

BRIGHTON & HOVE CITY COUNCIL

POLICY & RESOURCES COMMITTEE

4.00pm 14 JUNE 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), Davey, Hamilton, Mitchell, A Norman, Peltzer Dunn, Shanks, G Theobald (Opposition Spokesperson) and West.

Other Members present: Councillors Bennett, Brown and Mears.

PART ONE

1. PROCEDURAL BUSINESS

(a) Declarations of Substitutes

1.1 Councillor Davey declared that he was attending the meeting as substitutes for Councillor Wakefield.

(b) Declarations of Interest

1.2 There were no declarations of interest.

(c) Exclusion of Press and Public

1.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of the items listed on Part 2 of the agenda.

1.4 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the item listed on Part 2 of the agenda.

(d) Call Over

1.5 The Chair stated that he felt it would be helpful to have a call over at meetings of the committee and had asked that an item be included on future agendas. In the meantime he would ask the Head of Democratic Services to undertake a call over for the current meeting.

1.6 The following items on the agenda were reserved for discussion:

- Item 7 - Targeted Budget Management (TBM) Provisional Out-turn 2011/12
- Item 8 - Corporate Plan Update 2012/13
- Item 9 - Organisational Health Annual Report
- Item 12 - Civil Marriages
- Item 13 - Supported Bus Service Network
- Item 14 - Supported Bus Service Network – Exempt Category 3.

1.7 The Head of Democratic Services confirmed that Items listed above had been reserved for discussion; and that the following reports on the agenda with the recommendations therein had been approved and adopted:

- Item 10 - Quarterly Surveillance Report June 2012
- Item 11 - Counter Fraud strategy Update 2012.

2. CONSTITUTIONAL MATTERS

2.1 The Monitoring Officer introduced the report and stated that similar reports were being taken to the various committees as there was a need for them to establish an urgency sub-committee. He noted that the Policy & Resources Committee was also asked to establish the Corporate Parenting Sub-Committee and Personnel Appeals Panel, which was also a sub-committee. The need for this had arisen because provision did not exist at this point in time within the appropriate legislation for the Council to establish sub-committees of committees.

2.2 RESOLVED:

- (1) That the committee's terms of reference, as set out in Appendix A to this report, be noted;
- (2) That the establishment of a Corporate Parenting Sub-Committee and a Personnel Appeals Panel with terms of reference and membership as set out in paragraphs 3.9 – 3.10 and Appendix 'B' of this report be approved; and
- (3) That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee be approved.

3. MINUTES

3.1 The Committee considered the minutes of the previous Governance Committee meeting held on the 20th March 2012, which had been circulated for information.

3.2 **RESOLVED:** That the minutes be noted.

4. CHAIR'S COMMUNICATIONS

- 4.1 The Chair welcomed everyone to the meeting and stated that he wished to offer the committee's congratulations to the Scrutiny Team on their recent success of winning the Centre for Public Scrutiny National Award for 'Innovation.' The team won the award for their work on the Traveller Scrutiny and were praised for running the scrutiny panel as a co-production and developing work rather than critiquing what was already in place.
- 4.2 The Chair noted that following the Special Policy & Resources Committee meeting, the council had received the keys to the Saltdean Lido and officers and external assessors had been working to compile a list of key issues in terms of repairs and outstanding matters. He stated that work was underway in regard to procurement options and an update was due to be given at the Economic Development & Culture Committee meeting on the 21st June.
- 4.3 The also reported that tickets had been made available across the city for the evening celebrations at the Cricket Ground to welcome the arrival of the Olympic Torch to the city. The tickets had been taken up within two hours of their release and he hoped that everyone attending would enjoy the evening. He noted that other events and options to celebrate the torch's progress through the city would be made known. He stated that the summer events season had started well with the successful Brighton Marathon, Brighton Festival and Jubilee celebrations. Further events planned included the Japan Festival, Paddle Round the Pier, the 'Takepart' sports festival and People's Day.

