CHAMBER, BRIGHTON TOWN HALL****MINUTES**

Present: Councillors Fitch (Chair), Barnett, Bennett, Bowden, Brown, Buckley, Carden, Cobb (Deputy Chair), Cox, Daniel, Davey, Deane, Duncan, Farrow, Gilbey, Hamilton, Hawtree, Hyde, Janio, Jarrett, A Kitcat, J Kitcat, Lepper, Littman, Mac Cafferty, Marsh, Meadows, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pissaridou, Powell, Randall, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Wakefield, Wealls, Wells, West and Wilson.

PART ONE**64 DECLARATIONS OF INTEREST**

- 64.1 Councillor Wells declared an interest in Item 79 on the agenda, Housing Strategy 2015, as he was a Board Member of Brighton & Hove Seaside Homes which was affected by the strategy.
- 64.2 Councillor Bowden declared an interest in Item 70(a) on the agenda, which was a petition regarding live music venues in the city and was due to be debated; as he was the Chairman of the Kemptown Carnival. He also declared an interest in Item 79 on the agenda, Housing Strategy 2015, as he was a Board Member of Brighton & Hove Seaside Homes which was affected by the strategy.
- 64.3 Councillor Farrow declared an interest in Item 79 on the agenda, Housing Strategy 2015, as he was a Board Member of Brighton & Hove Seaside Homes which was affected by the strategy.
- 64.4 No other declarations of interests in matters appearing on the agenda were made.

65 MINUTES

- 65.1 The minutes of the last ordinary meeting held on the 11th December 2014 were approved and signed by the Mayor as a correct record of the proceedings;

65.2 The minutes of the Budget Council meeting held on the 26th February and the 3rd March 2015 were approved and signed by the Mayor as a correct record of the proceedings.

66 MAYOR'S COMMUNICATIONS.

- 66.1. The Mayor noted that the council had been informed of the sad news of the deaths of former councillor Bernie Jordan and his wife Renee whose funerals were held on 30 January. He also noted that Bernie was made an Honorary Alderman in September 2014 in recognition of his service to the council and asked Members to stand and join him in a minute's silence as a mark of respect for a departed colleague.
- 66.2. The Mayor stated that he was aware that this was the last full Council meeting for a number of our Members, many of whom have long and distinguished service to the city and their wards. As such he wanted to wish them well for the future and to say that he would be inviting them to a small reception in the Mayor's Parlour to commemorate their time as councillors for Brighton & Hove.
- 66.3. The Mayor then noted that he had a number of awards to present and stated that he would like to offer the Council's congratulations to Brighton & Hove City Council Parks Project Team along with landscape contractor Gavin Jones who through a successful collaboration on The Level Restoration Project had been awarded the prestigious BALI award. The award was recognised and prized by members of the Institute as representing quality, professional excellence and accountability. He then invited Mr. Phil Hall from Gavin Jones, Rob Dumbrill and Claire Morgan from the City Parks Team to come forward with Councillor West, as Chair of the Environment, Transport & Sustainability Committee to collect the award.
- 66.4. The Mayor then stated that he wanted to offer the Council's congratulations to the Mobile Play Project Team who had won the coveted National Award for Best Playwork Team. It was a great recognition of the valuable service they offer to children and families across the city throughout the year. Whatever the weather the team was out in community locations offering active, challenging and creative play opportunities to children. He then invited Paul Waller, Kurt Birkenbeil, Duncan Hipkins, Carol Patten and Rose Dixie to come forward with Councillor Shanks, as Chair of the Children & Young People Committee to collect the award.
- 66.5. The Mayor stated that he would like to offer the Council's congratulations to the City Regeneration team for winning the Driving Growth Award at the Local Government Chronicle Awards. The award was given in recognition of the work that has been done to grow the economy of the city and to secure funding for investment as Greater Brighton. He wished to thank Nick Hibberd for his work in this area and in his absence, invited the Chief Executive to come forward with Councillor Jason Kitcat, as the Leader of the Council to collect the award.
- 66.6. The Mayor then offered the Council's congratulations to the Transport Team for winning the Smarter Travel Awards 2015 for the Most Improved Journey to Work for the Lewes Road Improvement Scheme. He invited Martin Heath and Stacey Amy to come forward with Councillor Davey, as the Lead Member for Transport to collect the award.

- 66.7. Finally, the Mayor stated that he wished to congratulate Councillor Jason Kitcat on receiving the Judge's Special Award for 'Contribution to Local Government' at the recent LGIU's Councillor Achievement Awards. He then invited Councillor Kitcat to come forward to collect the award and to address the Council.
- 66.8. Councillor Kitcat thanked the Mayor and stated that, "It has been a huge privilege and honour to serve on this council for the past eight years and as your leader for these past three years. I believe I leave the city and our council are in a better condition than it was four years ago.

We don't always agree, nor should we, it is in debating our differences that we have represented our city as the tough decisions have been made.

But I am in no doubt that you are all here because you want to make a difference. I very much hope that continues with whoever the next 54 councillors of this city will be in May. I also hope that the good grace and humour with which we usually treat each other can continue – our common passion for the city, in putting city before politics is what should unite us.

The next council faces an incredible prospect, bittersweet in many ways. Budget cuts continuing beyond what any modern councillor has experienced. No councillor would have wished to deal with such significant and unrelenting budget pressures. Yet at the same time few could have dreamed that finally devolution could be moving so quickly after such a long wait. Juggling those two changes will I'm sure be challenging, exciting and hugely important for our future.

As your leader I have had the privilege to attend a number of events and conferences in the UK and Europe which have always left me with a clear impression: Brighton is a global city, one which has a fantastically good and strong reputation around the world. Every mayor I have met knows Brighton and most have visited. Treasure this, few cities our size have anything like the reputation or recognition we do.

Also we are all fortunate to have an incredible cadre of officers working for us. True public servants who work so hard with such passion, integrity, creativity and talent. Let's keep nurturing them and showing our appreciation.

I'm extraordinarily grateful for the privilege you have bestowed on me in being your leader these past few years. I have done my best to serve this city and the council in all that I have done. Any achievements and progress I have made for our collective endeavour has only been possible due to one person who very fortunately is here with us today: My wife Ania who through her endless love, advice and support has made me able to do what I have done. Thank you.

Colleagues, I wish you all the best, thank you once again. Good luck for the future. In me you will have a lifelong champion for the great city of Brighton & Hove."

67 TO RECEIVE PETITIONS AND E-PETITIONS.

- 67.1 The Mayor invited the submission of petitions from councillors and members of the public. He reminded the Council that petitions would be referred to the appropriate

decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.

- 67.2 Mr. Jenner presented a petition signed by 153 residents, requesting the provision of one-way traffic measures at West Blatchington Windmill.
- 67.3 Ms. Bridgewater presented a petition signed by 1,369 residents requesting a pedestrian crossing for Freshfield Road.
- 67.4 Ms. Gilbert presented a petition signed by 997 residents, concerning the protection of Longhill Close woodland.
- 67.5 Ms. Booker presented a petition signed by 1,055 people requesting that the Mazda Fountain be saved.
- 67.6 Councillor Marsh presented a petition signed by 200 residents, concerning the provision of bus services in Coombe Road and Meadowview.
- 67.7 The Mayor thanked the petitioners and noted that each petition would be referred to the relevant committee for consideration.

68 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

- 68.1 The Mayor reported that five written questions had been received from members of the public and invited Master Keyword to come forward and address the council.
- 68.2 Master Keyword thanked the Mayor and asked the following question; "Why are we 30 years behind other cities? Where is the promised ice rink that for so many years has been campaigned for without progress? With the loss of Queens square Ice Rink activating Local Planning policy SR21 And big plans for redevelopment of Churchill square it's an ideal time to build the promised ice rink as part of the black rock development. Let's turn negatives into positives and give the people of our City an Ice Rink. When are we finally going to get one? If Not Why Not as I have to update the Queen of my progress."
- 68.3 Councillor Bowden replied; "There are no current proposals for a permanent ice rink in the City, unfortunately ice rinks are extremely expensive, you'd have to save up an awful lot of pocket money to run one and they're not only costly to build, they're really costly to operate. In recent years a huge amount of effort went in to try and provide a permanent ice rink on the black rock site, sadly the developer that was funding this project wasn't able to make the scheme financially viable despite the obvious benefits of such a facility the previous black rock project shows just how difficult it is to provide an ice rink. The priority for the city of the black rock site is now a new entertainment and conferencing venue, that's already gone out to market and we are talking with funders and some developer partners about that. It's going to be extremely important for businesses and the whole of the city and it will include new housing which is much needed. It is envisaged that some ice events will take place as they do currently in the Brighton Centre, and I'm sorry I can't give you a more positive answer. We will still have the pavilion ice rink in the gardens which I'm sure you've used, in fact I'm sure I've seen you there, but it's going to be watch this space for the moment."

- 68.4 Master Keywood asked the following supplementary question; “How have you found the money to activate your projects i.e. cycle lanes, 20mph for a traffic car lane and the Seven Dials roundabout and I nearly forgot to mention the 40 million pound loans to fund the I360 tower. How as a Council did you prioritise the redevelopment of the Queen’s square ice rink without taking into account your local policy SR21? Surely it’s about time this City Council had a ‘can do’ attitude and makes it a flagship everybody can be proud of?”
- 68.5 Councillor Bowden replied; “SR21 – you’ll have to explain it to me after the meeting what it means. I’m afraid we have to make priorities for sights that come on stream and available and we still have an urgent need for housing, we had a petition earlier on about not building 4 houses on a site in the City that’s fine for people who have a house, for the 20,000 people on our waiting lists, they listen in horror when people say, “don’t build anywhere”. I’m afraid the ice rink at Queen’s Square was one of those places designated in the City Plan for housing. The i360, which I did hear through the applause, which was voted on by at least one opposition party, will bring over 1 million pounds into the coffers of the City on an annual basis and is going to create many new jobs. Other sites that you may have mentioned are going to deliver housing and as we talked earlier on, the Black Rock Site will have housing plus a conference and entertainment centre which could include from time to time, ice chequers and ice rinks for people like yourself.”
- 68.6 The Mayor thanked Master Keywood for his questions and invited Ms. Culligan to come forward and address the council.
- 68.7 Ms. Culligan thanked the Mayor and asked the following question; “Can Councillor Davey explain the process for enabling a new zebra crossing at the end of Nevill Avenue near the roundabout on Nevill Road to be provided and do you agree with the so far, 215 Facebook petition signatures that agree with me? There’s a constant stream of children crossing that road to attend Aldrington, Hove Park, Blatchington Mill, Goldstone and soon to be new Bilingual School near Waitrose. There’s nowhere safe to cross on Nevill Avenue. Cars don’t always indicate and parents often find themselves having to stop the traffic themselves as to enable safe crossing for their children.”
69. Councillor Davey replied; “The Council considers pedestrian safety an absolute priority as do I. We’ve introduced a great number of crossings over the last 4 years and I’m delighted the road safety has improved across the City dramatically but there is clearly a very long way to go. The process has to be fair and transparent as there are many applications each year. The Council has agreed cross party a method by which pedestrian crossing requests are reviewed and prioritised with safety at the forefront to include both technical and legal factors as well as a range of social factors including; the public perception of danger in crossing the road; How a crossing may bring the community closer together; how it could affect access to key services and green spaces; and potential improvements for mobility impaired people.

He noted that the Council also provides a robust way to assess crossing point requests that helps the Council to target limited financial resources so those crossing locations which are the most important and will bring the greatest benefit. Once a location has

satisfied initial assessment criteria it will then be taken forward for a full assessment and then added to the program for consideration for implementation when resources become available. Full details of the current crossing facility are available on the Council's website. I hope you'll be pleased to hear that an evaluation of the movement of pupils to local schools in the vicinity of Nevill Road, both now and in the future is already in hand through the Council's Safer Routes to Schools Programme and the Road Safety Manager advises that this work includes the review of crossing opportunities on Nevill Road, north of the roundabout junction with Nevill Avenue.

So assessments are currently taking place in this area and hopefully there'll be some outcome of that in the next financial year."

- 69.1 Ms. Culligan asked the following supplementary question; "There are obvious safety concerns at this precarious spot for children to cross and as much as the Green Party have done a great job of reducing speed limits to 20mph in zones I don't think it will make any difference at this crossing point due to the small crossing island being actually part of the roundabout which is tricky enough for drivers to navigate at the best of times let alone including school children trying to cross it at the same time. So how long would it take to install a zebra crossing after it is agreed that it's needed?"
- 69.2 Councillor Davey replied; "That would be a decision for a future Transport Committee, it's not a decision that I could make here and as for a zebra crossing and facilities that will be for the road safety team to assess. It will be a decision for a future committee but within the next financial year decisions will be made on priority for the next financial year."
- 69.3 The Mayor thanked Ms. Culligan for her questions and invited Mr. Duncan to come forward and address the council.
- 69.4 Mr. Duncan thanked the Mayor and asked the following question; "Does the Council agree that the state of cleanliness of Brighton's major access roads (A23 and A27) is appalling and that it will do everything it can to deal with this problem in both the short and long term?"
- 69.5 Councillor West replied; "I absolutely agree, I do think the state of the roadsides around the City are absolutely appalling with litter. This of course is not a phenomenon just for the City, this is an issue around the whole of the UK and the essential challenge is how we address people's behaviour as litterers throwing things out of the windows of their cars which is utterly unacceptable and inexcusable. The Council is responsible for litter clearance along the A27 and A23 within the City boundaries and in previous years we have carried work between April and September during the early morning of Saturdays and Sundays when the traffic volume is light because it's important to do this in day light when volumes are low so at this time of year, before that work gets going, you will always see the worst of the crop of litter because it's not been possible to do this safely through the winter dark months.

However there has been recent new traffic management guidance relating to working alongside highways where the speed limit is in excess of 50mph and in the case of the A23 and A27 that is the case; because of this guidance and because there is no hard shoulder, we have to do lane closures, put up signage, a whole matter of traffic

management with lights and signs and this has to be done by competent trained staff to ensure that working is safe and completely compliant. This is a costly matter because it slows the whole thing down and it is rather laborious. We're currently in discussions with highways agency approved contractors to plan for this work and we're waiting for their response but this is a matter of absolute high priority for us to actually secure the right people to do this work in the safe way that the highways agency stipulating we have to do it. To return to your question, yes, it is absolutely appalling and people need to stop throwing things out of the windows of their cars."

69.6 Mr. Duncan asked the following supplementary question; "Is it possible that the executive responsible for this matter can be asked to report back to the Council to give the assurance that the problem has been tackled and solved and that the public can be advised accordingly?"

69.7 Councillor West replied; "Well I'm absolutely sure that it would be possible to write to members to inform them when a contractor has been appointed and to set out how that work will be conducted and when it will be completed but as far as suggesting he we will be able to solve it the problem is the root of the problem is people's behaviour and that is the matter that needs to be addressed and I do realise that there is a growing campaign; nationally against thing type of thing and I would suggest that this Council would be full square behind that campaign because I would hope in years to come we will be able to see people behaving a much more reasonable way towards their local environment and thoughtfulness to their fellow citizens."

69.8 The Mayor thanked Mr. Duncan for his questions and invited Brian to come forward and address the council.

69.9 Brian thanked the Mayor and asked the following question; "Can you please advise what the Council policy and practice (and the current thinking) is with regards to 'late licences'?"

69.10 Councillor Powell replied; "The late night levy which I believe you are referring to has been talked about since I was elected in 2011. It is not something that we have proceeded with until now and indeed let me stress; we are not looking to proceed with it in this administration. What I can tell you is that my last committee which was a couple of weeks ago, we had a presentation from the Sussex Police and the benefits of the late night levy and it's come at a timely time because it has been rolled out in a couple of cities in the UK mainly Islington and Newcastle where it is working well and businesses have not gone under as a result.

The key bit of course is the funding element with the late night levy, 70% will go to the police so it is not seen by the Council, 30% will come to us and could go some way to funding things like taxi marshals, safety measures, that kind of thing and as I say we have had a presentation about it to a committee but it will be something for the next administration so something to bear in mind."

69.11 Brian asked the following supplementary question; "With specific regard, just to take example, the Brighton Hippodrome; the magnificent theatre sadly closed, for many years in Middle Street, there was late licensing issues many years ago when Live Nation were wanting to open it up as a live venue, it's a magnificent resource

underused in the City at the moment, will the Council be supportive of trying to support opening this up as a live venue again given the situation in regards to late licensing?”

- 69.12 Councillor Powell replied; “I cannot speak about the Hippodrome as it falls under Licensing it comes under Planning. What I’ve studied is that the late night levy which is what your original question was about is being thought of by the Council, by Council Officers, by the Councillors in the next administration and I rather hope that we will look to possibly rolling it out, I can’t pre-empt it because I don’t know but it will bring in some revenue at a time when finances are very constrained.”
- 69.13 The Mayor thanked Brian for his questions and invited Mr. Zenon to come forward and address the council.
- 69.14 Mr. Zenon thanked the Mayor and asked the following question; “As there are no significant financial implications to the Council, what reasoning do they have for failing to enforce the required maintenance of the city’s Listed Buildings with their owners or leaseholders?”
- 69.15 Councillor Randall replied; “In brief the Council has a long and creditable record of proactive action where a listed building has fallen in to disrepair and that’s evidenced by the annual report on listed buildings at risk the most recent one at which was published in 2014. The Council is regarded as an exemplar of such action by English Heritage. Action does have financial implications, the staff resources are necessary to investigate and serve notices which can be time consuming. In the last calendar year, 78 separate investigations were made in to poor condition and appearance under Section 215 of the Town and Country Planning Act powers although not all of those related to listed buildings. In most cases improvements were agreed through negotiation with the owners however in 2013-14 we did serve 9 separate notices.

Under Section 54 of the Planning Listed Buildings and Conservation Areas Act 1990, the Council issue notices requiring urgent works to preserve unoccupied listed buildings. This action is generally appropriate for temporary works to stabilise a building and make it weather tight and secure while a long term solution is sought. Usually the owner carries out the required work but the Council may carry out the work itself and recover the costs from the owner. Experience shows that we do not always recover 100% of our costs when this approach is made. Section 48 of the same act allows the Council to serve a repairs notice on any listed building where it considers that reasonable steps are not being taken to preserve it.

However if that notice is not complied with the only power open to the Council is compulsory acquisition under Section 47 and this has significant long term liability and cost implications and would be used in exceptional cases only.”

- 69.16 Mr. Zenon asked the following supplementary question; “If the sale does go through, which apparently it is being negotiated as we speak, bearing in mind that it will be an election issue whether you like it or not, can the Council give us an assurance that you will put forward the bill to make should that the maintenance is enforced with the leaseholders and the owners whether it’s the current ones or new ones after the election?”

- 69.17 Councillor Randall replied; "As you say, the poor condition stems from a lack of maintenance and repair over a long period of time dating back to when it was still in use as a bingo hall. The current leasehold owners Live Nation have undertaken some temporary repairs during their ownership to prevent water getting in, to support unstable plasterwork and to keep the building secure and formal action is not being considered necessary.

We are currently in discussions with Live Nation about additional security measures for the site to prevent unauthorised access and we will continue to monitor the condition of the building. However a more comprehensive repair is dependent on the implementation of an approved scheme. You did talk about us taking other action, one of those actions of course are compulsory purchase orders which are; (a) expensive to enforce and (b) very cumbersome to implement.

Finally, if we compulsory purchase that building, we would then be responsible, as a Council, for the maintenance of it and you might have noticed; this council like others in the County is strapped for cash at the moment. We are very concerned that there should be a long term, sustainable future for a very special building with the Frank Matcham work inside which is incredibly important for this City and we will continue to look for solutions to it and work with you and others who are concerned as we are about its future.

- 69.18 The Mayor thanked Mr. Zenon for his questions and noted that this concluded the item.

69 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

- 69.1 The Mayor reported that no deputations had been received from members of the public for the present meeting.

70 PETITIONS FOR COUNCIL DEBATE

70. (A) LIVE MUSIC VENUES

- 70.1. The Mayor stated that the council's petition scheme provided that where a petition secured 1,250 or more signatures it could be debated at a Council meeting. He had been notified of four such petitions which had sufficient signatures to warrant a debate and therefore would call on the lead petitioner to present their petition before opening the matter up for debate. He also noted that one of the petitions listed in the agenda had been withdrawn and therefore three remained for debate.
- 70.2. Mr. Stack presented his petition which called on the council to review its procedures and protocols in respect of noise abatement notices served on live music venues across the city. He stated that the petition had reached two signatures short of 4, 700 supporters and explained that he believed a loophole existed in the law which enabled a person to move close to, nest to and even into the same building as a long established music venue and then use the legal process to reduce the level of noise from the music venue. Such action had even led to the closure of venues across the city and needed to be addressed to protect the city's culture and its live music heritage. He asked that when councillors saw a musician, attended a concert or the fringe

festival they should remember the petition and consider the ramifications of not taking an action to protect them.

- 70.3. Councillor Simson stated that the petition had raised an important consideration and that the need for the Environmental Protection Act to be reviewed was supported in principal by the Conservative Group.
- 70.4. Councillor Bowden thanked Mr. Stack for his petition and stated that he believed it had raised an important issue and one that should be explored further and therefore wished to move an amendment to the recommendation contained in the covering report. He proposed that a cross-party task group should be established to review the current practice and report back to the Economic Development & Culture Committee; given the wide ranging and cross-service aspects that needed to be considered.
- 70.5. Councillor Randall formally seconded the amendment.
- 70.6. Councillor Mitchell noted that the Mayor had previously given advice that the petition should be referred to the Environment, Transport & Sustainability Committee as it was responsible for the noise abatement service. She therefore sought clarification from the Monitoring Officer.
- 70.7. The Monitoring Officer informed the council that the petition was primarily concerned with the use of noise abatement orders which came under the responsibility of the Environment, Transport & Sustainability Committee. It was therefore appropriate for the petition to be referred to the committee. Should the council decide to recommend the consideration of establishing a Policy Panel to look at the matter, the committee could take this into account and establish a task and finish panel.
- 70.8. Councillor Mitchell thanked the Monitoring Officer and stated that the Labour & Co-operative Group fully supported the petition and the amendment on the basis that it would be left to the committee to decide whether or not to establish a Policy Panel, which would need to look across all areas of the council's functions relating to live music and venues.
- 70.9. Councillor Bowden noted the information and indicated that he was happy for the petition to be referred to the Environment, Transport & Sustainability Committee.
- 70.10. The Mayor noted that an amendment to the recommendation in the report had been moved and put it to the vote which was carried. He then put the recommendation as amended to the vote which was also carried.
- 70.11. **RESOLVED:** That the petition be noted and referred to the Environment, Transport & Sustainability Committee for consideration along with the establishment of a Policy Panel to review the issues raised in the petition for live music and venues in the city.

(B) SAVETHE BRIGHTON HIPPODROME

- 70.12. The Mayor noted that the item had been withdrawn.

(C) PRESTON PARK CYCLE TRACK

- 70.13. Mr. Rivett presented the petition which had 3,641 signatures of support for the retention of the cycle track in Preston Park. He noted that it was the oldest track in the country and that without support it would see the end of competitive cycle track racing in the city. He therefore urged the council to consider how the required maintenance of the track could be achieved and how it could be supported for the future.
- 70.14. Councillor West thanked Mr. Rivett for the petition and stated that he applauded the interest in the track and the amount of support that had been generated by the petition. He had visited the track recently and seen the need for improvements to be made if it was to reach the required safety standards. He therefore wished to propose that the recommendation in the covering report be amended to request that officers bring a full report to the next meeting detailing options to fund the required improvements and to maintain a competitive facility.
- 70.15. Councillor Powell formally seconded the amendment.
- 70.16. Councillor Lepper welcomed the petition and stated that the Labour & Co-operative Group fully supported its objective. She hoped that the report requested would identify the means to fund the improvements and support the track for future generations.
- 70.17. Councillor G. Theobald stated that he fully supported the petition but queried whether any assistance had been sought from the British Cycling Association; as it may be that grant funding would be available to help meet the cost of the required improvements to the track. He believed there was an opportunity for partnership working and supported the amendment.
- 70.18. Councillor West stated that he was aware that the British Cycling Association had made an offer of some funding and stated that he hoped officers would hold further discussions with the Association so that a detailed report could be brought to the next committee meeting.
- 70.19. The Mayor noted that an amendment to the recommendation in the report had been moved and put it to the vote which was carried. He then put the recommendation as amended to the vote which was also carried.
- 70.20. **RESOLVED:** That the petition be noted and referred to the Economic, Development & Culture Committee for consideration along with a report from officers detailing options to fund the required improvements and to maintain a competitive facility.

(D) KING ALFRED INDOOR BOWLING

- 70.21. Mr. English presented a petition signed by 1,612 people calling on the council to review its plans for the provision of indoor bowling facilities, to ensure that a fully functional facility was provided as part of the redevelopment of the King Alfred sports centre. Mr. English stated that there had been a lack of consultation in regard to the proposed downgrading of the facilities from 6 to 3 lanes and a lack of understanding in regard to the impact such a reduction would have on indoor bowls across the city.

- 70.22. Councillor Bowden thanked Mr. English for attending the meeting and presenting the petition. He stated that the King Alfred Project Board which had cross-party representation had taken advice from Sports England and received representations from the business community and the Local Economic Partnership as part of the process of drawing up development plan for the redevelopment of the King Alfred. Having done that the council now had two preferred bidders and was awaiting their detailed proposals for consideration and whilst a 3 lane indoor bowling facility was listed as the minimum specification, it did not mean that the potential developers would not exceed that requirement in their plans. He was sure that the two bidders were fully aware of the level of interest in the redevelopment of the King Alfred and that they would take into account current levels of provision in relation to activities such as indoor bowls. He also noted that there would be a further consultation exercise once the two preferred bidders were announced.
- 70.23. Councillor Hamilton stated that he had not been aware of the proposed reduction from 6 to 3 lanes for the indoor bowls facility and noted that during the league season 3 lanes had to be set aside for league matches. He therefore hoped that an enhanced provision would be outlined in any of the proposed developments as otherwise it was likely to result in the loss of a club at the King Alfred.
- 70.24. Councillor Cox noted that indoor bowls could be played by people of all ages and they could compete against each other on a level playing field. He also suggested that the space set aside for an indoor bowls facility could be used for other activities when it was not being used for bowling and suggested that the potential developers would be aware of the support for a suitable and viable facility. He therefore hoped that the need for at least a 6 lane facility would be taken into account in any redevelopment proposals.
- 70.25. Councillor Bowden noted the comments and stated that the issue had been raised rather late in the development stage but he hoped that the potential developers would take the matter into consideration when they put their plans forward.
- 70.26. The Mayor noted that the recommendation was to refer the petition to the Economic Development & Culture Committee for consideration and put the recommendation to the vote, which was carried.
- 70.27. **RESOLVED:** That the petition be noted and referred to the Economic, Development & Culture Committee for consideration.

71 WRITTEN QUESTIONS FROM COUNCILLORS.

- 71.1 The Mayor reminded Council that written questions from Members and the replies from the appropriate Councillor were taken as read by reference to the list included in the addendum which had been circulated as detailed below:
- 71.2 **(a) Councillor Cox**

“Why is there a 15p surcharge when a motorist pays by phone for parking?”

What assistance can the Council give to small businesses who employ people to visit homes in controlled parking zones to help them with the mechanics of their employees paying by phone? Would it be possible to issue a small business in such circumstances with a business card which allows all their employees to pay by phone using the same card?"

71.3 Reply from Councillor West, Chair of the Environment, Transport & Sustainability Committee.

"There is a 15p service charge to cover the cost of the service and card handling fee.

For customers who have the need of several users on their account, there is a Corporate Account option. This allows a PayByPhone account to be created by an administrator. They can then add vehicles and users onto their account. There is one payment card on the account that the users will all use. The administrator can also run of reports and receipts from the website as well for all parking sessions processed on their account.

To set up a PayByPhone Corporate Account a business will need to visit: <http://www.PayByPhone.co.uk> and click onto Corporate Account Users."

71.4 (b) Councillor A. Norman

"Licenses for professional dog walkers:

Residents and visitors alike welcome the opportunity to walk their dogs responsibly and safely in our city parks but some have reported that their walk has been spoilt by the unsociable actions of a few of our professional dog walkers who may be walking several dogs on any one occasion. Is it perhaps time to follow the lead of the Royal Parks where a license has to be sought for professional dog walkers which is enforceable should any problems arise.

If you wish to use our parks for professional dog walking purposes you should be licensed. Operators are licensed to ensure that:

- the parks and wildlife are protected;
- access to and use of public open space is maintained for all visitors;
- professional dog walkers are complying with current health and safety and best industry practise for the safety and enjoyment of their dogs and staff;
- all professional dog walkers have to be fully insured and hold liability for participant's safety;
- professional activities that are undertaken in the city parks should help to contribute to the costs of its infrastructure and income derived from licenses for professional dog walkers should be earmarked for the City Parks service."

71.5 Reply from Councillor Powell, Chair of the Licensing Committee.

“The Royal Parks run a licencing scheme made under The Royal Parks and Other Open Spaces Regulations 1997. These regulations do not apply to Brighton and Hove City Parks and professional dog walking is not a licensable activity.

Brighton and Hove City Council runs a voluntary scheme that professional dog walkers sign up to. The Council was the first to create such a scheme and 30 dog walking companies have signed up to it. The scheme requires companies to comply with current health and safety laws, best industry practise, the City’s Dog Control Orders and the Animal Welfare Act. It also requires professional dog walkers to be fully insured.

Details of the scheme can be found on our web pages.

The Council’s Animal Welfare Team will investigate all allegations of bad practice and any incidents should be reported to the team to follow up. The Animal Welfare Team can be contacted on 01273 294266.”

72 ORAL QUESTIONS FROM COUNCILLORS

72.1 The Mayor noted that notification of 8 oral questions had been received and that 30 minutes was set aside for the duration of the item. He informed the Council that Councillor Pissaridou had notified him of her wish to withdraw her question and then invited Councillor G. Theobald to put his question to Councillor West.

(a) Travellers and the Use of Injunctions

72.2 Councillor G. Theobald asked; “Given the seemingly ever increasing problems with unauthorised encampments on the cities sensitive parks and open spaces, many residents have suggested to me that this Council follows the lead of Harlow and Leeds Councils in seeking a court injunction barring travellers from camping on these sites. Does Councillor West agree with those residents many of whom live near him in my ward?”

72.3 Councillor West replied; “The ability to use injunctions on Travellers is actually quite a new power. It’s as yet untested in law and there are risks of challenge. What I understand about Harlow compared with Brighton and Hove is that they actually have 44 permanent pitches and that actually puts them in a stronger position to use restricted legal remedies against Travellers on unauthorised encampments. I would therefore hope that Councillor Theobald would be supportive of our endeavour to build a permanent travel site and I was reading his ward newsletter the other day which demonstrated the amount of effort he’s put in to challenging encampments in parks in the ward but also continues to oppose the permanent Traveller site that we are trying to develop. So if he wants to be like Harlow he needs to help us build permanent pitches where people can live in dignity instead of finding themselves forced to camp on our parks.”

72.4 Councillor G. Theobald asked the following supplementary question; “If Harlow and Leeds have been able to do it there’s no good reason why we cannot and Chief

Superintendent Nev Kemp, no less a person, is quoted as saying, “an injunction similar to Harlow would make policing unauthorised encampments both easier and more effective. Why doesn’t Councillor West, in the period of their dying administration, get the ball rolling so that we can take it forward after May 7th?”

72.5 Councillor West replied; “The injunctions are used against individuals, I don’t believe they can be used against encampments as a whole; whole groups of un-named people. We are nevertheless exploring the use of injunctions in an appropriate way; what that opportunity offers to us and we’re also looking at public space protection orders as well but as I say the only real answer to the problems that this City faces and the Travellers themselves and their communities is the provision of more proper provision. I would also add to this Councillor, your party and the Labour Party’s resistance to us actually establishing a temporary site for when we have to close the transit site in order to develop the permanent one. That is going to lead to the likelihood that we will actually see more unauthorised encampments and it will be your fault.”

