

BRIGHTON & HOVE CITY COUNCIL
POLICY, RESOURCES & GROWTH COMMITTEE

4.00pm 14 JULY 2016

FRIENDS MEETING HOUSE, SHIP STREET, BRIGHTON

MINUTES

Present: Councillors Morgan (Chair), Hamilton (Deputy Chair), G Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bewick, Janio, Mitchell, A Norman, Sykes and Wealls

PART ONE

18 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

1.1 Councillor Meadows was present in substitution for Councillor Bewick

(b) Declarations of Interest

1.2 Councillor Mitchell declared a pecuniary interest in respect of Item 39 and Item 42 – Disposal of Land in Falmer (and Part Two) as she was a member of the Food Partnership. She withdrew during the consideration and vote on these items.

(c) Exclusion of Press and Public

1.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

1.4 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the items contained in part two of the agenda.

19 MINUTES

19.1 **RESOLVED** – That the Chair be authorised to sign the minutes of previous meeting held on 9 June 2016.

20 CHAIR'S COMMUNICATIONS

20.1 The Chair noted that he had no communications.

21 CALL OVER

21.1 The following items were reserved for discussion:

- Item 24 - 4 Year Resource and Integrated Service and Financial Planning Update
- Item 25 - Targetted Budget Management (TBM) 2016/17 Month 2
- Item 26 - Treasury Management Strategy 2015/16 - End of year review
- Item 27 - Waiver Report 2015/16
- Item 28 - Parking Payment Systems
- Item 29 - Managing Anti-social Behaviour in City Parks and Open Spaces
- Item 30 - Brighton and Hove Social Value Framework
- Item 31 - Residential Child Care, Foster Care and SEN Education Placements
- Item 32 - Retender of Whole Systems ICT Platform for Homelessness, the Housing Register and Social Housing Settings
- Item 33 - Annual Performance Update 2015/16
- Item 34 - Madeira Terraces - Coastal Communities Funding Bid
- Item 35 - Stanmer Estate, Parks for people Approval of Grant Application
- Item 37 - Disposal of 11 Little East Street
- Item 38 - Stanmer Park - Redevelopment of Traditional Agricultural Buildings
- Item 39 - Disposal of Land in Falmer

21.2 The Democratic Services Manager confirmed that the items listed above had been reserved for discussion, and that the following reports of the agenda, with the recommendations therein had been agreed and adopted.

Item 36 - Prince Regent Swimming Complex - Mechanical and Electrical Replacement Works.

22 PUBLIC INVOLVEMENT

22.1 The Chair noted there was one deputation in relation to Public Space Protection Orders that related to Item 29 on the agenda and that the deputation would be taken together with that item.

23 MEMBER INVOLVEMENT

23.1 The Chair confirmed there were no items listed under Member Involvement.

24 4 YEAR RESOURCE AND INTEGRATED SERVICE AND FINANCIAL PLANNING UPDATE

24.1 The Committee considered a report of the Executive Director for Finance & Resources in relation to 4 Year Resource and Integrated Service & Financial Planning Update. The report provided a budget planning and resource update for the 2017/18 budget process including an updated Medium Term Financial Strategy (MTFS) based on latest information and resource projections.

24.2 In response to Councillor Wealls it was clarified that Officers would be more than willing to share the draft response to 100% Business Rate retention with the Budget Review Group before it was returned. In relation to the apprenticeship levy it was

explained that there was currently no information from Central Government about the income from this, which made planning difficult.

- 24.3 Councillor Janio stated his view that the Council should hold greater reserves to better address the varying position across the financial year. He noted that his comments also related to Item 25 – Targetted Budget Management.
- 24.4 In response to Councillor Sykes it was clarified that Officers were still working through a number of budget uncertainties; however, comments in relation to the presentation of the report would be taken away, it was also acknowledged that the information needed to be accessible to ensure the Council remained transparent. Councillor Hamilton also provided assurance that he was aware of the issues raised by Councillor Sykes, but highlighted the uncertainty in relation adult social care budgets. The Acting Executive Director for Health & Adult Social Care explained that there were still ongoing discussions with the Department of Health in relation to signing of Better Care Fund plans due to the level of funding that was being transferred across and what percentage would be for social care. It was also clarified that the demand for adult social care was an issue for all local authorities discharging this function and not simply a local issue.
- 24.5 Councillor Sykes highlighted that the report projected a 17% Council Tax rise over the next four years, and noted that in opposition the Labour Group had blocked above threshold Council Tax increase proposals by the then Green Administration.
- 24.6 The Chair then put the recommendations to the vote.
- 24.7 **RESOLVED** – That the Committee:
- 1) Note the resource and net expenditure projections for 2017/18 and the Medium Term Financial Strategy (MTFS) projections set out in the body of the report and appendices 1 and 2 based on 1.99% Council Tax increases and annual 2% Adult Social Care precept.
 - 2) Note the revised savings requirement of £44.4 million over the 3 years 2017/18 to 2019/20, including £18.2 million in 2017/18, to be used for budget setting purposes as detailed at paragraph 3.11.
 - 3) Instruct the Executive Leadership Team (ELT) to refresh the current 4 Year Service & Financial Plans and develop further savings proposals to address any outstanding budget gaps, in particular for 2017/18, based on the MTFS assumptions in this report for consideration by Policy, Resources & Growth Committee.
 - 4) Agree the proposed approach to reviewing the Council Tax Reduction Scheme as set out in paragraphs 3.23 & 3.24.
 - 5) Note the resource projections for the Capital Investment Programme as shown in appendix 3.