5. PUBLIC INVOLVEMENT

(a) Petitions

- 5.1 The Chair stated that he had been notified of one e-petition from a Mr. Redfern regarding the No.52 Bus Service, which was to be presented by Councillor Mitchell on his behalf. He therefore invited Councillor Mitchell to present the petition.
- 5.2 Councillor Mitchell thanked the Chair and stated that she had also been asked to present a further paper petition on behalf of a Ms. Alexander, which complimented the e-petition. The two petitions combined had attributed a total of 384 signatures in only a few days and showed the level of support for the No. 52 bus service. She hoped that this would be taken into account during the consideration of the item later on the agenda and commended both Mr. Redfern and Ms. Alexander for their efforts.
- 5.3 The Chair thanked Councillor Mitchell and stated that the Administration wished to support subsidised bus routes as much as possible and the two petitions would be taken into consideration during the debate on the Supported Bus Service Network item. He noted that the current proposals would amount to a reduction of 0.33% in subsidised routes and that compared favourably with other authorities which were looking at reducing as much as half of their subsidised routes. In the meantime he proposed that the petitions be noted.
- 5.4 **RESOLVED:** That the petitions be noted.

- 5.5 The Chair noted that Miss Hayward-Williams and Miss Foord had a further petition in support of the No. 96 School Bus Service and invited them to come forward to present their petition.
- 5.6 Miss Hayward-Williams explained that the No.96 school bus enabled children from the west of city to attend Blatchington Mill and Hove Park Schools and that without the service, they would be forced to travel into the centre of the city to change buses before travelling back out and adding at least an hour each way to their school journeys every day. The petition had been signed by 55 pupils.
- 5.7 The Chair thanked Miss Hayward-Williams and Miss Foord for coming to the meeting and presenting their petition. He stated that it would be taken into consideration during the debate on the item and proposed that it be noted in the meantime.

5.8 **RESOLVED:** That the petition be noted.

(b) Written Questions

- 5.9 The Chair noted that three written questions had been submitted for the meeting, but that unfortunately Ms. Paynter was unable to attend the meeting and he would therefore provide her with a written response. He then invited Mr. Hinton to come forward and put his question to the meeting.
- 5.10 Mr. Hinton thanked the Chair and asked the following question “The proposal to lend £14 million to the i360 company is based on two key figures, a forecast that 80,000 people will ride on the i360 each year (that’s over 2,000 a day on average) and a forecast that 440 new jobs will be created indirectly by the i360.

Will the Council publish the evidence and reasoning on which these two forecasts are based so that when the final decision is made, councillors and their constituents will have a clearer idea of what level of risk the Council will be taking with public money?”

- 5.11 The Chair thanked Mr. Hinton for his question and stated that the 800,000 figure was based on the anticipated use of the facility by the developer, however he would ensure that as much information as possible was made available in the public domain and the report that would come to the next meeting of the committee.
- 5.12 Mr. Hinton noted the information and asked the following supplementary question, “Will officers take into account the Brighton Wheel and its anticipated number of users as part of their due diligence for the i360?”
- 5.13 The Chair stated that the Brighton Wheel was a privately run operation and the company did not publish their figures; however officers would be able to collect information from other similar operations to the i360 across the country.
- 5.14 The Chair then invited Miss Hayward-Williams and Miss Foord to come forward and put their question to the Committee.
- 5.15 Miss Hayward-Williams and Miss Foord asked the following question, “Changes to school admissions in 2008 meant Withdean and Westdene children had to go to Hove

Park or Blatchington Mill Schools. As it is too far to walk the council helped by subsidising a bus service. No. 96 is a double-decker which is nearly full everyday and most children have bus passes costing £240 a year. If this service is cut we would have to get two buses via the centre of Brighton, adding 2 hours extra travel daily. There is no alternative service travelling east to west in the north of the city. How can the council justify this cut?"