(b) Car Parking on Housing Land, Ingram Crescent

72.6 The Mayor noted the question had been withdrawn.

(c) Provision of Youth Services

72.7 Councillor Farrow asked; “Following the setting of the Council budget, will the chair outline for residents the administration’s proposals for the councils and council sponsored voluntary sector youth services across the city?”

72.8 Councillor Shanks replied; “I am really pleased that in the budget we were able to keep the funding for the both the collective funding and for the Councils youth service. For the moment, we are going to be having a review looking at how we work, how our youth worker is across the city and we haven’t got any further reductions in budgets, so I’m pleased with the fact that we’ve been able to preserve that. What we want to do is to look at how it’s working, what works best, how we should best use the resources we’ve got in the most effective way. So that review is going to involve the voluntary sector, our own staff and the youth council.”

72.9 Councillor Farrow asked the following supplementary question; “Does that mean that the existing youth support workers in Moulsecoomb and Bevendean will be able to continue their work in assisting young people across the ward?”

72.10 Councillor Shanks replied; “The 67 centre is used both by our staff but also by the collective on another night, so it’s quite well used and they have a bike repair project and lots of activities, and I do think that is really important for young people to have somewhere to go. We’ve got big issues about mental health in our city for young people as well, so that’s also part of our review to making sure that we’re supporting young people through adolescence, which is often a very troubled time for them.”

(d) Travellers

72.11 Councillor Summers asked; "In view of the decision at October's Policy & Resource Committee not to pursue Hangleton Bottom as a temporary traveller site or in fact any other location that was recommended by officers whilst the current Horsdean site is closed in a month or so for redevelopment. What plans do Councillor West and his administration and the officers have in place to alleviate the effects of ever increasing encampment on the usual merry go round on sensitive sights with which residents, certainly in my ward, are all too familiar and justifiably weary and resentful of?"

72.12 Councillor West replied; "We don't have any temporary plans, that is the problem and that was put to Policy & Resources in September when Members of the opposition chose to reject the only proposal before us which was that Hangleton Bottom was the only identified suitable site and they chose to reject that even though Travellers have actually used that site before and also that the police have been involved in regarding that proposal for Hangleton Bottom to be a temporary site and they regarded that as appropriate. That was the proposal.

Now the position is that we would need planning permission for any other site. So if you conjured up another site, and we did ask what your proposal was at the time, and you haven't come forward with that, even if you did at this late stage, it would still need planning. What we have been doing in the background is we have been talking to our tenant farmers and to private land owners in the area but we have not come up with any suitable alternative. Hangleton Bottom was the alternative and you chose to reject it so you will be responsible for further unauthorised encampments on our parks and open spaces over the period of time while we're developing a permanent traveller site."

72.13 Councillor Summers asked the following supplementary question; I have a photo of Hangleton Bottom being used as a temporary site by both the Conservative and Labour administrations in 2007."

72.14 Councillor Mitchell raised a point of clarification and stated that "Hangleton Bottom had never been used as a temporary site for Travellers; however it had been used as a tolerated site for Travellers with specific health and welfare needs for specific periods of time."

72.15 Councillor Summers stated, "Well I think officers specifically said that Hangleton Bottom could be used this time for a specific period of time while Horsdean was being developed. This was the first thing that the Green Administration had to deal with within half an hour of becoming the administration and it's been the number one issue since certainly in my ward. First of all as far as Labour's concerned, Councillor Morgan has referred to this as not an issue to be used for winning votes because it's a sensitive and difficult issue, well it is. So much so that in fact the Labour manifesto, a Council that works for you, mentions the Travellers zero times. So apparently if they come into administration, they won't be dealing with Travellers at all. The Conservatives have obviously gone out of their way to protect Hangleton bottom and their own wards, they have challenged the administration countless times in 4 years on this issue ad nauseum I have to say. What do you think about the Conservatives, in their manifesto, saying that they will work with the police to enforce the law at all times, well that's really visionary isn't it? There's absolutely no ambition in that at all to tackle it and in the words of Councillor Bowden when he referred to the live music venues, they need to get hold of it by the scruff of the neck and include it properly in their policies.

Councillor West, what do you think about your own manifesto, rejuvenating our city, under equality where you say you will start to work on the permanent Traveller's site and continue to liaise with the friends and families of Travellers and with local communities affected by unauthorised encampments?"

72.16 Councillor West replied; "I think the answer is that Councillor Summers has done very well tonight."

(e) Housing Functions

72.17 Councillor Mears asked; "I am concerned that the delegated functions set for Housing Committee by this Council are not being adhered to. Last year we saw delegation given to officers with regard to supporting people. In my view, Members of the Housing Committee were completely side-lined and, to date, have never received a report to Committee for Members to discuss. Can Councillor Randall confirm that he and his Administration are committed to the Housing delegated functions as set out by this Council?"

72.18 Councillor Randall replied; "Yes, the transfer of the management of hostels from supported housing commissioning to Adult Social Care in no way diminishes the role of the Housing Committee which is overseeing the work of these services. Indeed, the Housing Committee remains accountable for the performance of these services. The Committee's delegated powers have not been changed. The Committee will continue to receive reports relevant to the management of these services and remain satisfied that its responsibilities are being adequately discharged including the legal responsibility for spending Housing Revenue Account money.

As we discussed at the last Housing Committee, the same is also true of the administration of Disabled Facilities Grants. Due to a new Government ruling, this funding is now coming through the Better Care Fund and the Health & Wellbeing Board. However, the Housing Committee is still responsible for ensuring its duties under the Housing Act are adequately discharged and will be requesting reports from officers to ensure they are.

As you will also know, we have asked the Housing Associations working in the city to make a contribution towards Disabled Facilities Grants in the future. I have asked for an update on that to be sent to Housing Committee Members."

72.19 Councillor Mears asked the following supplementary question; "Thank you for your response. At the last Housing Committee Meeting on the 4th of March, Agenda Item 72, the Committee was only asked to note the recommendations regarding the monitoring of the Disabled Facilities Grant by the Health & Wellbeing Board. The delegated functions for Housing clearly state that the Housing Committee is responsible for decisions on loans and grants. Can Councillor Randall confirm that this should have happened and that it is Members and not Officers that should be making decisions, and that Members of committees should be fully briefed on the delegated functions of committees they are appointed to?"

- 72.20 Councillor Randall replied; “I have sought advice from the Monitoring Officer on the legality of what has happened and he confirms that he supports what has happened. I feel that we do need more clarity between the responsibilities of the Housing Committee, the Adult Social Care Committee and the Health and Wellbeing Board. The Health and Wellbeing Board is becoming more involved in Housing and is investing in dealing with homelessness and this is the way forward for all of this work we are doing.

We have gone through this before and I as far as I am concerned what has happened is constitutional and is the right way forward in the new ways of working in the Council. However, we do need that clarity about who does what and I hope the new Council see that as a priority and central to what we do.”

(f) Public Transport

- 72.21 Councillor Marsh asked; “Would Cllr Davey agree that it is vital and important to provide an adequate and good bus service, particularly for residents in outlying areas such as Meadowview and Coombe Road?”
- 72.22 Councillor Davey replied; “I do agree that bus services are essential across the city and I think we are very fortunate to have the most successful bus service in the country outside of London. Bus passenger numbers continue to grow with 46 million bus passenger trips per year including 17 million along Lewes Road. One of the real benefits of the changes we have brought in is the multi-operator partnership.

The forthcoming multi-operator ticketing has put Compass Travel in the position to step-in where Brighton & Hove Buses may choose to withdraw services which are not commercially viable, as is their right under the 1986 Transport Act. Due to the multi-operator working and the really hard work of Council officers, Compass Travel is able to provide a service for the residents of your Ward.”

- 72.23 Councillor Marsh asked the following supplementary question; “Yes indeed Compass Travel has stepped in and is going to try and run the service commercially in the daytime. However, it is a different matter on evenings, weekends and Sundays and there is not going to be any supported service after next November. I am pleased that residents will have a service supported by our Transport budget until the end of November but my residents have no guarantee of any bus service whatsoever during the evenings and weekends.

I understand a sum of approximately £25,000 which is what it would have cost to assure the service could run until the next service change in April 2016 was not found to be available. Can Councillor Davey comment on how he can justify that decision?”

- 72.24 Councillor Davey replied; “Thank you very much – It is clear that if you would have voted for our budget proposal for a 5.9% increase then this service would have been protected. Unfortunately under the budget which you voted for this subsidy for the evening and weekend bus service for your residents were removed by your own vote.”

(g) Traveller Clear-up Costs

- 72.25 Councillor Barnett asked; “The cost incurred to Council Tax payers so far this year in respect for carrying out evictions from unauthorised Traveller’s encampments, clearing up after them and repairing criminal damage is around £200,000. Will Councillor West please explain to residents why the Council does not seek to recover any of these costs from the Travellers when they go to court to secure an eviction?”
- 72.26 Councillor West replied; “The question is about why we don’t charge people costs for trespass. There are two issues in particular with that. One is that it is a matter of identifying individuals. The more overriding point is that if you charge people for staying on an unauthorised site on your park you can legally be said to be accepting rent for their presence.”
- 72.27 Councillor Barnett asked the following supplementary question; “When I recently met with the Sussex Police and Crime Commissioner to talk about this situation, she agreed that it is neither acceptable nor fair. The travellers arrive as a collective group, live as a collective group and generally leave as a collective group. They should therefore take collective responsibility for their behaviour when they are camped on public land. Why does Councillor West continue to bury his head in the sand on this issue?”
- 72.28 Councillor West replied; “Travellers are not always a cohesive family group and sometimes you will have a number of families and sometimes people who are not connected in any way at all. That is not how the law works, you have to deal with individuals and you cannot have collective responsibility in this matter.”

(h) A23/A27 Litter Clearance

- 72.29 Councillor C. Theobald asked; “The rubbish beside the A27 and A23 in the city is worse now than I can ever remember. My electors in Patcham complain regularly about this. You said in your response to Mr Duncan’s question that you are waiting for summertime for the work to be carried out. However there is a lot of bridgework carried out at night-time. Lanes are regularly closed on the A23 for maintenance work and the Southwick Tunnel is often closed for works at night there. Why can’t litter-pickers be co-ordinated with these closures?”
- 72.30 Councillor West replied; “I think the difficulty in collecting refuse and picking up litter in the dark is you might have difficulty actually seeing it. We have had five years of Conservative government under which they have not done anything to address the huge cost that Councils have to face from people littering, not just along roadsides but in urban areas as well. They have cut public finances at a Council level so we have precious little ability to address attitudes towards littering or clean up after the people who make the mess.”
- 72.31 Councillor C. Theobald asked the following supplementary question; “I understand this issue about who is responsible for financing this has been taken up by both the Local Government Association and in Parliament by the MP for Mid-Sussex. This certainly needs sorting out in the long-term but in the short-term we are coming up to the main tourist season in the city, will the Leader of the Council pledge to get this mess cleared up before then?”

72.32 Councillor West replied; "As I mentioned previously, we are endeavouring to engage an appropriate contractor to complete this work under the conditions that the Highways Agency dictate to protect the safety of workers. I cannot give you an answer as to when exactly we are able to do this work but it will be slower than we have previously been able to do it. Obviously, we will endeavour to get things done as quickly as possible."

73 CALL OVER FOR REPORTS OF COMMITTEES.

(a) Callover

73.1 The Head of Democratic Services confirmed that the following Items had been reserved for discussion:

- Item 74 - Response to the Seafront Infrastructure Scrutiny Panel Report;
- Item 75 - Pay Policy Statement 2015/16
- Item 76 - Annual Investment Strategy
- Item 77 - Brighton & Hove City Council Corporate Plan and Medium Term Financial Investment Strategy 2015-19
- Item 78 - Local Transport Plan
- Item 80 - Review of the Constitution – March 2015
- Item 82 - The Pupil Premium in Brighton & Hove Schools.

(b) Receipt and/or Approval of Reports

73.2 The Head of Democratic Services confirmed that the following reports on the agenda with the recommendations therein had been approved and adopted:

- Item 79 - Housing Strategy 2015;
- Item 81 - Appointment of Independent Person.

(c) Oral Questions from Members

73.3 The Mayor noted that there were no oral questions in relation to the items that had not been reserved for discussion.

74 RESPONSE TO THE SEAFRONT INFRASTRUCTURE SCRUTINY PANEL

74.1 Councillor Mitchell welcomed the response to the Scrutiny Panel's report and stated that the future of the seafront and the challenge to maintain it should not be underestimated. She thanked the Panel Members for their work on the review and looked forward to the future report on the seafront infrastructure that had been agreed as part of the response to the Panel's recommendations.

74.2 Councillor J. Kitcat noted that the matter had been well debated at the Policy & Resources Committee meeting and the importance of the seafront to the city's infrastructure and success was recognised. He hoped that the recommendations would be addressed and that further improvements would be made.

- 74.3 Councillor Brown thanked everyone involved with the Scrutiny Panel and stated that there was a need to regenerate the seafront. The panel had noted that there were areas of success with aspects having had investment, but there was a need to continue that work and to identify a regular income stream to support the necessary work into the future. It was a huge challenge and one that the council needed to tackle collectively.
- 74.4 Councillor Smith stated that the seafront was the lifeblood of the city and needed to be cared for. Whilst some aspects had seen improvements such as the arches and band stand, others remained neglected and there had been disappointments with potential developments not progressing. Although it would not be whilst he was a councillor, he hoped that he would see the investment required put into the seafront and potential development opportunities come to fruition.
- 74.5 Councillor Bowden stated that it was an excellent scrutiny report and he welcomed the recommendations. It was estimated that it would cost £100m to bring the seafront up to scratch and everything possible to ensure it was brought up to standard would be undertaken e.g. the Brighton Centre would remain open until the venue at Black Rock was built. He also hoped that the redevelopment of the King Alfred would also be progressed and noted that preferred bidders were due to be announced.
- 74.6 Councillor C. Theobald stated that she wished to congratulate the Scrutiny Panel on its report and noted that further investment was being made with the development of the i360. However there was a need to invest in the remaining arches and she hoped that resources would be identified that could be set aside to support improvements to the seafront.
- 74.7 The Mayor noted that the report had been referred for information and moved that it be noted.
- 74.8 **RESOLVED:** That the report be noted.
- 75 PAY POLICY STATEMENT 2015/16**
- 75.1 Councillor Sykes introduced the report which detailed the council's pay policy for 2015/16 and noted that it was the fourth edition of the policy that the council was required to publish. He therefore moved that the policy be approved and adopted by the council.
- 75.2 Councillor Duncan stated that he was disappointed by the information provided under the equalities implications paragraph and suggested that greater transparency could have been provided in terms of the pay grades within the council. He suggested that there was a need to give further consideration to the levels of pay and to bring them into closer alignment across the organisation.
- 75.3 Councillor Sykes stated that the equalities impact assessment that had been undertaken showed that the council was ahead of other authorities in this regard and noted that the council had met its objective of having a ratio of 10:1 in terms of top to bottom for pay.

75.4 The Mayor noted that the recommendations had been moved and put them to a vote which was carried.

75.5 **RESOLVED:** That the pay policy statement 2015/16 as detailed in appendix 1 to the report be approved and adopted.

76 ANNUAL INVESTMENT STRATEGY 2015/16

76.1 Councillor Sykes introduced the report which outlined the Annual Investment Strategy for the Council and moved that it be approved by the council.

76.2 Councillor Duncan stated that he was disappointed by the strategy which he felt lacked vision and expressed concern over the fact that it continued to include establishments such as HSBC for investment purposes. He suggested that it would be better to create a local investment fund that could be used to support the creation of housing and maintain facilities such as public conveniences around the city.

76.3 Councillor Sykes noted the comments and stated that whilst he had some sympathy with Councillor Duncan's views, there was a need to invest funds across various establishments and officers had a very good track record. He therefore supported the recommendations listed in the report.

76.4 The Mayor noted that the recommendations had been moved and put them to the vote which was carried.

76.5 **RESOLVED:** That the Annual Investment Strategy 2015/16 as set out in appendix 1 to the report be approved.

77 BRIGHTON & HOVE CITY COUNCIL CORPORATE PLAN AND MEDIUM TERM FINANCIAL STRATEGY 2015-19

77.1 Councillor J. Kitcat introduced the report which set out the council's corporate plan and medium-term financial strategy 2015-19. He noted that the corporate plan outlined the overall direction for the council over the coming four years, detailing its vision, principles and priorities. The medium-term financial strategy complimented the corporate plan and detailed the strategic investment for services whilst seeking to address the financial challenges ahead for the council. The population was growing and this placed increasing pressures on the city whilst the council had less income and was having to reduce its staff and services. However, he hoped that the corporate plan could be supported and recommended it to the council.

77.2 Councillor G. Theobald welcomed the report and stated that he fully supported the corporate plan which now reflected the arguments that he had been putting forward for the last four years e.g. to become more efficient and enable citizens to play an active role in providing services etc.

77.3 Councillor Morgan stated that he wished to support the comments of Councillor Kitcat and to thank him for the work he had done and those officers involved in bringing the

corporate plan forward and developing a flexible strategy that could be adopted following the elections in May.

- 77.4 Councillor Wealls welcomed the report and noted that it proposed the commissioning of youth services and the diversity of school provision, aspects that the Conservative Group had argued for and yet had been previously resisted by the Administration.
- 77.5 Councillor Kitcat noted the comments and stated that the council had had to take out £70m worth of efficiencies and would need to work with partner organisations and the third sector if the needs of the citizens of the city were to be met. He therefore hoped that the council would endorse the plan.
- 77.6 The Mayor noted that the recommendations had been moved and put them to a vote which was carried.
- 77.7 **RESOLVED:** That the Corporate Plan 2015-16 be approved.

78 LOCAL TRANSPORT PLAN 2015

- 78.1 Councillor Davey introduced the report and stated that he wished to thank the officers involved in putting the plan together. He stated that it highlighted how important transport was to the city and the investment that had been achieved with successful bids for resources. He also believed that an important measure of success was how people travelled in the city and he noted that Brighton and Hove had one of the lowest figures for car use. It was also the highest outside of London for bus use and car sharing, all of which helped to reduce the level of emissions. There was more to do and he hoped the work would continue and commended the plan to the council.
- 78.2 Councillor Hawtree stated that he wished to congratulate Councillor Davey on his achievements during the last four years and suggested that the soon to be implemented bike scheme in the city should be referred to as 'Davey's Bikes.'
- 78.3 Councillor Duncan welcomed the report and acknowledged the work of Councillor Davey. However, he believed that more could be done and needed to be. The level of bus and train fares was increasing and this needed to be addressed if people were going to continue to be able to use public transport. He also felt that more engagement was needed with residents on improvement proposals so that their views and needs could be taken into consideration.
- 78.4 Councillor Mears welcomed the report but expressed a noted of concern for the new council as there would be a need to take a strategic overview of the city and its transport provision. The tourist trade provided a valuable income to the city's economy and it needed to be protected when changes were being made to the transport infrastructure and major developments came on board. The timing and co-ordination of these would need to be carefully managed, otherwise the city could suffer.
- 78.5 Councillor Summers stated that an incredible number of achievements had been made across the transport portfolio, whether everyone agreed with them or not, and she wished to commend Councillor Davey for his role in that and to wish him well for the future.

- 78.6 Councillor West stated that he wanted to add his thanks and appreciation of Councillor Davey's role as the Lead Member for Transport. He and the officers had levered in an incredible amount of funding to the city and delivered a number of projects that benefitted the city as a whole. He had found the plan to be a very good read and it laid the foundation for further improvements across the city and he recommended it to everyone.
- 78.7 Councillor Mitchell welcomed the report and praised the work of the transport team and the aim to meet the challenges ahead over the next four years. It was disappointing to see the reduction in government funding and the increased need to find match funding for schemes but she hoped that resources could be found to enable the programme to continue. She was concerned about the use of the LTP budget being used for borrowing and whether this would impact on future provision.
- 78.8 Councillor J. Kitcat stated that there was going to be a need for authorities to work together across the region to meet the transport needs. The council had already built up working relations with partners and the bus companies and received support from the universities. These relationships had put the council in good stead and he wished to thank Councillor Davey for all his work and being a transport ambassador for the city.
- 78.9 Councillor Davey thanked everyone for their comments and stated that he had been involved in transport issues for some time and he hoped that the work undertaken with officers would continue to be taken forward. He was concerned that the various party manifestos appeared light on transport aims and hoped that was because the plan highlighted what was required.
- 78.10 The Mayor noted that the recommendations had been moved and put them to the vote which was carried.
- 78.11 **RESOLVED:** That the draft Local Transport Plan (LTP4) as detailed in appendix 1 to the report be approved.

79 HOUSING STRATEGY 2015

79.1 **RESOLVED:**

- (1) That the adoption of the Housing Strategy 2015 be agreed;
- (2) That approval of the Housing Strategy 2015 be recommended to Brighton & Hove Connected as part of the Sustainable Communities Strategy; and
- (3) That the Executive Director Environment, Development & Housing be authorised to take all steps necessary and incidental to implement the Strategy.

80 REVIEW OF THE CONSTITUTION - MARCH 2015

- 80.1 Councillor Littman introduced the report which outlined the proposed changes to the constitution and delegations to officers following a review by the Constitution Working

Group. He stated that he wished to thank the Members of the Working Group and the officers involved in supporting it for their hard work and advice. He noted that the proposed changes had not gone as far as they could have and that further work would be required but in the meantime recommended the report to the council.

- 80.2 Councillor Mears noted the report and the changes in respect of the Health & Wellbeing Board and the remit of the Housing Committee and sought clarification with regard to the delegated functions for these bodies.
- 80.3 Councillor Duncan stated that the way in which the council worked and operated was very important and yet the report did not really go that far. He noted that there had been an extra budget meeting which had been foreseen and should not have been required if action had been taken to resolve matters earlier. He suggested that powers could be dissolved to a neighbourhood level and a review of how councillors worked and the number of councillors could have been and needed to be undertaken. Such changes would have an impact and would hopefully encourage greater participation in the democratic process.
- 80.4 Councillor Peltzer Dunn stated that the Working Group had looked at a number of aspects affecting the constitution and he wished to pay tribute to his two colleagues and to the work of the officers. There was a need to continue the work and he hoped this would follow the elections in May but in the meantime the proposals put forward were appropriate and he hoped would be supported.
- 80.5 The Mayor noted that the recommendations had been moved and put them to the vote which was carried.
- 80.6 **RESOLVED:**
- (1) That the proposed changes to the Council's constitution recommended in paragraphs 3.4 to 3.6 and appendix 1 of the report, relating to Overview & Scrutiny arrangements and policy panels be approved;
 - (2) That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy & Resources Committee and Council; and
 - (3) That the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.

81 APPOINTMENT OF INDEPENDENT PERSON

- 81.1 **RESOLVED:**
- (1) That the appointment of Ms. Diane Bushell as Independent Person and co-opted member of the Audit & Standards Committee be approved; and
 - (2) That it be noted that the appointment is made for a period of 4 years, with the possibility of a 2-year extension at the discretion of the Monitoring Officer after consultation with the Chair of the Audit & Standards Committee.

82 THE PUPIL PREMIUM IN BRIGHTON & HOVE SCHOOLS

- 82.1 Councillor Shanks introduced the report which outlined the national context of the Pupil Premium (PP), the achievement of the pupils who were in receipt of PP, what school leaders were expected to do and how the local authority was supporting and challenging them. She noted that the report had been referred to the council for information and welcomed the opportunity to bring it to Members' attention. She thanked Councillor Wealls for his input in relation to children receiving free-school meals and closing the gap in levels of attainment and asked all councillors who were members of governing bodies to raise the matter at their meetings.
- 82.2 Councillor Pissaridou stated that all Members should be aware of the report and should take the opportunity to read it. She noted that 9 out of 10 pupils receiving pupil premium did not achieve the basic 5 GCSE's and it appeared that there was no significant movement to close the gap. She suggested that there was a need to give schools more autonomy and noted that individual interventions had made the most difference.
- 82.3 Councillor Wealls stated that the gap had widened for five A-C GCSEs from 31% to 37% and yet the target had been to get it to 20%. He hoped that action would be taken to address this and that the need to do so would be recognised by the council.
- 82.4 Councillor Shanks noted the comments and stated that the need to tackle the matter had been identified and with support of all groups she hoped it could be addressed.
- 82.5 The Mayor noted that the report had been referred for information and moved that it be noted.
- 82.6 **RESOLVED:** That the report be noted.

83 NOTICES OF MOTION.**83 (a) Female Genital Mutilation**

- 83.1 The Notice of Motion as listed in the agenda was proposed by Councillor Hawtree and seconded by Councillor Powell.
- 83.2 The Mayor then put the following motion to the vote:

"This Council recognises the work done by local public services to prevent the illegal practice of female genital mutilation, and to help those affected by it. It has been estimated that 20,000 girls under the age of 15 in the UK are at risk of it.

We urge this Government to add their weight to the growing international campaign, and work with community groups here and abroad campaigning to stop this barbaric practice."

- 83.3 The Mayor confirmed that the motion had been **carried** unanimously.

83 (b) GP Surgery Provision

83.4 The Notice of Motion as listed in the agenda was proposed by Councillor Mitchell and seconded by Councillor Morgan.

83.5 The Mayor then put the following motion to the vote:

“This Council resolves to:

- 1) Write to the Secretary of State for Health asking what is being done to mitigate the consequences of six in ten GPs nationwide considering early retirement and the effects this would have on GP provision in Brighton and Hove.
- 2) Additionally ask the Secretary of State which health bodies in England have responsibility to ensure the adequate provision of GP services.”

83.6 The Mayor confirmed that the motion had been **carried** unanimously.

83 (c) ‘Time to Change’ - Pledge

83.7 The Notice of Motion as listed in the agenda was proposed by Councillor Wilson and seconded by Councillor Daniel.

83.8 The Mayor then put the following motion to the vote:

“This Council believes that mental health should be given equal priority with physical health as outlined in the government’s mental health strategy implementation framework.

This Council resolves:

- (a) To support Time to Change, the mental health anti-stigma campaign;
- (b) To request that the Health & Wellbeing Board explores the adoption of the Time to Change pledge, better workplace practices and encourage others to do so as well.”

83.9 The Mayor confirmed that the motion had been **carried** unanimously.

83 (d) City of Sanctuary

83.10 The Notice of Motion as listed in the agenda was proposed by Councillor Littman and seconded by Councillor Phillips.

83.11 The Mayor then put the following motion to the vote:

“Brighton and Hove City Council recognises and welcomes the good work going on in the city to make it a welcoming, inclusive and supportive community which offers safety to those who need it. As a city we celebrate diversity and recognise that our lives are enriched by those who come here seeking sanctuary.

Brighton and Hove City Council supports the movement to have Brighton and Hove recognised as a City of Sanctuary: a place where people fleeing persecution and violence can feel safe, welcomed, and included.

Brighton and Hove City Council recognises that there is still a great deal more we in the city could do, and will work with partners across the city to take practical steps towards welcoming refugees and asylum seekers to a place of safety, for example through the Vulnerable Persons' Relocation Scheme.

To these ends, the Council supports the principle of Brighton and Hove becoming a City of Sanctuary, and to continue to work with partners across the city, towards accommodating more refugees including those from Syria's ongoing civil war.

The Council also supports working with other local authorities and the Local Government Association to share best practice in this area and further the aims of the wider City of Sanctuary movement.”

83.12 The Mayor confirmed that the motion had been **carried**.

83 (e) Setting a Reserve Budget Council Meeting Date

83.13 The Notice of Motion as listed in the agenda was proposed by Councillor G. Theobald and seconded by Councillor Peltzer Dunn.

83.14 The Mayor then put the following motion to the vote:

“This Council resolves to set a formal reserve date for Budget Council meetings on an annual basis beginning in February/March 2016.”

83.15 The Mayor confirmed that the motion had been **carried**.

84 CLOSE OF MEETING

84.1 The Mayor thanked everyone for attending and also stated that he wished to thank all the officers who had supported him at the various council meetings during the year. He then closed the meeting.

The meeting concluded at 10.20pm

Signed

Chair

Dated this

day of

2015

BRIGHTON & HOVE CITY COUNCIL**COUNCIL****4.30pm 21 MAY 2015****COUNCIL CHAMBER, BRIGHTON TOWN HALL****MINUTES**

Present: Councillors Fitch (Chair), Cobb (Deputy Chair), Allen, Atkinson, Barford, Barnett, Barradell, Bell, Bennett, Bewick, Brown, Cattell, Chapman, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Hyde, Inkpin-Leissner, Janio, Knight, Lewry, Littman, Mac Cafferty, Marsh, Meadows, Mears, Mitchell, Moonan, Morgan, Morris, Nemeth, A Norman, K Norman, O'Quinn, Page, Penn, Robins, Simson, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls, West and Yates

PART ONE**1 COUNCIL BUSINESS - NEWLY ELECTED COUNCILLORS****(a) Newly Elected Councillors**

- 1.1 The Mayor welcomed the newly elected councillors to the Council Chamber and introduced them to the council:

Councillor Allen representing Preston Park Ward;
Councillor Atkinson representing North Portslade Ward;
Councillor Barford representing Queen's Park Ward;
Councillor Barradell representing East Brighton Ward;
Councillor Bell representing Woodingdean Ward;
Councillor Bewick representing Westbourne Ward;
Councillor Cattell representing Preston Park Ward;
Councillor Chapman representing Queen's Park Ward;
Councillor Druitt representing Regency Ward;
Councillor Gibson representing Hanover & Elm Grove Ward;
Councillor Greenbaum representing St Peter's & North Laine Ward;
Councillor Hill representing Hollingdean & Stanmer Ward;
Councillor Horan representing Goldsmid Ward;
Councillor Inkpin-Leissner representing Hollingdean & Stanmer Ward;
Councillor Knight representing Goldsmid Ward;
Councillor Lewry representing Hollingdean & Knoll Ward;
Councillor Miller representing Rottingdean Coastal Ward;

Councillor Moonan representing Central Hove Ward;
Councillor Morris representing Queen's Park Ward;
Councillor Nemeth representing Wish Ward;
Councillor O'Quinn representing Goldsmid Ward;
Councillor Page representing Hanover & Elm Grove Ward;
Councillor Penn representing Hollingdean & Stanmer Ward;
Councillor Taylor representing Withdean Ward,
Councillor Wares representing Patcham Ward;
Councillor Yates representing Moulsecoomb & Bevendean Ward.

2 DECLARATIONS OF INTEREST

1.2 There were no declarations of interest in items appearing on the agenda.

3 MAYORAL REPORT 2015-16

3.1 The Mayor formally moved the Mayoral report for 2014/15 be noted.

3.2 **RESOLVED** – That the report be noted.

3.3 The Mayor then chose to formally thank the Council for his year in office and stated that it had been varied and exceptional in many ways and would leave him with countless memories of the people that he had met. There were a number of experiences that stood out including Bernie Jordan's adventure to France and his conferral as an Alderman, the Pride event, meeting so many volunteers and raising funds for the mayoral charities. However all of these would not be possible without the support of a number of people within the council and he wished to thank a number of these personally. From within the Mayoral Office he called on Siobhan Williams, Martin Warren, Robbie Robertson, Darren Patching, and Kieran Madden to come forward and receive a small gift.

3.4 He also wished to thank Elaine Barber in Democratic Services and noted that she could not be present. He then called on Mark Wall, Head of Democratic Services, who he had known for over 25 years an officer and now as a friend, to come forward and receive a gift as a mark of his dedication and professionalism.

3.5 He then thanked Father John Wall for his service as his chaplain for the year and support at many of the mayoral events over the year.

3.6 Finally, he wanted to thank his wife, Nora for her support and advice throughout this year and for taking the decision to retire early so that she could support him fully. He then presented Nora with a small gift.

4 ELECTION OF THE MAYOR OF BRIGHTON AND HOVE FOR THE MUNICIPAL YEAR 2015/16

4.1 The Mayor invited nominations for the position of Mayor of Brighton & Hove for the municipal year 2015/16.

- 4.2 Councillor Lynda Hyde was proposed by Councillor Geoffrey Theobald and seconded by Councillor Simson.
- 4.3 Councillors Morgan and Mac Cafferty supported the nomination of Councillor Hyde as Mayor for 2015/16.
- 4.4 The Mayor declared that, there being no other nominations, Councillor Lynda Hyde be duly elected Mayor of Brighton & Hove for the forthcoming municipal year.
- 4.5 **The motion was agreed.**
- 4.6 The Mayor then adjourned the meeting at 5.15pm in order for Councillor Hyde as the incoming Mayor to be robed and to take the Chair for the meeting.

