

**BRIGHTON & HOVE CITY COUNCIL**  
**POLICY & RESOURCES COMMITTEE**

**4.00pm 5 DECEMBER 2019**

**COUNCIL CHAMBER - BRIGHTON TOWN HALL**

**MINUTES**

**Present:** Councillor Platts (Chair) Yates (Deputy Chair), Mac Cafferty (Opposition Spokesperson), Allcock, Clare, Gibson, Moonan, Shanks and Simson

**PART ONE**

**71 PROCEDURAL BUSINESS**

**(a) Declarations of Substitutes**

77.1 Councillor Mears was present in substitution for Councillor Bell.

Councillor Simson was present in substitution for Councillor Miller.

**(b) Declarations of Interest**

77.2 Councillor Mears declared that she was a member of the Seaside Homes Board and a trustee at the Valley Centre.

Councillor Yates declared that he was a member of the GMB Union but held no position of responsibility.

Councillor Allcock declared that he was a member of the GMB Union but held no position of responsibility

Councillor Platts declared that he was a member of the GMB Union but held no position of responsibility.

**(c) Exclusion of Press and Public**

77.3 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.

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

**72 MINUTES**

- 72.1 **RESOLVED:** That the Minutes of the meeting held on 10 October 2019 were agreed and signed as a correct record.

### 73 CHAIR'S COMMUNICATIONS

- 73.1 The Chair gave the following communication:

I'd like to inform those present that this meeting will be webcast live and will be capable of repeated viewing.

Members will be aware of the horrendous terrorist attack on London Bridge last week. The council flew flags at half-mast in respect for the victims and on behalf of all Members of the council, I would like to express all our sympathies and condolences to the relatives and friends of the two victims who lost their lives.

It is also important to reassure all of our communities including our local faith communities that the council stands in solidarity against all hate crime. In this context, I was pleased to be able to attend a meeting of the Racial Harassment Forum earlier this week with Sussex Police who do such an important job in protecting our communities across the city.

Since the last meeting, we have made great strides in several key areas, and our positive joint-working with other political parties has continued to benefit our residents.

We are making progress working with all three political parties on setting up a Climate Assembly in the new year to ensure people living in our city have their say in how we reach our carbon neutral 2030 goal.

Given the cold weather, it would be appropriate to mention, in the context of rough sleeping, that SWEP is open more regularly. We have lowered the trigger to one of the lowest in the country and we are opening a 365 day a year night-shelter this month.

There are a number of other initiatives we have undertaken as an administration, but given we are in the middle of an election, I will save them until the next meeting.

We have a range of major reports coming before us today and I hope we can have a good-natured and constructive meeting to discuss and scrutinise them. I would also like to remind Members that we are still in the pre-election period, so we need to be careful in our discussion to avoid unnecessary party-political statements.

### 74 CALL OVER

- 74.1 The following items were reserved for discussion:

Item 77	Targeted Budget Management 2019/20 Month 7
Item 78	Treasury Management Strategy Statement 2019-20 – Mid Year Review
Item 79	Draft General Fund Revenue Budget and Capital Strategy 2020/221
Item 80	Council Tax Reduction Review

Item 81	Black Rock Enabling Works
Item 82	Waterfront Project
Item 83	Brighton i360 Loan Restructure
Item 87	Corporate Plan
Item 88	Climate Assembly
Item 91	Q2 Progress Update Corporate Key Performance Indicators 2019-20
Item 92	Review of the Constitution
Item 96	Deed of Variation to the Integrated Waste Management Services Contract

74.2 The following items were approved without discussion:

Item 84	Governance of Major Regeneration & Infrastructure Projects
Item 85	New England House
Item 86	Royal Pavilion and Museums – Transfer to RPM Trust
Item 89	Corporate Enforcement Framework
Item 90	Customer Experience Strategy
Item 93	Women in Local Government
Item 94	Procurement of Short Term and Emergency Temporary Accommodation
Item 95	Committee Timetable

## 75 PUBLIC INVOLVEMENT

### 75(a) Petitions

75.1 There were no petitions.

### 75(b) Written Questions

75.2 Mr R Stammeijer asked the following question:

#### Rent Levels & License Fees

When deciding on rent levels and license fees regarding its property portfolio, what consideration does the council take on the wider social value provided by the lessee and what formal consultation does the council undertake when making significant changes to charges?

75.3 The Chair gave the following response:

The council's property portfolio is significant and varied. In summary, it includes:

- Operational properties (offices, schools, libraries, leisure)
- The Seafront Portfolio
- The Agricultural Portfolio
- The Commercial Investment Urban Portfolio
- HRA properties (some of which are commercial eg shops)
- Community Assets

The purposes for holding these properties is equally varied depending on the property, its use, who occupies, the basis of acquisition, its location and so on. There are a

myriad of factors that influence decision making in relation to each property and decisions are made on a case by case basis in compliance with the Council's constitution and policies; including but not limited to: The Corporate Property Strategy and Asset Management Plan, The Seafront Strategy, The City Downland Estate Policy and the Corporate Asset Transfer Policy.

Social value is at the forefront of our thinking and we look for these opportunities when granting tenancies and negotiating terms. We will consider the social and environmental benefits that are being proposed that could relate to bringing community groups together to look after and improve an area, benefits on the health and well-being to the community, engaging with the community on training, apprentices and learning of new skills, forging links with local community groups and creating community hubs. These community benefits will depend on the proposed uses of the tenancy and more importantly and will add value to any negotiation.

In nearly all circumstances rents and licence fees are negotiated directly with the tenant or their representative, the exceptions being seafront chalets.

75.4 Mr Stammeijer asked the following supplementary question:  
Will the Council agree to take steps to limit the proposed rent review for Brighton Sailing Club to CPI or RPI, which is the increase we charge our members rather than the 37% proposed by the Seafront Estate Surveyor? We would be delighted if a member of this Committee would work with us and the Seafront Surveyor to come to a reasonable solution that reflects the social value framework and provision of amateur sports facilities that the Council promotes. Increased rents of this magnitude would impact on our ability to provide sports facilities and social inclusion provision for people who would benefit most, together with the thousands of members and affiliates of our club.

75.5 The Chair said that a written response would be provided.

75.6 The following answer was provided:

The rent review proposal sent to Brighton Sailing Club is a quoting rent to commence negotiations between landlord and tenant in accordance with the terms of the lease. The Seafront Estates Surveyor and Seafront Development Manager would welcome a meeting with the Sailing Club trustees to learn about the Club's social value framework and understand the Club's accounts so a fair and reasonable rent review settlement can be reached.

### **75(c) Deputations**

75.7 There were no Deputations.

## **76 MEMBER INVOLVEMENT**

### **76 (a) Petitions**

76.1 There were none

### **76 (b) Written Questions**

76.2 The Chair noted that 16 questions had been submitted, but due to the large number of items on the agenda it was agreed that written answers would be provided without discussion. The questions and answers are as follows:

**1. Councillor Hugh-Jones**

What plans are there, if any, to use funds from the Preston Park reserve in the next year and, if there are any, by how much will they deplete the reserve?

**Chair's Response**

There are no definite plans for using the Preston Park reserves in the next year. Consideration is being given to seeking external funding for investment in the restoration of Preston Park. In this case the reserve would be used for match funding towards any bid. The fund would only be used in this way, in consultation with Members and the Friends of Preston Park.

**2. Councillor Hugh-Jones**

What provision is there in the budget currently for energy efficiency measures in relation to existing housing stock?

**Chair's Response**

Work is currently in place to identify future investments in energy efficient measures in relation to our existing housing stock and there will be more detail in a paper coming to the Housing Committee in January. I can confirm that at present we are estimating an investment of £3.2 million focused on sustainability and carbon reduction which includes domestic and communal heating improvements, a ground source heating project at one of our sites and investment in home energy efficiency, insulation improvements and renewables.