- 5.16 The Chair thanked Miss Hayward-Williams and Miss Foord for their question and stated that it was not an easy decision and that the majority of school services had been retained as well as the overall number of services. He stated that the government had reduced funding to local authorities and they were all having to make similar decisions, with some reducing their services drastically. He stated that should the No, 96 service be withdrawn, the council would still be looking at how the children could be helped.
- 5.17 Miss Hayward-Williams stated that on Monday 59 children had used the bus and 52 would still need the bus next year. She therefore asked the following supplementary question, "What made the council choose to cut a full bus service?"
- 5.18 The Chair stated that it came down to a question of cost and measures had been used to look at various factors that related to each service and then proposals put forward in order to achieve the savings required. However, as he had indicated, the council would still work with parents, children and the schools to see if alternatives could be found. He thanked Miss Hayward-Williams and Miss Foord for attending the meeting and noted that there were no other questions.

(c) Deputations

- 5.19 The Chair noted that there were no deputations to be presented at the meeting.

6. ISSUES RAISED BY COUNCILLORS

- 6.1 The Chair noted that no there were no petitions to be presented by Members and no items had been submitted for consideration by councillors at the meeting.

7. TARGETED BUDGET MANAGEMENT (TBM) PROVISIONAL OUT-TURN 2011/12

- 7.1 Prior to the consideration of the item, the Chair stated that in view of the public interest in Item 13, Supported Bus Network and its financial relation to the item due to be considered, he intended to take Item 13 immediately after the conclusion of Item 7. He also noted that in so doing, there would also be a need for the committee to move into closed session for a period of time, in order to consider the information detailed in Item 14, before returning to open session and concluding the debate on Item 13.
- 7.2 The Director of Finance introduced the report which set out the provisional out-turn position for month 12 on the revenue and capital budgets for the financial year 2011/12. She noted that the final out-turn position was subject to an external audit review and that the financial statements had to be signed off by the 30th June, 2012. She noted that the Budget Council had already identified and committed £3.780m of the underspend of

£4.370m and that the success of the value for money programme and been a contributory factor.

- 7.3 Councillor Littman stated that he wished to commend the report to the Committee which showed the practical management of council funds over the last year and having achieved an underspend it meant that the council could fund important projects.
- 7.4 Councillor A. Norman noted that a £1.2m underspend greater than that which had been identified at Budget Council had been achieved and suggested that it could have been used to offset the increase in parking charges that had been applied to local businesses and for the promotion of the city during the summer. She queried whether the £250k identified in the report for sustainability was simply a means of putting back in the funding that had been removed at Budget Council and why the figure for the Play bus was so high. She also queried whether the capital receipts included the sale of CD1 and why the work in relation to improving empty properties had been delayed.
- 7.5 The Director of Finance stated that the £250k related to the council's priority for One Planet Living initiative.
- 7.6 Councillor Shanks stated that in regard to the Play bus, the budget figure was simply because it had been decided to allocate funding within the budget process for this service, which previously had not had its own budget entry.
- 7.7 Councillor West stated that the gains from investing in One Planet Living for the city and the council should not be overlooked and the savings that would be achieved would enable future investment in other areas.
- 7.8 The Chair welcomed the report and noted that CD1 had not been sold to date, but that the registration number was with agents who were actively looking to generate a sale.
- 7.9 Councillor Mitchell stated that she wished to thank the officers for the report, which demonstrated a good level of monitoring of expenditure and noted the balance of underspend that had been carried over from Budget Council and meant that other proposals could be supported. She therefore suggested that the Administration had an opportunity to re-prioritise its commitments and fund areas that were in need of support currently.
- 7.10 Councillor G. Theobald suggested that supporting bus services had to be a priority rather than losing them and that the underspend identified could be used to do this. He noted that a £162k had been spent on a food waste trial and that the travellers budget was overspent, all of which could have been used more effectively to support the bus services. He agreed with the Labour amendment in that the funding identified for sustainability could be better used for the bus services and stated that it had to be a question of priorities.
- 7.11 Councillor West stated that the overspend on the travellers budget was partly because there had not been a budget identified previously and noted that it had been reduced by £12k compared with previous years.

