

BRIGHTON & HOVE CITY COUNCIL
POLICY & RESOURCES COMMITTEE

4.00pm 19 MARCH 2020

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Platts (Chair) Mac Cafferty (Opposition Spokesperson) and Bell (Group Spokesperson).

PART ONE

138 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

138.1 There were none.

(b) Declarations of Interest

138.2 There were no declarations of interests in matters listed on the agenda.

(c) Exclusion of Press and Public

138.3 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.

138.4 **RESOLVED:** That the press and public not be excluded from the meeting.

139 MINUTES

139.1 **RESOLVED:** That the Minutes of the meeting held on 13 February 2020 be agreed and signed as a correct record.

140 CHAIR'S COMMUNICATIONS

140.1 The Chair gave the following communication:

Hello and welcome to this meeting of the Policy & Resources Committee. I'd like to inform those present that this meeting will be webcast live and will be capable of repeated viewing.

I want to thank all council staff across the departments who are working flat out and around the clock to deliver vital services to our residents in difficult circumstances. The council - like many others in the public sector - provides essential public services to

residents - some of whom are vulnerable. It's no exaggeration to say that some of services the council provides protect people's lives, whether this be via our social work or by ensuring payments are made so that people have money to buy food and heat their homes. We are working hard to keep fundamental and critical services running; protecting our most vulnerable residents. Some of these key roles simply cannot be performed from home and where these business-critical services are being identified, staff working within those services will be supported to work from their normal place of work. It's just not possible to stop carrying out these services.

That is why, as a council we are doing everything we can to keep democracy running as smoothly as possible, to keep key services across the city up and running, and to work with partner organisations and residents across the Brighton & Hove to contain the spread of the COVID-19 virus.

The government yesterday announced that schools will be closing from tomorrow until further notice, and it is key we all follow the government and Public Health England advice in relation to social distancing, working and gatherings, because it is regularly being updated. What we must all continue to do is wash our hands regularly and thoroughly and practice good hygiene. I'd encourage everyone to check the council website and the government website for up to date advice and information on what you can do to minimise the spread of the virus and keep others safe.

Yesterday I sent an open letter to supermarkets in Brighton & Hove, calling on them to put in place further contingency measures to mitigate against stockpiling. There is enough to go around if we all just buy what we need. Panic buying is really unhelpful, and we should all continue to think about our neighbours and our communities. We should also only be buying specialist foods such as gluten-free if we specifically need them, to ensure those who do can access them.

We have an army of people getting in touch who are wanting to support and take care of each other and their communities. This is typical of Brighton and Hove and I'm incredibly proud of our city. We do need to have oversight and organise this action though so that people continue to be safe and are protected. Residents can check the council website for information on how they can safely help in their communities, from donating spare items to the local foodbank to checking in on an elderly neighbour.

The Council has also written to businesses across the city identified by our finance team as potentially eligible for the business rate relief announced by the government, with more information on how to contact us if they need to. The Council already provides critical services to local businesses many of whom are now feeling economically fragile. We know that industries like hospitality are particularly feeling the impact of the latest measures, and we are supporting these businesses and others, and trying to ensure that they get the financial relief the government has outlined.

I welcome the measures announced by the government to support our businesses and residents, and I hope to see more support for residents in the private rental sector and some of our most vulnerable groups on benefits, so I'm also calling on the government to reinstate the safety net as a matter of urgency.

With regard to the agenda for today's meeting, please note that Item 149 '20/21 Local Transport Plan Capital Programme' has been withdrawn. This report was also due to be considered at the ETS Committee scheduled for earlier this week, but as that meeting has been postponed, it has been decided that an Urgency ETS Sub Committee will be held to consider the report and after that it will come to a future meeting of this committee.

141 CALL OVER

141.1 The following items were reserved for discussion:

Item 146	Special Leave Policy
Item 147	Procurement of Construction Related Consultants
Item 150	Transport for the South East – Proposal on Statutory Powers
Item 151	Asset Disposal Process to Support the Medium-Term Financial Strategy and Achievement of Capital Receipts
Item 157	Covid-19 and Democratic Decision-Making

141.2 The following items were approved with discussion:

Item 144	Education Capital Resources and Capital Investment Programmed 2020/21
Item 145	Pay Policy Statement 2020/21
Item 148	Annual Planned Maintenance Budget and Asset Management Fund Allocations 2020/21 for the Council's Operational Buildings.
Item 152	Information Technology and Digital Investment Plans 2020/21
Item 153	Cash Collection and Valuables in Transit
Item 154	Procurement of Corporate Security Services