**3. Councillor Gibson**

How much interest is currently payable to BHCC on lending to other local authorities on loans for 3, 6, 9, 12 and 18 months?

The council can obtain the following current market interest rates when lending to other local authorities, although these can fluctuate daily:

3 months: 0.75%  
 6 months: 0.80%  
 12 months: 1.00%  
 18 months: 1.25%

These interest rates change regularly, mainly due to supply and demand. For example, rates have come down recently as a result of:

- a) This being a time of year where councils typically have low requirements for financing their capital programmes;
  - b) Expectations of a Base Rate cut in the medium term; and
- Councils preferring to take out PWLB borrowing over the summer when this was at historically low rates.

**4. Councillor Gibson**

What is the estimated annual difference in cost to the council between a 1 bed buy back property used as temporary accommodation (and let at LHA rents) and an average 1 bed property leased from a private landlord and an average 1 bed unit of short-term temporary accommodation?

### Chair's Response

The cost of a one bed buy back property is generally cost neutral to the HRA as the viability modelling ensures that the rental stream pays for any financing costs of borrowing as well as the management and maintenance costs. The net cost per year for other 1 bed temporary accommodation properties are £1,600 for a leased property and £5,100 for a short-term emergency flat. In both cases the net costs are based on the cost of the property together with estimated management costs, netted off against income

### 5. Councillor Gibson

What was the annual income obtained by the council in 2018/19 for each of 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> car permits in CPZ?

### Chair's Response

14.7% of all resident parking permits that were issued in 2018/19 were either 2<sup>nd</sup>, 3<sup>rd</sup> or 4<sup>th</sup> permits.

The total income from these permits was £647,000, of which £539,000 was 2<sup>nd</sup> permits and £108,000 3<sup>rd</sup> and 4<sup>th</sup> permits.

### 6. Councillor Gibson

Can you breakdown the numbers of vehicles in CPZs issued with low emission permits and higher emission permits and provide the total income for each of low emission and high emission permits to date?

### Chair's Response

For 18/19 Financial year, income per emissions band

12 Month	20,097	-£2,554,671.03
12 Month HE	5,212	-£831,209.48
12 Month LE	3,385	-£215,139.67
3 Month	13,330	-£610,595.80
3 Month HE	3,047	-£176,132.90
3 Month LE	1,579	-£37,136.57

19/20 Year to date

	Count (YTD)	Sum (YTD)
12 month	13,577	£1,764,997.00
12 month HE	4,454	£705,935.55
12 month LE	2,957	£186,990.00
3 month	8,640	£398,923.50
3 month HE	2,295	£134,025.60
3 month LE	1,948	£36,000.75

LE = Low emission  
HE = high emission

### 7. Councillor Gibson

How much rent has BHCC collected (expressed as a % of rent due) to date in 2019/20? (and if this collection rate continues for the rest of the year how much will BHCC be required to pay seaside homes under the rent guarantee agreement?)

#### Chair's Response

The council has collected 85.6% of rent due in 2019/20 up to 31/10/19. The council is due to pay 91% of rent due in 2019/20 to Seaside homes and currently this is estimated to total £4.444m. Therefore, based on this collection rate continuing for the rest of the year, this would lead to a forecast shortfall of £0.266m in rent to be met by the council. However, this forecast could reduce depending on the success of the current financial recovery plan. The service has been reviewing the collection processes and procedures to improve collection rates going forward and is trying to address an anomaly that has arisen with the Department of Work and Pensions around the payment of universal credit for those in Seaside Homes properties.

### 8. Councillor Gibson

Can a table be provided for each of the years 2011 to 2019 inclusive setting out:

- The pay ratio between the highest paid council officer to the lowest paid for BHCC;
- Indicating the number of employers in the city signed up to the Brighton Living wage on a voluntary basis each year

#### Chair's Response

**BHCC Pay Ratios and VLW Employers in Brighton & Hove 2011 - 2019**

Year	Salary Low	Salary High	Ratio	VLW employers*
2011	£12,787	£170,000	13.29	0 - 100
2012	£13,874	£150,000	10.81	0 - 100
2013	£14,373	£150,000	10.44	100
2014	£14,759	£150,000	10.16	117
2015	£15,144	£150,000	9.90	228
2016	£15,941	£151,500	9.50	300
2017	£16,302	£153,015	9.39	350
2018	£16,881	£156,075	9.25	450
2019	£17,364	£159,197	9.17	576

\* Source: Brighton & Hove Living Wage Campaign

### 9. Councillor Gibson

Can you provide a detailed breakdown on how much of the £129K additional funding for the sustainability team (agreed at budget council in February 2019) for the staff and resources has been spent to date, giving indication of what additional activity any staff and resources provided by the money has enabled to take place?

#### Chair's Response

Budget Council on 28 February agreed £190k in new funding to the council's Sustainability Team to provide staff and other resources required to expand activity in climate change mitigation and biodiversity protection and enhancement, following Council's unanimous declaration of climate and biodiversity emergencies in December 2018.

In 2019/20 all of the additional funding has been focused on a budget for sustainability initiatives as there are particular costs around the emerging Carbon Neutral 2030 programme which will help to develop our city response to the Climate Emergency, including supporting the development and delivery of a Citizens Assembly on climate change. A minimum £75k has been allocated to this. In addition, there is going to be modelling work required to inform the development of options for the Citizens Assembly.



In addition to this, approximately £25-30k of the funding is being used to develop the Circular Economy framework that is required by the Economic Strategy, which will present opportunities to understand how better use of materials, resources and space can help to significantly reduce our carbon footprint. The framework will start by focusing on two sectors initially: the built environment and construction, and the visitor economy, and it is anticipated that the framework could be approved in spring 2020. £20k is also going to be spent on developing new planning policy around the Natural Environment to ensure that planning policy delivers the most sustainable development possible. There is also going to be a future report to ETS recommending that £25k is assigned to the ChAMP project, which seeks to protect the city's Chalk Aquifer and the water supply.

From 2020/21 much of this initial work will be underway and funded, and then most of the funding will be allocated to new sustainability posts and a restructure of the Sustainability team will take place in the coming months. Roles are likely to include an additional Sustainability project manager and a Biodiversity officer.

#### **10. Councillor Gibson**

For the answer provided on 24th October full council to the question on actual borrowing in new homes for neighbourhoods modelling in which an average actual borrowing rate of 2.17% was applied to the models can you clarify if this average rate was applied to the modelled borrowing amounts at the time of scheme approval or to the actual quantity of borrowing that was undertaken in practice?

#### **Chair's Response**

The response provided on 24<sup>th</sup> October, included the re-modelling of all previously completed projects using an average rate of 2.17% as the discount rate. This was applied to the borrowing amounts assumed at the time of scheme approval. At scheme approval HRA borrowing is assumed to be required to fund the investment, however due to other areas of capital investment being re-profiled over a number of years this borrowing may not have been actually taken out. The work which has been re-profiled on the capital investment programme will still need to be carried out so the borrowing which the projects were supporting in the initial scheme approval will still be required in future financial years.

#### **11. Councillor Mac Cafferty**

What is our officers' understanding of percentage spend on section 117 between that for BHCC and other comparable authorities; what is our officers' understanding of percentage spend on hospital discharge costs compared to other comparator authorities. If neither of these are available, what is the projected percentage increase in spend in the next year?