- 7.12 Councillor Hamilton questioned the costs of improving the Regency Car Park being charged to the revenue budget rather than capital, and why £14m could be found through borrowing for the i-360 and yet unsupported borrowing could not be used to support the bus services.
- 7.13 Councillor Mitchell then moved an amendment on behalf of the Labour & Co-operative Group, which sought to provide funding to maintain the supported bus services as follows:

“In having regard to the use of unallocated reserves as detailed in the TBM report the following points should be considered and changes made to the recommendations:

- (i) Appendix 2, Unallocated reserves - to transfer the sum of £226,000 identified for One Planet Living new projects to instead support the council subsidised bus transport budget thus keeping those routes open that are currently threatened with closure or a reduced service for a further year to allow for a complete review of the patronage for the routes planned to be cut or reduced and allow for continuing negotiations with the bus companies with a view to their investing in the services.
- (ii) That the balance of the £250,000 could then be used to support the continued provision of a mobile library service.

To add an additional two recommendations 2.3 and 2.4 as shown in bold italics and re-number the remaining recommendations 2.5 to 2.9 as shown below:

2. RECOMMENDATIONS:

- 2.1 That the Committee note the provisional outturn position for the General Fund, which is an underspend of £4.370m. This includes £3.831m for the council controlled budgets (compared to £3.187m assumed at budget setting time) and £0.539m on the NHS managed S75 budgets.
- 2.2 That the Committee note the provisional outturn for the Housing Revenue Account (HRA) for 2011/12;
- 2.3 ***That the sum of £226,000 identified in Appendix 2, unallocated reserves for One Planet Living new projects be transferred to support the council subsidised bus transport budget;***
- 2.4 ***That the remaining £24k from the unallocated reserves identified for One Planet Living new projects be transferred to the Mobile Library to help achieve a sustainable solution for the service;***
- 2.5 That the Committee approve the carry forward requests totalling £5.602m as detailed in Appendix 2 ***(as amended by 2.3 and 2.4 above);***
- 2.6 That the Committee approve the changes to provisions and reserves set out under Corporate Budgets in Appendix 1;

- 2.7 That the Committee agree to fund initiatives totalling £0.662m from unallocated reserves in 2012/13 as detailed in Appendix 2 (*as amended by 2.3 and 2.4 above*);
- 2.8 That the Committee note the provisional outturn position on the capital programme;
- 2.9 That the Committee approve the following changes to the capital programme
- (i) The budget re-profiling as set out in Appendix 1;
 - (ii) The carry forward of slippage into the 2012/13 capital programme, to meet on-going commitments on these schemes as set out in Appendix 1.”
- 7.14 Councillor Hamilton formally seconded the amendment and stated that he was amazed to find the Administration seeking to cut public transport provision and fund a number of other items as one-off measures when it was likely that they would require further funding and support in future years. Instead of looking at new initiatives the available under-spend could be used to support areas that were under threat. The loss of the No.96 bus service for example would have a direct impact on school children who would have to extend their journey time in order to get to and from school each day.
- 7.15 The Strategic Director; Communities stated that following Budget Council officers had held a number of discussions with partner agencies about supporting the mobile library, however they had not been in a position to fund the service. It meant that consideration needed to be given to how to progress matters and a report would be taken to the Economic Development & Culture Committee in the autumn.
- 7.16 Councillor G. Theobald stated that the Conservative Group supported the amendment.
- 7.17 The Chair noted the comments and stated that every Administration sought to support various projects and a procurement process had been followed in regard to the bus services, which was not helped by the cuts from the government to the bus company and in grant formula to the council. The use of the under-spend as outlined in the report provided support across the city and should enable further funding to be made available to support other areas in the future. He noted that an amendment had been moved and put it to the vote which was tied at 5 for and 5 against and therefore in not having a majority in favour was lost.
- 7.18 The Chair then put the recommendations as listed in the report to the vote, which was tied at 5 for and 5 against. He therefore used his second and casting vote in order to carry the recommendations 6 : 5.
- 7.19 **RESOLVED:**
- (1) That the provisional outturn position for the General Fund, which had an underspend of £4.370m be noted. This included £3.831m for the council controlled budgets (compared to £3.187m assumed at budget setting time) and £0.539m on the NHS managed S75 budgets;
 - (2) That the provisional outturn for the Housing Revenue Account (HRA) for 2011/12 be noted;