Councillor Hyde in the Chair

- 4.7 Councillor Hyde reconvened the meeting at 5.30pm and then made and signed her Declaration of Acceptance of Office.
- 4.8 The Mayor then thanked the Council for her appointment and stated that she was delighted to be making my maiden speech as Mayor in your presence. She then paid tribute to the Former Mayor and former Councillor and Alderman Brian Fitch. He and his wife Norah had given great service to the city during their Mayoralty, adding zest and passion to the dignity of office. She stated that it would be remiss of her not to mention Brian's forty years' service in local government and that in the view of many in the Chamber his term as Mayor was an apt conclusion to his public life. She then thanked Brian Fitch for his service.
- 4.9 The Mayor noted that the 1st Mayor of Brighton was Major John Fawcett in 1855 so there had been a Mayor in Brighton for 160 years and she understood the chain she was wearing today had been worn by all past Mayors in Brighton. Hove and Portslade had their own Mayors in the past when they were towns in their own right. However, we became a Unitary Authority on 1st April 1997, and she had on occasions albeit, luckily not too many, seen the significance of the April the 1st date. On 15 February 2001 the Mayor received Letters Patent from the Vice Lord Lieutenant conferring City status on Brighton and Hove on behalf of her Majesty the Queen. Subsequently, we are now the City of Brighton and Hove. However, those of us born here know we are really the City of Brighton, Hove and Portslade.
- 4.10 The Mayor stated that during her year as Mayor she wished to meet all sections of the communities in the City. There will obviously be some very formal and maybe grand occasions which she will attend and she wanted the presence of the Mayor to add a sense of occasion and gravitas. Some of the events would be to raise funds for charities and she wished to give her full support to these. She looked forward to supporting tourism and the business community when she could. One of her great wishes was to visit schools and inspire our young people to do their very best and to tell them if you set your mind to achieving your goal you can do it. She had some interesting little stories she could tell of her own school days which her 3 secondary school friends who were present would be able to confirm.

- 4.11 The Mayor stated that she had a belief that many of the City's volunteers were the glue which held society together and she wanted to visit them and thank them for their contributions. Often they are the unsung heroes of the City. She hoped that some of the charities would invite her to their fund raising events and if they did she promised she would buy some raffle tickets.
- 4.12 Finally the Mayor stated that she wished to thank her Group for putting her name forward to the Council and the Council for voting for her to be the Mayor of the City of Brighton and Hove. She also wished to mention the Councillors who voted to put her forward at the December Council meeting and were no longer in this chamber.

5 VOTE OF THANKS TO THE RETIRING MAYOR

- 5.1 The Mayor invited Councillor Mitchell to move a vote of thanks for the previous Mayor, Brian Fitch.
- 5.2 Councillor Mitchell moved a vote of thanks to Brian Fitch as the retiring Mayor for his services during his term of office.
- 5.3 Councillor G. Theobald formally seconded the motion and this was supported by Councillor Mac Cafferty.
- 5.4 The Mayor put the motion to the vote.
- 5.5 **The motion was carried.**
- 5.6 The Mayor presented Brian Fitch and Mrs Norah Fitch with commemorative badges in recognition of their year of office.

6 APPOINTMENT OF THE DEPUTY MAYOR OF BRIGHTON AND HOVE FOR THE MUNICIPAL YEAR 2015/16

- 6.1 The Mayor moved that the Council appoint Councillor Pete West as Deputy Mayor for the forthcoming municipal year.
- 6.2 The Motion was seconded by Councillor Mac Cafferty.
- 6.3 Councillors Morgan and G. Theobald supported the nomination of Councillor West as Deputy Mayor.
- 6.4 The Mayor declared that, there being no other nominations, Councillor Pete West be duly elected as Deputy Mayor of Brighton & Hove for the forthcoming municipal year 2015/16.
- 6.5 **The motion was agreed.**
- 6.6 Councillor Pete West made and signed his Declaration of Acceptance of Office as Deputy Mayor and was presented with his badge of office by the Mayor.

7 MAYOR'S COMMUNICATIONS

- 7.1 The Mayor stated that she was very happy to say that Alison Peters had agreed to be her principal Consort during her mayoral year and invited her to come forward to be presented with her chain of office.
- 7.2 The Mayor stated that she was also pleased to say that Father John had agreed to be her Chaplain for the forthcoming year and that her three Mayor's charities for the year were; 'The Argus Appeal', 'The Martlets' and the 'Grace Eyre Foundation' and she hoped that they would all benefit from Members' support as well as hers.
- 7.3 The Mayor invited councillors to join her at the civic service to be held at 11.00am in the Unitarian Church on Sunday 7th June.
- 7.4 The Mayor informed the council that she wished to announce that she had agreed to call a Special Council Meeting on the 16th July to consider the conferral of Honorary Aldermen, and to present those previous councillors who were not re-elected with certificates in recognition of their services. The special meeting would take place prior to the Ordinary Council meeting scheduled for the 16th July.

8 APPOINTMENT OF THE LEADER OF THE COUNCIL 2015/16

- 8.1 The Mayor invited Councillor Mitchell to propose the appointment of the Leader of the Council.
- 8.2 Councillor Mitchell proposed that Councillor Warren Morgan should be appointed as the Leader of the Council for the term of the council.
- 8.3 Councillor Hamilton formally seconded the proposal.
- 8.4 The Mayor noted that there were no other nominations and put the motion to the vote which was agreed.
- 8.5 **RESOLVED:** That Councillor Morgan be appointed as the Leader of the Council.

9 CONSTITUTIONAL CHANGES

- 9.1 Councillor Morgan introduced the report which outlined changes to the constitution and the creation of a new Neighbourhoods, Communities & Equalities Committee and discontinuance of the Community Safety Forum. He noted that the various changes outlined in the report had been agreed at the Leaders Group and moved the recommendations.
- 9.2 The Mayor noted that the report had been moved and put the recommendations to the vote which were carried.
- 9.3 **RESOLVED:**

- (1) That the proposal to create a Neighbourhoods, Communities and Equalities Committee, with a membership of 10, be approved together with the terms of reference set out in Appendix 1 and the arrangements for invitees referred to in paragraph 3.2 of the report;
- (2) That the proposal to discontinue the Community Safety Forum be approved;
- (3) That the Children & Young People Committee be renamed as Children, Young People and Skills Committee and the Housing Committee be renamed as the Housing and New Homes Committee;
- (4) That the Chief Executive be authorised to take all steps necessary or incidental to the implementation of the changes agreed by Council and that the Monitoring Officer be authorised to amend and re-publish the Council's constitution to reflect the changes referred to in (1), (2) and (3) above; and
- (5) That the above changes come into force with immediate effect.

10 APPOINTMENTS 2015/16

- 10.1. The Mayor moved that for the municipal year 2015/2016 the following appointments be agreed:
 - (i) Deputy Leader of the Council, Councillor Mitchell; and
 - (ii) Leader of the Official Opposition, Councillor G. Theobald.
- 10.2. The Mayor also moved that for the municipal year 2015/2016 the following appointments to the positions as agreed by the various Groups represented on the Council be noted:
 - (i) Leader of the Labour & Co-operative Group - Councillor Warren Morgan;
 - (ii) Deputy Leaders of the Labour & Co-operative Group - Councillors Hamilton and Mitchell;
 - (iii) Leader of the Conservative Group - Councillor Geoffrey Theobald;
 - (iv) Deputy Leaders of the Conservative Group – Councillors Simson and Wealls;
 - (v) Convenor of the Green Group – Councillor Phelim Mac Cafferty;
 - (vi) Deputy Convenors of the Green Group – Councillors Deane and Phillips.
- 10.3. **The motion was carried.**

11 REVIEW OF POLITICAL BALANCE AND APPOINTMENT OF COMMITTEES, SUB-COMMITTEES, JOINT COMMITTEES, FORUMS, PANELS AND OUTSIDE BODIES 2015/16.

11.1 The Mayor moved that:

- (i) The allocation of seats as detailed in the report and in appendix 1 to the report be approved;
- (ii) For the municipal year 2015/2016 the following Committees and Sub-Committees be constituted and appointed to hold office until the next Annual Meeting of the Council and the number of Members and allocation of seats to the Party Groups (apart from co-opted Members) as detailed in appendix 1 to the report and as specified below be agreed:

Committee/Sub-Committee	Seats	Labour & Co-operative	Conservative	Green
Policy & Resources	10	4	4	2
Children, Young People & Skills	10	5	3	2
Economic Development & Culture	10	5	3	2
Environment, Transport & Sustainability	10	4	4	2
Housing & New Homes	10	4	4	2
Neighbourhoods, Communities & Equalities	10	4	4	2

Licensing*	15	6	6	3
Planning	12	6	4	2
Audit & Standards Committee	8	3	3	2
Overview & Scrutiny Committee	10	4	4	2
Personnel Sub-Committee	3	1	1	1
Greater Brighton Board	2	1	1	

Total	110	47	41	22
<i>Licensing 2003 Act* - has the same membership as Licensing and does not come into the equation for the allocation of seats</i>	15	6	6	3

- (iii) That the membership of the committees and sub-committees as detailed in appendix 2 to the report and set out below be agreed;

Policy & Resources Committee – Councillors Morgan (Chair), Hamilton (Deputy Chair), Bewick, Janio, Mac Cafferty, Mitchell, A. Norman, Sykes, G. Theobald and Wealls.

Children, Young People & Skills Committee – Councillors Bewick (Chair), Chapman (Deputy Chair), Barradell, Brown, Daniel, Knight, Marsh, Phillips, Taylor and Wealls.

Economic Development & Culture Committee – Councillors Morgan (Chair), Robins (Deputy Chair), Druitt, Greenbaum, Morris, Nemeth, O’Quinn, Peltzer Dunn, C. Theobald and Yates.

Environment, Transport & Sustainability Committee – Councillors Mitchell (Chair), Barradell (Deputy Chair), Atkinson, Greenbaum, Janio, Miller, Nemeth, Robins, C. Theobald and West.

Housing & New Homes Committee – Councillors Meadows (Chair), Hill (Deputy Chair), Atkinson, Barnett, Gibson, Lewry, Mears, Miller, Moonan and Phillips.

Neighbourhoods, Communities & Equalities Committee – Councillors Daniel (Chair), Moonan (Deputy Chair), Barnett, Bell, Gibson, Hill, Horan, Lewry, Littman and Simson.

Licensing & Licensing (2003) Committee – Councillors Marsh (Chair), Horan (Deputy Chair), Allen, Bell, Cobb, Deane, Gilbey, Lewry, Moonan, O’Quinn, Page, Simson, C. Theobald, Wares and West.

Planning Committee – Councillors Cattell (Chair), Gilbey (Deputy Chair), Barradell, Hamilton, Inkpin-Leissner, Littman, Mac Cafferty, Miller, Morris, Peltzer Dunn, C. Theobald and Wares.

Audit & Standards Committee – Councillors A. Norman (Chair), Chapman, Cobb, Druitt, Morris, Robins, Sykes and Taylor.

Overview & Scrutiny Committee – Councillors Simson (Chair), Allen, Bennett, Deane, Marsh, K. Norman, O’Quinn, Page, Penn and Wares.

Licensing 2003 Sub-Committee (3 from the parent committee with designated reps) – Councillors Marsh (Chair), Simson and Deane.

Personnel Committee – (3 from a pool of Members with designated reps) Councillors O’Quinn, Simson and Littman.

Greater Brighton Board – Councillors Morgan and G. Theobald.

Great Brighton Board Call-in Panel – Councillor Mac Cafferty.

Health & Wellbeing Board – Councillors Yates (Chair), Barford, Mac Cafferty, K. Norman and G. Theobald.

Corporate Parenting Board - Councillors Gilbey (Chair), Bell, Bennett, Chapman and Knight.

Procurement Board – Councillors Meadows (Chair), Miller, Robins, Sykes and Wealls.

- (iv) That in having regard to (iii) above, those Members listed as Chair, Deputy Chair and Opposition Spokesperson of the respective Committees, Sub-Committees and Forums as detailed in appendix 2 to the report be agreed;
- (v) That in having regard to (ii) above, an Urgency Sub-Committee for each Committee be approved in accordance with Procedure Rule 22;
- (vi) That in having regard to (ii) above, it be agreed that for the purpose of enabling meetings of the Personnel Appeal Panel (sub-committee) to be convened without disproportionate difficulty, the make-up of such panels need not be politically balanced although every effort would be taken to achieve it and that it also be agreed that:
 - (a) Although the Panel has the Members referred to in Appendix 2 as its standing Members, where any of the 3 Members is not available, any Member of the Council who has received appropriate training shall be eligible to sit on the Panel;
 - (b) The Head of Democratic Services be authorised to set up the Panel, as and when needed with the permanent Members or, where any of them is not available, by including any other eligible Member of the Council, having regard to the need, where possible, to secure cross party representation;
 - (c) The above arrangements and those set out in paragraph 2.5 of the report (and (v) above), are intended to operate as “alternative arrangements” for the pursuant to section 17 of the Local Government (Committees and Political Groups) Regulations 1990.
- (vii) That the appointment of representatives to various bodies listed in Appendix 2 of the report be agreed;

- (viii) That the appointment of the various Lead Members' roles and the designated Members listed against those roles as detailed in Appendix 3 to the report be agreed; and
- (ix) That the appointments of representatives to the list of Outside Bodies as detailed in appendix 4 to the report and specified below be agreed:

	Name of Organisation	Term of Office	Nominations 2015/16
1	Coast to Capital Local Enterprise Partnership	4-year	Morgan
2	Coast to Capital Local Transport Body	4-year	Mitchell
3	East Sussex Fire Authority	4-year	Penn, O'Quinn, Morris Peltzer Dunn, C. Theobald Deane
4	Gorham's Gift	4-year	Barradell K. Norman Knight
5	Patrol Adjudication Joint Committee (Appointee also sits on the Bus Lane Adjudication Service Joint Committee)	4-year	Horan
6	Police & Crime Panel	4-year	Daniel
7	South Downs National Park Authority	4 -Year	West
8	Sothern Regional Flood & Coastal Committee	4 Year	Inkpin-Leissner

11.2 **The motion was carried.**

12 CLOSE OF MEETING

12.1 The Mayor thanked everyone for attending and closed the meeting.

The meeting concluded at 6.10pm

Signed

Chair

Dated this

day of

2015

Subject:	St Aubyns Playing Field in Rottingdean		
Date of Meeting:	16 July 2015		
Report of:	The Monitoring Officer		
Contact Officer:	Name:	Mark Wall	Tel: 29-1006
	E-mail:	mark.wall@brighton-hove.gcsx.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 An e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 1,796 signatures confirmed at the time of printing the report.

2. RECOMMENDATIONS:

- 2.1 That the petition is noted and referred to the Economic, Development & Culture Committee for consideration at its next meeting.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:**3.1 The Petition**

"We the undersigned petition Brighton & Hove Council to reject any applications for planning permission to build on St Aubyns Playing Field and confirm its designation as a Local Green Space in its City Plan."

Lead Petitioner – Lynn Moss

In support of the petition, we submit the following information:

- Developers want to build around 120 houses and flats on the former St Aubyns school site in the centre of the historic downland village of Rottingdean. More than half of these houses and flats are proposed to be built on the playing field.
- A development of this size will dramatically increase the number of vehicles along the A259 and on the village's other, heavily congested, minor roads.
- The increase in traffic will, in turn, increase the vehicle pollution levels in the village which, on the High Street, already breach European Union legal limits.

This pollution is a threat to the health of the village's children and elderly in particular.

- The loss of the field as an open green space would mean the loss of a valuable amenity to the community. If the field is protected it could be used once again for outdoor recreation in order to benefit the health and social well-being of residents and future generations.
- The village infrastructure (e.g. sewers, parking, schools and doctors' surgeries) would be put under an intolerable strain by such a large scale development.
- A construction project of the magnitude of 120 houses and flats, in the centre of this historic village, with all the attendant heavy vehicles, plant and machinery, would cause even higher levels of congestion, noise and dirt over at least a period of 2 years.

Additional Information

In 2014 Brighton and Hove City Council, working in conjunction with Rottingdean Parish Council, produced a draft Planning Brief for the former St Aubyns School site. In January 2015 this was approved by BHCC and it supports the preservation or enhancement of the Field for public use and also encourages its use for outdoor recreation in order to secure improvements in the health and social well-being of the local community.

Rottingdean Parish Council has since passed a resolution to designate the Field as a Local Green Space in its Neighbourhood Plan. The next step, to save the Field and secure its future for the public for ever, is for Brighton Council to designate the Field as Local Green Space in its City Plan. The more representations that are made to BHCC by the public to support this the more likely it is to do it.

Your views count and so please support this petition and help save the Field, and the future of Rottingdean and its residents.”

3.2 The options open to the council are:

- To note the petition and take no action for reasons put forward in the debate; or
- To refer the petition to the relevant Committee Meeting; or
- To refer the petition to the relevant Committee Meeting with recommendations.

4. PROCEDURE:

4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;

- (ii) The Mayor will then call on the relevant Committee Chair to respond to the petition and move a proposed response;
- (iii) The Mayor will then open the matter up for debate by councillors and call on those councillors who have indicated a desire to move an amendment or additional recommendation(s) to the recommendation listed in paragraph 2.1 of the report;
- (iv) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
- (v) After a period of 15 minutes, the Mayor will then call an end to the debate and ask the relevant Committee Chair to reply to the points raised;
- (vi) The Mayor will then formally put:
 - (a) Any amendments in the order in which they are moved, and
 - (b) The substantive recommendation(s) as amended (if amended).

ORAL QUESTIONS FROM COUNCILLORS

A period of not more than 30 minutes is set aside for oral questions from Members, at the expiry of which, the Mayor will call a halt and proceed to the next item of business of the agenda. Any Member whose question then remains outstanding will be contacted to determine whether they wish to have a written answer provided or for their question to be carried over to the next meeting.

The following Members have indicated that they wish to put questions to the Leader, Chairs of Committees or Members of the Council that have been appointed to an outside body. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion:

- (a) **Councillor G. Theobald**
Subject matter – Prevent Agenda

Reply from Councillor Morgan, Leader of the Council

- (b) **Councillor Mac Cafferty**
Subject matter – Council Budget Development

Reply from Councillor Hamilton, Deputy Chair (Finance) of the Policy & Resources Committee

- (c) **Councillor Simson**
Subject matter – Legal Highs

Reply from Councillor Yates, Chair of the Health & Wellbeing Board

- (d) **Councillor Sykes**
Subject matter – Use of Social Media

Reply from Councillor Morgan, Leader of the Council

- (e) **Councillor Mears**
Subject matter – Housing Services Accessibility

Reply from Councillor Meadows, Chair of the Housing & New Homes Committee

(f) Councillor Phillips
Subject matter – Brighton University Free School

Reply from Councillor Bewick, Chair of the Children, Young People & Skills Committee

(g) Councillor Bell
Subject matter – Travellers – Response to Unauthorised Encampments

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee

(h) Councillor Druitt
Subject matter – Trees

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee

(i) Councillor Littman
Subject matter – Chief Executive

Reply from Councillor Morgan, Leader of the Council

(j) Councillor Page
Subject matter – Primary Care Services

Reply from Councillor Yates, Chair of the Health & Wellbeing Board

Subject:	Appointment of Acting Chief Executive		
Date of Meeting:	16th July 2015		
Report of:	Interim Executive Director Finance and Resources		
Contact Officer:	Name:	Sue Moorman	Tel: 29-3629
	Email:	Sue.moorman@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

The purpose of this report is to seek agreement to the recommended candidate for the Acting Chief Executive, including the remuneration and for Committee to note the recruitment timetable for the substantive appointment.

2. RECOMMENDATIONS:

- 2.1 That Council agree the proposed appointment of the Executive Director of Environment and Housing as Acting Chief Executive, effective from 16th July 2015, pending the substantive recruitment process for a permanent Chief Executive.
- 2.2 That Council agree to the proposed salary for the duration of the Acting role as 100% of the difference between the Executive Director's substantive salary and that of the Chief Executive pay.
- 2.3 That Council note the timetable for the recruitment of the permanent role.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Expressions of interest for the Acting Chief Executive role have been sought from the Executive Director group within the Executive Leadership Team. As a result, the Executive Director of Environment & Housing, Geoff Raw, is proposed to Council as the nominated candidate for Acting Chief Executive.
- 3.2 The appointment will take effect from the date of full Council and continue until a substantive appointment is made to the role. The subsequent backfill arrangements for the Executive Director role will be similarly organised as an acting opportunity.
- 3.3 It is further proposed that the acting position will operate under the full delegations of the Chief Executive and Head of Paid Service. Consequently, the full allowance of 100% of the difference between the Chief Executives current salary point of £150,000 and the successful candidate. This is consistent with the Councils policies.

- 3.4 Under the terms of the Council’s constitution and specifically the Council’s pay policy, an Appointments and Remuneration panel must be set up to advised on salary and oversee the substantive appointment of the Chief Executive post. Leaders group have been asked to nominate member of the panel as follows:- 3 Labour, 2 Conservative and 1 Green. Once agreed there will be an initial meeting called to consider the proposed recruitment process and the remuneration for the post.
- 3.5 The anticipated timescale for the appointment process is as follows:

July/ August 15	Confirmation of appointment panel Preparatory work on process
Week commencing September 7 th and 14 th	Advertising of post – journal, on line and social media
September 28	Closing date
Week commencing October 5 th	Initial sift and presentation of longlist to panel
Week commencing October 12 th	Technical assessment of long list applicants and shortlist
Week commencing October 19 th	Final Interviews

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTION

- 4.1 The role of the Chief Executive requires continuity during the period of transition to a new Chief Executive, especially in the challenging financial climate that exists. Any other temporary arrangement, such as using an interim or contractor would not provide the immediate continuity required to ensure progress on key issues are not delayed. Therefore this option was discounted as not being in the best interest of the organisation.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Leaders Group has been consulted and agreed the proposed timetable for the appointment of the permanent Chief Executive and expressed their support for the interim arrangements as outlined in the report.

6. CONCLUSION

- 6.1 It is necessary for the delegated authority for Chief Executive and Head of Paid Service, is formally organised whilst recruitment for a substantive post is undertaken.
- 6.2 This paper sets out the proposed arrangements for covering the role of Chief Executive, in the period up to the appointment of a new Chief Executive. They are recommended as the best solution for the organisation in the current circumstances.

6.3 The paper also sets out the proposed timescale for a substantive appointment.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The financial costs for this will be met from existing budget provision for the Chief Executive salary, and any backfill arrangements will be funded by the appropriate service area. In effect there is not additional financial impact arising from this arrangement.

Finance Officer Consulted: Name Rachel Musson Date: 08/07/15

Legal Implications:

7.2 The appointment of the Head of Paid Service and Chief Executive, whether on an Acting or permanent basis, is reserved to full Council under the law and the Council's constitution.

7.3 The proposals in the report comply with the requirements of the Council's constitution (Council reserved matters, Officer Employment Procedure Rules and Pay Policy Statement) and legislative requirements.

Lawyer Consulted: Abraham Ghebre-Ghiorghis Date: 08/07/2015

Equalities Implications:

7.4 The process for identifying an Acting Chief Executive has been undertaken in line with the Council's policy for Awarding Additional Payments. The subsequent recruitment process for the substantive role will similarly be undertaken in accordance with Council policies, which reflect equalities legislation and good practice.

Sustainability and other significant implications:

7.5 There are no direct implications arising from this report.

Supporting Documentation/Background Papers

There are no supporting or background papers.

Subject:	Treasury Management Policy Statement 2014/15 – End of year review		
Date of Meeting:	16 July 2015 9 July 2015 – Policy & Resources Committee		
Report of:	Interim Executive Director of Finance & Resources		
Contact Officer:	Name:	James Hengeveld	Tel: 29-1242
	Email:	james.hengeveld@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The 2014/15 Treasury Management Policy Statement (TMPS), practices and schedules were approved by Policy & Resources on 20 March 2014. The TMPS sets out the role of Treasury Management, whilst the practices and schedules set out the annual targets and methods by which these targets will be met.
- 1.2 The TMPS includes the Annual Investment Strategy (AIS) which sets out the key parameters for investing council cash funds and was approved by Full Council on 27 March 2014.
- 1.3 It is recommended good and proper practice that Members receive half yearly reports and review and endorse treasury management actions during the year. The mid-year review was presented to Policy and Resources on 4 December 2014.

2. RECOMMENDATIONS:

- 2.1 That Policy & Resources Committee endorses the key actions taken during the second half of 2014/15 to meet the treasury management policy statement and practices (including the investment strategy) as set out in this report.
- 2.2 That Policy & Resources Committee note the reported compliance with the Annual Investment Strategy for the period under review..
- 2.3 That Policy & Resources Committee notes that the approved maximum indicator for investment risk of 0.05% has been adhered to and the authorised limit and operational boundary have not been exceeded.
- 2.4 That Policy & Resources Committee recommend to full Council to approve amendments to the Annual Investment Strategy as set out in paragraphs 3.16 to 3.19 of this report.

3. CONTEXT/ BACKGROUND INFORMATION

Overview of Markets

- 3.1 The UK economy continued its healthy growth in 2014, with a 3.0% GDP annual growth rate at the end of 2014. Quarter 1 2015 was more subdued as a result of a slowdown in the services and manufacturing sectors and a fall in mining and construction sectors. This is expected to be a temporary blip as the general trends in these sectors have been improving. Additionally there is market optimism that the growth rate will continue to increase as the positive effects of the fall in oil prices feeds through to consumers and other parts of the economy.
- 3.2 A significant fall in inflation has been seen in recent months, principally due to large falls in oil and commodity prices. The latest inflation figures (April 2015) saw CPI fall into deflationary territory to -0.10%. The minutes to the Bank of England's May 2015 policy meeting noted that they expect the current slack in the economy should be fully absorbed within a year and that inflation weakness is likely to be temporary, with prices set to pick up at the end of this year. The central bank said that deflation is unlikely to last long, but they showed concerns over the recent housing price increases.
- 3.3 On the 8 July 2015 the Chancellor is due to present a budget that sets out how the government plans to eliminate the UK's budget deficit and run a surplus by the end of the new parliament.
- 3.4 There has been pressure on yields in the current investment environment, resulting from a combination of factors:
- Changes in Banking Regulations in January required banks to carry capital to some support short term borrowing. This has resulted in many of the counterparties that the council invests with reducing short term investment rates. C
 - The 'Funding for Lending Scheme' introduced by the Government in 2012 resulted in a flood of cheap credit being made available to banks which then resulted in money market investment rates falling drastically. The effect of this has continued into 2014/15. T
 - The low inflationary environment has led to Bank Rate increase expectations being pushed even further out to early 2016. This is expected to reduce longer term investment rates offered by banks. T
- 3.5 The Eurozone continues its Quantitative Easing programme to stimulate the EU economy and has moved out of deflation. At the time of writing this report, Greece is expecting to make all of the June payments due to the International Monetary Fund as one payment, and is still pushing strongly to re-negotiate its position with creditors. There is a risk that a default or failure to renegotiate terms could end with Greece leaving the EU. However, the Eurozone believes that it

has put in place sufficient firewalls that a Greek exit will have little or no impact on the rest of the EU.

Treasury Management Strategy

3.6 A summary of the action taken in the six months to March 2015 is provided in Appendix 1 to this report and further information on borrowing and investment performance is shown in the end of year Bulletin at Appendix 2. The main points are:

- The council entered into £9.18m of new borrowing arrangements during the period to support the i360 project as planned;
- The highest risk indicator during the period was 0.023% which is well below the maximum set of 0.05%;
- The return on investments by the in-house treasury team and cash manager has exceeded the target rates;
- The two borrowing limits approved by full Council have not been exceeded.

3.7 Treasury management activity in the half-year has focused on a short-term horizon as summarised in the table below:

	Amount invested 1 st Oct 2014 to 31 Mar 2015			
	Fixed deposits	Money market funds	Total	
Up to 1 week	-	£229.0m	£229.0m	76%
Between 1 week & 1 month	£13.0m	-	£13.0m	4%
Between 1 month & 3 months	£16.5m	£20.0m	£36.5m	12%
Over 3 months	£25.0m	-	£25.0m	8%
	£54.5m	£249.0m	£303.5m	100%

Budget vs Outturn 2014/15

3.8 The following table summarises the performance achieved on investments compared to the budgeted position and approved benchmark for the whole year.

	In-house Investments		Cash Manager investments (net of fees)	
	Average Balance	Average rate	Average Balance	Average rate
Budget 2014/15	£67.9m	0.63%	£25.3m	0.84%
Actual 2014/15	£76.7m	0.64%	£25.4m	0.87%
Benchmark Rate		0.36%		0.36%

3.9 The Financing Costs budget underspent in 2014/15 by £0.350m. This underspend was primarily as a result of an amendment to the council's borrowing

strategy during the year to allow the council to take advantage of new borrowing opportunities and as a result of a change in the interest rate environment. This will mean the council can take advantage of forward rate borrowing in future years that can provide certainty over costs and avoid the short term pressure of holding additional cash balances at low investment rates. Taking advantage of this opportunity is in accordance with the council's agreed Treasury Management Policy Statement, and resulted in a saving of £0.230m in 2014/15. Additionally, higher than projected cash balances during the last quarter of the year resulted in a net saving of £0.100m which is a combination of increased interest earned on investments and a reduction in interest costs on short-term borrowing required for cash flow purposes.

Summary of Treasury activity October 2014 to March 2015

3.10 The table below summarises the treasury activity in the half-year to March 2015 with the corresponding period in the previous two years.

October to March	2012/13	2013/14	2014/15
Long-term borrowing raised – Capital	-	-	(£9.2m)
Long-term borrowing raised – HRA	-	-	-
Long-term borrowing repaid – General Fund	-	-	-
Long-term borrowing repaid – HRA	-	-	£3.9m
Short-term borrowing raised	-	-	-
Short-term borrowing repaid	-	-	-
Investments made	£313.7m	£274.3m	£303.5m
Investments maturing	(£359.8m)	(£291.2m)	(£318.4m)

3.11 The following table summarises how the day-to-day cash flows in the second half-year have been funded compared to the same period in the previous two years.

October to March	2012/13	2013/14	2014/15
Cash flow shortage – general	(£34.9m)	(£23.8m)	(£19.6m)
Net cashflow (shortage)/surplus	(£34.9m)	(£23.8m)	(£19.6m)
Represented by:			
Increase/(reduction) in long-term borrowing	-	-	£5.3m
Increase/(reduction) in short-term borrowing	* (£2.0m)	* £2.0m	-
Reduction/(increase) in investments	£37.5m	£16.9m	£14.9m
Reduction/(increase) in bank balance	(£0.6m)	£4.9m	(£0.6m)

*South Downs National Park

Security of Investments

3.12 A summary of investments made by the in-house treasury team and outstanding as at 31 March 2015 in the table below shows that investments continue to be held in good quality, short term instruments. The funds invested in BBB institutions included in the table below are invested in the part-nationalised banks which are backed by Government guarantee in line with the AIS.

'AAA' rated money market funds	£20.88m	47%
'A' rated institutions	£22.52m	51%
'BBB' rated institutions	£1.01m	2%
Total	£44.41m	100%
Period – less than one week	£20.90m	47%
Period – between one week and one month	£0.00m	0%
Period – between one month and three months	£6.01m	14%
Period – between three months and six months	£5.00m	11%
Period – between 6 months and 1 year	£12.50m	28%
Total	£44.41m	100%

Risk

- 3.13 As part of the investment strategy for 2014/15 the Council agreed a maximum risk benchmark of 0.050% i.e. that there is a 99.950% probability that the council will safely receive its investments back. The benchmark is a simple target that measures the risk based on the financial standing of counterparties and length of each investment based on historic default rates. The actual risk indicator has varied between 0.012% and 0.023% between October 2014 and March 2015. It should be remembered however that the benchmark is an average risk of default measure, and does not constitute an expectation of loss against a particular investment.
- 3.14 In January 2015, Internal Audit undertook an audit of the treasury management function. The audit concluded that “reasonable assurance” is provided on the effectiveness of the control framework operating and mitigating risks for treasury management.