#### **Chair's Response**

The contribution from BHCCG for section 117 has been static at £3.4m for some years the total forecast costs of Section 117 aftercare in 2019/20 for BHCC is £12.823m therefore BHCC are contributing 73% to section 117 compared to 50% in most other comparable authorities

The percentage spend on hospital discharge costs as a proportion of all Adult Social care expenditure for BHCC in 2019/20 is 7%. Information on this spend is not available from other authorities so we are unable to make a comparison.

## **12. Councillor Mac Cafferty**

With regard to adopted Green Group amendments for budget council in February, can we have detail on the implementation of the agreed £0.033m to create a recurring Community Clean-up Fund – to be used for anti-graffiti and other community clean-up work?

### **Chair's Response**

The exact wording of the amendment was “for CityClean to create a recurring city centre Community Clean-up Fund to be used for graffiti materials to be available for community groups and towards sustainable street cleansing innovations such as hot foam technology to remove gum, grime and weeds”

Cityclean launched Community Clean Up inbox in September which we have promoted to inform people that they can contact us for materials for community clean ups. We were previously providing materials on requests made to individual officers. The Community Clean up inbox will make access to the community clean-up fund easier and more accessible to a wider range of people.

We have only started logging the specific costs of materials issued for community clean ups since we set up the new inbox at the end of September. We therefore can only provide an estimated expenditure on materials used for this purpose which is £16k. This has provided paint, cleaning products; equipment; community storage units for materials which includes 6 community ‘Superbins’ and a strongbox. The demand for community strongboxes (for storing materials) is high and they are also more efficient as we can keep them stocked with materials rather than making special journeys. This also gives the groups greater independence and flexibility, so we are looking to invest another £5k for 5 more boxes in the near future to meet demands. This does depend on us finding a suitable location and key holders.

We have taken the opportunity of the additional funds for material to expand the ‘tidy up team’ approach from working in parks to working across the city wherever volunteers want to hold a tidy up event. We have now have more than 100 Tidy Up Team volunteers and a large number of community groups and individual who regularly clean up their area and paint out graffiti. So far this year there have been 163 beach cleans supported by the council and the community clean-up fund. We are grateful to all of the volunteers and community groups who make such a valuable contribution to their communities.

We are researching new street cleansing equipment to steam clean pavements. We have trialled hot foam technology, but we have further research to do.

Any remaining funding from the additional £33k will be used as a contribution towards the cost of hiring temporary staff in the summer to manually remove weeds.

## **13. Councillor Mac Cafferty**

Further to an oral question at P&R in the summer, I received some information about waste PFI one off resources being used to inflate the base budget. Are they being used elsewhere?

#### **Chair's Response**

Waste PFI reserves are held to meet future unitary PFI payments under the terms of the contract and in accordance with the latest financial model. The reserves are reviewed at least twice each year as part of the budget setting and annual closure of accounts processes. They may also be reviewed whenever variations to the contract affecting the financial model are negotiated and agreed by the parties. Any release of PFI reserves provides one-off funding which can be used for revenue or capital investment or, alternatively, used to mitigate financial pressures such as in-year overspends or collection fund deficits. For example, the 2019/20 budget included the use of £400,000 released Waste PFI reserves to provide one-off funding over a period of two years to augment services to 'high support homeless people.' Waste PFI reserves cannot be used to increase the council's base budget on a permanent basis.

#### **14. Councillor Mac Cafferty**

I asked about the insurance fund in the summer. A full list of what the insurance fund covered wasn't available can I have the list of what is covered?

#### **Chair's Response**

The council's internal insurance fund is used to finance the settlement of claims relating to self-insured risks including agreed excesses or 'deductibles'. This includes cover for current claims for which we will have an estimate of the likely settlement figure, but the fund also needs to be maintained at a level sufficient to cater for claims relating to incidents that have occurred but have not yet been reported as well as potential future incidents giving rise to claims. In this respect, the fund is reviewed every two years by an independent actuary to assess the levels of risk across the whole sphere of council assets and activity. The levels of self-insurance currently provided for by the fund are as follows:

Liability insurances: The first £100,000 of each and every claim is payable against the following externally procured insurance policies:

- Public Liability
- Employers Liability
- Officials Indemnity
- Professional Indemnity
- Libel and Slander
- Public Health Act
- Local Land Charges

Education Property Loss or Damage (Buildings and contents): The first £100,000 of each and every claim.

All Risks Insurance: The first £10,000 of each and every claim. This includes loss of or damage to items such as the collections in the museums and Royal Pavilion, The Mayor Regalia and goods seized by Trading Standards.

Housing Property Loss or Damage to buildings: The first £25,000 of each and every claim.

Motor insurance: The first £150,000 of each and every claim.

**15. Councillor Mac Cafferty**

In July's P&R I raised concerns about carry overs, specifically that sums could be carried over for a number of years with the rationale for spending changing dramatically over time. Although I was given some information that BHCC does indeed have a 'Carry Forward' figure which is part of the TBM provisional outturn report, in terms of good financial housekeeping I would be interested in more detail on the totals especially for very large amounts and what budget lines those relate to.

**Chair's Response**

Each year full details of all proposed carry forwards are reported to Policy & Resources Committee as part of the TBM Provisional Outturn report, usually in June or July. Every Carry Forward is listed and detailed including those supported by specific government grants. There are no other carry forwards allowed other than very minor amounts of under £50,000 (fifty thousand) that the Chief Finance Officer may authorise under the council's scheme of delegation. For example, the 2018/19 carry forward list identified £2.745m carry forwards which were approved by Policy & Resources Committee in July 2019. Some items can be carried forward for more than 1 year, but this is usually only where the source of funding is from a range of strategic partners and the council is committed to using the funds for a designated purpose.

**(16) Councillor Gibson**

In the November 2018 rough sleeper count, how many of the rough sleepers found were not known to St Mungo's?

**Chair's Response**

There were 19 individuals identified in the 2018 street count who were not previously known to outreach services.

**76 (c) Letters**

76.3 The Committee considered a Letter from Councillor Osborne regarding the lack of free ATM machines within the Hollingdean and Stanmer Ward.

76.4 The Chair gave the following response:

Thank you for your letter and for raising the important issue of how we can tackle financial inclusion and uneven access across the city to free ATMs or cash machines. It is positive that the LINK has set up a delivery fund so that all communities can request help with accessing cash through free ATMs. Any member of the public can get in touch directly with LINK or via their MP or local council to suggest a new location for an ATM in their area.

The Council has done work on this previously when working on the financial inclusion strategy. At that time we identified areas that did not have access to free machines and

produce a map free cashpoints in this city, and made this information available to residents. We also lobbied nationally but found that the feedback from the banking industry was that decisions about locations for cashpoints were dependent on high footfall, good security, and good access in order to viable.

The Council also looked into the possibility of locating free ATMs at the Housing Centre, libraries, Moulsecomb leisure centre but this wasn't feasible because the banks said as there wasn't a high enough footfall it would be too costly to provide the service to refill and maintain the ATMs; plus security issues arising from having cash on site and how would we provide access to the ATM securely out of hours.

In terms of this latest initiative where the LINK have set up a delivery fund for free ATMs to be installed in new locations, I have asked the Housing and Communities teams to look at whether any of our 'cold spot' locations might be eligible for a funding for a free LINK machine. Officers will also refresh the map of where free ATMs are located. We will also make contact with Network Rail and GTR about their machines.

The council continues [since 2014] to invest, annually, £200,000 in a community banking partnership for the city. You may well be aware of this provision know under the brand of 'Moneyworks'. This is a partnership of twelve voluntary sector organisation lead by Citizen Advice Bureau providing a package of integrated services across the city that include:

- Money advice
- Banking: access to basic banking, bill and debt repayment services
- Credit: access to affordable loans
- Deposits: access to savings facilities and incentives to save
- Education: improved financial capability and money management skills, increased awareness of the dangers of loan sharking and illegal money lending
- Food and fuel: integrating work around fuel efficiency and healthy food as part of household budgeting

Lastly you have asked for a report which reviews the council's Financial Inclusion Strategy; reviewing the strategy will be work planned for the next 12-18 months dependent on council capacity.