- (3) That the carry forward requests totalling £5.602m as detailed in Appendix 2 to the report be approved;
- (4) That the changes to provisions and reserves set out under Corporate Budgets in Appendix 1 to the report be approved;
- (5) That the funding of initiatives totalling £0.662m from unallocated reserves in 2012/13 as detailed in Appendix 2 to the report be agreed;
- (6) That the provisional outturn position on the capital programme be noted; and
- (7) That the following changes to the capital programme be approved:
 - (i) The budget re-profiling as set out in Appendix 1 to the report;
 - (ii) The carry forward of slippage into the 2012/13 capital programme, to meet on-going commitments on these schemes as set out in Appendix 1 to the report.

Note: *For reference purposes, Items 13 and 14 are listed in numerical order in the minutes rather than immediately after this item.*

8. CORPORATE PLAN UPDATE 2012/13

- 8.1 The Chief Executive introduced the report which provided an update on those parts of the Council's Corporate Plan that required an annual report and detailed progress on the 2011/12 commitments (appendix 1) and proposed new commitments for 2012/13 (appendix 2). He noted that the actual Corporate Plan would be presented to the July Committee meeting before being submitted to the Full Council on the 19th July, 2012.
- 8.2 The Chair welcomed report and noted that a number of the priorities that had been set were either achieved or well on their way to being achieved. He believed that it showed good progress was being made and thanked the officers for their work.
- 8.3 Councillor Mitchell noted that the report would be submitted to the Full Council and therefore was likely to be debated in detail at that time. However, she was surprised to see the number of priorities listed that had been achieved and questioned whether the youth service had been redesigned, where the travellers site was, where were the 20mph zones and where was the People's Strategy?
- 8.4 The Chief Executive stated that a final draft of the People's Strategy was due to be considered by the Overview & Scrutiny Committee and that other areas had been taken forward and would be completed in due course.
- 8.5 Councillor G. Theobald asked for an update on item 9 in appendix 1 and questioned the implementation of the committee system in view of the Policy & Resources Committee not being politically proportionate in line with the situation on the council.
- 8.6 The Chair noted the comments and stated that actions were in hand and a number of achievements had been made. He would ensure that an update was provided for Councillor Theobald and put the recommendations to the vote.

8.7 RESOLVED:

- (1) That the progress made on the Corporate Plan 2011/12 commitments as detailed in appendix 1 to the report be noted;
- (2) That the new Corporate Plan commitments for 2012/13 as detailed in appendix 2 to the report be agreed and their adoption be recommended to Full Council;
- (3) That Full Council be recommended to authorise the Chief Executive to amend the Corporate Plan to incorporate the changes in (2) above and other presentational changes.

9. ORGANISATIONAL HEALTH ANNUAL REPORT

9.1 The Strategic Director; Resources introduced the report which detailed a set of key measures that were used to monitor and measure the organisation's performance. He noted that the vast majority of indicators were positive and only 3 out of 44 were off target.

9.2 The Chair welcomed the report and thanked the officers involved for producing it.

9.3 Councillor g. Theobald welcomed the report and queried whether a recruitment freeze was in operation given that a number of new posts were listed.

9.4 The Strategic Director; Resources stated that a recruitment freeze was not in operation but that a number of checks, including a check against the internal recruitment pool were made in the first instance before a post could be advertised. He stated that it would be difficult to have a complete recruitment freeze given that a number of posts were front-line services and required statutorily. He also stated that he would provide Councillor Theobald with a written response.

9.5 RESOLVED:

- (1) That the areas of good progress as outlined in the report be noted; and
- (2) That officers be requested to take corrective actions for those where performance is off target and to develop improvement plans where appropriate.

10. QUARTERLY SURVEILLANCE REPORT JUNE 2012**10.1 RESOLVED:**

- (1) That the continued use of covert surveillance and the accessing of communications data as an enforcement tool to prevent and detect all crime and disorder investigated by its officers, providing the necessity and proportionality rules are stringently applied be approved; and
- (2) That the surveillance activity undertaken by the authority since the last report to Cabinet in March 2012 as set out in Appendix 1 to the report be noted.