Compliance with the Annual Investment Strategy

- 3.15 During the reporting period, the Annual Investment Strategy has been complied with in full with one exception. In March 2015 the council received £10.0 million from our Lloyds notice account one day earlier than expected. This resulted in the Co-operative bank account being £10.0 million in credit overnight. The Co-operative Bank are not on the council’s current lending list, and the Treasury Team have been working hard to ensure the council’s exposure to the Co-operative has been minimised since the bank’s credit rating has fallen. Therefore, even though no conscious investment decision was taken with the Co-operative, this caused a ‘technical breach’ of the council’s Annual Investment Strategy.

Annual Investment Strategy- proposed changes

- 3.16 In accordance with advice received from our treasury advisors, the minimum sovereign rating within the Annual Investment Strategy (AIS) has been amended. This will make other non-UK Banks more accessible and will potentially enable us to utilise a wider range of counterparties which is a key strategy to managing risk, hence the recommendation from the treasury advisors.

- 3.17 The current provision for part-nationalised institutions within the AIS is a £25.0m investment limit without reference to the credit ratings as these institutions have high implied levels of government support as a result of the stake the government holds with these institutions.
- 3.18 The government announced a programme for reduction in it's holding of Lloyds Banking Group in December 2014. Since the announcement, 5% of it's holdings have been sold and up to 10% further could be sold before the end of the programme in June 2015. There are a number of options for the remaining holding after this date, but whatever option is taken, it is very likely that the government will materially reduce its holding, and consequently our advisors have changed their view regarding treating Lloyds Banking Group as a part nationalised institution within the AIS.
- 3.19 Under the council's credit methodology, Lloyds Bank will now have a £10.0m investment limit, which is a substantial fall in investment capacity from the current £25.0m. This is particularly important since Lloyds is now the provider for the council's transactional banking. As a result, the Annual Investment Strategy has been amended to provide an additional £2.0m operational limit with our transactional banking providers. This will provide more flexibility, and allow the Treasury Team to optimise Lloyds as an investment counterparty whilst ensuring sufficient capacity to maintain the transactional bank accounts efficiently. The Treasury Team will continue to monitor the council's list of counterparties, and take action to make appropriate changes to the counterparty list and associated investment limits if deemed necessary.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 This report sets out action taken in the 6 months to March 2015. Treasury management actions have been carried out within the parameters of the AIS, TMPS and Prudential Indicators. Therefore no alternative options have been considered.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The council's external treasury advisors have been consulted over the content of this report. No other consultation was necessary.

6. CONCLUSION

- 6.1 Treasury management is governed by a code that is recognised as "best and proper practice" under the Local Government Act 2003. The Code requires a minimum of two reports per year, one of which is required to review the previous year's performance. This report fulfils this requirement.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The financial implications of treasury management activity are reflected in the financing costs budget set out in paragraph 3.9.

Finance Officer Consulted: James Hengeveld

Date: 10/06/15

Legal Implications:

- 7.2 The TMPS and associated actions are exercised under powers given to the council by Part 1 of the Local Government Act 2003 which includes the power for a local authority to invest for the purposes of the prudent management of its financial affairs (section 12).
- 7.3 The Annual Investment Strategy is one of the plans and strategies required by law to be approved by full Council as set out at Part 3.1 of the Council's constitution.

Lawyer Consulted: Elizabeth Culbert

Date: 12/06/15

Equalities, Sustainability and other significant implications:

- 7.4 There are no direct implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

1. A summary of the action taken in the period October 2014 to March 2015
2. March 2015 Treasury Management Bulletin
3. Amended 2015/16 Annual Investment Strategy

Documents in Members' Rooms

None

Background Documents

1. Part I of the Local Government Act 2003 and associated regulations
2. The Treasury Management Policy Statement and associated schedules 2014/15 approved by Policy & Resources on 20 March 2014
3. The Annual Investment Strategy 2014/15 approved by full Council on 27 March 2014
4. The Annual Investment Strategy 2015/16 approved by full Council on 26 March 2015
5. Treasury Management Policy Statement 2014/15 (including Annual Investment Strategy 2014/15) – Mid-Year Review approved by Policy & Resources Committee on 4 December 2014
6. Papers held within Financial Services, Finance & Resources Directorate
7. The Prudential Code for Capital Finance in Local Authorities published by CIPFA 2011

Summary of action taken in the period October 2014 to March 2015

New borrowing

The council raised a total of £9.18m of long term debt the second half of 2014/15 to support the construction of the i360 project as planned.

Debt maturity

A Public Works Loan Board (PWLB) loan of £3.90m matured on 31st March 2015.

Lender options (where the lender has the exclusive option to request an increase in the loan interest rate and the council has the right to reject the higher rate and repay instead) on three loans were due in the 6 month period but no option was exercised.

Weighted average maturity of debt portfolio

The weighted average maturity period of the portfolio has increased slightly from 30.8 years to 30.9 years as a result of the changes in the debt portfolio over the last 6 months.

Debt rescheduling

No debt rescheduling was undertaken during the second half-year.

Capital financing requirement

The prudential code introduces a number of indicators that compare borrowing with the capital financing requirement (CFR) – the CFR being amount of capital investment met from borrowing that is outstanding. Table 1 compares the CFR with actual borrowing.

Table 1 – Capital financing requirement compared to debt outstanding

	1 April 2014	31 March 2015	Movement in period
<u>Capital financing requirement (CFR)</u>	<u>£336.2m</u>		
<u>Less PFI element</u>	<u>-£57.7m</u>		
<u>Net CFR</u>	<u>£278.5m</u>	<u>£278.5m</u>	<u>£0.0m</u>
<u>Long-term debt</u>	<u>£207.8m</u>	<u>£213.1m</u>	<u>£5.3m</u>
<u>O/s debt to CFR (%)</u>	<u>74.6%</u>	<u>76.5%</u>	<u>+1.9%</u>

Traditionally the level of borrowing outstanding is at or near the maximum permitted in order to reduce the risk that demand for capital investment (and hence resources) falls in years when long-term interest rates are high (i.e. interest rate risk). However given the uncertainty within the financial markets, the council has maintained the strategy to keep borrowing at much lower levels (as investments have been used to repay debt). The 2015/16 Treasury Management Strategy (approved by Policy and Resources Committee in March 2015) includes a borrowing strategy with a view to increase borrowing levels.

Currently outstanding debt represents 76.5% of the capital financing requirement.

Cash flow debt / investments

The TMPS states the profile of any short-term cash flow investments will be determined by the need to balance daily cash flow surpluses with cash flow shortages. An analysis of the cash flows reveals a net shortfall for the 2nd half-year of £19.6million which is consistent with the normal annual pattern of higher levels of income in the earlier part of the year and higher levels of spending in the latter.

Table 2 – Cash flow October 2014 to March 2015

	October 14 to March 15			Apr 14 to Mar 15
	Payments	Receipts	Net cash	Net cash
Total cash for period	£430.5m	£450.1m	-£19.6m	-£8.2m
Represented by:				
Movement in in-house investments			-£14.9m	-£8.1m
Increase in long-term borrowing			-£5.3m	-£5.3m
Decrease in Short term borrowing (SDNPA)			£0.0m	£0.0m
Movement in balance at bank			+£0.6m	£5.2m
			-£19.6m	-£8.2m

Overall the cash position for the financial year is a net deficit of £8.2million.

Prudential indicators

Budget Council approved a series of prudential indicators for 2014/15 at its meeting in February 2014. Taken together the indicators demonstrate that the council's capital investment plans are affordable, prudent and sustainable.

In terms of treasury management the main indicators are the 'authorised limit' and 'operational boundary'. The authorised limit is the maximum level of borrowing that can be outstanding at any one time. The limit is a statutory requirement as set out in the Local Government Act 2003. The limit includes 'headroom' for unexpected borrowing resulting from adverse cash flow.

The operational boundary represents the level of borrowing needed to meet the capital investment plans approved by the council. Effectively it is the authorised limit minus the headroom and is used as an in-year monitoring indicator to measure actual borrowing requirements against budgeted forecasts.

Table 3 compares both indicators with the maximum debt outstanding in the second half year.

Table 3 – Comparison of outstanding debt with Authorised Limit and Operational Boundary 2014/15

	Authorised limit	Operational boundary
Indicator set	£381.0m	£370.0m
Less PFI element	-£58.0m	-£58.0m
Indicator less PFI element	£323.0m	£312.0m
Maximum amount o/s in second half of year	£217.9m	£217.9m
Variance	(*)£105.1m	£94.1m

(*) can not be less than zero

Performance

Details of the performance of both the in-house and external cash managers are shown in graphs 4a and 4b in Appendix 2. The actual investment rates achieved have exceeded the benchmarks set.

Approved organisations – investments

No new organisations have been added to the list approved in the AIS 2014/15.

There have been a number of changes to the short-term and long-term ratings assessed by the credit rating agencies during the second half of 2014/15 which has had minimal impact on the council's investment strategy.

There have been some more fundamental changes to the short and long-term ratings in the first half of 2015/16 which has reduced the capacity within the council's lending list, but changes to the AIS as set out in the main report seeks to address this.

The graphs below show the monthly averages of borrowing and investments outstanding, monthly cashflows and the average monthly cost/return on debt/investments, over a thirteen month period.

Graph 1

This graph shows the average monthly balance outstanding on long term debt, together with the average cost.

It also shows the amount of new long term debt raised and the repayment of long term borrowing.

£1.9m of new debt was raised in March 2015. This was part of the 1360 Loan.

Graph 1 Long Term Debt Outstanding
Monthly averages



Graph 2

This graph shows the average monthly balance outstanding for:

- short term debt
- short term investments

The graph also shows the net monthly cash position, excluding long term borrowing

Short term debt includes the monies held on behalf of South Downs National Park Authority.

Graph 2 - Short Term Borrowing / Investments (all)
Monthly Averages

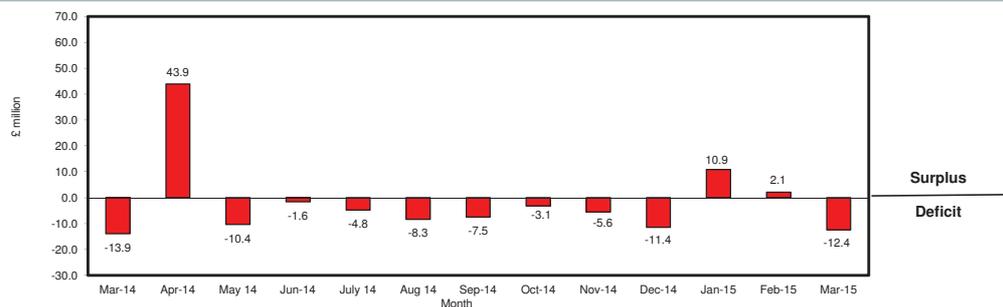


Graph 3

This graph shows the net monthly cash flow position, excluding movement in borrowing and investments.

Cashflow movements have resulted in a deficit for the month.

Graph 3 - Monthly Cash Flows



Graph 4a

This graph compares the average return on short term investments with the average 7 Day LIBID rate.

The target is for the return on short term investments to exceed the 7 Day rate by 5% in a 12 month period

In house investments continue to meet the benchmark target rate of return.

Graph 4a - Short Term Investments -v- 7 Day LIBID (In house)
Monthly averages - annualised (to 2 dec pl)



Graph 4b

The cash manager performance fluctuates due to changes in the value of the investments. Performance has been above benchmark target levels in 11 of the past 12 months.

This graph compares the average return on the fund with a benchmark of 7 Day LIBID (compounded weekly).

The target is for the return on investment to exceed the benchmark rate by 5% in a 12 month period.

Graph 4b Short Term Investments -v- Benchmark Rate (Cash Managers)
Monthly actuals (to 2 dec pl)



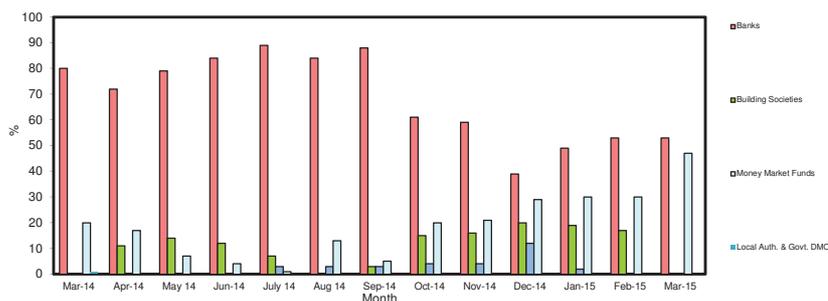
Investments by Sector

The 2014/15 Treasury Policy Statement states that with the exception of the banking sector and money market funds, no one sector shall have more than 75% of the investment portfolio at the time an investment is made. As at end of March 2015 investments were made as follows:-

	£m	
SWIP External Managers	25.51	
In-house Investments - Banks		
Barclays Bank plc	4.500	
Close Brothers Limited	2.500	
Lloyds Bank plc	13.018	
Royal Bank of Scotland	1.013	
Santander UK Plc	0.001	
Standard Chartered Bank	2.500	
	23.532	53.0 %
Local Authority		
	0.000	0.0 %
Money Market Funds		
Aberdeen Global Liquidity Fund	3.185	
BNP PARIBAS INSTICASH STERLING - Lu	7.854	
CCLA - Public Sector Deposit Fund	0.200	
Goldman Sachs Funds Plc	0.005	
Ignis Liquidity Fund	9.638	
Insight Liquidity Funds Plc	0.000	
Morgan Stanley Sterling Liquidity Fund	0.002	
State Street services	20.884	47.0 %
	0.000	0.0 %
TOTAL - In-house Investments	44.416	100.0 %

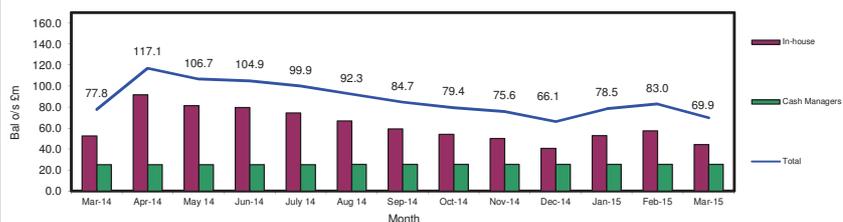
Graph 5a - Investments by Sector (In-house)

Month end balances

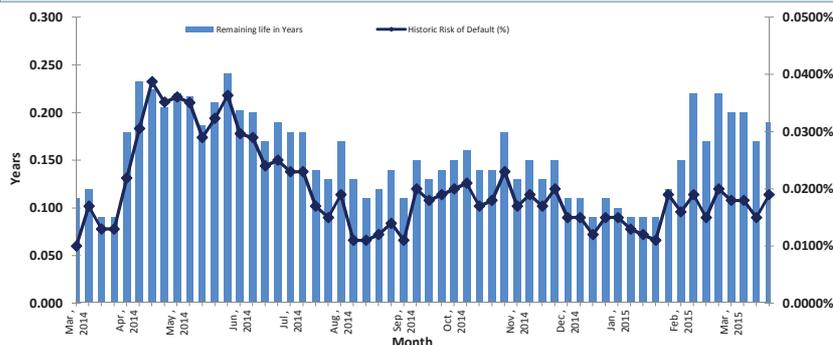


Graph 5b - Investments In-house -v- Cash Manager

Month end balances



Graph 6 - Security & Liquidity of Investments



Graph 6

Members agreed, as part of the 2014/15 Treasury Policy Statement, to set a maximum indicator for risk at 0.05%. Table 6 shows the risk factor to be well below the maximum set.

Prudential Indicators (Treasury Management)

The Council sets each year a number of prudential indicators for treasury management. The following tables show that these indicators have not been exceeded in the month of March 2015.

Gross Outstanding Debt (£millions)		
	Debt	PFI
Authorised limit	323	58
Operational boundary	312	58
Minimum o/s	215	-
Maximum o/s	217	-

Variable Rate Debt (%age)	
Maximum limit	40.0
Maximum amount o/s	0.0
<i>(NB. The maximum limit for fixed rate debt is 100% and cannot therefore be breached.)</i>	

Net Outstanding Debt (£millions)		
	Debt	PFI
Minimum capital financing requirement	278	58
Maximum net debt o/s	141	-

Debt Maturity Profile (%ages)					
	<12 mths	1-2 yrs	2-5 yrs	5-10 yrs	>10 yrs
Maximum limit	40.0	30.0	40.0	75.0	100.0
Minimum limit	0.0	0.0	0.0	0.0	50.0
Maximum o/s debt	1.8	1.4	2.7	13.2	80.9

This Bulletin was produced by Corporate Finance & Resources, Financial Services

BRIGHTON & HOVE CITY
COUNCIL

ANNUAL INVESTMENT
STRATEGY
2015/16

The Annual Investment Strategy 2015/16 was approved by Policy & Resources Committee on 19 March 2015 and full Council on 26 March 2015

This version contains proposed changes (*in italics and shaded*) subject to approval by Policy & Resources on 9 July 2015 and full Council on 16 July 2015

Brighton & Hove City Council
Annual Investment Strategy 2015/16

This Strategy complies with guidance issued by the Secretary of State on investments and sets out the council's policy on investment criteria and counterparties. It should be noted that the minimum criteria set out in this document is only one factor taken into account for the investment of council funds. Other factors, such as Government guarantees and support and information available from the financial press and similar publications will also be taken into account when determining investment decisions. Counterparties that satisfy the minimum criteria are not automatically included on the council's approved investment list.

1 Criteria to be used for creating / managing approved counterparty lists / limits

Each counterparty included on the Council's approved lending list must meet the criteria set out below. Without the prior approval of the Council, no investment will be made in an instrument that falls outside the list below.

1.1 Capital security

Table 1 sets out the minimum capital security requirements for an investment to be made.

<u>Table 1 – Minimum capital security requirements</u>	
Banks/building societies with a credit rating	the institution must have a minimum short term rating of good credit quality
Building societies that do not satisfy the minimum rating criteria above	the society must have an asset base in excess of £5 billion
Money market funds / CCLA Public Sector Deposit Fund	the rating of the fund meets the minimum requirement of triple A ('AAA' / Aaa)
Debt Management Account Deposit Facility	the deposit is made in accordance with the rules and regulations relating to such investment as issued by the Debt Management Office from time to time

1.2 Maximum permitted investment by sector

Table 2 sets out the maximum permitted investment for each sector.

<u>Table 2 – Maximum permitted investment by sector</u>	
<u>Sector</u>	<u>%age of total investment portfolio at the time the investment made</u>
Banking sector	100%
Building society sector	75%
Local authority sector	100%
Money market funds / CCLA Public Sector Deposit Fund	100%
Debt Management Account Deposit Facility	50%
Maximum amount invested for more than 1 year	25% (excl funds administered by external cash manager)

1.3 Maximum permitted investment by counterparty

1.3.1 General

With the exception of money market funds, CCLA Public Sector Deposit Fund and the Debt Management Account Deposit Facility no one counterparty may have more than 75% of the relevant sector total at the time the investment is made.

1.3.2 Rated counterparties

Table 3 sets out the exposure limits and maximum periods for deposits based on various credit ratings.

<u>Table 3 – Exposure limits and maximum periods per counterparty (with rating)</u>				
	<u>A rating of at least (lowest of Fitch (F) / Moody's (M) / Standard & Poor's (SP))</u>			
Short-term rating	F = F1+ M = P-1 SP = A-1+	F = F1+ M = P-1 SP = A-1+	F = F1 M = P-1 SP = A-1	F = F2 M = P-2 SP = A-2
Long-term rating	F = AA+ M = Aa1 SP = AA+	F = AA- M = Aa3 SP = AA-	F = A M = A2 SP = A	F = BBB M = Baa SP = BBB
Exposure Limit	£20m	£20m	£10m	£5m
Maximum period – fixed deposits	3 years	2 years	1 year	6 months
Maximum period – negotiable instruments	5 years	5 years	1 year	6 months

In addition investment in money market funds and open ended investment companies with a rating of 'triple A' (i.e. AAA / Aaa) is permitted up to a value of £10 million per fund.

1.3.3 Exceptions

The methodology for determining exposure limits and maximum periods per counterparty will be determined in all cases by Table 3 with the following express exceptions:

- Financial institutions that have received Government support (i.e. part nationalised banks) are deemed to have the highest rating irrespective of the actual rating assigned to them. The limits on the amount advanced and length of investment will be £25 million and 1 year respectively.
- *An additional operating limit of £2 million will be provided for the Council's provider of transactional banking services (Lloyds Bank plc).*
- The following major UK Banks for which the highest applicable rating will be will be applied in place of the lowest:
 - Barclays Bank plc
 - HSBC Bank plc
 - Lloyds Bank plc & Bank of Scotland plc

- Nationwide Building Society
- Santander UK plc
- The Royal Bank of Scotland plc & National Westminster Bank plc

Where there is a significant or sudden deterioration in one or more of the other ratings (e.g. financial strength, support) allocated to a counterparty, Officers will undertake a review and, where necessary take action. This action may take the form of temporary suspension of a counterparty from the council's approved lending list, or a restriction of the maximum period and investment limits.

1.3.4 Non-rated counterparties

Table 4 sets out the exposure limits and maximum periods for deposits for counterparties that are not rated.

<u>Table 4 – Exposure limits and maximum periods per counterparty / fund (with no rating)</u>		
<u>Counterparty</u>	<u>Exposure Limit</u>	<u>Maximum period</u>
Local authority	£10 million	5 years
Non-rated building society with an asset base in excess of £5bn	£5 million	6 months
Debt Management Account Deposit Facility	Unlimited	6 months

1.3.5 Cash manager

For the purposes of investments made by the Council's external cash manager, the criteria in Table 5 will apply:

<u>Table 5 – Exposure limits and maximum periods per counterparty (Cash manager)</u>		
<u>Instrument</u>	<u>Exposure Limit</u>	<u>Maximum period</u>
Government stock	100% of Fund	10 years
Supra-national with minimum long-term rating of 'AA-' / Aa3 / AA-	100% of Fund	10 years
Regulation collective investment schemes	100% of Fund	n/a
Fixed term investments – minimum short-term rating of 'F1 / P-1 / A-1'	10% of Fund or £2.5m whichever is the greater	1 year
Fixed term investments – minimum long-term rating of 'AA- / Aa3 / AA-'	10% of Fund or £2.5m whichever is the greater	5 years

In addition to Table 5 the maximum average duration of the fund managed by the cash manager shall not exceed 4 years. All instruments used by the cash manager with a maturity of 3 months or more shall be negotiable.

1.4 Investment classification (regulatory)

The investment guidance issued by the Secretary of State requires the council to identify investments as either ‘specified’ or ‘non-specified’. Table 6 sets out the requirements for each type.

Table 6 – Investment classification		
<u>Requirement</u>	<u>Specified</u>	<u>Non-specified</u>
Currency	Must be in Sterling	Any currency
Maturity period	Up to 12 months	Over 12 months
Credit worth	Counterparty with high credit rating or UK government or local authority	Other

All investments made by the Council are denominated in Sterling and are made only in counterparties as set out in paragraph 1.3 above.

The maximum amount invested in non-specified investments will be 50% of the total value of investments. The use of non-specified investments is limited to:

- (a) investment in non-rated building societies with an asset base in excess of £5bn, or
- (b) investment for longer than 12 months in counterparties that meet the minimum long-term rating detailed in Tables 3 and 5 above.

2 Approved methodology for changing limits and adding / removing counterparties

A counterparty shall be removed from the Council’s list where a change in their credit rating results in a failure to meet the criteria set out above.

A new counterparty may only be added to the list with the written prior approval of the Director of Finance and only where the counterparty meets the minimum criteria set out above.

A counterparty’s exposure limit will be reviewed (and changed where necessary) following notification of a change in that counterparty’s credit rating or a view expressed by the credit rating agency warrants a change.

A counterparty’s exposure limit will also be reviewed where information contained in the financial press or other similar publications indicates a possible worsening in credit worth of a counterparty. The review may lead to the suspension of a counterparty where it is considered appropriate to do so by the Director of Finance.

3 Full individual listings of counterparties and counterparty limits

For 2015/16, with the exception of the list of high quality AA rated Non-UK banks within AA rated countries specified below, investment by the in-house treasury team will be restricted financial institutions incorporated within the UK and regulated by the Financial Services Authority.

The in-house treasury team are able to invest in the following Non-UK banks:

- *Australia & New Zealand Banking Group Limited (Australia) - AAA*
- *Bank Nederlandse Gemeenten (The Netherlands) - AAA*
- *Clearstream Banking (Luxembourg) - AAA*
- Commonwealth Bank of Australia (Australia)
- *DBS Bank Ltd (Singapore) - AAA*
- *Landwirtschaftliche Rentenbank (Germany) - AAA*
- National Australia Bank (Australia)
- *National Bank of Abu Dhabi (Abu Dhabi, UAE)*
- *Nederlandse Waterschapsbank N. V. (The Netherlands) - AAA*
- Nordea (Finland)
- *NRW. BANK (Germany)*
- *Overseas Chinese Banking Corporation Limits (Singapore) - AAA*
- *Royal Bank of Canada (Canada) - AAA*
- *State Street Bank and Trust Company (USA)*
- Svenska Handelsbanken (Sweden)
- *The Bank of New York Mellon (USA)*
- *The Hong Kong & Shanghai Banking Corporation Limited (Hong Kong)*
- *The Northern Trust Company (USA)*
- Toronto Dominion (Canada)
- *United Overseas Bank Limited (Singapore) - AAA*
- *Wells Fargo Bank NA (USA)*
- *Westpac Banking Corporation (Australia) - AAA*

A full list of counterparties in which the Council will invest surplus funds, together with limits and maximum investment periods is contained in Schedule 1 to this AIS.

There is no pre-determined list for investments made by the cash manager but all counterparties must meet the minimum criteria as set out in Table 5 above.

4 Details of credit rating agencies' services

Credit ratings will be based on those issued periodically by the Fitch Ratings Group, Moody's and Standard & Poor's.

5 Permitted types of investment instrument

All investments must be denominated in Sterling.

The in-house treasury team may invest in fixed term and variable term cash deposits, money market funds and open ended investment companies. The in-house treasury team may only invest in negotiable instruments (including Certificates of Deposit and Enhanced Cash Funds) where to do so offers additional value in terms of investment return and appropriate and supporting advice has been sought from the council's external treasury advisors on the suitability of such an investment.

The cash manager may invest in government stock, supranational institutions, regulation collective investment funds and fixed term instruments. All investments with a maturity of 3 months or more shall be negotiable.

6 Investment risk

6.1 Assessment of credit risk

Whilst the AIS relies primarily on the application of credit ratings to provide a pool of appropriate counterparties for the in-house treasury team to use, additional operational market information will be applied before making any specific investment decision from the agreed pool of counterparties. This additional market information (for example Credit Default Swaps, negative rating watches/outlooks) will be applied to compare the relative security of differing investment counterparties.

6.2 Investment risk matrix

The benchmark risk factor for 2015/16 is recommended at 0.05%, the same as 2014/15. This benchmark is a simple target (not limit) to measure investment risk and so may be breached from time to time, depending on movements in interest rates and counterparty criteria. The purpose of the benchmark is that the in-house treasury team will monitor the current and trend position and amend the operational strategy depending on any changes. Any breach of the benchmarks will be reported with supporting reasons in the mid year or end of year review.

6.3 Investment advisors

The council appoints treasury advisors through a regular competitive tendering process. One of the services provided by Capita Asset Services is the provision of updated credit ratings and “watches” issued by the three rating agencies. In addition Capita Asset Services are proactive in providing additional market information as set out in paragraph 6.1 above.

6.4 Investment training

The council’s advisors have a wide ranging programme of training giving council officers access to seminars and printed material. The Council’s in-house treasury team is experienced in dealing with investments but where necessary further training and updates will be provided. Appropriate training will be made available to all Members who are involved in the treasury management decision-making process.

6.5 Investment of money borrowed in advance

The Council has the flexibility to borrow funds in advance of need (i.e. to fund future debt maturities). The Executive Director of Finance & Resources may do this where, for instance, a sharp rise in interest rates is expected, and so borrowing early at fixed interest rates will be economically beneficial over the life of the loan or meet budgetary constraints.

Borrowing in advance will be made within the constraints set out in the treasury management strategy. The risks associated with such borrowing activity will be subject to appraisal in advance and subsequent reporting through the mid-year or end of year reviews.

6.6 Investment liquidity

Liquidity is achieved by limiting the maximum period for investment and by investing to dates where cash flow demands are known or forecast.

7 Ethical investment statement

The Council has approved the following ethical investment statement that will apply to all cash investments made by, or on behalf of, the Council

“Brighton & Hove City Council, in making investments through its treasury management function, fully supports the ethos of socially responsible investments. We will actively seek to communicate this support to those institutions we invest in as well as those we are considering investing in by:

- *encouraging those institutions to adopt and publicise policies on socially responsible investments;*
- *requesting those institutions to apply council deposits in a socially responsible manner.”*

Counterparties shall be advised of the above statement each and every time a deposit is placed with them.