76.5 The Committee agreed to note the Letter.

#### 76 (d) **Notices of Motion**

(i) Fur Free City

76.6 The Committee considered the Notice of Motion which had been referred from Full Council held on 24 October 2019

76.7 **RESOLVED:** The Committee agreed to call for a report.

#### 77 **TARGETED BUDGET MANAGEMENT (TBM) 2019/20: MONTH 7**

77.1 The Committee considered the report of the Executive Director Finance & Resources which set out the forecast risks as at Month 7 (October) on the council's revenue and capital budgets for the financial year 2019/20.

- 77.2 Councillor Clare was concerned about the overspend on home to school transport and the impact on the budget. The Executive Director Families Children & Learning said that at TBM 0 there had been an expected overspend of £350k but that had gone up by £500k. This was due to reviewing the route optimisation and moving to a DPS system, but the implementation had not gone according to plan resulting in some quite significant difficulties for children and their families in the city. The routes had been rebooked, there had been a move away from children sharing transport and there was an issue on how children were taken from the cars into schools which had all resulted in additional costs.
- 77.3 Councillor Mears referred to Seaside Homes rent collection, and suggested that it should be clearer that it was the Council who collected the rents rather than Seaside Homes. With regard to home to school transport overspend she said that she had raised this as a corporate risk at the meeting in July, but it wasn't as high as the overspend now being projected. The overspend was being attributed to contractors giving back routes, and asked for information on why that had happened. She had been advised that under the contract with Edge, the Council could terminate the contract if they failed to deliver the savings for four consecutive months and as there was an expected overspend for the whole year then they must have already failed and asked if their contract would be now terminated. In that contract Edge said that if they failed to deliver the agreed savings the Council could claim back a percentage of the under delivery and asked if that would happen. The Executive Director Families Children & Learning said that the independent review would take place in January and would look at all the issues around the contract.
- 77.4 Councillor Allcock said that there had been pressure on the budget for home to school transport for a number of years and it had needed to be addressed. He noted the overspend and asked if that was solely related to the difficulties that had occurred over the summer, and was advised that it wasn't and there had been an overspend from previous years.
- 77.5 Councillor Mac Cafferty noted the high cost of agency staff at City Clean and asked what was being done to address that. The Executive Director Economy Environment & Culture accepted that it was high but said that was partly due to having to ensure the right level of service was provided, but it had also been necessary to use specialist agency staff to comply with the operating licence requirements. Work was being undertaken to look at recruitment which was part of the modernisation project. The Executive Director Finance & Resources said the Council had been looking at the use of agency staff for the last three years and it was expected that by the end of this year it would have reduced by a quarter.
- 77.6 Councillor Shanks noted the overspend in the NHS Managed Partnership Performance and said it appeared that the Council were owed money by the CCG, and asked if it was being reclaimed. The Executive Director Health and Adult Social Care said that there was complex funding between the CCG and the Council and negotiations were currently being held on this matter.
- 77.7 **RESOLVED:** That the Committee

1. Noted the forecast risk position for the General Fund, which indicated a budget pressure of £3.974m. This included an overspend of £0.061m on the council's share of the NHS managed Section 75 services.
2. Noted that the one-off financial risk safety net of £0.855m is available to mitigate the forecast risk if the risks cannot be completely eliminated by year-end.
3. Noted the forecast for the Housing Revenue Account (HRA), which is currently an underspend of £0.200m.
4. Noted the forecast risk position for the Dedicated Schools Grant which is an underspend of £0.297m.
5. Noted the forecast outturn position on the capital programme and approve the variations in Appendix 6 and the new schemes as set out in Appendix 7.
6. Approved the creation of a cemeteries maintenance reserve as set out in paragraph 9.9.

## **78 TREASURY MANAGEMENT STRATEGY STATEMENT 2019/20 - MID YEAR REVIEW**

- 78.1 The Committee considered the report of the Executive Director Finance & Resources which set out the annual targets and the methods by which they would be met.
- 78.2 Councillor Gibson referred to the average of the maturity of debt portfolio and asked if there was an ideal level, he asked if it was known what the current average rate of the return on our treasury management was and referred to the debt outstanding on the General Fund and asked what the average rate at which the i360 were repaying the Council on an annuity basis. The Executive Director said that he didn't have that information available to respond to the questions and so a written answer would be provided

### **78.3 RESOLVED:** That the Committee

1. Noted the key actions taken during the first half of 2019/20 to meet the TMSS and the investment strategy as set out in this report.
2. Noted the reported compliance with the AIS for the period under review.
3. Noted 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.

## **79 DRAFT GENERAL FUND REVENUE BUDGET AND CAPITAL STRATEGY 2020/21**

- 79.1 The Committee considered the report of the Executive Director Finance & Resources which presented the draft budget proposals for 2020/21 together with Medium Term Financial projections.

- 79.2 Councillor Shanks noted a reduction in funding for school governance support, and was advised that that would be met by increasing the traded offer which the Council had with schools rather than having to reduce provision.
- 79.3 Councillor Mac Cafferty asked if there were obvious things that the Council were doing to enable us to see out over the extra three years. Officers said that ensuring sustainability for the authority was important. The Council were in a reasonable position and there was a balanced budget. The Authority had an experienced service manager, good resources and a strong finance team.
- 79.4 Councillor Yates thanked officers for the report and said that officers had incorporated all the Council agreed commitments wanted into the budget. However, it hadn't been able to check that they were aligned with the Council's four-year corporate plan, which was being discussed later, and so work would be undertaken with the opposition parties to do that. The administration wanted to be more transparent in how we go from the proposals to the final budget, and asked the lead councillors from all the political groups to make themselves available to run a surgery to allow interested parties from across the city to comment on the budget.
- 79.5 Councillor Clare was concerned that the reduction to funding to school governance support and how that may relate to school improvement. Officers said that saving had been put in as the percentage of good and outstanding schools in the city had increased and so the level of intervention required had reduced and so it was felt to be an achievable saving.
- 79.6 Councillor Clare asked why the table showing the local election reserves had been included in the report. Officers said that it had been agreed last year that rather than having find a large one off sum of money every four years that a sum would be allocated each year.
- 79.7 Councillor Clare referred to the EIA 9 'Safer Communities: Domestic and Sexual Violence Service', and asked why it had gone from 5 to 1 and why cuts were being made. Officers said the information wasn't available and so a written response would be provided after the meeting.
- 79.8 Councillor Clare referred to the reorganisation to the Comms Team and asked for assurance that they would still be able to deliver the same high level of service. Officers said that resources were constantly reviewed and noted that some funding was provided on a project by project basis, but savings had to be made and it was felt that these would be achievable.

**79.9 RESOLVED:** That the Committee

1. Noted the updated forecasts for resources and expenditure for 2020/21 based on a planning assumption of a 1.99% Council Tax increase and 2.00% Adult Social Care Precept.
2. Noted the 2020/21 Budget Plans at Appendix 2 including draft savings proposals for 2020/21.



3. Directed that the draft savings proposals identified at Appendix 2 be subject to further consultation and engagement with all relevant stakeholders as appropriate, meeting all statutory consultation requirements.
4. Noted the update on the separate Schools and HRA budget setting processes set out in section 7.
5. Noted the Capital Strategy update set out in paragraphs 5.13 to 5.16.
6. Agreed the approach to engagement and consultation set out in paragraph 9.4.
7. Received and noted the draft Equality Impact Assessments undertaken in relation to the draft budget proposals.
8. Noted that subsequent decisions and information from central government regarding the Local Government Financial Settlement (LGFS) may impact on the proposals in this report.