25 TARGETTED BUDGET MANAGEMENT (TBM) 2016/17 MONTH 2

- 25.1 The Committee considered a report of the Executive Director for Finance & Resources in relation to Targetted Budget Management (TBM) 2016/17 Month 2. The report set out an early indication of forecast risks as at Month 2 on the Council's revenue and capital budgets for the financial year 2016/17.
- 25.2 In response to Councillor Sykes it was explained that the additional pressure funding in adult social care was based on projected demand; however, the service was working to meeting its efficiency savings. The figures in the report included decisions made at the previous meeting in relation to contract management for the Royal Pavilion & Museums. In relation to social worker agency staff the Executive Director for Families, Children & Learning explained that the department had introduced a market supplement to make the roles more competitive with neighbouring authorities in view to having no agency staff in the future. Lastly it was also clarified that slippage in terms in capital funding would affect the cash flow of the Council.
- 25.3 In response to questions from Councillor G. Theobald the following responses were provided. Band One in terms of transport was part of the incentive fund and related the ability of the authority to provide full asset management plans, the scale was from one at the lowest to three at the highest. It was not envisaged the Council would receive money from the Better Care Fund this year, the additional money the previous financial year had related to an underspend in the pooled fund. There had been a pause before the introduction of fees for pre-application planning advice the allow the Planning Department to focus on the determining the backlog of applications; however, charging for advice of major applications had now commenced and work was being undertaken on planning performance agreements on schemes, and the intention was to roll out more of the fees this year. Previous recruitment controls had been relaxed, and posts now had to be agreed through the relevant DMT. Re-procurement had increased costs in relation to home to school transport and Officers were now undertaking further a review of this in view to bringing a report to a future meeting of the Children, Young People & Skills Committee. It was hoped that a permanent management solution could be found for the Electoral Services Team; however, this had not been possible due to the recruitment difficulties during the PCC Elections and Referendum, it was hoped that this could be taken forward after the by-election in August. There were also some funding pressures due to the volume of electoral work that had been delivered by the Council since May 2015 and it had been necessary to use increased casual staff and as well staff resources from other areas of the Council.
- 25.4 In response to Councillor Janio it was explained that priorities could be established during the budget setting process to realise funds where there were underspends; however, the Council would need to be very mindful that it was not seen to be acting imprudently in its financial management.
- 25.5 In response to Councillor A. Norman it was clarified that there was an agreed overspend to manage cases in relation to Deprivation of Liberty Safeguards work. Whilst the Law Commission were currently considering the administrative process, it was highlighted that this work was in the best interests of the individuals concerned and would be ongoing.

25.6 The Chair then put the recommendations to the vote.

25. RESOLVED

- 1) That the Committee note the forecast risk position for the General Fund, which indicates a budget pressure of £3.745m. This includes a pressure of £0.236m on the council's share of the NHS managed Section 75 services.
- 2) That the Committee note that recovery planning is in place and will be reported to the cross-party Budget Review Group as appropriate.
- 3) That the Committee note that total recurrent and one-off risk provisions of £3m are available to mitigate the forecast risk if the risks cannot be completely eliminated by year-end.
- 4) That the Committee note the forecast for the Housing Revenue Account (HRA), which is an underspend of £0.270m.
- 5) That the Committee note the forecast risk position for the Dedicated Schools Grant which is an overspend of £0.097m.
- 6) That the Committee note the forecast outturn position on the capital programme and approve the variations and reprofiles in Appendix 3 and the new schemes as set out in Appendix 4.

26 TREASURY MANAGEMENT STRATEGY 2015/16 - END OF YEAR REVIEW

26.1 The Committee considered a report of the Executive Director for Finance & Resources in relation to Treasury Management Strategy 2015/16 - End of year review. The 2015/16 Treasury Management Policy Statement (TMPS), practices, and schedules were approved by the Policy & Resources Committee on 19 March 2015. The TMPS set 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.