8 Glossary

Long-term – period in excess of 12 months

Negotiable instrument – an investment where the council can receive back the amount invested earlier than originally agreed (subject to conditions)

Non-specified investment – see Table 6 above

Short-term – period up to and including 12 months

Specified investment – see Table 6 above

Supra-national – an organisation that encompasses more than one nation, such as the World Bank

Brighton & Hove City Council**Banks and Other Institutions - In-house Treasury Team
Annual Investment Strategy 2015/16**

Counterparty	Specified/ Non- specified ¹	Short-term			Long-term			Max amount	Max period – fixed deposits
		F = Fitch M = Moody's SP = Standard & Poor's							
		F	M	SP	F	M	SP		
Bank of Scotland / Lloyds Bank	Specified	F1	P-1	A-1	A+	A1	A	£10m	1 year
Barclays Bank plc	Specified	F1	P-1	A-2	A	A2	A-	£10m	1 year
Close Brothers	Specified	F1	P-1		A	Aa3		£10m	1 year
Clydesdale Bank	Specified	F1	P-2	A-2	A	Baa1	BBB+	£5m	6 months
Crown Agents Bank Ltd	Specified	F2			BBB+			£5m	6 months
HSBC Bank plc	Specified	F1+	P-1	A-1+	AA-	Aa2	AA-	£20m	2 years
National Westminster Bank / Royal Bank of Scotland	Specified	F2	P-2	A-2	BBB+	A3	BBB+	£25m	1 year
NM Rothschild & Sons	Specified	F2			BBB+			£5m	6 months
Virgin Money plc	Specified	F2		A-2	BBB+		BBB+	£5m	6 months
Santander UK plc	Specified	F1	P-1	A-1	A	A1	A	£10m	1 year
Standard Chartered Bank	Specified	F1+	P-1	A-1+	AA-	Aa2	A+	£10m	1 years
<u>BUILDING SOCIETIES</u> (+)									
Coventry (3)	Specified	F1	P-1		A	A2		£10m	1 year
Leeds (5)	Specified	F1	P-1		A-	A2		£5m	6 months
Nationwide (1)	Specified	F1	P-1	A-1	A	A1	A	£10m	1 year
Principality (6)	Specified	F2	P-3		BBB+	Baa3		£5m	6 months
Skipton (4)	Specified	F2	P-2		BBB+	Baa2		£5m	6 months
Yorkshire (2)	Specified	F1	P-2		A-	A3		£5m	6 months
<u>NON-UK BANKS</u>									
Australia & NZ Banking Group (Australia)	Specified	F1+	P-1	A-1+	AA-	Aa2	AA-	£20m	2 years
Commonwealth Bank of Australia (Australia)	Specified	F1+	P-1	A-1+	AA-	Aa2	AA-	£20m	2 years
National Australia Bank Ltd (Australia)	Specified	F1+	P-1	A-1+	AA-	Aa2	AA-	£20m	2 years
Westpac Banking Corporation (Australia)	Specified	F1+	P-1	A-1+	AA-	Aa2	AA-	£20m	2 years
Royal Bank of Canada (Canada)	Specified	F1+	P-1	A-1+	AA	Aa3	AA-	£20m	2 years
Toronto Dominion (Canada)	Specified	F1+	P-1	A-1+	AA-	Aa1	AA-	£20m	2 years
Nordea bank (Finland)	Specified	F1+	P-1	A-1+	AA-	Aa3	AA-	£20m	2 years
Landwirtschaftliche Renenbank (Germany)	Specified	F1+	P-1	A-1+	AAA	Aaa	AAA	£20m	3 years
NRW.BANK (Germany)	Specified	F1+	P-1	A-1+	AAA	Aa1	AA-	£20m	2 years
The Hong Kong & Shanghai Banking Corporation Limited (Hong Kong)	Specified	F1+	P-1	A-1+	AA-	Aa2	AA-	£20m	2 years

Appendix 3

Clearstream Banking (Luxembourg)	Specified	F1+		A-1+	AA		AA	£20m	2 years
Bank Nederlandse Gemeenten (The Netherlands)	Specified	F1+	P-1	A-1+	AA+	Aaa	AA+	£20m	3 years
Nederlandse Waterschapsbank N. V. (The Netherlands)	Specified		P-1	A-1+		Aaa	AA+	£20m	3 years
DBS Bank Ltd (Singapore)	Specified	F1+	P-1	A-1+	AA-	Aa1	AA-	£20m	2 years
Overseas Chinese Banking Corporation Limits (Singapore)	Specified	F1+	P-1	A-1+	AA-	Aa1	AA-	£20m	2 years
United Overseas Bank Limited (Singapore)	Specified	F1+	P-1	A-1+	AA-	Aa1	AA-	£20m	2 years
Svenska HandelsBanken AB (Sweden)	Specified	F1+	P-1	A-1+	AA-	Aa3	AA-	£10m	2 years
National Bank of Abu Dhabi (UAE)	Specified	F1+	P-1	A-1+	AA-	Aa3	AA-	£20m	2 years
Bank of New York Mellon (USA)	Specified	F1+	P-1	A-1+	AA	Aa1	AA-	£20m	2 years
State Street Bank and Trust Company (USA)	Specified	F1+	P-1	A-1+	AA-	Aa2	AA-	£20m	2 years
The Northern Trust Company (USA)	Specified	F1+	P-1	A-1+	AA-	Aa2	AA-	£20m	2 years
OTHER									
Other Local Authorities (per Authority)	Specified							£10m	5 year
Debt Management Deposit Facility	Specified							Unlimited	6 months
Money Market Funds (per fund)	Specified							£10m	Liquid
Enhanced Cash Funds (per fund)	Specified							£10m	Liquid

(*) Ratings as advised by Capita Asset Services June 2015

(+) UK Building Societies ranking based on Total Asset size – Source: Building Societies Association June 2015

¹ distinction is a requirement under the investment regulations

Council	Agenda Item 25
16 July 2015	Brighton & Hove City Council

Subject:	Audit & Standards Committee Annual Report 2014/15 – Extract from the Proceedings of the Audit & Standards Committee meeting held on the 23rd June 2015.		
Date of Meeting:	16 July 2015		
Report of:	Head of Legal & Democratic Services		
Contact Officer:	Name:	Caroline De Marco	Tel: 29-1063
	E-mail:	caroline.demarco@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

<p><i>Action Required of the Council:</i> To receive the item referred from the Audit & Standards Committee for information:</p>
<p>Recommendation: That Council note the report referred for information from the Audit & Standards Committee.</p>

BRIGHTON & HOVE CITY COUNCIL

AUDIT & STANDARDS COMMITTEE

23 JUNE 2015

THE RONUK HALL, PORTSLADE TOWN HALL

Present: Councillor A Norman (Chair) Councillors Chapman, Cobb, Druitt, Morris, Robins (Group Spokesperson), Sykes (Group Spokesperson) and Taylor. Diane Bushell and Dr David Horne.

PART ONE

14 AUDIT & STANDARDS COMMITTEE ANNUAL REPORT

14.1 The Committee considered a report of the Head of Internal Audit. The draft report at Appendix 1 provided a summary of the Audit & Standards Committee's work, performance and achievements during 2014/15. It had been prepared on behalf of Audit & Standards Committee Members.

14.2 RESOLVED –

- (1) That the draft report at Appendix 1 be noted; and
- (2) That the report be referred to Full Council for information.

Council16th July 2015**Agenda Item 25**

Brighton & Hove City Council

Subject:	Audit & Standards Committee Annual Report 2014/15	
Date of Meeting:	Council – 16th July 2015 23 June 2015	
Report of:	Head of Internal Audit	
Contact Officer:	Mark Dallen, Principal Audit Manager	Tel: 29-1314
Email:	mark.dallen@brighton-hove.gov.uk	
Ward(s) affected:	All	

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This draft report attached at Appendix 1 provides a summary of the Audit & Standards Committee's work, performance and achievements during 2014/15. It has been prepared on behalf of the Audit & Standards Committee members.
- 1.2 The preparation of an annual report is recognised as best practice for Audit Committees by the Chartered Institute of Public Finance and Accountancy (CIPFA) in providing assurance to the Council over its role in governance.

2. RECOMMENDATIONS:

It is recommended that the Audit & Standards Committee:

- Consider the draft report at Appendix 1 and make any amendments and additions it deems necessary.
- Refer the report (incorporating any amendments and additions) to Full Council for information.

3. BACKGROUND

- 3.1 The current Audit & Standards Committee was formed in June 2012. Its purpose for the 2014/15 financial year is contained in the Terms of Reference, Appendix A to the Annual Report.
- 3.2 The key benefits of an effective Audit & Standards Committee are to;
 - review the council's governance and control arrangements and obtain assurance that recommendations to ensure improvement are being implemented

- ensure that the council's strategic risks are being managed effectively managed and assurance is obtained from risk owners
- support the work of Internal and External Audit
- ensure the council maintains and further improves the standards in relation to the production of accounts
- ensure the council effectively manages the risk of fraud and corruption
- promote and maintain high standards of conduct within the Council and monitoring the operations of the Council's Codes of Conduct and registers of interests
- support new and existing Members to fulfil responsibilities by providing training, briefings and good practice guidance.

4. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 4.1 The Audit & Standards Committee is an essential element of good financial governance, the costs of its work programme including officer support and training is met from existing budgetary provision.

Finance Officer Consulted: James Hengeveld

Date: 01/06/15

Legal Implications:

- 4.2 The annual report of the Standards Committee forms part of the corporate assurance framework and assists the Council in complying with its Code of Corporate Governance and draws to members attention the activities undertaken over the previous year. This report is for information and there are no legal implications arising from the report itself.

Lawyer Consulted:

Abraham Ghebre-Ghiorghis

Date: 22/06/2015

Equalities Implications:

- 4.3 There are no equalities implications arising.

Sustainability Implications:

- 4.4 There are no specific sustainability implications but the Committee may as required consider sustainability issues arising from internal audit and risk management work.

Any Other Significant Implications:

- 4.5 The Committee has a key role in relation to crime and disorder in ensuring the prevention and detection of fraud and corruption as it impacts on the council. It also has a key role in ensuring that the councils risk management arrangements operate effectively.

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 - Audit & Standards Committee Annual Report - 2014/15



AUDIT & STANDARDS COMMITTEE

ANNUAL REPORT 2014/15

Councillor A. Norman, Chair

Foreword by the Chair of the Audit & Standards Committee



I am pleased to present the Audit & Standards Committee's Annual Report for the 2014/15 financial year. The report demonstrates how the Audit & Standards Committee has achieved its objectives, continued to develop its role and has made a significant contribution to the council's governance and control arrangements over the last year.

The Committee has a wide remit including advising and reviewing the council's arrangements for internal audit, internal control, risk management, financial management, standards and corporate governance. It has an important role in ensuring public money is spent wisely and used effectively to meet council priorities.

A key part of our agenda to review and scrutinise the work the work and performance of internal audit and external audit. These reports provide assurance to the public that the council is complying with the law, that the council has an effective control framework in place and it provides quality services in line with corporate priorities. These reports also provide a focus to the communication of control weaknesses and provide assurance that these are being promptly addressed.

I would like to take this opportunity to thank both the Committee Members and the officers that support the Committee's work for their contributions during the year. I am pleased to note that the Members of the Committee have been supportive and provided constructive challenge to ensure the council's processes are effective and transparent. I would like to specially acknowledge the contribution of the two independent persons on this Committee.

I would also like to thank Ernst & Young, the council's external auditors, for their support and regular attendance at meetings.

I am looking forward to my first year of chairing this Committee and that it continues to enhance its role in championing good governance in the council.

Cllr Ann Norman

Introduction

1. This report provides an overview of the Audit & Standards Committee's work during the financial year 2014/15.
2. The Committee is a key component of the council's governance processes by providing independent challenge and assurance. Its remit includes the adequacy and effectiveness of risk management, internal control (including Internal Audit, External Audit and counter fraud), ethical standards, and financial reporting frameworks.
3. The council's Standards Panel is a sub-committee of the Audit & Standards Committee. This panel determines allegations of breaches of the Members' Code of Conduct.
4. A copy of the Committee's Terms of Reference for the 2014/15 financial year is shown at Appendix A.

Meetings are held in public and papers are available on the council's website. The meetings are generally scheduled around the key dates for council business such as the statement of accounts, audit planning process and the annual governance statement.

Committee Work Programme and Membership

5. Five meetings of this Committee were held during the 2014/15 financial year. The reports considered at these meetings are summarised in Appendix B.
6. The Committee membership consists of eight Members and two independent persons. All members of the Committee during 2014/15 are detailed in the table below.

Membership of the Audit & Standards Committee during 2014/15

Membership	Role
Councillor Les Hamilton	Member - Chair
Councillor Ann Norman	Member - Opposition Spokesperson
Councillor Tony Janio	Member
Councillor Leo Littman	Member
Councillor Lizzie Deane	Member
Councillor Ollie Sykes	Member
Councillor Alex Phillips	Member
Councillor Jeane Lepper	Member
Councillor David Smith	Member
Councillor Andrew Wealls	Member
Councillor Christina Summers	Member
Dr David Horne	Non-Voting Co-Optee

Training & Development

7. In order to be effective members of the Committee should have a clear understanding of their role in relation to standards, internal control and governance issues, Internal and External Audit, risk and opportunity management and the operation of these frameworks across the council.

Core Activities 2013/14

8. The Committee's Terms of Reference contain a number of responsibilities and these can be summarised into seven core activity areas.

Internal Audit Assurance

9. Internal Audit is a key component of the council's governance framework and to provide assurance on the council's control environment. This Committee has a responsibility for ensuring that Internal Audit is effective in the provision of that assurance role.

During the year the Committee has;

- Reviewed and approved the Internal Audit Strategy & Annual Plan
- Received regular Internal Audit progress reports which highlight significant control issues particularly with Limited Assurance Reports
- Considered the Head of Internal Audit's Annual Report and Opinion
- Reviewed and considered a report on the effectiveness of the system of Internal Audit
- Reviewed the alignment between Internal Audit and External Audit as well as to risk management work
- Supported the Internal Audit service with regard to the escalation of control concerns and to ensure management is responsive to recommendations made and agreed.

External Audit Assurance

10. The External Audit function is provided by EY. The provision of effective External Audit is an essential part of accountability for public funds, providing an independent opinion on the financial statements as well as arrangements for securing value for money across the council.
11. During the year the Committee has;
 - Considered EY's Annual Audit Plan
 - Considered progress reports against the audit plan and sector information updates

- Considered and reviewed the audit fee and Audit Fee Letters
- Received and considered the Annual Governance Report
- Received the Annual Grant Certification Letter, and
- Received and considered Annual Audit Letter for 2013/14.

Risk Management

12. During the year the Committee;
- Received and considered the Strategic Risk Register updates
 - Considered the outcomes of the Risk Management Programme
 - Received the Annual Risk Management Report, and
 - Received and undertaken detailed scrutiny of risk maps relating to specific strategic risks.

Governance Framework

13. A key role of the Committee is its work in supporting an effective governance framework for the management of the council. This includes supporting corporate policies and frameworks that promote good governance, as well as the control assurance work carried out by Internal Audit.
14. During the year the Committee;
- Reviewed the 2013/14 Annual Governance Statement
 - Promoted and communicated the importance of effective internal control and governance across the council and of the need to ensure audit recommendations for improvement are implemented
 - Considered updates on the 2013/14 Annual Governance Statement actions
 - Reviewed proposed issues for inclusion in the 2014/15 Annual Governance Statement.

Counter Fraud

15. A separate Corporate Fraud Team has been in place through 2014/15 and the Committee has received and considered updates on its performance and outcomes during the year. These have included;
- Regular updates on fraud investigations, including housing benefit and tenancy fraud
 - Considered the outcome of counter fraud activity as part of the Annual Internal Audit Report and Opinion 2013/14
 - Updates on the results of the latest National Fraud Initiative (NFI) data matching exercise
 - The outcomes of the Audit Commission's national study "Protecting the Public Purse".

Financial Management and Reporting

16. During the year the Committee;
- Considered and approved the Annual Statement of Accounts
 - Considered the External Auditor's report on the accounts and council's response to comments
 - Received periodic reports for information, on the council's budget performance (TBM) asked questions and helped to inform the approval of end of year Statement of Accounts.
 - Considered Treasury Management Mid and Year End review reports.

Standards

- 17 During the year,:
- The Standards Working group, chaired by Dr David Horne, reviewed the code of conduct for Members, simplifying and rationalising the procedure for declaration of interests. Its recommendations were approved by full Council;
 - A number of standards related policies and procedures were reviewed;
 - We had fewer complaints than in previous years all of which were resolved informally
 - Diane Bushell was appointed as the second Independent Person

Looking Forward

18. The Committee will continue to develop its role and build on current status. For 2015/16 it will;
- Review the council's governance and control arrangements and seek assurance that recommendations to ensure improvement are being implemented
 - Ensure that the council's strategic risks are being managed effectively managed and assurance is obtained from risk owners
 - Support the work of Internal and External Audit
 - Ensure the council maintains and further improves the standards in relation to the production of accounts
 - Ensure the council effectively manages the risk of fraud and corruption
 - Support new and existing Members to fulfil their responsibilities by providing training, briefings and good practice guidance.

Audit & Standards Committee Terms of Reference

The Audit functions of this Committee relate to the council's arrangements for the discharge of its powers and duties in connection with financial governance and stewardship, risk management and audit. The Committee makes recommendations to the Council, Policy & Resources Committee, Officers or other relevant body within the Council.

The Standards functions of this Committee seek to ensure that the Members, Co-opted Members and Officers of the council observe high ethical standards in performing their duties. These functions include advising the council on its Codes of Conduct and administering related complaints and dispensation procedures.

In addition to the Councillors who serve on the Audit and Standards Committee, the Committee includes at least two independent persons who are not Councillors. They are appointed under Chapter 7 of the Localism Act, or otherwise co-opted, and act in an advisory capacity with no voting powers. In the terms of reference of this Committee a "Member" is an elected Councillor and a "Co-opted Member" is a person co-opted by the council, for example to advise or assist a Committee or Sub-Committee of the council.

General Audit and Standards Delegated Functions

To review such parts of the constitution as may be referred to the Committee by the Policy and Resources Committee and to make recommendations to the Policy & Resources Committee and the council.

To appoint, co-opt or (in any case where only the council has power) to recommend the appointment or co-option of a minimum of two independent persons:

- to give general assistance to the Committee in the exercise of its functions; and
- to give views on allegations of failure to comply with a Code of Conduct as required by Chapter 7 of the Localism Act.

To have an overview of:

- the council's Whistleblowing Policy
- complaints handling and Local Ombudsman investigations

To deal with any audit or ethical standards issues which may arise in relation to partnership working, joint committees and other local authorities or bodies.

To ensure arrangements are made for the training and development of Members, Co-opted Members and Officers on audit, ethical and probity matters, including Code of Conduct issues.

To support and advise the Chief Finance Officer and the Monitoring Officer in their statutory roles.

Delegated Audit Functions

To carry out independent scrutiny and examination of the Council's financial and non-financial processes, procedures and practices to the extent that they affect the Council's control environment and exposure to risk, with a view to providing assurance on the adequacy and effectiveness of:

- the work of internal and external audit;
- the governance arrangements of the council and its services;
- the risk management and performance management frameworks and the associated control environment;
- the financial management process;
- arrangements for the prevention and detection of fraud and corruption

To meet the requirements of the Accounts and Audit Regulations Act 2011 in respect of:

- conducting an annual review of the effectiveness of the system of internal control;
- conducting an annual review of the effectiveness of internal audit;
- reviewing the outcome of annual review of governance arrangements and approving the Annual Governance Statement, ensuring it contains any actions for improvement; and
- considering and approving the Council's annual Statement of Accounts.

To consider the External Auditor's Annual Audit and Inspection Plan, Annual Governance Report, Annual Audit Letter and other relevant reports. Consider and agree the Internal Strategy and Annual Audit Plan, Head of Audit & Business Risk's Annual Internal Audit Report including Opinion, periodic progress reports and other relevant internal audit reports.

To consider and agree the Head of Audit & Business Risk's Annual Fraud & Corruption Report and consider and approve the Council's Counter Fraud Strategy.

Delegated Standards Functions

To advise the Council on the adoption, revision or replacement of Codes of Conduct for (a) Members and Co-opted Members and (b) Officers;

To exercise all other functions of the Council in relation to ethical standards, in particular those under Chapter 7 of the Localism Act, including the following:

- promoting and maintaining high standards of conduct within the Council and monitoring the operations of the Council's Codes of Conduct and registers of interests;
- in relation to allegations that a Member or Co-opted Member has failed to comply with the Code of Conduct, putting in place arrangements to investigate and make decisions;

- supporting the Monitoring Officer in the exercise of that Officer's ethical standards functions, in particular the duty to establish & maintain registers of interests for the Council and for Rottingdean Parish Council;
- in relation to Members or Co-opted Members with pecuniary interests, putting in place arrangements to grant dispensations, in appropriate cases, from the restrictions on speaking and/or voting.

NOTE: With the exception of the adoption, revision or replacement of the Codes of Conduct referred to above, the Audit and Standards Committee may develop and adopt its own procedures and protocols.

(Source: B&HCC Constitution)

Appendix B

Meeting Date	Report	Area
24 June 2014	Audit & Standards Committee Annual report 2014/15	Other
	Audit & Standards Committee Work Programme 2014/15	Other
	Complaints update – Members & Corporate (June 2014)	Standards
	Standards Panel Training	Standards
	Governance of Value for Money Phase 4	Governance
	Targeted Budget Management (TMB) provisional out-turn 2013/2014	Financial Management and Reporting
	Human Resources & Organisational Development Annual Report	Other Items
	Review of the Effectiveness of the System of Internal Audit.	Internal Audit
	Internal Audit Annual Report & Opinion 2013/14	Internal Audit
	Annual Governance Statement 2013/2014	Governance
	EY – 2014/2015 Audit Fee Letter	External Audit
	EY – Audit progress report and sector update	External Audit
	Strategic Risk Register Review 2014 -15 & Risk Management Action Plans – Updated May 2014	Risk Management
	Strategic Risk Management Action Plan Focus: SR2 Financial Outlook; and SR18 Effective Use of Technology.	Risk Management
	Statement of Account 2013/14	Financial Management and Reporting
23 September 2014	Member Complaints Update	Standards
	Strategic Risk MAP Focus review Dates; and RISK MAP Focus on SR19 Implementation of the Care Act; SR20 Better Care Fund; and SR13 Safeguarding Vulnerable Adults	Risk Management
	Corporate Fraud Update and Risks	Counter Fraud
	Internal Audit Progress Report 2014/15	Internal Audit
	EY 2013/14 Audit Results Report	External Audit
	Statement of Accounts 2013/14	Financial Management and Reporting
	Targeted Budget Management (TBM) 2014/15 Month 2	Financial Management and Reporting
	Treasury Management Policy Statement (incorporating the Annual Investment Strategy) End of Year review 2013/14	Financial Management and Reporting
18 November 2014	Member Complaints Update	Standards
	Targeted Budget Management (TBM) 2014/15 Month 5	Financial Management and Reporting

Meeting Date	Report	Area
	Strategic Risk MAP focus: SR10 - Information Governance Management; SR21 Housing Pressures; and SR8 Becoming a more sustainable city	Risk Management
	Review of Code of Conduct for Members	Standards
	Council's Performance Development Plans	Other
	Information Management Risk Update (SR10)	Risk Management
	EY: Progress Report 2014/15	External Audit
	EY: Annual Audit Letter 2013/14	External Audit
	Internal Audit Progress Report	Internal Audit
13 January 2015	Member Complaints Update, Audit & Standards Committee, 13 January 2015	Standards
	Code of Conduct for Members - Granting of Dispensation	Standards
	Corporate Modernisation Governance Arrangements	Governance
	Strategic Risk Register Review & Risk MAP updates	Risk Management
	Strategic Risk MAP focus: SR22 Modernising the Council; and SR23 Developing an Investment Strategy to Refurbish and Develop the City's Major Asset of the Seafront	Risk Management
	Annual Governance Statement 2013/14 - Action Plan Progress Update	Governance
	Internal Audit Progress Report	Internal Audit
	Audit Commission - Protecting the Public Purse Fraud Briefing 2014	Counter Fraud
	EY - 2014/15 Progress Report and Sector Briefing	External Audit
	EY - 2013/14 Annual Certification Report	External Audit
	Treasury Management Policy Statement 2014/15 (Mid. Year Report)	Financial Management and Reporting
	Targeted Budget Management (TBM) 2014/15 Month 7	Financial Management and Reporting
10 March 2015	Governance: Whistleblowing Update	Governance
	Internal Audit Progress Report	Internal Audit
	Annual Governance Statement 2013/14: Further Action Plan Progress Update	Governance
	Risk Management Strategy Annual Progress Report 2014	Risk Management
	Strategic Risk MAP Focus: SR17 School Places Planning; and SR15 Keeping Children safe from harm and abuse	Risk Management
	Internal Audit and Corporate Fraud: Strategy and Plan 2015/16	Internal Audit
	EY - Audit Plan 2014/15	External Audit
	EY - Audit Progress Report and Sector Update	External Audit
	Targeted Budget Management (TBM) 2014/15 Month 9	Financial Management and Reporting

Council	Agenda Item 26
16 July 2015	Brighton & Hove City Council

Subject:	Governance: Whistleblowing Update – Extract from the proceedings of the Audit & Standards Committee meeting held on the 23rd June 2015		
Date of Meeting:	16 July 2015		
Report of:	Head of Legal & Democratic Services		
Contact Officer:	Name:	Caroline De Marco	Tel: 29-1063
	E-mail:	caroline.demarco@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

<i>Action Required of the Council:</i> To receive the item referred from the Audit & Standards Committee for information:
Recommendation: That Council note the report referred for information from the Audit & Standards Committee

BRIGHTON & HOVE CITY COUNCIL

AUDIT & STANDARDS COMMITTEE

23 JUNE 2015

THE RONUK HALL, PORTSLADE TOWN HALL

Present: Councillor A Norman (Chair) Councillors Chapman, Cobb, Druitt, Morris, Robins (Group Spokesperson), Sykes (Group Spokesperson) and Taylor. Diane Bushell and Dr David Horne.

PART ONE

8 GOVERNANCE: WHISTLEBLOWING UPDATE

- 8.1 The Committee considered a report of the Head of Legal & Democratic Services which set out proposed changes to the Council's Whistleblowing Policy. The proposals aimed to improve whistleblowing arrangements within the council.
- 8.2 The Monitoring Officer and Head of Legal & Democratic Services stated that whistleblowing arrangements had not been as effective as they should have been. Paragraphs 3.3 and 3.4 of the report provided clarity as to what and who the policy applied to. The Council's current Whistleblowing Policy applied to 'members of staff', i.e. employees, casual and agency workers, apprentices, contractors and self-employed consultants working on the Council's premises. The new proposed Policy would extend that remit to members of the public. Other main changes to the policy were set out in paragraphs 3.5. Alongside these changes a model whistleblowing policy had been drawn up for maintained schools.
- 8.3 Members' attention was drawn to a flow chart at Appendix 1 which provided guidance to employees who wished to raise a concern.
- 8.4 Councillor Cobb queried whether the policy would be effective. She expressed concern that the policy would not be beneficial to the whistleblower.
- 8.5 The Monitoring Officer and Head of Legal & Democratic Services replied that the council guaranteed anonymity. The whistleblower also had the option of being provided with independent advice. If the person felt they were being victimised they would be protected under the employment laws. Part of the policy had been drafted to address this problem.
- 8.6 The Head of Internal Audit stated that the whole purpose of the policy was to address these problems. An e learning course had been made available to staff to raise awareness to these issues.
- 8.7 Councillor Sykes stated that the changes seemed a sensible move forward. He was concerned that the numbers of people whistleblowing in the council needed to be raised. He expected increases in numbers of whistleblowing cases as a result of the policy.
- 8.8 The Monitoring Officer and Head of Legal & Democratic Services stressed that there would now be an exhaustive list of whistleblowing. He would have regular meetings with HR to discuss this issue. There was a need to encourage people to come forward and a need to make people feel safe. It would also be necessary to publicise the policy.
- 8.9 Councillor Taylor concurred with Councillor Cobb. There needed to be a safe climate for whistleblowers. He commended the work carried out by officers and found the flow chart helpful. Councillor Taylor referred to paragraph 3.6 and asked if there was provision for academy schools. The Monitoring Officer and Head of Legal & Democratic Services replied that he would be happy to send the recommendation to academy schools as well as maintained schools.
- 8.10 Councillor Robins asked whether someone who remained quiet was complicit in wrongdoing. The Monitoring Officer and Head of Legal & Democratic Services advised

that this could potentially be an issue if the person was in a position to stop wrongdoing. There was an expectation that if a person was aware of a problem they should report it.

- 8.11 Councillor Morris referred to the flowchart and asked for clarification about the box which stated 'seek advice and support'. This referred to outside bodies. He asked what was on offer for staff. The Monitoring Officer and Head of Legal & Democratic Services referred Councillor Morris to paragraph 8.1 of the policy.
- 8.12 Councillor Druitt asked if Whistleblowing training was in place for staff. The Monitoring Officer replied that he would be happy to include training on whistleblowing in the induction programme for managers.
- 8.13 Paul King of Ernst & Young referred to paragraph 8.1 of the policy. He asked for his name to be deleted and corrected the postcode which should be RG1 IYE.
- 8.14 Councillor Chapman asked if other options such as mediation would be suggested when promoting the policy. The Monitoring Officer & Head of Legal & Democratic Services referred to paragraph 3.2 of the policy. The Whistleblowing policy sat alongside other policies.
- 8.15 Councillor Cobb raised the question of anonymity. She referred to paragraphs 5.1 and 6.5 of the policy in which people were encouraged to put their name to any concerns they raised. The Monitoring Officer & Head of Legal & Democratic Services explained that people were encouraged to reveal their name as this made the wrongdoing easier to investigate. However, there was no requirement for people to disclose their identity.
- 8.16 **RESOLVED:** That the new Whistleblowing Policy for the Council (Addendum 1) and the model policy that Schools will be encouraged to adopt (Addendum 2) be approved and referred to Council for information.

Subject:	Governance: Whistleblowing Update		
Date of Meeting:	23 June 2015		
Report of:	Head of Legal & Democratic Services		
Contact Officer:	Name:	Sarita Arthur-Crow	Tel: 01273 29 4687
	Email:	sarita.arthur-crow@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The Council has recognised that further and continuing work is required to strengthen governance arrangements. One aspect of governance is whistleblowing. This report sets out proposed changes to the Council's Whistleblowing Policy. The proposals aim to improve whistleblowing arrangements within the Council.

2. RECOMMENDATIONS:

- 2.1 That the Audit & Standards Committee recommend to Full Council to approve the attached new Whistleblowing Policy for the Council (Addendum 1) and approve the model policy that Schools will be encouraged to adopt (Addendum 2).

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Ensuring an effective whistleblowing policy assists the Council to be open and also to be less likely to not comply with the law in relation to whistleblowing. It is also part of good governance to have effective whistleblowing arrangements. For this reason, the Council's Good Governance and Leadership Programme Board has highlighted the need to review the Council's current policy on whistleblowing.
- 3.2 Whistleblowing involves concerns regarding:
- Conduct which is an offence or a breach of law
 - Disclosures related to miscarriages of justice
 - Individual(s) covering up wrongdoing
 - Health & safety risks, including risks to the public as well as other employees
 - Damage to the environment
 - The unauthorised use of Council funds
 - Action that is contrary to the Council's financial procedures or contract regulations
 - Possible fraud, corruption or financial irregularity
 - Practice which falls below established standards or practice

- Sexual or physical abuse of clients
- Other unethical conduct

- 3.3 Persons who raise concerns regarding any of the above are under certain circumstances protected against detrimental treatment or dismissal for disclosing normally confidential information. The persons protected in law are employees. The Council's current Whistleblowing Policy applies to all 'members of staff', i.e. employees, casual and agency worker, apprentices, contractors and self-employed consultants working on the Council's premises.
- 3.4 The new proposed Policy would extend the remit of the policy to members of the public. The same legal protection against dismissal or detriment will naturally not apply to members of the public, however, extending the Policy to members of the public will ensure that there is a route by which concerns can be raised. It will also ensure that concerns are addressed to the correct people and dealt with as appropriate. This change is in line with the Council's commitment to openness and aims to ensure greater transparency. Where the concern is in fact a complaint regarding a service that the customer has received, this will be re-directed to the Complaints Procedure.
- 3.5 Other main changes involve:
- a) The ambit of the policy is widened slightly in order to encourage a culture of openness. The current policy requires the employee to assess whether they think the concern is in the public interest. This requirement may mean that concerns are delayed in being raised or not raised at all. The new wording does not include this requirement. The employee will only need to reasonably believe that their genuine concern is true.
 - b) Under the new policy, the Monitoring Officer will hold a corporate register of all concerns and outcomes. The Monitoring Officer will also report annually to the Audit & Standards Committee on the use of the policy and concerns raised.
 - c) The review period for the policy would change from two years to annually.
 - d) The policy has been made clearer with new headings, a flowchart at the back and a list of bodies that can be contacted is appended to the Policy. In addition, the necessary updating of names have been made.
- 3.6 Alongside these changes, a model whistleblowing policy has been drawn up for maintained schools. The Governing Bodies of maintained schools are responsible for adopting their own policy, however, in order to assist our maintained schools a model policy has been drafted and this would be communicated to schools.

3.7 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 4.1 It is expected that the recommendations outlined in the report and the addendums will be carried out by in-house staff and absorbed within current workload levels. Any costs which may arise from these recommendations will be met from within existing budgets.

Finance Officer Consulted: Peter Francis

Date: 10 June 2015

4.2 Legal Implications:

The Public Interest Disclosure Act 1998 protects employees from being dismissed for making a protected disclosure. A wider category of workers are protected against suffering any detriment as a result of having made a protected disclosure. The law in respect of whistleblowing does not apply to members of the public, however, including them within the policy aims to ensure that the Council is more open and that concerns are raised with the appropriate person.

Our current policy could continue to apply as before, however, the new policy aims to ensure that the process for raising concerns are more effective in the future.