142 PUBLIC INVOLVEMENT

142.1 There were no Petitions, Written Questions or Deputations

143 MEMBER INVOLVEMENT

143(a) Petitions

143.1 There were none

143(b) Written Questions

143.2 There were none

143(c) Letters

143.3 There were none

143(d) Notices of Motion

143.4 Two Notices of Motion were tabled:

- (1) No Expansion of Gatwick Airport – Green Group
- (2) Voluntary Council Tax – Joint Green and Labour Group

143.5 The Chair noted that due to the reduced attendance there was no councillor to second the Notice of Motion ‘No Expansion of Gatwick Airport’, and asked Councillor Mac Cafferty if he therefore wished to withdraw it. He confirmed he would.

143.6 The second Notice of Motion related to ‘Voluntary Council Tax’, and the Chair asked Councillor Mac Cafferty to propose it. Councillor Mac Cafferty said that a number of councils, such as Westminster City Council, had successfully introduced a voluntary council tax contribution and some local residents had understood the situation the Authority was in and wanted to try and help if they could. How a voluntary tax would be paid would be set out in a report for a future meeting. Councillor Platts seconded the Notice of Motion.

143.7 **RESOLVED:** That the Committee agreed to call for a report.

144 EDUCATION CAPITAL RESOURCES AND CAPITAL INVESTMENT PROGRAMME 2020/21

144.1 The item was agreed without discussion.

144.2 **RESOLVED:** That the Committee agreed –

- (1) That the level of available capital resources totalling £8.187 million for investment relating to education building financed from capital grant be noted.
- (2) That the allocation of funding as shown in Appendices 3 and 4 and that a recommendation to Policy & Resources Committee on 19 March 2020 for inclusion within the Council’s Capital Investment Programme 2020/21 be agreed by committee.
- (3) To grant delegated authority to the Assistant Director of Property & Design to procure the capital maintenance and basic need works and enter into contracts within these budgets, as required in accordance with Contract Standing Orders in respect of the entire Education Capital Programme.

145 PAY POLICY STATEMENT 2020/21

145.1 The item was agreed without discussion.

145.2 **RESOLVED:** That the Committee recommended to Council the adoption of the pay policy statement for 2020/21 as set out in Appendix 1 to the report.

146 SPECIAL LEAVE POLICY

146.1 The Committee considered the report of the Assistant Director HR&OD which set out a new Special Leave Policy.

146.2 Councillor Platts said the new policy had been developed as part of the Council's Our People Promise. The new policy would make the organisation more accessible and inclusive for employees who acted as an unpaid carer to a disabled relative, and included changes and updates that reflected and recognised the diverse needs of staff.

146.3 RESOLVED: That the Committee approves the new Special Leave Policy

147 PROCUREMENT OF CONSTRUCTION RELATED CONSULTANTS

147.1 The Committee considered the report of the Executive Director Economy Environment & Culture regarding the new procurement arrangements for construction related consultancy services.

147.2 Councillor Platts said she wanted to draw the Committee's attention to this report and said that the new purchasing system for construction related consultancy services would be more efficient.

147.3 RESOLVED: That the Committee granted delegated authority to the Executive Director Economy, Environment & Culture to:

- (i) Set up a dynamic purchasing system for construction related consultancy services
- (ii) Admit organisations who meet the selection criteria to the system referred to in (i) above
- (iii) Enter into a framework agreement with each of the organisations who have been admitted to the system referred to in (i) with an initial term of four years and the option to extend by up to a further two years
- (iv) Approve and enter into extensions to the framework agreement(s) for a period of up to two years following the initial term.

148 ANNUAL PLANNED MAINTENANCE BUDGET AND ASSET MANAGEMENT FUND ALLOCATIONS 2020-21 FOR THE COUNCIL'S OPERATIONAL BUILDINGS

148.1 This item was agreed without discussion.

148.2 RESOLVED: That the Committee –

- (i) Approved the annual programme of planned maintenance works for the Planned Maintenance Budget as detailed in Appendices 2 and 3, at a total estimated cost of £3,503,603
- (ii) Approved the Asset Management Fund allocation for 2020-21 totalling £1,000,000, as detailed in paragraph 3.4.2 of this report
- (iii) Granted delegated authority to the Executive Director Economy, Environment & Culture to procure the Planned Maintenance Budget and Asset Management

Fund improvement works and award contracts within these budgets, as required, in accordance with the council's Contract Standing Orders.