26.2 In response to Councillor Sykes it was explained that the Council had recently taken advantage of favourable interest rates to restructure its own debt and would continue to look for opportunities to this in the context of very low interest rates.

26.3 Councillor A. Norman noted that the Treasury Team had done an excellent job to ensure they made the most out of the Council's finances; she highlighted that increased monitoring of these reports was important in the context of greater economic uncertainty.

26.4 Councillor Janio thanked Officers for the clear report.

26.5 The Chair then put the recommendations to the vote.

26.6 RESOLVED:

- 1) That the Committee endorses the key actions taken during the second half of 2015/16 to meet the TMPS and practices (including the investment strategy) as set out in this report.
- 2) That the Committee notes the reported compliance with the AIS for the period under review.
- 3) That the Committee notes that the approved maximum indicator for investment risk of 0.05% has been adhered to, and the authorised borrowing limit and operational boundary have not been exceeded.

27 WAIVER REPORT 2015/16

- 27.1 The Committee considered a report of the Executive Director for Finance & Resources in relation to Waiver Report 2015/16. The Council's Contract Standing Orders required reports to be presented to the Committee setting out all waivers authorised under CSO 20.2, 20.3 and 20.4. The report related to the financial year 2015/16.
- 27.2 In response to Councillor Wealls it was agreed that comments from the Procurement Advisory Board could be included in the report to provide the Committee with greater assurance.
- 27.3 The Chair then put the recommendations to the vote.
- 27.4 **RESOLVED** - That the Committee notes the number and value of waivers authorised under Contract Standing Orders 20.2, 20.3 and 20.4 during the financial year 2015/16.

28 PARKING PAYMENT SYSTEMS

- 28.1 The Committee considered a report of the Acting Executive Director for Economy, Environment & Culture in relation to Parking Payment Systems; it was also noted that the report had been considered by the Environment, Transport & Sustainability Committee on 28 June 2016. The report sought approval for the procurement of 330 card-only Pay and Display machines, upgrades to the existing 320 Pay and Display machines to accept card payments only, and additional upgrades to 150 newer cash machines to allow them to accept the new £1 coin and card payments.
- 28.2 Councillor Mitchell explained that the report had previously been discussed at the Environment, Transport & Sustainability Committee; however, it had been referred to the Committee without decision and Officers were tasked with undertaking further work on the report. The machines needed to be upgraded to accept the new £1 coin that was due to enter circulation and the opportunity was being taken to look at the stock generally. The proposal would leave 150 cash machines in the city and 150 pay-points; it was considered that this solution offered the best security and reduced the risk of theft.
- 28.3 In response to questions from Councillor Sykes it was explained that the reduction in the number of pay and display machines had left some anomalies; however, a full review of signage was due to be undertaken to rectify any problems. In relation to the costs of processing card payments it was clarified that this was still the cheaper and

safer solution to meeting the costs of a cash collection service for the pay and display machines.

28.4 Councillor Janio acknowledged the necessity to upgrade the service, and asked that Ward Councillors be involved in the process. He noted he was happy to accept the recommendations in the report.

28.5 Councillor Wealls noted he would accept the recommendations in the report, and asked if this could be used an opportunity to consider dynamic parking schemes that had been used elsewhere in the world as means to better management demand and traffic.

28.6 The Chair then put the recommendations to the vote.

28. **RESOLVED** – That the Committee:

- 1) Approves the procurement of 320 card-only Pay and Display machines, upgrades to the existing 330 Pay and Display machines to accept card payments only, and additional upgrades to 150 newer cash machines to allow them to accept the new £1 coin and card payments;
- 2) Grants delegated authority to the Executive Director Economy, Environment and Culture to award the contract(s) following the procurement.
- 3) Approves that the upgrade and purchase of parking machines is included into the council's Capital Investment Programme 2016/17 funded through prudential borrowing.

29 **MANAGING ANTI-SOCIAL BEHAVIOUR IN CITY PARKS AND OPEN SPACES**

29.1 The Chair noted that there was a deputation associated with this item and called forward Emma Nuttall to speak on behalf of the Friends, Families and Travellers Group.

29.2 Emma Nuttall stated:

“Public Space Protection Orders (PSPOs) which have recently come in under the Anti-Social Behaviour Crime and Policing Act were never designed to be used against travellers. The guidance references alcohol, dogs and noise but not Gypsies and Travellers. No other local authority in the country has used them against Gypsies and Travellers. If Brighton and Hove City Council introduces it you will be the first Council in the country and this is why the Equalities and Human Rights Commission has sent submissions on the issue because you would potentially be setting a precedent for the rest of the country that they would be very keen to stop.