11. COUNTER FRAUD STRATEGY UPDATE 2012

- 11.1 **RESOLVED:** That the Council's updated Counter Fraud Strategy as detailed in appendix 1 to the report be approved.

12. CIVIL MARRIAGES

- 12.1 The Strategic Director; Communities introduced the report and stated that it was proposed to send a joint letter from the Leaders of the three Groups in response to the Government's consultation on proposals for civil marriage ceremonies. He also stated that it was intended to offer the government department concerned the opportunity to send representatives to visit the city.
- 12.2 The Chair noted that the letter had cross-party support and thanked the Leaders of the two groups. He also noted that the city was number two in the country for civil partnerships, second only to Westminster.
- 12.3 **RESOLVED:** That the letter attached at appendix 1 to the report be approved as the agreed response to the Government consultation on Civil Marriage.

13. SUPPORTED BUS SERVICE NETWORK

- 13.1 The Strategic Director; Place introduced the report which outlined the proposed allocation of bus service contracts across the city for those routes that it was felt should be subsidised as they were not commercially viable to bus operators. A full consultation process had been undertaken with user groups and passengers and tenders sought for the various routes. The procurement process was a complex one with contracts being awarded for a 4 year period and information about which routes were being recommended not available until the report was published with the agenda. He also noted that the initial tender submissions had been in excess of the budget identified for the services but following negotiations the deficit had been reduced and the current level of services proposed able to be funded.
- 13.2 The Chair stated that he had received several requests from councillors to speak on this matter and therefore intended to call on them before opening the matter up to questions and debate by the committee. He then called on Councillors Brown and Bennett to address the meeting.
- 13.3 Councillor Brown referred to the N0.81 service and stated that the depth of feeling in support of the service was highlighted in the 160 letters that had been received and which she wished to present to the Chair for the record. The majority of people had only been alerted to the proposal at the weekend and yet they had responded in this way. If the proposal went ahead then a number of people in the Ward be affected, with no alternative evening bus available it would restrict their movements and freedom.
- 13.4 Councillor Bennett stated that there were many elderly people who were dependant on the service and it would mean that they became prisoners in their own homes. There were also a number of host families for foreign students and again they would be

directly affected by the loss of the service. She therefore urged the committee to consider the matter and to maintain the service.

- 13.5 The Chair thanked the Members and stated that their concerns would be taken into consideration as part of the debate on the matter. He then invited Councillor Mears to speak on the item.
- 13.6 Councillor Mears stated that as a Ward Councillor for Ovingdean she wished to argue for the retention of the No.52 bus service. She believed that Ovingdean would become the only outlying area in the city which would not have a direct service into the city. She stated that commuters and those residents wishing to get to the Royal Sussex Hospital would find that they had to change at the Marina, which was not a welcome proposition. Furthermore, there were a number of young people who would be directly affected, and their case had been very well expressed earlier in the meeting. She hoped that further consideration would be given to matter and a way found to retain the services that had been highlighted. It was a very short-sighted approach and one that could be resolved if appropriate action was taken.
- 13.7 The Chair thanked Councillor Mears for attending the meeting and stated that the points raised would be considered. He also noted that all 3 political groups had voted for the budget at Budget Council and had thereby supported the level of funding identified for bus services. He stated that the Government had also reduced the level of funding to bus companies and cut grants to the local authorities, which made it difficult to meet the costs of the services provided. He stated that the council would look at alternative mechanisms for supporting the bus services.
- 13.8 Councillor G. Theobald stated that he wished to pay tribute to the two young people who had come to the meeting to raise their concerns and to those others who had very quickly responded to what were a series of dramatic cuts. He believed that there would a significant number of people in the city who were still unaware of the impact of these cuts and would find that they had lost a service. He also queried how the figures for usage on the school buses differed and whether parents had been advised of the loss of these services when considering which schools to send their children to. He referred to the latest bus information and queried whether the No.81 would continue to operate from the city centre to the open market, when the route from Goldstone Valley to the city centre was cut.
- 13.9 Councillor Mitchell queried whether an equalities impact assessment had been undertaken and how it would have related to the proposed loss of services and also whether both through and saver tickets would be recognised and accepted across all service providers.
- 13.10 The Strategic Director; Place confirmed that through and saver tickets would be accepted across all services as it was listed as a condition in the new contract. He also noted that all the routes had been evaluated and measured and information from the bus companies taken into account.
- 13.11 Councillor West noted that reductions in bus services were happening all across the country with significant cuts being made in certain areas. The council had attempted to keep the level of the reductions to a minimum across the city and was looking to use

other factors such as One Planet Living to generate future savings that could be used to support other areas.