## **80 COUNCIL TAX REDUCTION REVIEW**

- 80.1 The Committee considered the report of the Executive Director Finance & Resources on the Council Tax Reduction (CTR) Scheme.
- 80.2 Councillor Shanks asked what the costs of administering the CTR scheme would be. The Executive Director Finance & Resources said that there would be the actual cost of the subsidy, but if that were excluded there would be officer time and the cost of the system which needed to be updated each time there was a change, and so an estimate would be in the low £100ks.
- 80.3 The Chair noted that there was an amendment from the Green Group and asked Councillor Gibson to introduce it.
- 80.4 Councillor Gibson said that it was important that as much could be done as possible to alleviate austerity and the CTR scheme did that. There was concern that over the last few years £2.2m had been taken out of the scheme. It was accepted that the fundamentals of the scheme could not be changed for next year, so the proposal was to align with the review of welfare support with a consultation on reducing the minimum liability on the current rate of 20%, reducing the taper rate and reducing or eliminating the requirement for residents to pay a minimum of £5 per week for 2021/2022. There was also a proposal to promote the discretionary fund and to increase the amount of money available in that fund. The following amendment was formally moved (changes in italics):

2.1 That the Committee confirms that the current Council Tax Reduction scheme shall continue without amendment, except for technical amendments to the amounts and allowances used to calculate entitlement.

*2.2 Committee notes the July 2019 decision of this committee, and that no consultation has yet been undertaken with residents on options for council tax bill support,*

~~2.7~~ 2.3 That the Committee confirms that officers should produce a further report following the General Election with more detailed proposals for a new welfare framework incorporating a city-wide view, i.e. having consulted with members from all Groups and key stakeholders. *Committee requests that such a report also outline specific timescales for a future council tax reduction consultation (for 2021-2022),*

2.4 *Committee notes that since 2015, £2.2m has been taken out of the CTR scheme, and agrees to consult residents on options for reframing the Council Tax Reduction Scheme in 2021/22 to align with other Welfare Support, with such a consultation including, but not limited to:*

- *Reduce the minimum liability below the current rate of 20%*
- *Reduce the taper rate below the current rate of 25p*
- *Reduce or eliminate the restriction on minimum council tax reduction, currently £5 per week or £260 per year;*

2.5 *Committee notes the absence of an agreed report on the result of promotion work done on the scheme and discretionary fund. Committee requests officers to undertake a marketing exercise to promote the Discretionary Fund, with a particular focus on working with city partners, housing associations and others, to ensure maximum reach to low-income households*

2.6 *That the Committee approves ~~£150,000~~ £200,000 funding for the discretionary fund in 2020/21; this would require additional one-off funding of ~~£140,000~~ £190,000*

2.7 *For Committee to agree to explore the introduction of additional one-off funding to support this marketing exercise as outlined in 2.4*

2.8 That the Committee confirms that work should continue towards the creation of a more comprehensive welfare framework that better joins up support from officers to residents in need.

2.9 That the Committee notes the options and provides a steer for wider consultation with stakeholders as the new welfare framework is developed.

80.5 Councillor Mac Cafferty said that at the P&R meeting in July 2019 it was agreed to help the city's poorest families and to provide improved promotion of the discretionary fund, but that had not been done and he hoped that what was agreed today would be taken forward. He formally seconded the amendment.

80.6 The Executive Director Finance & Resources was asked for a breakdown on the £2.2m cut to the CTR scheme. He agreed that there had been a reduction of £2.2m, and advised that the Government's grant to the Council to fund CTR had reduced by £8m. In net terms the Council had directed £6m to CTR, and there has been a commitment from the Council to keep that allocation as high as possible.

80.7 Councillor Allcock said that the Labour Group would support the proposed amendment.

80.8 The Committee voted on and agreed the amendment.

**80.9 RESOLVED:** That the Committee

1. Confirmed that the current Council Tax Reduction scheme shall continue without amendment, except for technical amendments to the amounts and allowances used to calculate entitlement.
2. Noted that despite a July 2019 decision of this committee, no consultation has been undertaken with residents on options for council tax bill support, thereby preventing substantive changes to the CTR scheme for 2020/21.
3. Confirmed that officers should produce a further report following the General Election with more detailed proposals for a new welfare framework incorporating a city-wide view, i.e. having consulted with members from all Groups and key stakeholders. Committee requests that such a report also outline specific timescales for a future council tax reduction consultation, as originally requested in a July 2019 decision of this committee.
4. Noted that since 2015, £2.2m has been taken out of the CTR scheme, and agrees to consult residents on whether the 2021/22 CTR scheme should:
  1. Reduce the minimum liability to 15%
  2. Reduce the taper rate from 25p to 20p
  3. Delete the restriction on minimum council tax reduction, being £5 per week or £260 per year.
5. Noted the absence of an agreed report on the result of promotion work done on the scheme and discretionary fund. Committee requests officers to undertake an urgent marketing exercise to promote the Discretionary Fund, with a particular focus on working with city partners, housing associations and others, to ensure maximum reach to low-income households.
6. Approved £200,000 funding for the discretionary fund in 2020/21; this would require additional one-off funding of £190,000.
7. Agreed to explore the introduction of additional one-off funding to support this marketing exercise as outlined in 2.4.
8. Confirmed that work should continue towards the creation of a more comprehensive welfare framework that better joins up support from officers to residents in need.
9. Noted the options and provides a steer for wider consultation with stakeholders as the new welfare framework is developed.

**81 BLACK ROCK ENABLING WORKS**

- 81.1 The Committee considered the report of the Executive Director Economy Environment & Culture which updated Members on progress with the Enabling Works.

- 81.2 Councillor Mac Cafferty said that this could be a good opportunity to review the entrance to the marina which he felt was unwelcoming for pedestrians and asked what discussions could be had about this. Officers advised that the owners of the head lease were ICG Longbow, and they had their own redevelopment plans for the marina and access was one of the issues they were considering.
- 81.3 Councillor Simson referred to the junction improvements at the top of Dukes Mound and was mindful that when Marine Drive was recently closed there were long delays and asked what issues the traffic modelling would consider. Officers advised that there would be new signalling at Dukes Mound, and when looking at the overall design they would take into account the developments at both Black Rock and Valley Gardens.
- 81.4 Councillor Mears asked at what stage the funding agreement with LEP was at. Officers said the Council had already entered into an agreement with LEP, and the Council would be able to continue to deliver the outputs which were agreed as part of that funding.

**81.5 RESOLVED:** That the Committee

1. Agreed that the planning application for a package of site preparation and public realm works at the Black Rock site and surrounding area are submitted to include:
  - Sea wall replacement and Marina pedestrian connection
  - Infrastructure to enable a future public transport “Marina access link”
  - Junction improvements and new signalling arrangements at Duke’s Mound.
2. Noted the recommendation elsewhere on this agenda to establish a task and finish cross party member working group consisting of 1 member from each group.
3. Agreed that officers continue to negotiate final terms of agreements with Brighton Marina Company, Longbow and Land Securities or the proposed new purchaser, CIT Group inc. in order to facilitate the rebuilding of the sea wall Black Rock frontage, the pedestrian connection and the Black Rock/Marina access link beneath the access ramps.
4. Authorised the Executive Director Economy, Environment & Culture to commence any procurements necessary to carry out the enabling works and to enter into any legal agreements required to facilitate the works.
5. Agreed the package of site preparation, infrastructure and public realm works up to £12.111m described in the Enabling Works section of this report and which is included in the council’s approved capital investment programme.
6. Noted the net loss of 10 car parking spaces in the Black Rock public car park to create informal play space.