We went to a meeting with the Equalities and Human Rights Commission yesterday, they are looking for cases of strategic litigation and by strategic litigation they mean interventions in cases where the principles under consideration have a wider impact beyond that of the specific case itself. So given that Brighton & Hove City Council is considering embarking on an approach which has no precedent elsewhere in the

country any attempt to use PSPOs as a mechanism for the issue of unauthorised encampments of Gypsies and Travellers would undoubtedly lead to a legal challenge by the equalities and human rights commission and in a time of budget cuts for the Council is this really something which the council wants to embark upon, and I note that in your paperwork the potential from judicial review has been noted by your solicitor as well.

One of the concerns of the Equalities and Human Rights Commission and also ourselves is that the introduction of PSPOs would have a disproportionate effect on Romani Gypsies and Irish Travellers which are two ethnic minorities protected under equalities legislation and what we are talking about is homeless people. They are encamped on the twelve locations because they have nowhere else to go. They don't wish to be on those locations a lot of the other traditional stopping places such as Ditchling Road and the Race Course have been ditched, bunded, and gated so they can't stop on those places. They don't wish to be gauped at like goldfish in a bowl they need to have sites but the sites are not being provided by Brighton & Hove City Council. I feel that the report which has been given to you by officers doesn't contain the full information for you to be making a well enough informed decision. For instance there is one point where it says the 'need for additional sites could be looked at' or words to that effect. It's not really the case that it could be looked at there is an identifiable need for an additional thirty two pitches in Brighton and Hove so I think it's quite misleading where it's lacking the adequate concrete information. There is a need for 32 more pitches in Brighton and Hove this is why people are stopping on these twelve locations and in the absence of providing those pitches where are people supposed to go? They won't evaporate they will still exist and the Fairness Commission has just published its report for Brighton and Hove and in that report is the recommendation that negotiated stopping is introduced in Brighton and Hove and negotiated stopping is when a council comes to an agreement with Traveller encampments for a period of stopping time and in Leeds where it is working successfully between the Council and Travellers it has saved thousands of pounds worth of money.

Another relevant issue is that in the last few years Horsdean transit site has been closed and you haven't had a permanent site. Horsdean site is opening this month with a 12 pitch site and you've also got a 21 pitch site opening next to it. This is going to really help towards a solution all the families who have been allocated permanent pitches on the 12 pitch site have lived in Brighton for years and years. They are a lot of the families that are living in unauthorised encampments. When they are living on the sites they will be generating a rent per year of £172,000 from rent as well as additional income from council tax."

- 29.3 The Chair thanked Ms Nuttall for attending and noted that her points would be addressed up as part of the questions and discussion on the report.
- 29.4 The Committee considered a report of the Acting Director of Public Health in relation to Managing Anti-social Behaviour in City Parks and Open Spaces. The purpose of the report was to document progress for managing anti-social behaviour in city parks and open spaces using a Public Spaces Protection Order (PSPO) that was now available using new powers under the Anti-Social Behaviour Crime and Policing Act 2014. The

report considered the use of this new power following consultation and a full equality impact assessment in locations where there was reported anti-social behaviour.

- 29.5 Councillor Mitchell thanked Officers for the work on the report. She emphasised that this legislation was new and it key that very careful consideration be given to its use. The consultation had demonstrated a support for the use of PSPOs, and if the recommendations were agreed by the Committee it would be the task of Officers to ensure they were used proportionately following training for both Officers and Police colleagues, as well as support for individuals that might be affected. The legislation would allow the Council to address anti-social behaviour in parks; in relation to unauthorised encampments this issue would be tackled in conjunction with the new site at Horsdean. It was also added that the unmet need for pitches would be addressed through the development of the City Plan – Part 2.
- 29.6 In response to questions from Councillor Janio it was explained that the use of PSPOs would give the Council an additional power to address anti-social behaviour above those it and the Police already had. It was also clarified that the Council were mandated to provide travellers sites; however, the legislation was such that there were no powers to compel local authorities to do this.
- 29.7 In response to Councillor G. Theobald it was clarified that the language in the report ensured the Council had not fettered its discretion. It was also clarified that the Council would still be able to use the powers were the Horsdean site full, so long as the use of PSPOs would be the most effective way to manage a particular situation. The advantage of PSPOs was that use of the legislation sat with the local authority, rather than relying on Police colleagues.
- 29.8 Councillor Sykes noted that there was existing anti-social behaviour in green spaces in his ward, yet this was not one of the locations in the report where the powers were proposed to be used. He noted his concerns with the detail in the report and of the view the Council did not need to use additional powers above those already at its disposal. He was of the view that PSPOs would be used to target specific groups and highlighted the recent report of the Fairness Commission that had highlighted the gypsy and traveller community as one of the most disadvantaged in the city. The report had no analysis of the use, and problems with, existing powers, nor was any view expressed from the Police. Councillor Sykes concluded by reiterating that he could not support the recommendations and shared concerns that this could breach equalities legislation.
- 29.9 In response to some of the points raised by Councillor Sykes it was clarified the locations proposed for use of PSPOs in the report had been determined through collating reported and recorded anti-social behaviour. The concerns in relation to equalities had been recognised in the report. The Police were prepared to work with the Council in relation to the use of PSPOs, and part of the decision making around enforcement would be capacity. Further information in relation to the use other legislation to manage unauthorised encampments was available.
- 29.10 Councillor Wealls congratulated the administration for bringing forward the report and highlighted some of the problems in his own ward. It was clarified that before any powers were used an investigation would take place to look at welfare matters;