Lawyer Consulted: Sarita Arthur-Crow

Date: 10 June 2015

SUPPORTING DOCUMENTATION

Addendums:

1. The updated Whistleblowing Policy (May 2015)
2. The Model Whistleblowing Policy for maintained schools

Documents in Members' Rooms

1. None.

Whistleblowing Policy - (Raising Concerns in the Public Interest)

A Confidential Reporting Policy for All Members of Staff and the General Public

1. Introduction

- 1.1 Brighton & Hove City Council is committed to the highest standards of openness, honesty, integrity and accountability for the services it provides. However, the Council recognises that there is always the risk that things can go wrong. Therefore, the Council is keen to encourage those working for the Council and members of the community to express their concerns when they think that there may be something seriously wrong regarding the activities of the Council. This gives the Council the opportunity to stop any unethical or unprofessional practices or wrongdoing within the organisation.
- 1.2 The Council recognises that for individuals to come forward, they must have confidence that their concerns will be listened to and that the Council will take prompt action to investigate and deal with concerns appropriately.
- 1.3 This Policy sets out how concerns about serious wrongdoing by the Council can be raised and how the Council will respond to these.
- 1.4 This Policy is an integral part of, and should be read in the context of, the Council's corporate values, which are:

Respect: Embrace diversity with kindness and consideration and recognise the value of everyone

Collaboration: Work together and contribute to the creation of helpful and successful teams and partnerships across the Council and beyond

Efficiency: Work in a way that makes the best and most sustainable use of our resources, always looking at alternative ways of doing things

Openness: Share and communicate with honesty about our service and ourselves, whenever appropriate. Accept where we have to change in order to improve

Creativity: Have ideas that challenge the 'tried and tested', use evidence of what works, listen to feedback and come up with different solutions

Customer Focus: Adopt our Customer Promise for colleagues, partners, members and citizens. Our Customer Promise is that we will be easy to reach, be clear and treat you with respect, listen and act to get things done

1.5 This Policy incorporates the provisions that are required from the Public Interest Disclosure Act 1998 (as amended by the Enterprise & Regulatory Reform Act 2013), which protects members of staff against detrimental treatment or dismissal for disclosing normally confidential information because they reasonably believe it is in the public interest to do so. This is known as a “qualifying disclosure”.

2 Benefits of this policy

2.1 This Policy aims to:

- encourage and enable you to feel confident in raising concerns and to question and act upon any concerns;
- provide avenues for you to raise concerns;
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied with the action taken;
- reassure members of staff that they will be protected from repercussions when raising genuine concerns;
- ensure that all those working for, or on behalf of, the Council are aware that they must not treat individual(s) detrimentally because they have made a “qualifying disclosure” under the Act.

3 Scope

3.1 The types of concern covered by the Policy include:

- conduct which is an offence or a breach of law
- disclosures relating to miscarriages of justice
- individual(s) covering up wrongdoing
- health and safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of Council funds
- action that is contrary to the Council’s financial procedures or contract regulations
- possible fraud, corruption or financial irregularity
- practice which falls below established standards or practice
- sexual or physical abuse of clients
- other unethical conduct

3.2 This Policy and its associated procedures is not intended to replace any existing Council procedures that would be more appropriate for dealing with any concern raised under this Policy:

Members of staff

If your concern relates to how you have been personally treated at work as an employee under your contract of employment, you should raise it under the existing Grievance Procedure. If your concern relates to bullying or harassment, the Council will respond to such concerns under the Council’s Disciplinary Procedure.

Members of the Public

If you have a concern or complaint about Council services provided to you, you should raise this using the Council's Complaints Procedure.

4 Who can raise a concern under this Policy

4.1 This Policy applies to all:

- employees of the Council (excluding schools – see 4.2 below)
- casual, agency workers and apprentices working for the Council
- contractors and employees of contractors working for the Council
- self-employed consultants working for the Council
- members of the public

4.2 If you are employed in, working with, assisting or based in a Brighton and Hove maintained school, you should raise your concern directly with the school using their Whistleblowing Policy. If you feel unable to raise your concern directly with the School, you may contact a person mentioned in 6.2. However, you should set out why you feel unable to contact the school directly.

5 Supporting you to raise a concern

5.1 **Confidentiality:**

We hope that you will feel able to voice whistleblowing concerns openly under this Policy. However, if you want to raise your concerns confidentially, we will make every effort to keep your identity secret. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed.

5.2 **Staff Raising Genuine Concerns:**

The Council aims to encourage openness and will support staff who raise genuine concerns under this Policy, even if they turn out to be mistaken.

Staff who raise genuine concerns under this Policy with a reasonable belief that it is true must not suffer any detrimental treatment as a result of raising the concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern.

Staff and those working for the Council must not threaten or retaliate against a person who raises a concern under this policy. If you believe that you have suffered any such treatment, you should inform the Head of Human Resources and Organisational Development immediately. If the matter is not remedied, you should raise it formally using the Council's Grievance Procedure.

5.3 Staff Raising Malicious Allegations:

However, the Council cannot give such assurances and you may be subject to disciplinary action if you raise a concern maliciously or the information you have used to trigger a concern has been obtained unlawfully, for example:

- legal requirements have not been followed, e.g. the Data Protection Act has been breached or
- through unauthorised access to records, e.g. computer hacking.

6 How to raise a concern

Points of contact

6.1 As soon as you become reasonably concerned, we hope you will feel able to raise it. The earlier you raise your concern, the easier it is to take action.

A flowchart showing the process for raising concerns can be found in Appendix 1.

6.2 Members of Staff

If you are an employee you should normally raise concerns with your line manager. Similarly, non-employees (e.g. agency workers, contractors, consultants) should raise a concern in the first instance with their contact within the Council, usually the person to whom they directly report.

If you are a member of staff and you want to raise the matter with someone other than your immediate manager, for whatever reason, please raise the matter with:

- Your Head of Service
- Sue Moorman, Head of Human Resources & Organisational Development - ext.3629
- Graham Liddell, Head of Internal Audit - ext.1323
- Rachel Musson, Interim Executive Director of Finance & Resources ext.1333 or
- Abraham Ghebre-Ghiorghis, Head of Legal & Democratic Services & Monitoring Officer - ext.1500

These people will also be able to advise on confidentiality and further action required.

If these channels have been followed but you still have concerns or if you feel that the matter is so serious that you cannot discuss it with any of the above, you may as a last resort contact: Penny Thompson, Chief Executive –
email: penny.thompson@brighton-hove.gcsx.gov.uk tel. 01273 291132

6.3 Members of the Public

If you are a member of the public you can raise concerns with:

- Graham Liddell, Head of Internal Audit -
email: graham.liddell@brighton-hove.gcsx.gov.uk, tel. 01273 291323

or

- Abraham Ghebre-Ghiorghis, Head of Legal & Democratic Services & Monitoring Officer -
email: abraham.ghebre-ghiorghis@brighton-hove.gcsx.gov.uk,
tel. 01273 291500.

If these channels have been followed but you still have concerns or if you feel that the matter is so serious that you cannot discuss it with any of the above, you may contact: Penny Thompson, Chief Executive –
email: penny.thompson@brighton-hove.gcsx.gov.uk tel. 01273 291132

The Procedure

- 6.4 You may raise your concern orally or in writing. We advise that you make it clear that you are raising your concerns under the Council's whistleblowing arrangements.
- 6.5 You are also encouraged to put your name to any concern you raise as this will make it easier for the Council to investigate the issue. Please also say if you want to raise the matter in confidence so that the person you contact can make appropriate arrangements.
- 6.6 To enable your concern to be dealt with properly and effectively you will need to provide the following information and to be as clear as possible about:
 - what the concern is and to whom it relates
 - the background and history of the concern (giving relevant dates)
 - the reason why you are particularly concerned about the situation and why you believe it to be true.
- 6.7 When raising a concern you are not expected to prove the truth of an allegation, however, you will need to demonstrate to the person you contact that there are sufficient grounds for the concern.
- 6.8 If you are a member of staff you may invite your trade union representative or a colleague who works for the Council to assist or accompany you. Similarly, if you are a member of the public you may be supported by a colleague or friend. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

7 How the Council will respond

- 7.1 Once a concern is raised, the Council will respond to your concern as quickly as possible. The appropriate Council manager/officer will make initial enquiries, taking advice from the Head of Human Resources & Organisational Development if necessary, to help decide if an investigation is appropriate and if so, what form it should take.

7.2 The Council manager/officer receiving the concern will ensure the Head of Legal & Democratic Services, as the City Council's Monitoring Officer, is provided with sufficient details to be aware of the concern raised.

7.3 Where appropriate, the matters raised may:

- be investigated by management, internal audit, the Monitoring Officer or through the disciplinary process;
- be referred to the Police;
- be referred to the external auditor or
- form the subject of an independent inquiry

Within 10 working days of a concern being raised, the person handling the matter will write to you acknowledging that the concern has been received, indicating how, as far as possible, it will be dealt with and, if you are a Council member of staff, the support mechanisms available to you. You will be kept informed of progress and will receive a full and final response, subject to any legal constraints.

7.4 When you raise the concern(s) you may be asked how you think the matter might best be resolved. If you have any personal interest in the matter, we ask that you tell us this at the outset. If your concerns would be more appropriately dealt with under another policy of the City Council (for example, the Complaints Procedure, Anti-Fraud & Corruption Strategy or Grievance Procedure) we will tell you.

7.5 While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can.

7.6 Concerns or allegations that fall within the scope of specific procedures (for example child protection) will normally be referred for consideration under the relevant procedure. Some concerns may be resolved by agreeing action with you without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

7.7 The Council will take all reasonable steps to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are asked to give evidence in criminal or disciplinary proceedings, the Council will arrange for you to receive appropriate advice and support.

8 How your concern can be taken further

8.1 This Policy is intended to provide you with an avenue to raise concerns with the Council. The Council hopes that you will be satisfied with the way your concerns are treated and any investigations that may be carried out.

However, if you are not, and feel it is right to take the matter outside the Council, please find below a list of possible contact points. If you are a member of staff, the Monitoring Officer or the Head of Human Resources & Organisational Development can provide advice as to the other options.

The following are examples of some of the possible contact points:

- the Council's External Auditors: Mr King at EY LLP is the Council's External Auditor. The address is: EY LLP Apex Plaza, 4 Forbury Road, Reading, RG1 1YE. Telephone number 0118 9281556
- relevant professional bodies or regulatory organisations. A list of regulatory bodies can be found in Appendix 2
- your trade union (if you are a member of staff)
- a solicitor
- the Police

8.2 If you are a member of staff, the law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. If you would like independent advice at any stage, you can contact the independent charity Public Concern at Work www.whistleblowing.org.uk on 020 7404 6609. They should be able to give you free and confidential advice about how to raise a concern about serious malpractice at work.

9 The Responsible Officer

The Council's Monitoring Officer has overall responsibility for the maintenance and operation of this policy.

10 Corporate recording, monitoring and reviewing

10.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this policy and for ensuring it is reviewed annually by involving key stakeholders in the process.

10.2 A corporate register of all concerns and the outcomes that are brought to the attention of the Monitoring Officer (in a form which respects your confidentiality) will be maintained by him. All officers designated to look into a concern must ensure that the Monitoring Officer is provided with sufficient details for the corporate register.

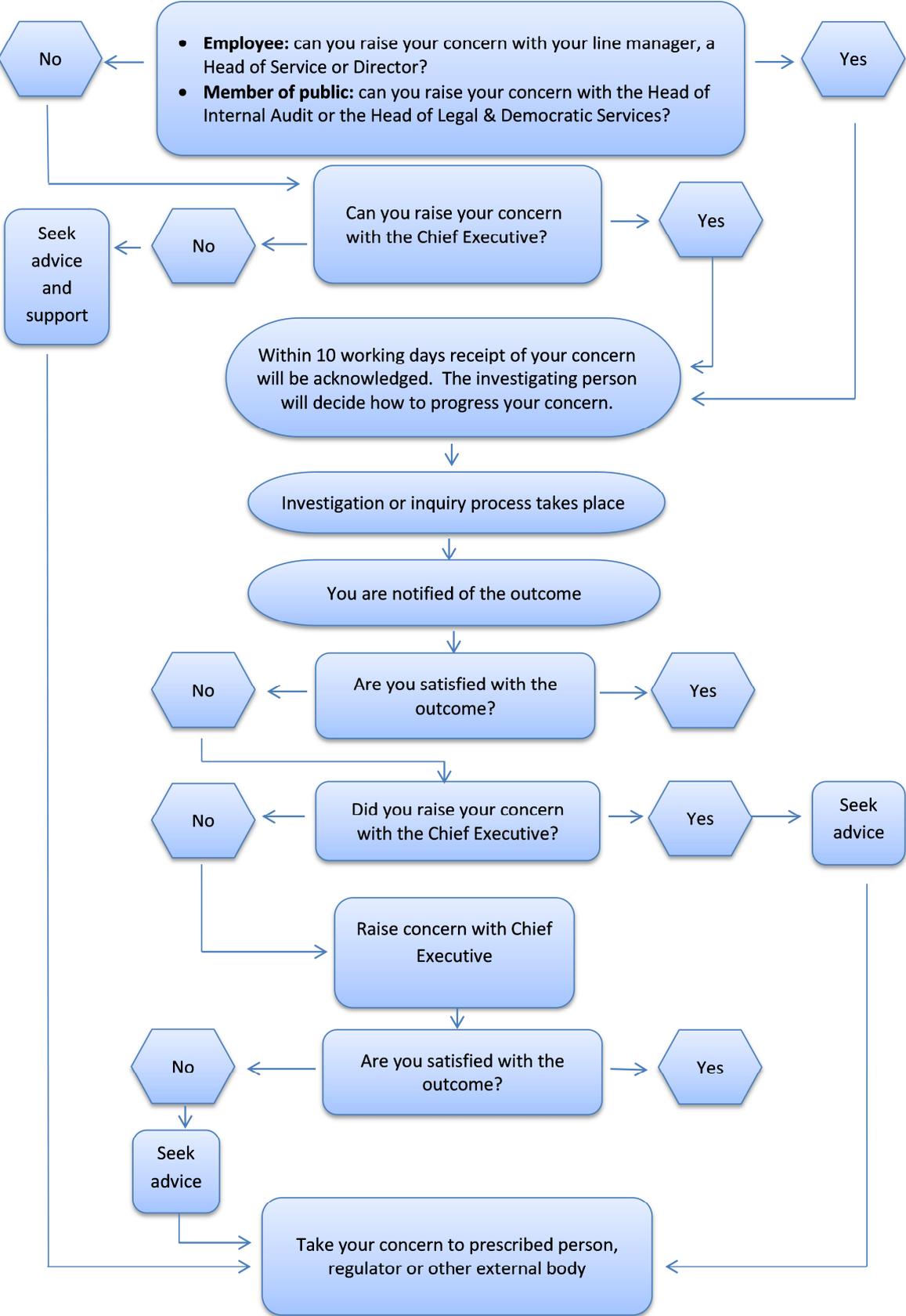
10.3 The Monitoring Officer will review the corporate register and will report annually to the Council's Audit and Standards Committee on the use of the policy and concerns raised during the period covered by the report. The report will not identify any person raising concerns under this Policy.

11 If you are dissatisfied

11.1 If you are unhappy with our response, remember you can go to the other levels and bodies detailed in this policy.

11.2 While we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and properly.

You have a concern that you would like to raise - refer to the Council's whistleblowing policy



Appendix 2: Regulatory and Professional and other External Organisations

Health & Safety and Environment Risks

Contact	Details
Environmental Agency	Address: Solent and South Downs Area Office, Guildbourne House, Chatsworth Road, Worthing, Sussex, BN11 1LD (South East regional office) Tel: 0370 8506506 Web: www.environment-agency.gov.uk
Health & Safety Executive	Address: Priestley House, Priestley Road, Basingstoke, Hampshire RG24 9NW (regional office) Tel: 0845 345 0055 Web: www.hse.gov.uk
Food Standards Agency	Address: Aviation House, London WC2B 6NH Tel: 020 7272 8829 Web: www.food.gov.uk

Consumer Rights

Contact	Details
The Serious Fraud Office	Address: 2-4 Cockspur Street, London SW1Y 5BS Tel: 020 7239 7272 Web: sfo.gsi.gov.uk

Data Protection and Freedom of Information

Contact	Details
Information Commissioner's Office	Address: Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF Tel: 0303 123 1113 Web: www.ico.gov.uk

Healthcare and Social Services

Contact	Details
Care Quality Commission	Address: 2nd Floor, Ridgewort House, Worthing, West Sussex BN11 1RY Tel: 03000 616161 Web: www.cqc.org.uk
Health and Care Professions Council	Address: 184 Kennington Park Road, London SE11 4BU Tel: 0845 3006184 Web: www.hpc-uk.org
The National Society for the Prevention of Cruelty to Children (NSPCC)	Address: Gillingham Service Centre & Regional Office, Pear Tree House, 68 West Street, Gillingham, Kent ME7 1EF Tel: 020 7825 2500 Web: www.nspcc.org.uk
Children's Commissioner	Address: Sanctuary Buildings, 20 Great Smith Street, London, SW1P 3BT

	Tel: 020 7783 8330 Web: www.childrenscommissioner.gov.uk
Health and Care Professions Council	Address: Park House, 184 Kennington Park Road, London, SE11 8BU Tel: 08453006184
Nursing and Midwifery Council (NWC)	Address: 23 Portland Place, London W1B 1PZ Tel: 020 7637 7181 Web: www.nmc-uk.org
General Medical Council (GMC)	Address: Fitness to Practise Directorate, 3 Hardman Street, Manchester, M3 3AW Tel: 0161 923 6602 Web: www.gmc-uk.org
Homes and Communities Agency	Address: Fry Building, 2 Marsham Street, London SW1P 4DF Tel: 0300 1234 500 Web: www.homesandcommunities.co.uk

Other Organisations

Contact	Details
The Local Government Ombudsman	Address: PO Box 4771, Coventry CV4 0EH Tel: 0300 061 0614 Web: www.lgo.org.uk
Commissioners for Her Majesty's Revenue & Customs (HMRC)	Address: HM Revenue and Customs, Freepost NAT22785, Cardiff, CF14 5GX Tel: 0800 788 887 Web: www.hmrc.gov.uk
Ofsted	Address: Piccadilly Gate, Store Street, Manchester M1 2WD Tel: 0300 123 1231 Web: www.ofsted.gov.uk
Pensions Regulator	Address: Napier House, Trafalgar Place Brighton BN1 4DW Tel: 0845 600 0760 Web: www.thepensionsregulator.gov.uk
Police	Tel: 101 Emergency: 999 Web: www.police.co.uk
Your Local Councillors	Web: www.brighton-hove.gov.uk

Addendum 2

Whistleblowing Policy - (Raising Concerns in the Public Interest)

A Confidential Reporting Policy for All Members of Staff and the General Public

1. Introduction

- 1.1 The School is committed to the highest standards of openness, honesty, integrity and accountability for the services it provides. However, the School recognises that there is always the risk that things can go wrong. Therefore, the School is keen to encourage those working for the School and members of the community to express their concerns when they think that there may be something seriously wrong regarding the activities of the School. This gives the School the opportunity to stop any unethical or unprofessional practices or wrongdoing within the organisation.
- 1.2 The School recognises that for individuals to come forward, they must have confidence that their concerns will be listened to and that the School will take prompt action to investigate and deal with concerns appropriately.
- 1.3 This Policy sets out how concerns about serious wrongdoing by the School can be raised and how the School will respond to these.
- 1.4 This Policy incorporates the provisions that are required from the Public Interest Disclosure Act 1998 (as amended by the Enterprise & Regulatory Reform Act 2013), which protects members of staff against detrimental treatment or dismissal for disclosing normally confidential information because they reasonably believe it is in the public interest to do so. This is known as a “qualifying disclosure”.

2 Benefits of this policy

- 2.1 This Policy aims to:
 - encourage and enable you to feel confident in raising concerns and to question and act upon any concerns;
 - provide avenues for you to raise concerns;
 - ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied with the action taken;
 - reassure members of staff that they will be protected from repercussions when raising genuine concerns;
 - ensure that all those working for, or on behalf of, the School are aware that they must not treat individual(s) detrimentally because they have made a “qualifying disclosure” under the Act.

3 Scope

3.1 The types of concern covered by the Policy include:

- conduct which is an offence or a breach of law
- disclosures relating to miscarriages of justice
- individual(s) covering up wrongdoing
- health and safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of School funds
- possible fraud, corruption or financial irregularity
- practice which falls below established standards or practice
- sexual or physical abuse
- other unethical conduct

3.2 This Policy and its associated procedures is not intended to replace any existing School procedures that would be more appropriate for dealing with any concern raised under this Policy:

Members of staff

If your concern relates to how you have been personally treated at work as an employee under your contract of employment, you should raise it under the existing Grievance Procedure. If your concern relates to bullying or harassment, the School will respond to such concerns under the Disciplinary Procedure.

Members of the Public

If you have a concern or complaint about services provided to your family by the School, you should raise this using the Complaints Procedure.

4 Who can raise a concern under this Policy

4.1 This Policy applies to all:

- employees
- casual, agency workers and apprentices working for the School
- contractors and employees of contractors working for the School
- self-employed consultants working for the School
- members of the public

5 Supporting you to raise a concern

5.1 **Confidentiality:**

We hope that you will feel able to voice whistleblowing concerns openly under this Policy. However, if you want to raise your concerns confidentially, we will make every effort to keep your identity secret. If the situation arises where we are not

able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed.

5.2 Staff Raising Genuine Concerns:

The School aims to encourage openness and will support staff who raise genuine concerns under this Policy, even if they turn out to be mistaken.

Staff who raise genuine concerns under this Policy with a reasonable belief that it is true must not suffer any detrimental treatment as a result of raising the concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern.

Staff and those working for the School must not threaten or retaliate against a person who raises a concern under this policy. If you believe that you have suffered any such treatment, you should inform the Head Teacher immediately. If the matter is not remedied, you should raise it formally using the Grievance Procedure.

5.3 Staff Raising Malicious Allegations:

However, the School cannot give such assurances and you may be subject to disciplinary action if you raise a concern maliciously or the information you have used to trigger a concern has been obtained unlawfully, for example:

- legal requirements have not been followed, e.g. the Data Protection Act has been breached or
- through unauthorised access to records, e.g. computer hacking.

6 How to raise a concern

Points of contact

6.1 As soon as you become reasonably concerned, we hope you will feel able to raise it. The earlier you raise your concern, the easier it is to take action.

6.2 Members of Staff

If you are an employee you should normally raise concerns with your line manager. Similarly, non-employees (e.g. agency workers, contractors, consultants) should raise a concern in the first instance with their contact within the School, usually the person to whom they directly report.

If you are a member of staff and you want to raise the matter with someone other than your immediate manager, for whatever reason, please raise the matter with:

- or
-

These people will also be able to advise on confidentiality and further action required.

6.3 Members of the Public

If you are a member of the public you can raise concerns with:

- or
-

The Procedure

6.8 You may raise your concern orally or in writing. We advise that you make it clear that you are raising your concerns under the School's whistleblowing arrangements.

6.9 You are also encouraged to put your name to any concern you raise as this will make it easier for the School to investigate the issue. Please also say if you want to raise the matter in confidence so that the person you contact can make appropriate arrangements.

6.10 To enable your concern to be dealt with properly and effectively you will need to provide the following information and to be as clear as possible about:

- what the concern is and to whom it relates
- the background and history of the concern (giving relevant dates)
- the reason why you are particularly concerned about the situation and why you believe it to be true.

6.11 When raising a concern you are not expected to prove the truth of an allegation, however, you will need to demonstrate to the person you contact that there are sufficient grounds for the concern.

6.8 If you are a member of staff you may invite your trade union representative or a colleague who works for the School to assist or accompany you. Similarly, if you are a member of the public you may be supported by a colleague or friend. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

7 How the School will respond

7.1 Once a concern is raised, the School will respond to your concern as quickly as possible. The appropriate person will make initial enquiries, taking advice from Human Resources if necessary, to help decide if an investigation is appropriate and if so, what form it should take.

7.2 The person receiving the concern will ensure the Head Teacher is provided with sufficient details to be aware of the concern raised.

7.3 Where appropriate, the matters raised may:

- be investigated by management, internal audit or through the disciplinary process;
- be referred to the Police;
- be referred to the external auditor or
- form the subject of an independent inquiry

Within 10 working days of a concern being raised, the person handling the matter will write to you acknowledging that the concern has been received, indicating how, as far as possible, it will be dealt with and, if you are a member of staff, the support mechanisms available to you. You will be kept informed of progress and will receive a full and final response, subject to any legal constraints.

7.4 When you raise the concern(s) you may be asked how you think the matter might best be resolved. If you have any personal interest in the matter, we ask that you tell us this at the outset. If your concerns would be more appropriately dealt with under another School policy (for example, the Complaints Procedure or Grievance Procedure) we will tell you.

7.5 While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can.

7.6 Concerns or allegations that fall within the scope of specific procedures (for example child protection) will normally be referred for consideration under the relevant procedure. Some concerns may be resolved by agreeing action with you without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

7.7 The School will take all reasonable steps to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are asked to give evidence in criminal or disciplinary proceedings, the School will arrange for you to receive appropriate advice and support.

8 How your concern can be taken further

8.3 This Policy is intended to provide you with an avenue to raise concerns with the School. The School hopes that you will be satisfied with the way your concerns are treated and any investigations that may be carried out.

However, if you are not, and feel it is right to take the matter outside the School, please find below a list of possible contact points. If you are a member of staff, Human Resources can provide advice as to the other options.

The following are examples of some of the possible contact points:

- Head of Internal Audit (Graham Liddell tel. 01273 291323) or Head of Legal & Democratic Services (Abraham Ghebre-Ghiorghis tel. 01273 291500) at Brighton & Hove City Council
- your trade union (if you are a member of staff)
- relevant professional bodies or regulatory organisations. A list of regulatory bodies can be found in Appendix 1
- a solicitor
- the Police

8.4 If you are a member of staff, the law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. If you would like independent advice at any stage, you can contact the independent charity Public Concern at Work www.whistleblowing.org.uk on 020 7404 6609. They should be able to give you free and confidential advice about how to raise a concern about serious malpractice at work.

9 Recording, monitoring and reviewing

9.1 (this could be the Head Teacher or other senior person) has overall responsibility for the maintenance and operation of this policy and for ensuring it is reviewed annually by involving key stakeholders in the process.

9.2 A register of all concerns and the outcomes that are brought to the attention of the (same person) (in a form which respects your confidentiality) will be maintained by him. All officers designated to look into a concern must ensure that the (same person) is provided with sufficient details for the register.

9.3 The (same person) will review the register and will report annually to the Governing Body on the use of the policy and concerns raised during the period covered by the report. The report will not identify any person raising concerns under this Policy.

10 If you are dissatisfied

10.1 If you are unhappy with our response, remember you can go to the other levels and bodies detailed in this policy.

10.2 While we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and properly.

Appendix 1: Regulatory and Professional and other External Organisations

Health & Safety and Environment Risks

Contact	Details
Environmental Agency	Address: Solent and South Downs Area Office, Guildbourne House, Chatsworth Road, Worthing, Sussex, BN11 1LD (South East regional office) Tel: 0370 8506506 Web: www.environment-agency.gov.uk
Health & Safety Executive	Address: Priestley House, Priestley Road, Basingstoke, Hampshire RG24 9NW (regional office) Tel: 0845 345 0055 Web: www.hse.gov.uk
Food Standards Agency	Address: Aviation House, London WC2B 6NH Tel: 020 7272 8829 Web: www.food.gov.uk

Consumer Rights

Contact	Details
The Serious Fraud Office	Address: 2-4 Cockspur Street, London SW1Y 5BS Tel: 020 7239 7272 Web: sfo.gsi.gov.uk

Data Protection and Freedom of Information

Contact	Details
Information Commissioner's Office	Address: Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF Tel: 0303 123 1113 Web: www.ico.gov.uk

Healthcare and Social Services

Contact	Details
Care Quality Commission	Address: 2nd Floor, Ridgewort House, Worthing, West Sussex BN11 1RY Tel: 03000 616161 Web: www.cqc.org.uk
Health and Care Professions Council	Address: 184 Kennington Park Road, London SE11 4BU Tel: 0845 3006184 Web: www.hpc-uk.org
The National Society for the Prevention of Cruelty to Children (NSPCC)	Address: Gillingham Service Centre & Regional Office, Pear Tree House, 68 West Street, Gillingham, Kent ME7 1EF Tel: 020 7825 2500 Web: www.nspcc.org.uk
Children's Commissioner	Address: Sanctuary Buildings, 20 Great Smith Street, London, SW1P 3BT

	Tel: 020 7783 8330 Web: www.childrenscommissioner.gov.uk
Health and Care Professions Council	Address: Park House, 184 Kennington Park Road, London, SE11 8BU Tel: 08453006184
Nursing and Midwifery Council (NWC)	Address: 23 Portland Place, London W1B 1PZ Tel: 020 7637 7181 Web: www.nmc-uk.org
General Medical Council (GMC)	Address: Fitness to Practise Directorate, 3 Hardman Street, Manchester, M3 3AW Tel: 0161 923 6602 Web: www.gmc-uk.org
Homes and Communities Agency	Address: Fry Building, 2 Marsham Street, London SW1P 4DF Tel: 0300 1234 500 Web: www.homesandcommunities.co.uk

Other Organisations

Contact	Details
The Local Government Ombudsman	Address: PO Box 4771, Coventry CV4 0EH Tel: 0300 061 0614 Web: www.lgo.org.uk
Commissioners for Her Majesty's Revenue & Customs (HMRC)	Address: HM Revenue and Customs, Freepost NAT22785, Cardiff, CF14 5GX Tel: 0800 788 887 Web: www.hmrc.gov.uk
Ofsted	Address: Piccadilly Gate, Store Street, Manchester M1 2WD Tel: 0300 123 1231 Web: www.ofsted.gov.uk
Pensions Regulator	Address: Napier House, Trafalgar Place Brighton BN1 4DW Tel: 0845 600 0760 Web: www.thepensionsregulator.gov.uk
Police	Tel: 101 Emergency: 999 Web: www.police.co.uk
Your Local Councillors	Web: www.brighton-hove.gov.uk

Council	Agenda Item 27
16 July 2015	Brighton & Hove City Council

Subject:	Code of Corporate Governance – Extract from the proceedings of the Audit & Standards Committee meeting held on the 23rd June 2015		
Date of Meeting:	16 July 2015		
Report of:	Head of Legal & Democratic Services		
Contact Officer:	Name:	Caroline De Marco	Tel: 29-1063
	E-mail:	caroline.demarco@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

<i>Action Required of the Council:</i> To receive the item referred from the Audit & Standards Committee for information:
Recommendation:
That Council note the report referred for information from the Audit & Standards Committee.

**BRIGHTON & HOVE CITY COUNCIL
AUDIT & STANDARDS COMMITTEE**

23 JUNE 2015

THE RONUK HALL, PORTSLADE TOWN HALL

Present: Councillor A Norman (Chair) Councillors Chapman, Cobb, Druitt, Morris, Robins (Group Spokesperson), Sykes (Group Spokesperson) and Taylor. Diane Bushell and Dr David Horne.

PART ONE

7. CODE OF CORPORATE GOVERNANCE

- 7.1 The Committee considered a report of the Head of Legal and Democratic Services which informed Members that the 2013/14 annual governance statement noted that to ensure continuous improvement in the Council's governance arrangements; the Council would review its Code of Corporate Governance. Appendix 1 set out a draft updated Code. The report was presented by the Monitoring Officer & Head of Legal & Democratic Services.
- 7.2 The Monitoring Officer & Head of Legal & Democratic Services suggested that the committee should approve the report and refer it to full Council for information. Typographical errors in the report would be corrected. (Page 11 - deletion of the word 'of' in first bullet point of Principal 1 and; page 12 - 'oversea' to read oversee on the first bullet point).
- 7.3 Dr Horne endorsed the recommendation to refer the report to full Council for information.
- 7.4 Councillor Taylor stated that he was pleased to see Principal 4: 'The Council will take informed and transparent decisions that promote value for money and are subject to effective scrutiny and managing risk.' Councillor Taylor would have liked to have seen this as Principal 1. He asked what would happen next. The Head of Legal & Democratic Services reported that the code was a 'live' document.
- 7.5 Councillor Robins stated that he would have liked to see an explanation of Contract Standing Orders. He asked if there could be a further appendix. The Head of Legal & Democratic Services replied that he would provide a glossary to explain terms used in the report.
- 7.6 **RESOLVED:** That the draft updated Code of Corporate Governance be noted & approved.

Subject:	Code of Corporate Governance		
Date of Meeting:	23 June 2015		
Report of:	Head of Legal and Democratic Services		
Contact Officer:	Name:	Elizabeth Culbert	Tel: 29-1515
	Email:	Elizabeth.Culbert@brighton-hove.gcsx.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The 2013/14 annual governance statement noted that to ensure continuous improvement in the Council's governance arrangements, the council would review its Code of Corporate Governance. Appendix 1 sets out a draft updated Code.