- 13.12 Councillor Shanks stated that she had recently travelled on the No.96 bus and a total of 35 children had used it along its route. The pupil numbers travelling from Westdene to Hove Park and Blatchington Mill would be reducing and therefore it was more appropriate to discuss with the Heads and parents options for enabling those children to get to the schools rather than maintain a costly service.
- 13.13 Councillor Hamilton noted that whilst councillors from the 3 groups had voted for the budget, that was in its entirety and it did not mean that some aspects were not favoured by one or other of the groups. He suggested that in the context of the overall budget of the council there was an opportunity to reprioritise and put funding into the bus service and then look to find alternative savings or funding arrangements.
- 13.14 Councillor A. Norman stated that Brighton and Hove had to be the council's concern not other areas and queried the information given in the report in regard to the evidence for bus usage, in comparison to that provided by others. The loss of the No.96 service would result in pupils having to use alternative services resulting in lengthy journeys and longer days. She was also concerned that Ward Councillors had not been consulted on the proposals and noted that the Woodingdean and Westdene LAT had expressed concern over the loss of the No.27 route.
- 13.15 Councillor G. Theobald then moved an amendment on behalf of the Conservative Group as follows:
- “To amend recommendation 2.2 with the addition of the wording “with the exception of routes 27, 22, 52 and 81” and an additional two recommendations 2.3 and 2.4 as shown in bold italics:
- 2.1 That the Policy & Resources Committee award contracts for the supported bus routes as set out in Appendix 1 in Agenda Item 14 which is a Part Two Report.
- 2.2 That contracts for the additional services, shown in paragraph 3.14, are not awarded on the grounds of insufficient budget, ***with the exception of routes 27, 22, 52 and 81.***
- 2.3 ***That a report be brought back to the Policy & Resources Committee on 12th July identifying funding for the routes 27, 22, 52 and 81.***
- 2.4 ***That officers urgently re-examine the evidence given for terminating the 96 school bus route and that no changes are implemented until September 2013 at the earliest.”***
- 13.16 Councillor Peltzer Dunn formally seconded the amendment and asked for clarification in regard to the financial comments in the report in that they implied the decision had been made some months ago not to include routes in the original tender process.
- 13.17 The Director of Finance stated that the contracts were for a 4-year term with the possibility of an extension. They were not due to be let for a single year and if that was

decided, it was likely that the tender process would have to be revisited as all routes had been included in the original procurement process. In regard to the No. 96 service however, if it was treated as a single route it was unlikely that it would need to be taken through a procurement process. If all routes were affected then there would be a need to go through a procurement process as the contract was based on a four-year term rather than a single one.

13.18 Councillor Peltzer Dunn stated that the presentation from the two young ladies earlier had been excellent and had highlighted the fact that the use of £38k to maintain a service out of a budget of over £700m was possible should the desire be there to do so. He stated that adults found commuting to London tiring and the same situation faced the school children in terms of the length of time it would take to get to school. He believed it would have an effect on their education and their educational achievement.

13.19 Councillor Mitchell stated that she wished to move an amendment on behalf of the Labour & Co-operative Group as follows:

“To delete recommendation 2.2 and replace with a new 2.2 and to insert two additional recommendations 2.3 and 2.4 as shown in bold italics:

~~2.2 That contracts for the additional services, shown in paragraph 3.14, are not awarded on the grounds of insufficient budget.~~

2.1 That the Policy & Resources Committee award contracts for the supported bus routes as set out in Appendix 1 in agenda item 14 which is a Part Two Report;

2.2 That Policy & Resources Committee agrees, in principle, to the award of the contracts and continuation of the services listed in paragraph 3.14 of the report for one year.