following satisfaction of that criteria a time frame to leave would be issued, if this were not adhered to then the Council would look to work with the Police to enforce.

- 29.11 Councillor Janio welcomed the report, but expressed his concern that this would still not provide a framework for enforcement to happen quickly enough.
- 29.12 Councillor A. Norman thanked Officers for the report, and highlighted that she understood the needs of the travelling community, in particular in relation to access for education. She highlighted particular issues at a location within her Ward and noted that the situation had become so bad that the local volunteer group that helped to maintain the land were considering disbanding as they felt powerless to address the ongoing problems. She noted she was in support of the recommendations in the report.
- 29.13 Councillor Mac Cafferty highlighted the language used in the report in the representation from Liberty and he made reference to the recommendation in the Farness Commission report in relation to stopping places – arguing that this would create a stronger basis to protect open spaces. He was of the view that the proposed action in the report was too hasty, given the recommendations from the Fairness Commission.
- 29.14 The Chair echoed the comments made by Councillor Mitchell in relation to the unmet need being addressed through the City Plan Part 2, he went on to add that it was crucial the Council take a balanced approach. The Chair then put the recommendations to the vote.
- 29.15 **RESOLVED** – That the Committee note the deputation.
- 29.16 The recommendations in the report were agreed with 8 support and 2 against
- 29.17 **RESOLVED** - That the committee agree to the making of a Public Spaces Protection Order under Section 59 of the Anti-social Behaviour Crime and Policing Act and the prohibitions and requirements in the specific areas of the city outlined in this report for the duration three years.

30 BRIGHTON AND HOVE SOCIAL VALUE FRAMEWORK

- 30.1 The Committee considered a report of the Acting Director of Public Health and the Executive Director for Finance & Resources in relation to Brighton and Hove Social Value Framework. It was also noted that the report had been considered by the Neighbourhoods, Communities & Equalities Committee. The purpose of the report was to seek endorsement for a new 'Social Value Framework' for the city and a new Social Value Guide for Commissioners, Procurement Teams and Providers.
- 30.2 Councillor Janio welcomed the report and stated that this reflected the direction of travel from Central Government in the last few years. In response to question it was explained that this work would be used in procurement scoring exercises. The framework would be applied proportionately to the contracts and commissioning and how onerous this was would be varied based on the service being commissioned – this information would then be considered by the Procurement Advisory Board.

- 30.3 In response to Councillor Wealls it was agreed that a report could be presented in the future to consider the impact of this. The issues around social value could be captured as part of the contract monitoring, and it was noted an additional recommendation had been proposed by the Neighbourhoods, Communities & Equalities Committee to ensure any exceptions to this were agreed by Officers on the recommendation of the Procurement Advisory Board.
- 30.4 In response to a further query from Councillor Wealls the Chief Executive stated that much of the work of the Council inherently had social value, the organisation could reflect on how to achieve greater social value through its directorate plans, at the same time it was important Officers became more commercially minded in their approach in the context of local government funding reductions.
- 30.5 The Chair then put the recommendations to the vote.
- 30.6 **RESOLVED** – That Committee
- (1) Sign up to the Framework and Pledge on behalf of the city council; and,
 - (2) That any exceptions to the agreed framework be approved by Officers following the recommendations of the Procurement Advisory Board.