**82 WATERFRONT PROJECT**

- 82.1 The Committee considered the report of the Executive Director Economy Environment & Culture which sought agreement to enter into a standstill agreement in relation to the

Conditional Land Acquisition Agreement signed in April 2019 with Aberdeen Standard Investments (ASI). The purpose of the standstill agreement was to allow ASI time to further explore and return with detailed proposals (including revised commercial and legal terms) regarding the potential for a new replacement for the Brighton Centre on the centrally located “central” site.

82.2 Councillor Shanks said that a new conference centre was urgently needed and asked for a timeline for the proposals. Officers advised that a further report would be available in twelve months.

82.3 Councillor Mears asked for reassurance that LEP funding could be used for what was required. Officers advised that during the planning process the Council would be working with the LEP to ensure that they were happy and would not proceed with the project if it became clear that they weren't.

82.4 Councillor Alcock said that a new conference centre was important and would bring jobs to the city and aid the local economy. Locating it in the city centre would be preferable and would add to the carbon neutrality as travelling to and from it would be easier.

**82.5 RESOLVED:** That the Committee

1. Authorised the Executive Director for Economy, Environment and Culture to agree the terms of and enter into a standstill agreement in relation to the Conditional Land Acquisition Agreement (CLAA) with Aberdeen Standard Investments.
2. Agreed that a commercial advisor is procured in order to support any future negotiations, to be funded from the Brighton Centre Reserve.

### **83 BRIGHTON I360 LOAN RESTRUCTURE**

83.1 The Committee considered the report of the Executive Director Economy Environment & Culture which set out the impact the BA i360 had had on the Brighton & Hove visitor economy, and the proposal that the loan from Coast to Capital Local Enterprise Partnership [‘the LEP’] was ‘novated’ to the city council (at no cost to the council) and was included in the loan restructure and acknowledged that a previous repayment received by the council was paid in error as it should have gone to the LEP, and so recommended that sum was repaid to the LEP and the amount recovered as an outstanding debt that the i360 owes the city council.

83.2 The Chair noted that in attendance at the meeting were Ms J Barfield (Chair of Board of Directors) and Mr I Hart (General Manager) would be available to answer any questions.

83.3 Councillor Shanks asked if the payment of £612k would include the interest payment to the PWLB, and was advised that it would.

83.4 Councillor Clare asked if councillors could be given oversight of the marketing strategy. Mr Hart said that it already did, as one of the executive members of the Council sat on the Board. Councillor Clare said that councillors, not officers, were the decision makers and asked that councillors have sight of the marketing strategy. The Executive Director

Economy Environment & Culture agreed to share it with the committee members and would advise if there were any sensitive commercial information contained within it.

- 83.5 Councillor Mears asked officers to take a more stringent view and ensure that all assurances were put in writing, as Councillors needed to be certain that officers were taking all necessary steps to safeguard the Council's finances.
- 83.4 Councillor Gibson asked the Board what pledges they could make about the next payment as the one made in June was too low. Mr Hart said that he had confidence in the business and the figures for the first sixth months of this year, together with a strong July, showed that it could be turned around.
- 83.5 Councillor Gibson asked what the average annuity rate the Council was receiving from the i360, and was advised that the Council borrowed at between 2.04% and 3.09% and then added a margin of 3.5% to that and so the average interest paid by the i360 was around 6.5%.
- 83.6 RESOLVED:** That the Committee
1. Noted the economic and social impact benefits the BAi360 has had on the city's visitor economy as set out at 3.1 and in the report at Appendix 1.
  2. Agreed to Coast to Capital Local Enterprise Partnership novating their Growing Places Fund loan of £4.06m and grants delegated authority to the Executive Director Economy, Environment & Culture to agree the terms of the novation agreement, enter into that agreement and take any other steps necessary to effect the novation.
  3. Acknowledged that £312,000 of loan repayment from BAi360 was paid in error to the city council and agrees to repay that money to Coast to Capital Local Enterprise Partnership whilst noting that it is a debt owed to the Council by the i360.
  4. Agreed to the loan restructure principles as set out at 3.16 and delegates authority to the Executive Director Economy, Environment & Culture and the Executive Director Finance & Resources; in consultation with the Members' Working Group as set out at 2.6, to negotiate a revised loan agreement to cover both the principal loan and the novated LEP loan based on those restructure terms and enter into any legal agreements necessary to effect that restructure.
  5. Noted that the restructure cannot take place until early in the new year and agrees to defer up to £ £880,304.25 of the total payment due on 31 December 2019 under the loan agreement; and agrees not to take default action at this stage in relation to the failure to hit the financial ratios set out in the loan agreement.
  6. Agreed to establish a new permanent Members' Working Group, in accordance with the terms of reference at appendix 2, to oversee the city council's relationship with the BAi360. This will include agreeing future business plans and receiving regular updates on performance.
  7. Agreed to officers procuring ongoing advice on the visitor attraction market to help inform the process of agreeing the annual business plan.

**84 GOVERNANCE OF MAJOR REGENERATION & INFRASTRUCTURE PROJECTS****84.1 RESOLVED:** That the Committee

1. Noted that the Committee has previously given approval to set up a Project Boards for the King Alfred Centre redevelopment and Waterfront projects and agrees the Terms of Reference attached at Appendices 4 and 5.
2. Agreed to establish Project Board for the Madeira Terraces project and agreed the Terms of Reference attached at Appendix 6.
3. Agreed to establish a Task and Finish Member Working Group for the Black Rock site and agrees the Terms of Reference attached at Appendix 7.
4. Agreed to the name change for the Estate Regeneration Board and the revised Terms of Reference for Housing Supply Member Board attached in Appendix 8.

**85 NEW ENGLAND HOUSE**

- 85.1 RESOLVED:** That the Committee delegated authority to the Executive Director Economy, Environment & Culture to commence procurements required to facilitate progressing this project towards a detailed design and business case that will be brought to a future Policy & Resources Committee.

**86 ROYAL PAVILION AND MUSEUMS - TRANSFER TO RPM TRUST****86.1 RESOLVED:** That the Committee

1. Approved the legal agreements (the Services Contract and the Transfer Agreement) which will be put in place between the Council and the RPM Trust, and delegates authority to the Executive Director Economy, Environment & Culture to make minor amendments to the legal agreements and to make material amendments in consultation with group leaders.
2. Delegated authority to the Executive Director Economy, Environment & Culture to appoint 3 members to the board of the RPM Trust as nominated by the leaders of the three political groups.
3. Agreed that the Royal Pavilion & Museums service will transfer to the Royal Pavilion & Museums Trust on 1 April 2020.
4. Agreed that leasing the buildings to the RPM Trust will help to secure the promotion and improvement of the economic and social well-being of the area and that the Council should enter into leases based on the appended heads of terms (Appendix 6) and delegates authority to the Executive Director Economy, Environment & Culture to agree the final terms of those leases.
5. Delegated authority to take any other steps necessary to implement the transfer of the service to RPM Trust in consultation with group leaders.