2.3 That the Strategic Director: Place (in consultation with the Leaders of the three political groups), be authorised to take all steps necessary to the continuation of the services and award of the contracts as detailed in paragraph 3.14 of the report for year, including compliance the necessary procurement and Transport Act processes,

2.4 That P&R notes the financial implications as set out in the note from the Director of Finance.”

13.20 Whilst she had a great deal of sympathy with the Conservative amendment, the Labour & Co-operative amendment specifically identified funding that could be used to maintain the services for another year and provide some breathing space. She was concerned about the impact the loss of services would have on the elderly and isolated as well as school children and urged the committee to support the amendment.

13.21 Councillor Hamilton formally seconded the amendment and stated that it was obvious from the responses to the proposed loss of services were essential to people and he hoped that all the points raised would be taken on board and the amendment accepted.

- 13.22 The Monitoring Officer informed the Committee that as the Labour & Co-operative amendment was linked to the TBM out-turn item which had been carried, no funding was indentified and therefore a report would be required for the next committee meeting, in order to clarify the funding position, should the amendment be approved.
- 13.23 Councillor Littman stated that whilst he understood the reasons for the two amendments, the council had been placed in an impossible position and had to look at the viability of each service and make a decision. The No. 96 service had a declining number of expected users and the cost of the subsidy was high, therefore it was better to look at other ways of supporting the school children.
- 13.24 Councillor Peltzer Dunn accepted that the Conservative and Labour & Co-operative amendments sought to achieve the same end and hoped that the Conservative amendment would be supported, but if not, then he would support the Labour & Co-operative one.
- 13.25 The Chair noted the comments and stated that there was a need to consider Item 14 which was exempt from disclosure to the press and public and therefore adjourned the part one meeting at 6.00pm and asked for people to leave the chamber.
- 13.26 The Chair reconvened the meeting at 6.25pm following the consideration of Item 14 in closed session and stated that he felt the matter had been fully debated and would therefore put the amendments to the vote. He then put the Conservative amendment to the vote and noted that with 5 for and 5 against, in not having a majority in favour the amendment fell. He then put the Labour & Co-operative amendment to the vote and noted that with 5 for and 5 against, in not having a majority the amendment fell.
- 13.27 The Chair then put the recommendations as listed in the report to the vote, which was tied at 5 for and 5 against. He therefore used his second and casting vote in order to carry the recommendations 6 : 5.

13.28 **RESOLVED:**

- (1) That it be agreed to award the contracts for the supported bus routes as set out in Appendix 1 in Agenda item 14 which is a Part Two Report.
- (2) That it be agreed that the contracts for the additional services, shown in paragraph 3.14 of the report, be not awarded on the grounds of insufficient budget.

14. SUPPORTED BUS SERVICE NETWORK - EXEMPT CATEGORY 3

- 14.1 The Committee considered a report from the Strategic Director; Place concerning supported bus services network, which was exempt from disclosure to the press and public.
- 14.2 **RESOLVED:** That the additional information contained in the report be noted.

15. PART TWO PROCEEDINGS

- 15.1 The Committee considered whether the item and the decisions thereon contained in Part Two of the Agenda should remain exempt from disclosure to the press and public.
- 15.2 Councillor Mitchell noted that under the previous committee system there had been an opportunity for the Opposition Groups to refer an item to Full Council for information. She believed that this was possible under the new arrangements and therefore requested that Item 13, Supported Bus Service Network be referred to the Council meeting in July.
- 15.3 Councillor G. Theobald stated that he supported the request on behalf of the Conservative Group.
- 15.4 The Chair noted the request and stated that it was possible for each Group to refer an item to full council for information and confirmed that this would be actioned and that an item would be included on future agendas so that each Group could utilise this facility.
- 15.5 **RESOLVED:**
 - (1) That the item contained in Part Two of the agenda remain exempt from disclosure to the press and public.
 - (2) That Item 13, Supported Bus Service Network be referred to Council for information.

The meeting concluded at 6.45pm

Signed

Chair

Dated this

day of

2012