31 RESIDENTIAL CHILD CARE, FOSTER CARE AND SEN EDUCATION PLACEMENTS

- 31.1 The Committee considered a report of the Executive Director for Families, Children & Learning in relation to Residential Child Care, Foster Care and SEN Education Placements. The report sought approval for the procurement of a Dynamic Purchasing System and award of Individual Placement Agreements for placements in independent residential children's homes, independent foster care and independent non-maintained special schools.
- 31.2 Councillor Wealls noted that the Foster Carers Council were supportive of this approach, but noted their two concerns related to placements outside of area the how reasonable the costs were. In response the Executive Director explained that there was clear local guidance that placements should be within 20 miles, unless there were sound reasons to deviate from this. In relation to the costs those in the report were estimates and the report sought delegated approval to agree the partnership.
- 31.3 The Chair then put the recommendations to the vote.
31. **RESOLVED** – That the Committee:
- 1) Grants delegated authority to the Executive Director of Families, Children & Learning to conclude negotiations with West Sussex County Council on the terms of access and agreement to participate in a regional Dynamic Purchasing System (DPS) for the provision of placements in independent residential children's homes, independent foster care and independent non-maintained special schools (INMSS).

- 2) Approves the procurement of a DPS, either led by West Sussex County Council (WSSCC) as the Contracting Authority or procured solely by Brighton & Hove City Council (depending on the outcome of 2.1 above), for the provision of placements in independent residential children's homes, independent foster care and INMSS.
- 3) Grants delegated authority to the Executive Director of Families, Children & Learning to: (i) carry out the procurement of the DPS referred to in 2.2 above; (ii) agree the term of the DPS; (iii) award and let the DPS and; (iv) award and let placement agreements under the DPS.

32 RETENDER OF WHOLE SYSTEMS ICT PLATFORM FOR HOMELESSNESS, THE HOUSING REGISTER AND SOCIAL HOUSING SETTINGS

32.1 The Committee considered a report of the Acting Executive Director for Economy, Environment & Culture in relation to Retender of Whole Systems ICT Platform for Homelessness, the Housing Register and Social Housing Settings. It was also noted that the report had been considered by the Housing & New Homes Committee on 15 June 2016. The report sought formal permission for Brighton & Hove City Council to tender for a new ICT supplier on behalf of the Sussex Homemove Partnership.

32.2 The Chair then put the recommendations to the vote.

32.3 **RESOLVED** – That the Committee:

- 1) Authorise the Acting Executive Director Economy, Environment & Culture to carry out a procurement of a whole systems ICT platform for homelessness, the housing register and social housing settings.
- 2) Grant delegated authority to the Acting Executive Director Economy, Environment & Culture and the Executive Director Neighbourhoods, Communities & Housing to award and let a contract with the preferred supplier for a period of 5 years with an option to extend by 2 years.
- 3) Note that Brighton & Hove City Council will lead the procurement on behalf of the Sussex Homemove Partnership.

33 ANNUAL PROGRESS UPDATE AGAINST CORPORATE KEY PERFORMANCE INDICATORS 2015/16

33.1 The Committee considered a report of the Chief Executive in relation to Annual progress update against Corporate Key Performance Indicators 2015/16. The report sought to set out year-end 2015/16 performance progress for the period 1 April 2015 to 31 March 2016 in relation to Corporate Key Performance Indicators (KPIs).

33.2 Councillors Sykes welcomed the report. In response to a question it was explained by Councillor Mitchell that there had been falling recycling rates in the city for some years, the recent trial of wheelie bin recycling was being expanded as there were early indications that this was improving dry recycling. The new garden waste service was also proving very popular. The Council was now managing textile recycling in house

again and there were also moves in the future for an education programme around recycling to address complacency.

- 33.3 Councillor G. Theobald expressed concern in relation to the number of indicators that were showing either amber or red, and that the Council was not making progress in some areas. He drew particular attention to the number disputes and grievances in the organisation as well the levels of staff sickness.
- 33.4 The Committee then discussed the ownership of the report and how the information was generated. It was explained that it was vital that the Officer Team be challenging in target setting, and there would always be the need to strike a careful balance in relation to the acceptable level of red/amber targets. It was clarified that a consistent approach was taken in 2015/16 for the first time and green indicators could only be set where performance was similar to an appropriate comparator group. The report was signed off by ELT, but Officers explained that they were more than happy to have greater Member oversight of this work. Councillor Janio also asked that the document be fully reviewed to highlight, and potentially, remove indicators that the Council had no control over.
- 33.5 Councillor A. Norman welcomed the introduction of the garden waste recycling service and felt the expansion of this scheme would prove very popular.
- 33.6 In response to Councillor Mac Cafferty it was explained that the discharge from hospital figures were based on the overall figure; however, this was a snapshot from a period of time. It was also clarified that child poverty was nationally calculated; however, there was a time lag to this and the most recent compactor was for 2013.
- 33.7 The Chair then put the recommendation to the vote.
- 33.8 **RESOLVED** – That the Committee review progress in relation to Corporate KPIs particularly corrective measures outlined for ‘red’ and ‘amber’ indicators and provide ongoing support and challenge to lead officers to bring performance back on track.