2. RECOMMENDATIONS:

- 2.1 That the Audit & Standards Committee considers and approves the draft updated Code of Corporate Governance.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Corporate Governance is the means by which the council ensures that it is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. It comprises the systems and processes, and cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities.
- 3.2 A code of corporate governance explains how an organisation complies with statutory requirements and best practice guidance on corporate governance. It serves as a means of increasing credibility, accountability and public confidence in the organisation.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The draft Code is based upon the guidance published jointly by CIPFA¹ and SOLACE² entitled 'Delivering Good Governance in Local Government Framework'. The Guidance sets out six core principles of corporate governance, together with various supporting principles in respect of each core principle.

¹ The Chartered Institute of Public Finance and Accountancy.

² The Society of Local Authority Chief Executives and Senior Managers.

4.2 It forms a key part of the council's drive to ensure continuous improvement in the Council's governance.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 A wide range of senior officers have been consulted in drafting the updated Code.

6. CONCLUSION

6.1 A Code of Corporate Governance forms a key part of the council's drive to ensure continuous improvement in the way the council operates. Members of the Audit & Standards Committee should consider and approve the proposed update.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 There are no financial implications arising from this report. The arrangements set out in the Code of Conduct are expected to be delivered within current budgets.

Finance Officer Consulted: James Hengeveld

Date: 11/06/15

Legal Implications:

7.2 There are no legal implications arising from this report.

Lawyer Consulted: Elizabeth Culbert

Date: 11/06/15

Equalities Implications:

7.3 None

Sustainability Implications:

7.4 None

SUPPORTING DOCUMENTATION

Appendices:

1. Draft Code of Corporate Governance

DRAFT LOCAL CODE OF CORPORATE GOVERNANCE (Updated 08/6/2015)

Introduction

Good governance is crucial as it leads to good management, good performance, good stewardship of public money, good public engagement and ultimately good outcomes for citizens and service users. Further, good governance enables an authority to pursue its aims effectively whilst controlling and managing risk.

Brighton & Hove City Council has a robust Constitution and associated governance documents and arrangements in place. The purpose of this Local Code of Corporate Governance is to set out for members and officers the main principles of good governance that the Council is committed to and to highlight the key policies and processes that are in place to ensure these principles are followed.

What is good governance?

Corporate Governance has been described as being:-

‘how local government bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.’¹

The Council operates through a governance framework which brings together an underlying set of legislative requirements, governance principles and management processes. Development of a Local Code of Governance helps to ensure that proper systems and processes are in place and serves as a means of increasing credibility, accountability and public confidence in the organisation.

The Council’s Purpose, Ambition, Priorities and Values

The Council recognises that establishing and maintaining a culture of good governance is as important as putting in place a framework of policies and procedures. The Council expects members and staff to uphold the highest standards of conduct and behaviour and to act with openness, integrity and accountability when carrying out their duties. The Council’s corporate Plan 2015-2019 sets out the Council’s purpose, ambition, priorities and values.

¹ Delivering good governance in local Government Framework’ CIPFA/SOLACE

The Council's Purpose, Ambition, Priorities and Values

The Council's purpose is to provide strong civic leadership for the wellbeing and aspiration of Brighton & Hove.

We will be successful if we are judged to deliver:

A good life

Ensuring a city for all ages, inclusive of everyone and protecting the most vulnerable.

A well run city

Keeping the city safe, clean, moving and connected.

A vibrant economy

Promoting a world class economy with a local workforce to match.

A modern council

Providing open civic leadership and effective public services.

Underpinning this purpose are six values which describe the professional behaviour required to modernise the council. They are:

- Respect
- Collaboration
- Efficiency
- Openness
- Creativity
- Customer Focus

In addition the Council has four principles built on those shared by the city's partnerships, to deliver our purpose. These are:

Public accountability

A council that works with, and is answerable to, citizens and partners.

Citizen focused

A council that starts from the citizen's point of view, making services simpler, more connected and more personal.

Increasing equality

A more equal city, where everyone is respected and shares in the city's prosperity.

Active citizenship

A city people take pride in, where citizens, communities and businesses are active in addressing things that matter to them.

The Local Code of Corporate Governance

This Local Code is based upon the guidance published jointly by CIPFA² and SOLACE³ entitled 'Delivering Good Governance in Local Government Framework'. The Guidance sets out six core principles of corporate governance, together with various supporting principles in respect of each core principle. The Council's Local Code of Corporate Governance incorporates these principles and identifies good practice and other means of demonstrating the Council's compliance with them.

Principle 1

The Council will focus on its purpose, on outcomes for the community and creating and implementing a vision for the local area.

To do this we will

- Exercise of strategic leadership by developing and clearly communicating the Council's purpose, vision and intended outcomes for residents, visitors and other service users;
- Ensure that users receive a high quality of service, whether directly, in partnership or otherwise;
- Ensure that the Council makes best use of resources and tax payers and service users receive excellent value for money.

Principle 2

The Council's Members and officers will work together to achieve a common purpose with clearly defined functions and roles

To do this we will

- Ensure effective leadership throughout the Council with clear roles for Committees and Sub-committees;
- Ensure that a constructive working relationship exists between Members and officers and that their respective responsibilities are carried out to a high standard;
- Ensure relationships between the Council, its partners and the public are clear so that each knows what to expect of the other.

Principle 3

The Council will promote its values and demonstrate the value of good governance through upholding high standards of conduct and behaviour.

To do this we will

² The Chartered Institute of Public Finance and Accountancy.

³ The Society of Local Authority Chief Executives and Senior Managers.

- Oversea Council arrangements to ensure Members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance;
- Ensure that organisational values are put into practice and are effective.

Principle 4

The Council will take informed and transparent decisions that promote value for money and are subject to effective scrutiny and managing risk

To do this we will

- Be rigorous and transparent about how decisions are taken and will listen and act on the outcome of constructive scrutiny
- Provide good-quality information, advice and support so that services are delivered effectively and are what the community wants/needs
- Ensure that an effective risk management system is in place use our legal powers to the full benefit of the citizens and communities in its area.

Principle 5

The Council will develop the capacity and capability of Members and officers to be effective

To do this we will

- Make sure that Members and officers have the skills, knowledge, experience and resources they need to perform well in their roles
- Develop the capability of people with governance responsibilities and evaluate their performance, as individuals and as a group
- Encourage new talent for membership of the Council so that best use can be made of individuals' skills and resources in balancing continuity and renewal

Principle 6

The Council will engage with local people and other stakeholders to ensure robust public accountability

We will do this by

- Exercising leadership through a robust scrutiny function which effectively engages local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships
- Taking an active and planned approach to dialogues with and accountability to the public to ensure effective and appropriate service delivery whether directly, in partnership or commissioning.
- Making best use of human resources by taking an active and planned approach to meet responsibility to staff

Monitoring and Review

The key policies and processes that underpin the Council's compliance with these principles are set out in **Appendix 1**.

All Members and officers of the Council share responsibility for good governance. The Monitoring Officer and the Executive Director of Finance and Resources will jointly report annually on compliance with this Code and the effectiveness of the Council's governance arrangements. The report will also be the basis for the production of the Annual Governance Statement which will be published in the Council's Annual Statement of Accounts. The Audit and Standards Committee is responsible for the oversight of ethical issues and for approving the Annual Governance Statement prepared jointly by the Monitoring Officer and the Executive Director of Finance and Resources.

APPENDIX ONE

Council policies and processes linked to compliance with the six core principles of Corporate Governance

Council policy or process	1. Purpose, vision & outcomes	2. Clearly defined function & roles	3. Values, good governance, conduct & behaviour	4. Decisions value for money, scrutiny & managing risk	5. Capacity capability	6. Engagement, accountability
Sustainable Community Strategy						
City Plan						
Corporate Plan 2015-2019						
Directorate Plans						
Service Plans						
Corporate values and training programme						
Brighton & Hove Connected						
Greater Brighton City Deal						
Health and Wellbeing Board						
Corporate communications protocol						
Corporate complaints procedure						
Financial regulations and financial procedures						
Medium term Financial Strategy						
Annual budget and TBM monitoring reports						
Annual statement of accounts						
Internal audit reviews						
Benchmarking						
Contract Standing Orders						
Counter fraud strategy						
Council modernisation programme						
Council's constitution						
Decision records						
Scheme of authorisation						
Officer job descriptions						

and performance review process (PDP and training plans)						
Annual staff survey						
Information published under Local Government Transparency Code						
Social media policy and guidelines						
Whistleblowing policy						
Annual Governance Statement						
Annual HR report						
Publication Scheme						
Member development induction and training programme						
Corporate business planning and risk management framework						
Risk management strategy						
Strategic risk register						
Directorate and service risk registers						
Insurance policies						
Health & safety policies and procedures						
Workforce strategy						
Recruitment policies and procedures						
City management Board						
Fairness Commission						

Council	Agenda Item 28
16 July 2015	Brighton & Hove City Council

Subject:	New Homes for Neighbourhoods – Final Scheme Approval – Findon Road and Garage Sites Update – Extract from the proceedings of the Housing & New Homes Committee meeting held on the 17th June 2015		
Date of Meeting:	16 July 2015		
Report of:	Head of Legal & Democratic Services		
Contact Officer:	Name:	Caroline De Marco	Tel: 29-1063
	E-mail:	caroline.demarco@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

Action Required of the Council: To receive the item referred from the Housing & New Homes Committee for information:
Recommendation: That Council note the report referred for information from Housing & New Homes Committee.

BRIGHTON & HOVE CITY COUNCIL

**HOUSING & NEW HOMES COMMITTEE
17 JUNE 2015**

MAIN MEETING ROOM – THE FRIENDS MEETING HOUSE

Present: Councillor Meadows (Chair) Councillors Hill (Deputy Chair), Mears (Opposition Spokesperson), Gibson (Group Spokesperson), Atkinson, Barnett, Lewry, Miller, Moonan and Phillips.

PART ONE

- 8.1 The Committee considered the report of the Executive Director Environment, Development and Housing which focused on development proposals for the site at Findon Road, Whitehawk (former library site) that the Estate Regeneration Team now wished to progress through planning and construction stages. The report was presented by the Project Manager who referred to an error in the report. Recommendation 2.2 (iv) should not have mentioned the Wellsbourne site.
- 8.2 A Green Group amendment to the report recommendations had been circulated to Members prior to the meeting. The amendment was proposed and seconded by Councillors Gibson and Phillips.
- 8.3 The Chair referred to recommendation 2.1 ii which related to the scheme rent levels. She understood this had been agreed at a previous Housing Committee. The Executive Director Environment, Development and Housing explained that previously the committee had agreed the scheme in outline. The Housing Programme Manager explained that the previous report contained modelling regarding potential rent levels and options. Once the detailed design has been carried out officers present a report with rent options and explain the effects on the HRA.
- 8.4 Councillor Gibson set out his reasons for the amendment which related to affordability. There was a commitment from the previous Housing Chair to see if rents could be a little bit lower and more affordable. No-one else was providing social or living rents in the city. It was not a question of reducing subsidy from the government. Subsidy was not going into buildings. It was going into the benefits of people who had their wages topped up by housing allowance.
- 8.5 Councillor Gibson stated that the committee should be bold and ask officers to model some lower rents; either living rents or social rents on these new council houses. Councillor Gibson stressed that the council had lost over 100 socially rented Council houses in the city through Right to Buy. The council could go some way in replacing these properties. A social rent was half of the levels of the rent in the scheme proposals.
- 8.6 Councillor Gibson stated that officers had made the point that the lower the rent charged the less there would be in revenue. However, Councillor Gibson considered that the modelling had overlooked certain benefits. For example, management costs would not be increased when the properties were built. There could be consideration about the period the modelling took place. 40 years would be more sensible than 30 years. Councillor Gibson asked for an affordable rent strategy. He stressed that there were 10,000 people who could only afford social rents and that it was incumbent on the council to go some way in meeting the needs of these people. Councillor Gibson welcomed the progress of 200 new homes. He asked for some to be truly affordable. The current rates were not affordable.
- 8.7 The Interim Head of Housing stated that with regard to management costs, anything could be included or excluded in the modelling. He was not sure if the modelling suggested by Councillor Gibson was being carried out anywhere else. It would mean that the council would be asking existing tenants to pay for the management costs of new tenants. There was a need to be seen as fair. If the council were building hundreds of homes it could not achieve this type of modelling. For this reason the suggestion was not feasible. The Principal Accountant concurred with the Interim Head of Housing.

- 8.8 The Interim Head of Housing suggested that there could be a different mix of housing. For example, houses for sale to subsidise rented housing. However this would result in the delivery of fewer affordable units.
- 8.9 Councillor Miller stated that he considered that rent should be lower and the costs cheaper. He asked why the costs were so high. The Executive Director explained that work was tendered in the market to achieve the best possible rate for the build. The building costs with inflation were very high. The Housing Programme Manager reported that the £14.1m was the end cost not just the build costs. Officers were finding a shortage of skilled labour and materials in the local market. There were other issues with this particular site. Extensive ground work had increased costs. The scheme had a number of wheelchair units. There were three high specification lifts in the development. These were the reasons why it was more costly than a private development. The scheme would be brick built and officers would aim to bring more information to councillors. A workshop for councillors relating to development process and finance was suggested.
- 8.10 Councillor Mears did not consider that the site at Findon Road was difficult in terms of gradient. There was an issue regarding costs. She was concerned that the council had external architects to draw up plans before in house architects took over to finalise the scheme. Councillor Mears stated that she wanted to understand the funding of the land. When the library was built in Whitehawk the grant was £5.9m. There was a shortfall of 2m. There was a proposal to sell land to pay back the general fund. This did not happen. Councillor Mears asked exactly what was being paid to the general fund for the land.
- 8.11 The Principal Accountant confirmed that total cost to the HRA for the both sites was still £1.3m. The £0.940m was an element of the £1.3m for Findon Road. When the development proposals for the Wellsbourne site progressed the balance would be paid to the GF for that land.
- 8.12 Councillor Mears referred to the financial implications and mentioned that in the past the council had a 30 year business plan. There was now a 10 year difference. Why was the council carrying risk for an extra 10 years?
- 8.13 The Principal Accountant explained that the building valuation had a life of 60 years and the rental stream was expected to go beyond than 60 years. It was standard practice to model borrowing between 30-40 years and this didn't carry a risk to the viability of the Business Plan.
- 8.14 The Housing Programme Manager explained that external architects were used at the initial stage to get high quality design. The plans were then passed to internal architects. This method worked very well and did not involve duplication. Section 106 funding was included in the modelling at £5000 per unit, but actual costs would not be known until after planning permission had been gained.
- 8.15 Councillor Miller asked questions relating to cycle storage, the ground floor and whether the police had been consulted on the scheme. He further asked why rent was charged weekly rather than monthly and asked if rents could be lowered if costs were kept low.

- 8.16 The Housing Programme Manager explained that there was a need to meet the standard with regard to cycle storage. There were 10 disabled flats on the ground floor. This number might be reduced to 7. The police were involved in the planning consultation. There would be a more detailed consultation as part of the planning process. With regard to costs, alternative models were being investigated for future schemes.
- 8.17 The Project Manager stated that each flat had some private amenity space in the form of a balcony or garden.
- 8.18 The Interim Head of Housing explained that a review was being carried out on rental income and recovery. The question of whether to move to monthly payments would be investigated as part of the review.
- 8.19 Councillor Barnett stressed the need for family homes. She was disappointed that the plans did not show any children's play areas. The Project Manager replied that there was general amenity space. Meanwhile, officers had worked with the Neighbourhood Council and would look at options for the Whitehawk area outside the planned development scheme.
- 8.20 The Chair stated that having read the report and the Green Group amendment she was concerned that the development might be postponed. She was also concerned that if rents were lowered it would lower the number of homes. There was a need to ensure that rent levels were feasible in order to be able to deliver new homes that were needed in the City.
- 8.21 Councillor Phillips asked Members to consider who would provide affordable accommodation if the council were unable to provide it. She asked Members to vote in favour of the amendment. Councillor Phillips asked if the committee could support a working group which would include representatives of the Brighton Housing Trust, the Community Land Trust and the developers of the low cost houses in Lewes (KSD Housing) to see if the council could achieve truly affordable accommodation in the city.
- 8.22 At this point of the proceedings the Committee considered the Green Group amendment. Councillor Phillips requested that each recommendation be voted on separately. The Chair stated that there would be a vote on the whole amendment.
- 8.23 The Senior Lawyer stated that she had serious concerns about adopting a policy which would create a rule of thumb for the future. She referred to 2.2 (vii) of the amendment and recommended that this should not be agreed without a written report.
- 8.24 The Committee had a short break before returning to vote on the amendment.
- 8.25 The Committee considered the following amendment.

Proposed amendments to the recommendations listed in the report:

To delete recommendation 2.1 (ii) "The scheme rent levels," as struck through and replace it with a new recommendation, "*model rent options that provide for living rent or*

social target rents as part of the Findon Rd development and bring these back for decision to the next housing committee," as shown in bold italics below; and To insert a new recommendation 2.2 (vii), "Adopt a policy of not increasing rents on new affordable homes, in such a way that in subsequent years the gap between affordable rents and social "target" rents reduces more quickly," as shown in bold italics below:*

2.1 That the Housing and New Homes Committee approve the:

- (i) The final design;
- (ii) ~~The scheme rent levels,~~ ***Model rent options that provide for living rent or social target rents as part of the Findon Rd development and bring these back for decision to the next housing committee*"***
- (iii) The estimated levels of additional investment required from the Housing Revenue Account (HRA) for the chosen rent model and delegates authority to the Executive Director of Environment, Development & Housing and the Executive Director of Finance & Resources, in consultation with the Estates Regeneration Member Board, to agree reasonable amendments to that subsidy if changes arise; and

2.2 That the Housing & New Homes Committee recommends to Policy & Resources Committee to:

- (iv) Approve that the land at Findon Road, former Whitehawk library site is appropriated to the HRA for a capital receipt of £0.940 million for planning purposes and the development of new housing;
- (v) Approve a budget of £14.1 million for the Findon Road scheme in the HRA Capital Programme which will be financed through a mixture of unsupported borrowing and retained Right to Buy capital receipts;
- (vi) That the site at 4-7 and 15-20 Kensington Street is appropriated for planning purposes and the development of new housing; and
- (vii) ***Adopt a policy of not increasing rents on new affordable homes, in such a way that in subsequent years the gap between affordable rents and social "target" rents reduces more quickly.***

**This may be achievable by:*

- *Altering subsidy levels*
- *Revising the modelling to recognise that the management costs allowed for in the modelling does not represent real additional expenditure and so could be disregarded*
- *Building into the model recognition of the subsidy provided to the HRA from rents should the loan be a repayment loan*

- *Acknowledging that in any case after a 40 year period when the loan is repaid the scheme rents will generate a subsidy for the Housing Revenue Account (HRA) justifying an initial subsidy*

8.26 The Committee voted on the amendment proposed by Councillors Gibson and Phillips. Two members voted for the amendment and eight members voting against. The Committee then took a vote against the amendment. Eight members voted against the amendment and two members voted for the amendment. The amendment was not carried.

8.27 Members then moved to the recommendations in the report (as amended by the deletion of 'and Wellsbourne site' in paragraph 2.2 iv) which were agreed. Two members abstained on recommendations 2.1, i, ii and iii.

8.28 **RESOLVED:-**

(1) That approval is given for:

- i. The final design.
- ii. The scheme rent levels.
- iii. The estimated levels of additional investment required from the Housing Revenue Account (HRA) for the chosen rent model and delegates authority to the Executive Director of Environment, Development and Housing and the Executive Director of Finance and Resources in consultation with the Estate Regeneration Member Board to agree reasonable amendments to that subsidy if changes arise.

(2) That the Policy and Resources Committee be recommended to:

- i. Approve that the land at Findon Road, former Whitehawk library site is appropriated to the HRA for a capital receipt of £0.940 million for planning purposes and the development of new housing.
- ii. Approve a budget of £14.1 million for the Findon Road scheme in the HRA Capital Programme which will be financed through a mixture of unsupported borrowing and retained Right to Buy capital receipts.
- iii. That the site at 4-7 and 15-20 Kensington Street is appropriated for planning purposes and the development of new housing.

Subject:	New Homes for Neighbourhoods –Final Scheme Approval – Findon Road and garage sites update		
Date of Meeting:	Housing & New Homes Committee – 17 June 2015 Policy & Resources – 7 July 2015		
Report of:	Executive Director for Environment, Development & Housing		
Contact Officer:	Name:	Jaine Jolly	Tel: 01273290356
	Email:	jaine.jolly@brighton-hove.gov.uk	
Ward(s) affected:	East Brighton, St Peter’s & North Laine, Hangleton & Knoll, South Portslade and North Portslade		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

Building new homes on council land is a council priority and essential if City Plan housing targets are to be met and the city’s housing crisis tackled. This report focuses on development proposals for the site at Findon Road, Whitehawk (former library site) the team now wishes to progress through planning and construction stages.

The report also updates Members on the progress of four sites being delivered by the Council’s development agent; the Guinness Partnership.

2. RECOMMENDATIONS:

2.1 That Policy and Resources Committee agrees to:

- i. Approve that the land at Findon Road, former Whitehawk library site is appropriated to the HRA for a capital receipt of £940,000 for planning purposes and the development of new housing.
- ii. Approve a budget of £14.1 million for the Findon Road scheme in the HRA Capital Programme which will be financed through a mixture of unsupported borrowing and retained Right to Buy capital receipts.
- iii. That the site at the former Whitehawk Community Complex, Whitehawk Road, Brighton, BN2 5FP (referred to in this report as the former library site at Findon Road, Whitehawk) is appropriated for planning purposes and the development of new housing
- iv. That the sites at 4-7, 10 and 15-20 Kensington Street, Brighton, BN4 1AJ is appropriated for planning purposes and the development of new housing.

3. CONTEXT/ BACKGROUND INFORMATION –Whitehawk sites

- 3.1 A reported titled 'New Homes for Neighbourhood- development of new homes on General Fund land' was presented to Housing Committee in November 2014 with the approved recommendation that the initial design and viability modelling be noted and that it be recommended to Policy & Resources Committee that they agree in principle that each of the site at the (Former Library Site, Whitehawk Road and Wellsbourne) is appropriated to the HRA for the development of new housing, subject to Housing and Policy & Resources Committees agreeing a further report detailing the final feasibility and design and associated financial implications.
- 3.2 It was also agreed that the Estate Regeneration Team, in conjunction with the council's Sustainable Futures strategic construction partnership, undertake final feasibility studies, consultation, design and development of new housing on the site.
- 3.3 In December 2014 Policy & Resources Committee agreed in principle that sites were appropriated to the Housing Revenue Account for a capital receipt of £1.3 million for planning purposes and for the development of new housing, subject to Housing and Policy & Resources Committee agreeing a further report detailing final feasibility and design and association financial implications.
- 3.4 In June 2015 Housing agreed a version of this report which recommended that the land at Findon Road, former Whitehawk library site is appropriated to the HRA for a capital receipt of £940,000 for planning purposes and the development of new housing.
- 3.5 It has been previously reported that the total capital receipts for both of these sites is required to be in excess of £1m as this had been identified to help fund part of the construction of the co-location building in a report agreed by the former Cabinet on 14 January 2010. Also that the General Fund needs to achieve best consideration and based on the marketing of the site a valuation of £1.3m was agreed
- 3.6 At Housing Committee further questions were asked about the capital receipt to the General Fund. The report to Policy & Resources on 14 January 2010 recommended using council reserves to fund £1.0m shortfall for the Whitehawk Co-location project. It was agreed following concerns about the timescale for disposal of the sites that the Education capital programme would temporarily fund this balance and be reimbursed when the disposals happened.
- 3.7 To ensure the completion of the Whitehawk Hub £1.0m from education capital funding was used with the intention that the receipts as and when they came back in would be used to replace that funding. There were two parcels of land associated with the raising of the £1.0m capital receipt to meet the funding shortfall) the Whitehawk library and Youth Centre site and ii) vacant land near Whitehawk Primary School with a current combined valued at circa £1.3m. Any funds over and above the £1.0m would be used to support the corporate capital pot. For a number of reasons these disposals were delayed and are currently being considered for use within the New Homes for Neighbourhoods scheme.

- 3.8 The former Whitehawk Library site (Findon Road) contained a patch office, occupied by social workers, and a Youth Centre as well as a library. The library and social care service were relocated to the new co-location building in the 'Whitehawk Hub'. The provision of the Youth service underwent significant change. All buildings have been demolished and the site boarded.
- 3.9 The proposal for the former library site has 58 apartments designed to maximise the regeneration impact of this prominent site and transform the 'gateway' to Whitehawk. The new homes are accommodated in two new buildings. Each building is 4 storeys high, on the Western and Eastern edge of the site. It is proposed that these buildings are made of brick with individual balconies for each apartment
- 3.10 There are ten wheelchair accessible properties proposed for the Findon Road site. All units will meet current Part M recommendations for wheelchair accessible accommodation (see appendix one). All homes are designed to Code Level 4 sustainability standards and meet recent space standard that were introduced in March 2015.
- 3.11 Final design and viability modelling for the Wellsbourne site will be reported back to this committee later in the year. An option to sell 'off plan' 10 units at market value to rent to people with learning disabilities is currently being investigated.

Rent Levels

- 3.11 Housing Committee unanimously agreed at its meeting on 6 March 2013 that a range of funding, rent and home ownership options should be provided in new housing to be developed on HRA land under the Estate Regeneration Programme in order to ensure that development is viable and to increase the number of new homes the Estate Regeneration Programme can deliver. The report indicated the level of Affordable Rents and the impact these higher rents would have on the number of homes the HRA could develop.
- 3.12 Higher rents for new affordable homes will be, to some extent, mitigated by lower fuel bills as homes will be built to higher sustainability standards than our existing stock. Analysis of energy savings related to homes built to sustainability Code level 4 (the minimum for homes planned in the programme) shows that energy bills reduce by between 68% and 86% compared to a traditional home¹. This means that the average family combined energy bill of around £1500 per year is reduced by between £1020 and £1290 per year. For those on full Housing Benefit this represents additional money in their household budget.
- 3.13 The proposal is for the scheme to be 100% Affordable Rented homes. The units have been modelled at 80% of market rent level or the Local Housing Allowance (LHA) limit in accordance with the council's Tenancy Strategy. This generally means that rents are set at LHA levels which are in the region of 60-70% of market rent dependent on the number of bed rooms.

¹<http://www.sustainablehomes.co.uk/blog/bid/104136/Code-for-Sustainable-Homes-level-4-energy-bill-savings>

- 3.14 Financial viability modelling in the previous report included two options for committee to consider; a tenure mix of rented/open market sales and an option of 100% affordable rented homes. Further viability modelling on the final scheme using market valuations of the proposed units, has shown that including market sales would not achieve the required subsidy for this development due to the comparatively low market values in the area.
The 100% rented option is therefore recommended, which will help address the shortage of affordable rented homes and meet critical housing need in the city.
- 3.15 The size and mix of the flats at Findon Road is based on the council's Affordable Housing Brief. The modelling includes the cost of the land, an allowance for s106 contributions and to achieve Code for Sustainable Homes Level 4, site abnormalities and external works.
- 3.16 The table below identifies unit rent levels capped at Local Housing Allowance levels and the HRA investment requirement after financing this development through net rental income streams over 40 years and the use of Right to Buy capital receipts to fund 30% of total scheme costs, as required by the government.

Unit Size – Findon Road	Rent capped at LHA rate per week
	58 flats
Rent per 1 bed flat	£153
Rent per 2 bed flat	£192
Rent per 3 bed flat	£230
HRA subsidy per home	£17,600
Total HRA subsidy requirement	£1,020,800

- 3.17 The development costs modelled are still subject to planning approval, assumes that delivery of the scheme is through the HRA and therefore costs and funding can only be indicative at this stage. Any significant variations to the proposed capital scheme and funding will be reported back to Policy & Resources committee in accordance with council's standard financial procedures.

Development timeline:

Milestone	Target date
Planning Permission gained	September 2015
Ground works and decontamination	October 2015
Start on site	January 2016
Practical completion	March 2017

4. COMMUNITY ENGAGEMENT & CONSULTATION

- 4.1 Ongoing consultation for both Findon Road and Wellsbourne site has taken place with area panels and residents associations.
- 4.2 The Neighbourhood Council Due East and council officers carried out a highly successful consultation event at the Whitehawk Hub on 24 March 2015. The consultation offered an opportunity to discuss the two development sites as well as wider issues and opportunities for Whitehawk.
- 4.3 The consultation was carried out using ‘Planning for Real’ techniques following training of Due East trustees and council staff by the national lead for ‘Planning for Real’ earlier in the month.
- 4.4 Planning for Real is a tried and tested system that uses a 3D model and comment cards to enable all residents, including children and young people, to express their opinion about a development scheme or neighbourhood.
- 4.5 Nearly eighty residents attended the consultation provided the opportunity for residents to comment on the schemes and also to provide feedback to Due East about wider Whitehawk issues and opportunities related to regeneration.
- 4.6 Over 250 comments were received via the card system and a questionnaire related to the scheme. This is significantly more comments than received via more standard consultation techniques. (see appendix 2)
- 4.7 The questionnaires received were mainly supportive of the proposal for new council homes. The two main areas of concern related to:

Issue	Overview	Response
Traffic & transport	<p>Residents expressed concern about the number of parking spaces on the site.</p> <p>Traffic and road conditions in the area were raised by residents as being in need of attention across a number of issues and areas.</p>	<p>Officers are liaising with Highways colleagues and taking advice from transport professionals to ensure adequate parking is provided.</p> <p>The potential for a City Car Club space is being investigated.</p> <p>The Neighbourhood Council – Due East are working with residents to look at wider regeneration opportunities in Whitehawk; not necessarily associated with the scheme</p>
Building heights & density	Some residents felt that 4 storeys (58 units) is too high for the site.	The scheme must meet planning requirements in terms of height and will be explored as part of the planning application process. Architects worked to provide a high quality design that is sensitive to the existing location.

- 4.8 All concerns will be discussed in detail with Planning as part of the planning application process. Property and Design colleagues are already working to maximise parking on site.
- 4.9 The Planning application process will also give residents further opportunity to comment on the schemes. Comments and concerns raised at the event will be included in the planning application. A summary of comments can be found at Appendix 2.
- 4.10 The Neighbourhood Council, Due East carried out a further session with interested local residents to discuss priorities and actions for Whitehawk. The themes discussed were:
- Crime & Safety
 - Environment
 - Housing
 - Work, Health & Community
 - Traffic and Transport
- 4.11 This work identified wider regeneration opportunities that can be led by the local community for the community.

5. **Garage sites update**

- 5.1 The council has been working in partnership with the Guinness Partnership to deliver 24 new council homes.
- 5.2 12 of these homes will be delivered across three sites (4 per site) at Flint Close, Portslade, Hardwick Road, Hangleton and Foredown Road, Portslade. These schemes will start on site in July 2015 and due to be completed in summer 2016.
- 5.3 12 new homes are also proposed at 4-7 and 15-20 Kensington Street, Brighton. Following consultation earlier in the year the land will be appropriated for planning purposes. It is anticipated that a planning application will be submitted before the end of the year. The transfer of the site from the General Fund to the HRA for a capital receipt of £225K has previously been agreed by Housing Committee (January 2015) and Policy and Resources (February 2015).