6. Agreed to the Trust joining the Local Government Pension Scheme (LGPS) as an admitted body on an 'open' scheme basis.
7. Approved the amended IPR Policy appended to the Collection Schedule (Appendix 4).
8. Approved the proposal for the Council to carry out works to the roof of the Brighton Museum and Art Gallery and authorises the Executive Director, Environment & Culture to commence any procurements necessary to complete these works and agrees to a capital budget of £1.260m being included in the council's Capital Investment Programme.
9. Approved the indicative fee of £1.181m reducing to £0.691m per year for the fee term 1 April 2020 to 31 March 2025 subject to approval at Annual Budget Council in February.
10. Agreed to make a cash flow facility of up to £0.500m available to the RPM Trust within the first five years of operation and to delegate authority to the Executive Director, Environment & Culture and the Executive Director, Finance & Resources to agree the terms and repayment period if called upon

## **87 CORPORATE PLAN 2020-2023**

- 87.1 The Committee considered the report of the Executive Lead Strategy Governance & Law regarding the draft Corporate Plan 2020-23 which is part of the Council's Policy Framework.
- 87.2 The Chief Executive said that the current Corporate Plan ran out in March 2019 and so it was time for a new one to be produced. It was important for any organisation to have a plan to reflect any changes in the world, and the needs and expectations of residents and service users. In May 2019 we had local elections and a result half of the current Councillors are new, and they have brought in fresh thinking and new ambitions and the plan reflected their views. The Council surveyed staff on a regular basis and one of the things that had come out of that was that they wanted clear direction from the leadership, and it was important that they understood what the Council would do. A Corporate Plan is also welcomed by stakeholders in the city and partners the Authority worked with to understand what the priorities were.
- 87.3 Councillor Gibson welcomed the Plan but suggested that some of the actions could be more specific and measurable. He referred to page 26 of the Plan and the section on Measuring Progress and said it would be useful to signpost the fact that progress on the housing goals would be reported to every other Housing Committee meeting. He referred to page 9 of the Plan and noted that it said that there were '197 newly developed rented council homes with 500 more in the pipeline', but it didn't say how long that had taken and he suggested that the Plan could be clearer on timescales and to say how many homes there were per year and over what period of time. The same page also said that the Council had 'helped bring 125 properties back into use between April and December 2018' and he thought that it would be better to give the amount for the year.



87.4 Councillor Allcock welcomed the Plan which showed the corporate direction and met the three big challenges which were the climate emergency, homelessness and the need to build community wealth. It set out the six long term outcomes which the Council wanted to focus on. He said that the Plan had been developed with the Green Group and reflected key aspects of both group's manifestos and what people in the City wanted. The Plan set out the Council's priorities and direction of travel for the next three years, and was a key part of the Council's budget. Officers would be working on key performance indicators, and progress would be monitored by the relevant committees.

**87.5 RESOLVED:** That the Committee approves the draft corporate plan 2020-2023 for submission to full Council for final agreement on 19 December 2019.

## 88 CLIMATE ASSEMBLY

88.1 The Committee considered the report of the Executive Director Economy Environment & Culture, which provided an update on the work of the council to reduce city carbon emissions, including plans to establish a carbon reduction programme with the aim of making Brighton & Hove carbon neutral by 2030, and sought approval for the creation of a cross-party member working group to oversee the implementation of the carbon reduction programme and the development of an engagement programme to include a Brighton & Hove City Assembly.

88.2 The Chair noted that there was a cross party amendment and asked Councillor Mac Cafferty to propose the amendment.

88.3 Councillor Mac Cafferty proposed the following amendment (changes in italics):

That the Committee:

2.1.1 approves the establishment of a City Assembly;

2.1.2 notes the council's ongoing work to reduce carbon emissions;

2.1.3 notes the establishment of a carbon reduction programme to achieve the target of Brighton & Hove becoming carbon neutral by 2030;

2.1.4 notes the requirement to develop an engagement programme to inform this work, to include a City Assembly;

2.1.5 agrees to establish a cross-party member working group to oversee the implementation of the 2030 Carbon Reduction Programme; and *to allocate seats, with a suggested 3:3:2 balance;*

2.1.6 *agrees to identify resources through the budget-setting process for a Climate Change/Carbon Neutral budget line in the 2020/21 revenue and capital budget, to make provision to develop the proposals endorsed by the city assembly;*

2.1.7 notes the Notice of Motion agreed at 24th October Full Council and agrees that work on these measures be taken forward as part of the Carbon Reduction Programme.

88.4 Councillor Allcock seconded the amendment.

88.5 The Committee voted on, and agreed, the proposed amendments.

**88.6 RESOLVED:** That the Committee

1. Approved the establishment of a City Assembly.
2. Noted the council's ongoing work to reduce carbon emissions.
3. Noted the establishment of a carbon reduction programme to achieve the target of Brighton & Hove becoming carbon neutral by 2030.
4. Noted the requirement to develop an engagement programme to inform this work, to include a City Assembly.
5. Agreed to establish a cross-party member working group to oversee the implementation of the 2030 Carbon Reduction Programme; and to allocate seats, with a suggested 3:3:2 balance.
6. Agreed to identify resources through the budget-setting process for a Climate Change/Carbon Neutral budget line in the 2020/21 revenue and capital budget, to make provision to develop the proposals endorsed by the city assembly.
7. Noted the Notice of Motion agreed at 24th October Full Council and agreed that work on these measures be taken forward as part of the Carbon Reduction Programme.

## **89 CORPORATE ENFORCEMENT FRAMEWORK**

**89.1 RESOLVED:** That the Committee

1. Approved the procurement and award of contracts for enforcement services through a compliant framework for an initial term of 2 years with the option to extend for two periods of up to 12 months.
2. Supported the proposal for the corporate debt team, as part of its improvement programme, to develop business cases for bringing elements of enforcement in house in accordance with the objectives of the Corporate Debt Policy.
3. Noted the importance of debt collection as an essential function in order to be able to fund the priorities of the Council.

## **90 CUSTOMER EXPERIENCE STRATEGY**

**90.1 RESOLVED:** That the Committee

1. Approved the procurement and award of contracts for enforcement services through a compliant framework for an initial term of 2 years with the option to extend for two periods of up to 12 months.
2. Supported the proposal for the corporate debt team, as part of its improvement programme, to develop business cases for bringing elements of enforcement in house in accordance with the objectives of the Corporate Debt Policy.
3. Noted the importance of debt collection as an essential function in order to be able to fund the priorities of the Council.

## **91 Q2 PROGRESS UPDATE CORPORATE KEY PERFORMANCE INDICATORS 2019-20**

- 91.1 The Committee considered the report of the Executive Lead Strategy Governance & Law on Corporate Key Performance Indicators (KPIs) for the period 1 April 2019 to 30 September 2019.
- 91.2 Councillor Clare referred to paragraph 4.7 in the report and noted that of those KPIs that were reported and targeted in both 2018/19 and 2019/20, 50% have improved, 47% have declined and 3% had maintained performance at half way through the year, and asked whether the KPIs were realistic. The Head of Performance Improvement and Programmes said that due to the thoroughness of the target setting process, no indicator would have a Green value unless it met the national or local benchmark.

### **91.3 RESOLVED:** That the Committee

1. Noted the progress made in relation to Corporate KPIs, particularly the corrective measures outlined for 'red' and 'amber' indicators, and further note its role in providing support and challenge to lead officers to bring performance back on track.
2. Approved the inclusion of three further KPIs into the Corporate KPI set, as suggested by the KPI Cross Party Members Working Group and set out in Appendix 4.

## **92 REVIEW OF THE CONSTITUTION - DECEMBER 2019**

- 92.1 The Committee considered the report of the Executive Lead Strategy Governance & Law which set out the proposed changes to the Council's Constitution. The proposals set out in the report had been considered by the cross-party Constitutional Working Group.
- 92.2 Councillor Mears referred to Recommendation 2.3, asked for confirmation that a BAME individual would only attend a meeting whilst it was considering Part One items and not Part Two items. The Executive Lead Strategy Governance & Law said that a BAME representative would attend a meeting as an 'invitee', and under the Local Government Act 1972 it was not possible to co-opt a non-councillor to be a full member of a committee and as they would not be a full member they could not take part in any Part Two item.