34 MADEIRA TERRACES - COASTAL COMMUNITIES FUNDING BID

- 34.1 The Committee considered a report of the Acting Executive Director for Economy, Environment & Culture in relation to Madeira Terraces - Coastal Communities Funding Bid. The report sought endorsement for Stage 1 funding application to the Coastal Communities Fund and would give Officers permission to move to a Stage 2 bid, were the funding application successful.
- 34.2 Councillor Morgan noted how strongly he felt about this scheme personally and he welcomed the report as the first steps in the process.
- 34.3 Councillor Mitchell also welcomed the report in particular the level of detail it contained; she noted that were the bid successful it would go some way to helping attract the rest of the finance that was required.
- 34.5 Councillor Wealls noted that the Conservative Group were very supportive of the report. In response to questions the Chair explained that the level of detail in relation to

the structure had been included to demonstrate the amount of work that needed to be undertaken and that much of this detail would not be known until work commenced. Officers explained that there were some high level detail in the report on the commercial aspects, but it was felt the detailed information would be better included at stage two. In relation to uses of the new units, it was explained that these needed to be seen in the context of other projects in the area and would likely evolve naturally.

34.6 Councillor Janio stated that more should be done to publicise the proposed figure for the project as there had been a misunderstanding of a figure for seafront regeneration in the whole of the city

34.5 In response to Councillor Sykes it was explained that the £4M would allow for a capital/revenue split enabling the Council to proceed through the planning process to construction.

34.6 The Chair then put the recommendations to the vote.

34. **RESOLVED:**

- 1) That the Committee note and endorse the Stage 1 funding application, attached as Appendix 1, submitted to the Coastal Communities Fund on 30 June 2016.
- 2) That the Committee agree that officers continue to develop proposals for the restoration and redevelopment of Madeira Terraces with a view to proceeding to a Stage 2 bid, should the Stage 1 application be successful, subject to a further report to this Committee setting out the financial and funding implications.

35 STANMER ESTATE, PARKS FOR PEOPLE APPROVAL GRANT APPLICATION

35.1 The Committee considered a report of the Acting executive Director for Economy, Environment & Culture in relation to Stanmer Estate, Parks for people Approval Grant Application. The report sought agreement to the approach outlined in the report to apply for grant funding for the Stanmer Project to Heritage Lottery Fund/Big Lottery Fund Parks for People in August 2016.

36.2 In response to Councillor Janio it was explained that the Council was in close discussions with partners, and Plumpton Colleague were still on-board to provide an element of the funding; there was still a great deal of detailed design work to do that would start if the bid was successful.

36.3 In response to Councillor Mac Cafferty it was explained by Councillor Mitchell that the sustainable travel plan was not an express requirement of the bid application. It was clear that the current parking situation could not continue and needed rationalising. It was hoped that a change to the configuration could allow for a slight increase in spaces. The site could also be looked as a location for projects such as the bike share scheme. Councillor Mitchell expressed caution that the whole scheme not be thought of just in terms of parking as the gains were so important on the project. The Chair also noted that the recommendations before the Committee were not asking for approval of parking at this point in time.

36.4 The Chair then put the recommendations to the vote.

36.7 **RESOLVED** – That the Committee:

- 1) Agrees the approach outlined in this report to apply for grant funding for the Stanmer Project to Heritage Lottery Fund/Big Lottery Fund Parks for People in August 2016.
- 2) Delegates authority to the Acting Executive Director of Environment, Development & Housing and the Executive Director of Finance & Resources to oversee the completion of the Stage 2 funding bid and to sign off the final documents prior to submission to HLF.

36 PRINCE REGENT SWIMMING COMPLEX - MECHANICAL AND ELECTRICAL REPLACEMENT WORKS

36.1 **RESOLVED** – That the Committee:

- 1) Approve the procurement of a contract for works to replace the air-handling system and associated works as listed in 3.10 at the Prince Regent Swimming Complex.
- 2) Grants delegated authority to the Executive Director for Economy, Environment & Culture (Acting or otherwise), in consultation with the Executive Director, Finance & Resources to carry out the procurement and award of the contract referred to in 2.1 above.
- 3) Approve a capital budget of £0.728m for this project which will be funded as detailed in paragraph 3.11.

37 DISPOSAL OF 11 LITTLE EAST STREET

37.1 The Committee considered a report of the Acting Executive Director for Economy, Environment & Culture in relation Disposal of 11 Little East Street. The report sought agreement for the disposal of 11 Little East Street to provide capital funding for reinvestment to generate additional revenue funding streams to support the Council's Corporate Property Strategy & Asset Management Plan 2014-18, Corporate Plan and Medium Term Financial Strategy.