6. **CONCLUSION**

- 6.1 Enabling the New Homes for Neighbourhoods programme to progress these schemes will enable the council to build 70 much needed homes in the city.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The financial viability modelling sets out to show whether a given scheme can pay for itself by using the new rental stream only (net of management and maintenance costs) over 40 years to pay for the principal and interest on the borrowing required to fund the development. It also assumes that 30% of the development costs of the affordable housing element are met from retained Right to Buy (RTB) Receipts towards the development. If the rental stream and RTB and sales receipts are insufficient to meet the costs, then a subsidy is required by the HRA.
- 7.2 Previous reports on financial viability included two options for the committee to consider, which included a tenure mix of rented/open market sales as well as the option of 100% affordable rented homes. It was reported that further analysis would be carried out subject final feasibility studies and design. Initial feasibility and marketing reports have shown that including market sales would not achieve the required subsidy for this development due to the relatively low market values in the area.
- 7.3 Further financial viability modelling has been carried out, with borrowing over 40 years, which shows that a 100% affordable rent options would require an estimated HRA investment of £1.020m, which is £17,600 per affordable unit, as shown in the table in the main body of this report. The cost of the land for Findon Road of £0.940 million is included in the investment requirement.
- 7.4 The recommendations are that approval is given for a budget of £14.1m in the Housing Revenue Account Capital programme, which will be funded through unsupported borrowing, retained Right to Buy receipts. The development costs are based on final feasibility and design and have been provided by the council's Sustainable Futures strategic construction partnership. The budget also includes the cost of the land, an allowance for associated build cost fees & contingencies and build cost inflation. The development is still subject to planning permission, which can require final scheme design changes which may affect the cost and timetable for development.
- 7.5 Any significant variances to the approved capital programme budget would be reported to the Policy & Resources Committee in accordance with the council's standard financial procedures.

Finance Officer Consulted: Susie Allen

Date: 22 May 2015

Legal Implications:

- 7.6 The Town and Country Planning Act 1990 (TCPA1990) allows local authorities to appropriate land for planning purposes. Under sections 226 and 227 a local authority can appropriate land “if the authority think that the acquisition will facilitate the carrying out of a development, redevelopment or improvement on or in relation to the land” (section 226(1)(a) TCPA1990).
- 7.7 Appropriating land gives various powers to local authorities to override easements and other rights in land including rights to light over land that has been appropriated for planning purposes under section 237(1) and (1A) TCPA1990.
- 7.8 The owner of any such third party right will have a claim for compensation which will be assessed on the basis of the loss in value of the claimant’s land as a consequence of the interference or breach (s237(4) TCPA1990).

Lawyer Consulted: Liz Woodley/Oliver Asha

Date: 02/06/2015

Equalities Implications:

- 7.9 An increase in housing supply will increase the opportunity to provide new, well designed homes to local households registered in need. New development and renovation provides an opportunity to better meet the needs of particularly vulnerable households including those, such as existing elderly residents, who may be under occupying their current home.
- 7.10 The proposals include ten fully accessible wheel chair adapted homes on Findon Road, one at Hardwick Road and two at Kensington Street, Brighton.

Sustainability Implications:

- 7.11 The new homes will be built to Code for Sustainable Homes Level 4. The council will also look to include Solar Photo Voltaic systems where possible on relevant homes. New homes will also meet Lifetime Homes space standards.
- 7.12 The new homes will encourage a sustainable lifestyle for example:
- Providing secure cycle storage
 - Including recycling facilities in kitchen units
 - Providing composting facilities in gardens and communal areas
 - Incorporating water saving and re-use measures
 - Short distance re-cycling external communal bins
 - Photovoltaic panels

Crime & Disorder Implications:

- 7.13 Development of the sites is an opportunity to provide new, well-designed homes in these areas and link to wider regeneration opportunities, including work to deliver the council's economic and sustainability objectives. Good quality housing has been demonstrated to influence the rate of crime and disorder and quality of life.

Risk and Opportunity Management Implications:

- 7.14 There are a number of risks and opportunities associated with developing new homes including:
- Increases in construction and other costs
 - Impact of the right to buy
 - Local resident opposition to individual schemes

Public Health Implications:

- 7.15 There are strong links between improving housing, providing new affordable homes and reducing health inequalities. Energy efficient homes which are easier and cheaper to heat will help support the health of households.

Corporate / Citywide Implications:

- 7.16 As reported in the Housing Revenue Account Capital Programme 2013-2016 considered by the Housing Committee on 16 January 2013, the development of new housing has a strong economic multiplier impact on the local economy, estimated at over £3 of economic output for every £1 of public investment, creating jobs and supply chain opportunities.
- 7.17 Partners will be asked to work with the Local Employment Scheme to ensure that work, apprenticeship and training opportunities are provided for local people.

SUPPORTING DOCUMENTATION

Appendix One:

Design Briefing Note(attached separately)

Appendix Two:

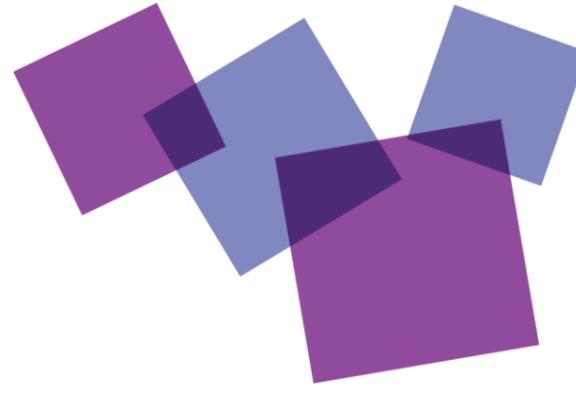
Summary of consultation comments received on questionnaires

Comment	Issue
I think it's a great idea.	'Affordability' should be clearly defined. Flats should be social rent like other flats in Whitehawk. Market sale properties would not benefit anyone in Whitehawk..
Renewable energy should be incorporated into the schemes	
Very good idea, great flats, need homes.	
Much needed housing	Traffic issues, i.e. speeding and parking already a big issue due to hospital workers parking in the area.
How long is construction?	Worried about construction noise due to shift work
	There must be at least 28 car parking spaces (Findon Road) so no extra parking on the road.
There needs to be a pedestrian walkway for people coming down from Findon Road to reach Whitehawk Road and the bus stop.	
I think it's a great idea especially the wheelchair units. We need more housing and the site is just sitting empty.	
	Build – but please keep off the Whitehawk allotment area.
About time!	Let to working people.
Provide solar panels , outside drying areas.	
Homes must be sound and draught proof.	
Use apprentices on the schemes.	
	Hope Planning doesn't delay the scheme.
Work at weekends to speed up the scheme.	Concerned about construction noise.
Looking good – hope it all comes to fruition.	
It's good news – we need more housing	Worried about construction noise - keep noise down and construction period short. Contractor must keep residents informed.
	Use improved CCTV – not like the ones in sheltered schemes
	Do not let to anti-social tenants/drug dealers
	Parking is a big concern for neighbouring properties
Bringing new housing into Whitehawk is great.	Worried about construction noise
	Remember to maintain existing properties.
Pleased that the proposed housing development will cater for people with mobility and accessibility issues	
Provision for different size households and affordable homes are welcome.	The current site is an eyesore.
	Refrain from high rise.
Private sale properties should be kept to a minimum.	
	Construction seems rather prolonged.
House people who are in real need.	Noises levels during construction should be monitored.
It is a good idea to use the land finally.	
New homes needed and purpose built wheelchair units.	
Can they be built with solar panels	
Plant fruit trees and provide bird boxes.	Dog poo is an issue in the area – please make sure the area is kept clean.
I think it is a good idea. We need more homes in Brighton.	
Seems like a good scheme.	
	Parking is a nightmare.
Let the flats to local people.	
	Parking needs more thought.
How will this impact on Downford?	
	58 Homes are too many on the small site. Four storeys high on the Findon Rd side of the site is far too high. Two storeys would be more suitable.
	The number of car parking spaces in nowhere near enough for the

	number of flats.
Plan less homes on the site	Build no higher than two storeys opposite Findon Rd Allow for many more parking spaces. Bear in the mind the congested parking in the area
Proposed size of Findon Rd development is not in keeping with the surrounding properties, terraced and not higher than two. Development will be overlooking other properties and cause shading which will impact on energy efficiency. Traffic and parking issues will be caused. Proposal does not seem supported by "green eco policies." Development will impact on current value of property.	Development should be more sympathetic and in context of the surrounding, improving this local area long term. Fewer units and overall size of development must be considered making sure no higher than 2-3 storeys with no overshadowing. Green areas and parking need to be considered. Noise levels during construction / road parking restricted during construction. Overall privacy and outlook. Will there be a further consultation event for Findon Rd residents?
Balconies should be the other way.	I don't like the four storey buildings opposite my house. They will overlook us. Findon Rd.
Building a four storey block on small site will be too much and would require 30 cars to park in London Rd. Many more than there is room for. I have a carer calling twice daily and they have very tight schedules and do not have time to look for parking spaces.	Plan less houses on this site and give them all parking spaces
Noise and extra traffic will be a problem. Number of parking spaces will be a problem and roads will be blocked every day.	
I need a parking space on the new site	I need to access the rear of my property as I have disabled son.
Parking is an issue	There is not enough spaces on the new development
	Parking is inadequate Four storeys is too high 58 units too many

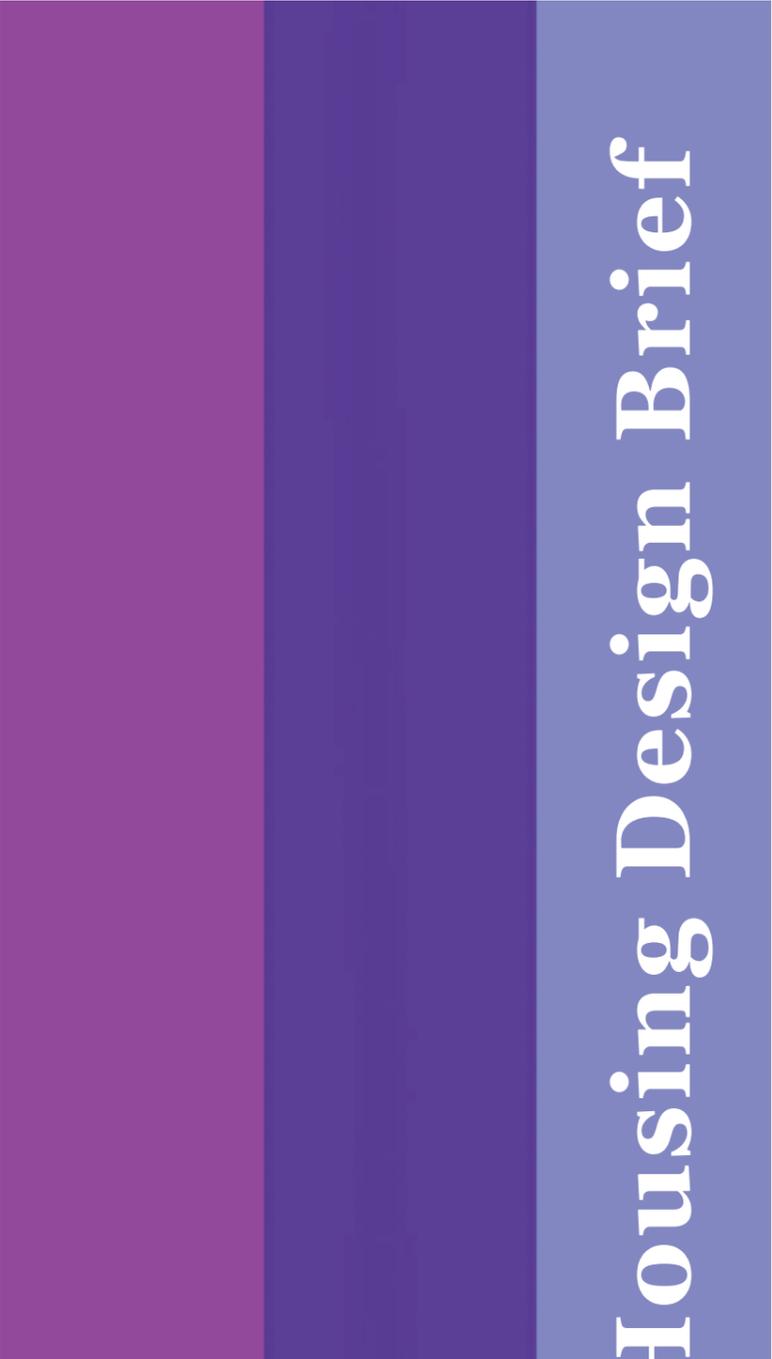
Background Documents

1. Policy & Resources Committee – February 2015
2. Housing Committee – New Homes for Neighbourhoods report – January 2015
3. Policy & Resources Committee – December 2014
4. Housing Committee - New Homes for Neighbourhoods report - November 2014
5. Housing Committee - New Homes for Neighbourhoods report - March 2013
6. Policy & Resources Committee – January 2010



Findon Road Housing Scheme

Architect – Sara De Marco



Contents

- 1. Introduction**
Introduction to the scheme
- 2. The Existing Site**
Site location, site photographs
- 3. The Proposed Scheme**
Block plan, landscaping, parking
- 4. Massing**
3D massing, sections
- 5. Site Plan and Typical Floor Plans**
Site Plan and 2D floor plans for typical dwellings
- 6. Consultation**



1. Introduction

The proposed scheme is located in the east of the city on the former library site at Findon Road, Whitehawk. 58 new homes are proposed; 15 x 1 bed; 31 x 2 bed (seven wheelchair accessible) and 12 x 3 bed (three wheelchair accessible) flats. The homes are split across two blocks on the site; the larger western block on Whitehawk Road holds 30 units while the smaller eastern block on Findon Road has 28 units.

All flats meet Code Level 4 sustainability requirements, Lifetime Homes standards and national minimum space standards introduced March 2015. In line with the council's Affordable Housing Brief, at least 10% of the units are wheelchair accessible.



Bird eye view



2. The Existing Site



Proposed planning application boundary



Google Image



View from the North of Ender Road



View from the South of Whitehawk Road





3. The Proposed Scheme

Block plan, parking and landscaping

The site is located at the junction of Whitehawk Road and Findon Road, Whitehawk and is surrounded by a mix of private and social rented homes.

The site itself has considerable east/west and north/south level changes. For example, the existing car park on Findon Road is 3.7 metres higher than the southern end of the site and at the northern boundary of the site Findon Road is approximately 8.5 metres higher than Whitehawk Road.

Each ground floor flat will have a private garden. Flats on the upper storeys will have private balconies in line with current planning requirements. Where possible balconies have been orientated towards the central courtyard.

The western block lays on the lower side of the site and is set back from Whitehawk Road. 28 parking spaces will be available on the site.

The eastern block sits on the higher edge of the site adjacent Findon Road. A re-styled car park of 20 spaces will be included on the eastern edge of the site. In addition to this 3 spaces will be available on the southern edge of the site and 5 more spaces will be available in the new car park at the north end of the western block.

A City Club space is being investigated for the scheme



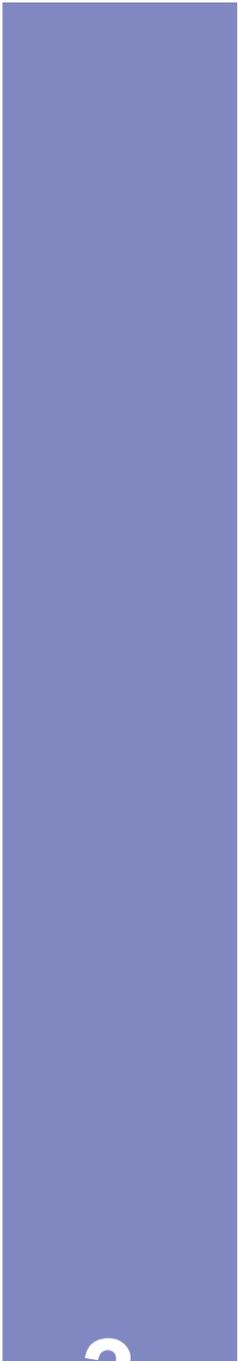
Block Plan
Block plan showing both eastern and western block location within the scheme.



Parking Plan
The scheme is to have three parking areas, for a total of 28 parking spaces.



Landscape Plan
The scheme will feature semi mature trees, and low maintenance green planting. Some existing mature trees will be retained.





4. Massing

3D massing



North Eastern View
Looking along Whitehawk Road and up Findon Road



North Western View
Looking down Wadhurst Rise



North Western View
Looking directly at both blocks



South Western View
Looking into car park of the eastern block





4. Massing

3D massing

155



North Eastern Aerial View
Looking at overall scheme



South Western View
Looking at overall scheme



Southern View
Looking at gable wall between the two blocks



North Western View
Looking directly at both blocks





4. Massing

Site section

156



Section through site – East to West
3D section through site



5. Site Plan and Typical Floor Plans

Site plan

Site Plan
Showing ground floor layouts and proposed external works



- Existing Buildings
- Site Boundary (0.46 hectares)
- Parking Spaces (22m-50m disabled) (Tarmac)
- Substation
- Private Outdoor Spaces - All surface to be Paved (including planters area)
- Private Outdoor Spaces - FGL garden
- Private Outdoor Spaces - raised planters
- Paths (2 m wide)
- Hard Landscaping
- Soft Landscaping not higher than 1m
- Tree - to be removed
- Tree - new tree canopies no lower than 2 m
- Tree - existing
- Private Gardens walls (900 mm high) topped with horizontal wood slat fence (up to a total height of 1800 mm)
- Retaining Wall - Gabion wall (200 mm higher of FGL)
- Retaining Wall - Green Concrete Dry Build Wall (Betalbas or similar)



5. Site Plan and Typical Floor Plans

Western block

The western block is four storeys high. In total there are 38 flats. Eight wheelchair accessible units are located on the ground floor; (6 x 2 bed and 2 x 3 bed). The higher levels each contain 10 units; (6 x 1 bed, 18 x 2 bed and 6 x 3 bed). The block contains two stair cores and lifts which connect the levels via a central corridor. The entrances face the internal courtyard.

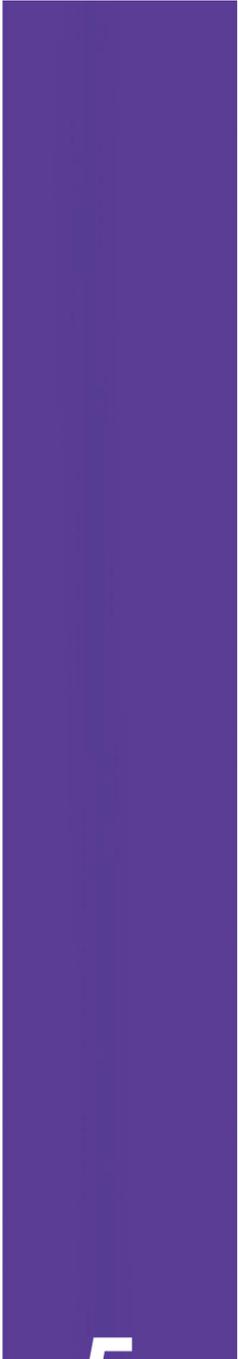




5. Site Plan and Typical Floor Plans

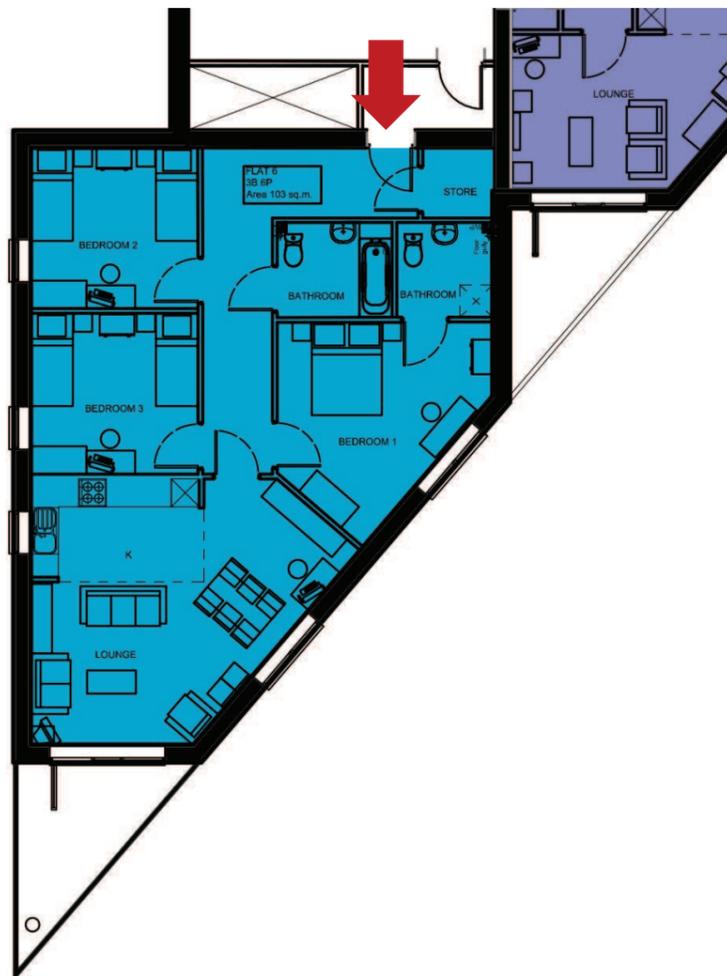
Eastern Block

The block is four storeys high. In total there are 20 flats. Two wheelchair accessible units are located on the ground floor (1 x 2 bed and 1 x 3 bed). The higher levels each contain 6 units; (9 x 1 bed, 6 x 2 bed and 3 x 3 bed). The block contains the central stair core and lift which connects the levels via a central corridor. The entrance faces the internal courtyard.



5. Site Plan and Typical Floor Plans

Accessible Units



Three bed flat Accessible (3 bed 6 person – 103 m²)

This is a dual aspect, wheelchair accessible unit accessed from the communal corridor on the ground floor.

The flat also has a private garden adjacent the living space.

5. Site Plan and Typical Floor Plans

Accessible Units

161



Two bed flat Accessible (2 bed 4 person – 79 m²)

This is a dual aspect, wheelchair accessible unit accessed from the communal corridor on the ground floor.

The flat also has a private garden adjacent the living space





5. Site Plan and Typical Floor Plans

Western block



One bed flat (1bed 2person – 50m²)

This is an upper storey single aspect flat accessed from the staircase/lift from the communal corridor.

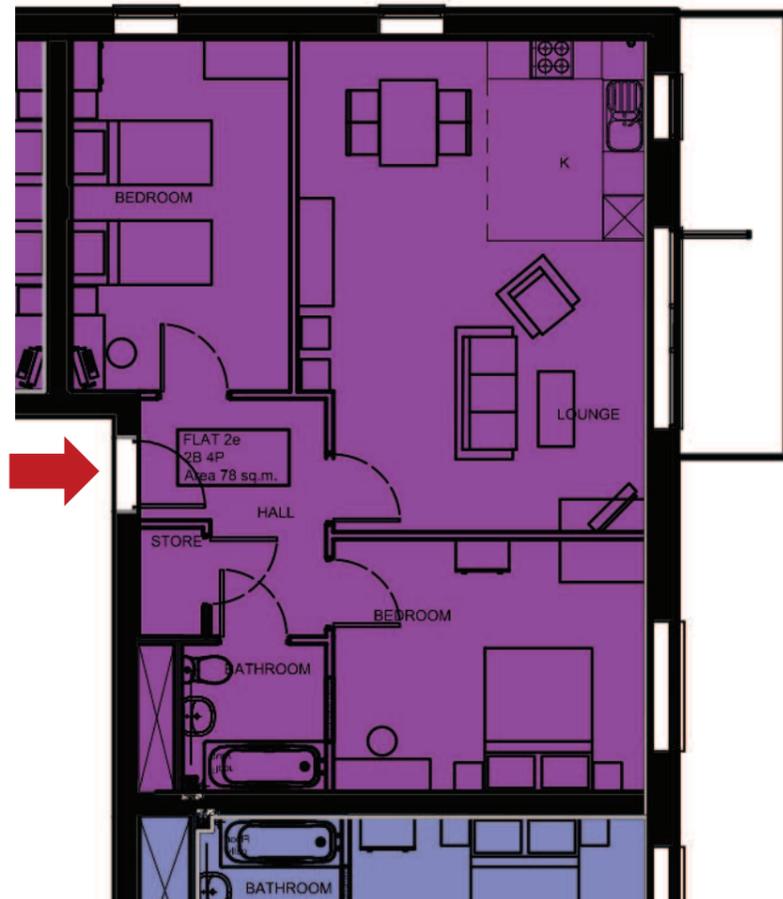
The flat has a private balcony and meets Life Time Homes standards.





5. Site Plan and Typical Floor Plans

Eastern block



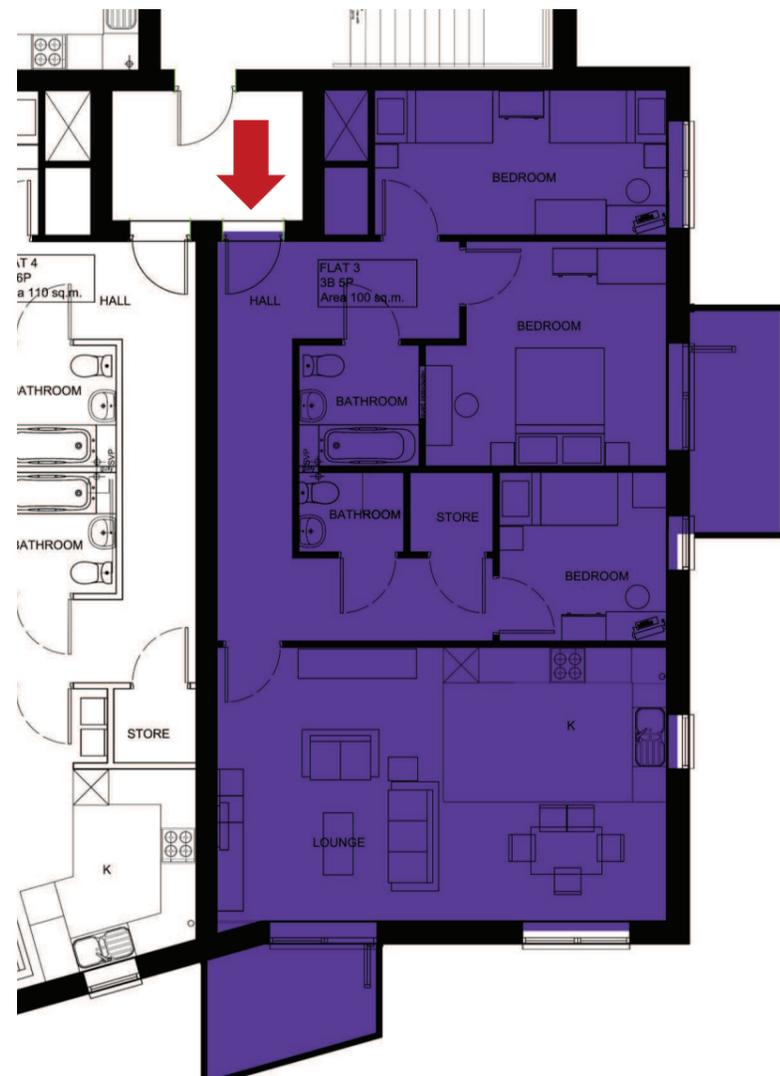
Three bed flat Accessible (3 bed 6 person – 103 m²)

This is a dual aspect wheelchair accessible flat accessed from the communal corridor on the ground floor.

The flat also has a private garden adjacent the living space.

5. Site Plan and Typical Floor Plans

Western block



Three bed flat (3 bed 5 person – 100 m²)

This is an upper storey dual aspect flat accessed from the staircase/lift from the communal corridor.

The flat has two private balconies and meets Life Time Homes standards.



6. Consultation

A 'Planning for Real' consultation event was held using a 3D model of the proposed buildings and local area. Residents were able to comment on the design and other issues in the area. Around 80 local residents attended and over 250 comments were received.



NOTICE OF MOTION**LABOUR AND CO-OPERATIVE GROUP****ST MUNGO'S CHARTER FOR HOMELESS HEALTH**

"This Council resolves to:

- Support the Health & Wellbeing Board's work to tackle health inequality and inclusion in relation to homelessness as exemplified in the recent report on health inequalities by the Director of Public Health.
- Fully support the objectives of the St Mungo's "Charter for homeless health";
- Request that the Health & Wellbeing Board signs up to the charter as confirmation of the council's commitment."

Proposed by: Councillor Yates

Seconded by: Councillor Moonan

Supported by: Councillors Morgan, Mitchell, Hamilton, Horan, Gilbey, Robins, Meadows, Marsh, Barford, Daniel, Penn, Barradell, Allen, Atkinson, Bewick, Cattell, Chapman, Morris, O'Quinn, Inkpin-Leissner and Hill.

Supporting information:

People who are homeless face some of the worst health inequalities in society. They are at much greater risk of mental and physical health problems than the general population and their experiences of homelessness often make it more difficult to access the healthcare they need.

NOTICE OF MOTION**GREEN GROUP****REINSTATE THE INDEPENDENT LIVING FUND**

Council notes:

- With grave concern the cutting of the Independent Living Fund (ILF) from central government on 30th June. Disability charity, Scope, described the closure of the fund as "likely to lead to fewer disabled people being able to live independently"
- Funding has been devolved to councils to fund care for people with the most complex – and expensive– needs. However Councils throughout the country can't meet demand as it is.

Council deplores:

- On top of £4.6 bn cuts to social care funding nationwide in the last 4 years, there are at least £1.1bn "savings" expected in 15/16, as well as further cuts from the Chancellor's Welfare Budget;
- In devolving the decision to the council, the 5% cut in funds transferred from government to support ILF recipients in Brighton and Hove;
- The net effect of these decisions given how cuts are already affecting councils will be to strike at the autonomy of disabled people who should be entitled to live independently.

Council resolves to:

- If government fails to reinstate ILF, to ask Policy and Resources Committee to ring-fence funding to individual ILF users in Brighton and Hove up until the end of financial year 2019;
- To ask the Chief Executive to write to the Secretary of State for Work and Pensions appealing for the reinstatement of ILF at its full value, funded by central government which will give back genuine independence for disabled people in our city.

Proposed by: Councillor Mac Cafferty Seconded by: Councillor Page

Supported by: Councillors. Deane, Druitt, Gibson, Greenbaum, Knight,
Littman, Phillips, Sykes and West.

Supporting information:

The ILF is a national fund that enables disabled people with the highest support needs to live independently in the community. The Equality and Human Rights Commission (EHRC) has warned that closure of the fund will "result in loss of dignity and independence for many ILF recipients".

According to Disabled People Against Cuts the axing of the ILF will have a "devastating impact" on disabled people.

In December 2014 High Court Judge, Mrs Justice Andrews, found that as a consequence of the closure of the Fund "independent living might well be put seriously in peril for... Most ILF users".

NOTICE OF MOTION**GREEN GROUP****PERSONAL, SOCIAL, HEALTH & ECONOMIC EDUCATION**

"This Council congratulates educators, young people and children, parents, governors and council officers for their ongoing hard work on Personal, Social, Health & Economic (PSHE) education across Brighton & Hove.

The Council notes the important role of PSHE education in helping our children and young people to develop the skills and knowledge needed to navigate the world they are growing into, including around relationships, respect and responsibilities along with sex, nutrition and drugs & alcohol use. PSHE offers whole person education - tools which can be used throughout life.

The Council express its concern that currently PSHE is an optional subject, without statutory status, and consequently some children and young people miss out on it and training for teachers is not prioritised. Allowing PSHE Statutory status is key to unlocking the training that teachers need to support them in this complex and essential task.

The Council therefore requests that:

- (1) The Chief Executive writes to the Secretary of State for Education, expressing the view that PSHE education should be made statutory and funded in all primary and secondary schools in Brighton and Hove and across the country;
- (2) That a copy of the letter is sent to local MPs and local trade unions in education seeking their support and asking that they also write to the Secretary of State for Education."

Proposed by: Councillor Knight

Seconded by: Councillor Phillips

Supported by: Councillors. Deane, Druitt, Gibson, Greenbaum, Mac Cafferty, Littman, Page, Sykes and West.

Supporting information:

- Recent reports from the government's Education Committee, the Joint Committee on Human Rights, the Home Affairs Committee and the Children's Commissioner have all highlighted the key role that PSHE education can play in keeping children & young people safe;
- Recent reports into child sexual exploitation in Birmingham, Rochdale, Rotherham and Manchester have echoed the important role of PSHE in preventing child sexual exploitation;
- The NSPCC, Barnardo's and six royal medical colleges have all called for the subject to be made statutory; and call on the Government to ensure that

children and young people are provided with the skills and knowledge to help protect themselves from child sexual exploitation by making PSHE education a statutory part of the curriculum.