149 2020/21 LOCAL TRANSPORT PLAN CAPITAL PROGRAMME

This Item was withdrawn and will be considered at a later meeting.

150 TRANSPORT FOR THE SOUTH EAST - PROPOSAL ON STATUTORY POWERS

150.1 The Committee considered the report of the Executive Director Economy Environment & Culture regarding creating a new Statutory Transport Body composed of sixteen Constituent Local Authorities, including Brighton & Hove City Council, from across the south east.

150.2 Councillor Mac Cafferty said that the Green Group had concerns that some areas, such as bus franchises, had been omitted from the latest version and that the suggested carbon neutral targets didn't align across the region. This was a slight improvement on the previous strategy, but was still some way from the ambition of the whole Council to reach carbon neutrality by 2030.

150.3 Councillor Bell asked which authorities had not joined this group, how we would ensure that the voice of Brighton & Hove residents would be heard and how any decisions would be made. The Assistant Director, City Transport said that all the constituent local authorities in the region were represented on the Transport for the South East Board. Councillor Pissaridou (Chair of the ETS Committee) was the Council's representative on the Board. The Board met frequently and most decisions were made by consensus and voting arrangements, which were a formal requirement, were only used occasionally when things like budgetary issues were being considered.

150.4 Councillor Platts said that it was better to be in this Body than not as the infrastructure funding was needed, and it was an opportunity to link the money being made available by the Government to the City's infrastructure.

150.5 RESOLVED: That the Committee agreed –

(i) That the development of Transport for The South East as an emerging Sub National Transport Body, including its progress in delivering a Proposal To Government to enable it to become a Statutory Body, be noted.

(ii) That the Proposal To Government be referred to Full council for agreement.

151 ASSET DISPOSAL PROCESS TO SUPPORT THE MEDIUM-TERM FINANCIAL STRATEGY AND ACHIEVEMENT OF CAPITAL RECEIPTS

151.1 The Committee considered the report of the Executive Director Economy Environment & Culture which set out the options and process for achieving the capital receipts that were critical to enabling the Council's Medium-Term Financial Strategy, Capital Strategy and Investment programmes.

151.2 The Chair noted that an amendment had been submitted from the Green Group, but due to the limited numbers of Councillors attending the meeting there was no one to second it and therefore it could not be considered.

151.3 Councillor Mac Cafferty said that the amendment would have asked that before assets were disposed of that they were considered for supportive housing, and if the Authority couldn't use them for housing that they were considered by the Community Land Trust. He accepted that in the report it refers to the Community Asset Transfer, which had been previously agreed, which says that the Community Asset Transfer Policy must promote social and economic wellbeing and so he asked that consideration be given to using the assets for supportive housing and/or the use Community Land Trust homes before disposal. The executive Director Economy Environment & Culture said the report set out the process for determining if a property was appropriate for disposal rather than how it should be used. Both supportive housing and Community Land Trust Homes would be considered as opportunities for housing development.

151.4 Councillor Platts said that the administration agreed in principle and would also be looking at other organisations such as cooperative housing etc.

151.5 RESOLVED: That the Committee:

- (i) Agreed the criteria set out in paragraph 3.11 of this report for identifying non-HRA council-owned property and land as being suitable for disposal.
- (ii) Agreed that when the Council appropriates land from the General Fund to the Housing Revenue Account the sum paid to the General Fund should meet best consideration under Section 123 of the Local Government Act 1972.
- (iii) Noted that any recommendations to dispose of land or property comply with the criteria and asset disposal process set out in paragraphs 3.11 and 3.12, and are brought to P&R committee with a business case for approval.

152 INFORMATION TECHNOLOGY AND DIGITAL INVESTMENT PLANS 2020/21

152.1 This Item was agreed without discussion.

152.2 RESOLVED: That the Committee approved IT capital investment of £3.800m for 2020/21 for the purpose of upgrading foundational IT and providing service innovation through cloud and other digital technologies.

153 CASH COLLECTION AND CASH AND VALUABLES IN TRANSIT

153.1 This Item was agreed without discussion.

153.2 RESOLVED: That the Committee approved the procurement and award of contract for a Cash Collection and Cash & Valuables in Transit service for an initial term of 2 years, commencing on 4th August 2020 with an option to extend for a further period of 2 years.