37.2 The Committee discussed the planning permission associated with the building and the potential to apply for new planning permission to increase its value. Officers explained that due to the poor state of the building and desire to dispose of this asset quickly the approach outlined in the report was considered to be the most appropriate. Thought had been given to other options, but there was no certainty that this would increase the value significantly and this had to be balanced against the time and uncertainty of applying for planning permission. The better option was for a quick sale to allow any future buyer to apply for permission as they saw fit.

37.3 The Chair then put the recommendation to the vote.

37.4 **RESOLVED** - That Committee authorises the freehold disposal of 11 Little East Street by auction on the open market by the agents appointed.

38 STANMER PARK - REDEVELOPMENT OF TRADITIONAL AGRICULTURAL BUILDINGS

38.1 The Committee considered a report of the Acting Executive Director for Economy, Environment & Culture in relation to Stanmer Park - Redevelopment of Traditional Agricultural Buildings. The report set out the further detail requested and was timetabled to ensure the decision could be included in the Stage 2 Parks for People bid, which also forms part of the Stanmer project, and was due to be submitted in September 2016 and was complemented by a separate Part Two report.

38.2 The Chair noted that the proposed amendment from the Green Group had been accepted. He then put the amended recommendations to the vote.

38.3 RESOLVED:

- 1) That Committee approves the redevelopment of the Stanmer Traditional Agricultural Buildings in accordance with the conclusion - Option 4, as this option produces the best income return on the estimated capital expenditure and will deliver all of the council's wider objectives including:
 - Gateway to National Park
 - SDNPA area office
 - Visitor Information, education and Interpretation spaces
 - Community and event space
 - Recreation areas and vibrant working hubs
 - Improved access to local Heritage, the Countryside, Agriculture and Food Production
 - Craft workshops and Artisan retail outlets
 - Delivery of a sustainable management plan for the wider Park and village
- 2) That Committee notes that existing tenants in some of the buildings proposed for redevelopment are pursuing activities consistent with objectives set out in 2.1 and have expressed strong interest in maintaining their leases.
- 3) That Committee authorises the Acting Executive Director Economy, Environment and Culture, Assistant Director Property & Design and Head of Legal Services to approve terms for the disposal of 16 non-core assets from the council's Agricultural Estate as set out in the part two report.
- 4) From the disposal of these non-core assets and the disposal of non-core assets previously approved for disposal on 11 July 2014 of which 50% is to support the council's capital investment strategy, the total net capital receipt to be used to provide match funding for the Parks for People bid and funding for the development of the traditional agricultural buildings.
- 5) That Committee authorises the Acting Executive Director Economy, Environment and Culture, Assistant Director Property & Design and Head of Legal Services to

approve terms for the disposal of 2 potential residential enabling development sites within Stanmer, subject to consultation.

39 DISPOSAL OF LAND IN FALMER

- 39.1 The Committee considered a report of the Acting Executive Director for Economy, Environment & Culture in relation to Disposal of Land in Falmer. Following the death of the tenant farmer of Park Wall Farm, the Council served Notice to Quit and obtained vacant possession. Options were considered to lease or dispose of the vacant land and following a marketing exercise completed by its agents an offer had been made to purchase the land which was recommended for acceptance. The capital receipt would support the Council's corporate Capital Investment Strategy and Medium Term Financial Strategy. The report was supplemented by a separate Part Two report.
- 39.2 Councillor Sykes stated his view that alternative uses for the land could be pursued.
- 39.3 The Committee resolved to exclude the press and public under Section 100A(4) of the Local Government Act 1972 as the Part Two reports contain exempt information.
- 39.4 Following a discussion in Part Two the Chair put the recommendations to the vote. These were carried with 3 in support, 2 against and 4 abstentions.
- 39.5 **RESOLVED** - That Committee authorises the freehold disposal of Park Wall Farm to the preferred bidder identified and recommended as part of the marketing exercise and tender evaluation completed by the council's agents Savills.

40 ITEMS REFERRED FOR COUNCIL

- 40.1 There were no items referred to Council.

41 STANMER PARK - REDEVELOPMENT OF TRADITIONAL AGRICULTURAL BUILDINGS - EXEMPT CATEGORY 3

- 41.1 **RESOLVED** – That the Committee note the information contained in the Part Two appendix.

42 DISPOSAL OF LAND IN FALMER - EXEMPT CATEGORY 3

- 41.2 **RESOLVED** – That the Committee note the information contained in the Part Two appendix.

43 PART TWO PROCEEDINGS

- 43.1 **RESOLVED** – That the information contained in the Part Two items listed in the agenda (Items 41 & 42) and the decisions therein remain exempt from disclosure to the press and public.

The meeting concluded at 8.07pm

Signed

Chair

Dated this

day of