92.3 Councillor Moonan said that under the previous administration a policy had been introduced to buy back homes. This was a quick way to get homeless people housed, and she was pleased that the policy was being extended. As many family homes the Council wanted to purchase were above the current limit, the Delegated Authority was being increased. The Constitution Working Group wanted the more marginalised groups in the city to have a voice in the decision making process of the Council, and whilst that was a detailed piece of work and would take some time, they wanted to do something straight away and having a BAME representative at P&R Committee meetings would signal the Council's commitment.

**92.4 RESOLVED:** That the Committee agreed -

Policy & Resources Committee

1. That the proposal to make changes to the Scheme of Delegations to Officers in Part 6 of the Council's Constitution relating to the Council's planning functions as indicated in Paragraphs 4.1-4.3 and Appendix 1 be agreed.
2. That the proposal to change Part 6 of the Council's Constitution to increase the financial threshold in relation to officer delegations governing the acquisition of residential property in para 4.5 be agreed.
3. That the proposal in para 4.9 to invite a BAME individual to attend Policy & Resources Committee early in 2020 be approved as a first step to increase participation and input by protected characteristic groups.
4. That the proposal in paragraphs 4.11 which relates to the arrangements for the Council's Member Working Groups be agreed.
5. That the draft protocol regarding the use of urgency powers attached at Appendix 6 and referred to at paragraphs 4.13-4.14 be agreed.
6. That Full Council be recommended to approve the changes recommended to it in paras 2.7 to 2.9 below.

Policy & Resources Committee and Full Council

7. 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 by Full Council, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
8. That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

**93 WOMEN IN LOCAL GOVERNMENT**

**93.1 RESOLVED:** That the Committee

1. Approved the proposals as set out in Appendix 1.

2. Requested officers to promote all roles, including senior roles, available for flexible working and part-time.

## **94 PROCUREMENT OF SHORT TERM AND EMERGENCY TEMPORARY ACCOMMODATION**

### **94.1 RESOLVED:** That the Committee

1. Agreed to procure short term and emergency temporary accommodation via a new dynamic purchasing system (DPS).
2. Agreed that option 2 as set out in paragraph 3.9 should be used to develop the specification for the DPS. This service level is anticipated to create a minimum budget pressure of £0.300m requiring a funding commitment within the 2020/21 General Fund budget. If this exceeds available resources following announcement of the Local Government Financial Settlement, this would require equivalent savings from elsewhere across General Fund services.
3. Noted the indicative numbers of short term and emergency temporary accommodation units required in each year as shown in the table in Appendix 1.
4. Delegated authority to the Executive Director of Housing, Neighbourhoods and Communities in consultation with the Director of Finance & Resources, to:
  - (i) Procure and award the DPS referred to in 2.1 with a duration of up to four (4) years; and
  - (ii) Award and enter into call-off contracts under the DPS referred to in 2.1.

## **95 COMMITTEE TIME TABLE 2020/21**

- 95.1 RESOLVED:** That the proposed timetable of meetings for the 2020-2021 municipal year be agreed; subject to any necessary amendments following changes to the Constitution and/or committees' requirements.

## **96 DEED OF VARIATION TO THE INTEGRATED WASTE MANAGEMENT SERVICES CONTRACT**

- 96.1 The Committee considered the report of the Executive Director Economy Environment & Culture which outlined the proposed arrangements for a Deed of Variation to the Integrated Waste Management Services Contract between East Sussex County Council and Brighton and Hove City Council and Veolia South Downs Ltd. The Committee noted that there was a Part Two item linked with this report (Item 99).
- 96.2 The Chair noted that there was an amendment from the Green Group and asked Councillor Shanks to introduce it.
- 96.3 Councillor Shanks proposed the following amendment (changes in italics):

2.1 Approves the principle of entering into the Deed of Variation to the Integrated Waste Management Services Contract as set out in the report;

2.2 Delegates authority to the Executive Director for Environment, Economy and Culture, following consultation with the Executive Lead Officer for Strategy Governance and Law, to agree the final terms and enter into the Deed of Variation to the Integrated Waste Management Services Contract;

*2.3 Instruct Officers to identify how savings from contract variation could be ringfenced; in order to fund additional recycling measures, including collection of more plastics, and report back to the Environment Transport and Sustainability Committee.*

96.4 Councillor Clare seconded the proposed amendment.

96.5 The Chair asked if the Committee wished to go to Part Two to consider the appendix to this report (Item 99). The Committee confirmed that the information contained within Item 99 had been considered and there was no need to move to Part Two.

96.6 The Committee considered the proposed amendment and it was agreed.

**96.7 RESOLVED:** That the Committee

1. Approved the principle of entering into the Deed of Variation to the Integrated Waste Management Services Contract as set out in the report.
2. Delegated authority to the Executive Director for Environment, Economy and Culture, following consultation with the Executive Lead Officer for Strategy Governance and Law, to agree the final terms and enter into the Deed of Variation to the Integrated Waste Management Services Contract.
3. Instructed Officers to identify how savings from contract variation could be ringfenced; in order to fund additional recycling measures, including collection of more plastics, and report back to the Environment Transport and Sustainability Committee.

**97 ITEMS REFERRED FOR COUNCIL**

97.1 No items were referred to Full Council

**98 PART TWO MINUTES**

98.1 **RESOLVED:** That the Part Two Minutes of the meeting held on 10 October 2019 were agreed as a correct record.

**99 DEED OF VARIATION TO THE INTEGRATED WASTE MANAGEMENT SERVICE CONTRACT**

99.1 This report provided supporting information for Item 96. The Committee noted the information contained in this report when they agreed the recommendations in Item 96.

**100 CITY CLEAN AND FUTURE INDUSTRIAL RELATIONS**

- 100.1 The Committee considered the report of the Executive Lead Strategy Governance & Law which updated Members on progress in relation to a dispute raised by GMB regarding grievance and disciplinary matters within the City Clean service, and suggested a way forward having regard to the findings and recommendations of the Independent Review, the ACAS dispute resolution process and the on-going programme of service modernisation across City Clean.
- 100.2 The Executive Lead Officer introduced the report and updated Members on the latest position including some outstanding areas of disagreement. He stated that officers will try to progress a resolution of the dispute and update Members at a future meeting.
- 100.3 The Committee heard from the Independent person who undertook the Independent Review, and from representatives of the GMB and Unison unions. Members asked them questions for clarification and thanked them for their attendance
- 100.4 **RESOLVED:** That the Committee -
1. Noted the report of the Independent person;
  2. Agreed the findings and recommendations in the report, including the finding regarding allegations of anti-trade union behaviour by management;
  3. Agreed, without prejudice to the formal JNC procedures, that there is no need to invoke disciplinary proceedings against Chief Officers. Members further agree that the Monitoring Officer be designated as the “receiving officer” should that be necessary.
  4. Welcomed the fact that all parties have indicated their acceptance of the report and its recommendations and that Members note the progress made through the ACAS process;
  5. Supported and, where necessary authorised, Officers to progress the implementation of the recommendations where there is no disagreement and subject to consideration of the impact on the ACAS process;
  6. Noted and supported the proposed establishment of an Industrial Relations capacity to support the improvement of Industrial Relations;
  7. Noted the outstanding areas of difference and asked Officers to seek resolution, using the ACAS process where appropriate, and report on progress to the Committee in the new year.

**101 PART TWO PROCEEDINGS**

- 101.1 **RESOLVED:** That the items listed in Part Two of the agenda and decisions thereon should remain exempt from disclosure to the press and public.

The meeting concluded at 10.20pm

Signed

Chair

Dated this

day of