154 PROCUREMENT OF CORPORATE SECURITY SERVICES

154.1 This Item was agreed without discussion.

154.2 RESOLVED: That the Committee –

- (i) Approved that the Executive Director of Economy Environment & Culture is granted delegated authority to procure and award a corporate contract for the provision of security and key holding services via a central purchasing body framework for a minimum initial term of 2 years with the option to extend for two further periods of 12 months (2+1+1).
- (ii) Agreed to the service developing detailed proposals to in-source all static guarding as advised by the Procurement Advisory Board on 27th January 2020, once fully developed such in-sourcing proposals for static guarding will be presented to Policy and Resources Committee.

155 ITEMS REFERRED FOR COUNCIL

155.1 No items were referred to Full Council being held on 2 April 2020.

156 PART TWO PROCEEDINGS

156.1 There were no items listed in Part Two of the agenda.

157 COVID 19 AND DEMOCRATIC DECISION MAKING

157.1 The Committee considered the report of the Executive Lead Strategy Governance & Law which set out proposed arrangements for the democratic decision making over the next four months taking into account the risk posed by the Covid-19 pandemic.

157.2 The Executive Lead Strategy Governance & Law said these were unprecedented times and the public health risks meant that it would be irresponsible for us to continue with the current decision-making process. This report tried to balance the need between ensuring Member ownership of the democratic decision-making process and protecting the health of the public, councillors and staff. The report proposed reducing the number of items which came to committees and instead proposed the use of Urgency Sub-Committees. The report kept the use of virtual meetings or remote attendance as an option but that would only be used as a last resort because of the legal state of those meetings, which meant that they could only be advisory and would require office endorsement to take effect. The Association of Local Government Law had made representations to the Government to enable remote attendance at meetings, and that was being considered. There were also other areas which were being affected by the pandemic, such as holding school admission appeal hearings and the registration of births and deaths. He referred to Appendix 1 (record of use of officer urgency powers) and said that was the current document, but following discussions at Leaders Group, it would be updated to say that consultation would be required with Chair or Deputy Chair as well as Opposition Spokespersons, and officers would be expected to go with the majority. The other change was that the decision-making record would be published. The report said that changes would operate until September, but it could be reviewed

earlier if necessary. The proposals in the report assume that most business could be conducted through Urgency Sub-Committees, and most of the committees did have urgency sub-committees, but a few had not yet established them, those were: Planning Committee, Health & Wellbeing Board, Licensing Committee and HOSC. It was therefore proposed that a report be taken to the first meetings of those committees to set up an urgency sub-committee. There was a proposal that Working Groups were suspended, but the group looking at home to school transport would meet tomorrow as planned. The Council meeting to appoint the new mayor would be held in May 2020 as scheduled.

157.3 The Executive Lead Strategy Governance & Law said that the report proposed the use of urgency sub-committees as the preferred option when a Member level decision is needed. All the Policy Committees (Policy & Resources, TS, TECC and CYPTS) have established urgency sub-committees. The Planning, Licensing, Audit & Standards and Health Overview & Scrutiny Committees, although authorised to set up sub-committees, have not done so.

It was therefore proposed to add a paragraph to paragraph 4.5 at the end as follows:

4.5 (xi) Policy & Resources committee, pursuant to its powers under the scheme of delegations to Committees, agrees the setting up sub-committees for the Committees that do not have one subject to the agreement of the relevant committee regarding composition where the Committee has Co-optees (such as H&WB and Audit & Standards.)

157.4 Councillor Mac Cafferty thanked all members of staff who were continuing to work in these difficult times. He noted that a number of the senior staff had recently left the Authority, and was concerned that as a result other employees were having to take on extra work and asked if that would be sustainable. The Chief Executive said under normal circumstances a report would be brought to this committee about recruitment, and that would be done as soon as possible. The senior managers had responded well to the extra pressure, and where they could they were working at home but were contactable via skype and email.

157.5 Councillor Bell thanked all staff and said that any information he had needed had been provided. He also thanked the other group leaders for working together so well and for putting party politics aside to ensure that everything possible was being done for the residents.

157.6 Councillor Platts thanked for group leaders for working together so well during these difficult times.

157.7 The Committee agree with the officer correction to the report.

157.8 RESOLVED: That the Committee agreed -

- (i) That Members note the risk that running Council meetings as usual poses and the need for a different approach;

- (ii) That Members agree the proposals set out in paragraph 4.5 (as amended), including the delegation of powers to officers to implement the outcome of virtual meetings under 4.5 (VIII) where they take place; and
- (iii) That Members note the government's intention to consider changes in legislation to allow remote meeting and remove the need to hold annual Council on a temporary basis and that officers will review the situation and report back to members as necessary.

The meeting concluded at 4.50pm

Signed

Chair

Dated this

day of 30 April 2020