

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

**4.00pm 12 JULY 2012**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

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

**Other Members present:**

**PART ONE**

**16. PROCEDURAL BUSINESS**

**(a) Declarations of Substitutes**

16.1 There were no declarations of substitutes.

**(b) Declarations of Interest**

16.2 Councillor Shanks declared a disclosable pecuniary interest in Item 34, Appropriation of 243 and 245 Preston Road as she lived next door.

16.3 Councillor Wakefield declared a disclosable pecuniary interest in Item 31 as a Board Member of Brighton Housing Trust, and in Item 34, Appropriation of 243 and 245 Preston Road as she was a Director of Brighton & Hove Seaside Homes Limited and would therefore not take part in the debate.

16.4 Councillor West declared a disclosable pecuniary interest in Item 32, East Sussex, South Downs and Brighton, as he was a Board Member of the South Downs National Park Authority.

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

16.5 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.

16.6 Councillor G. Theobald referred to Item 45(A), Supported Bus Services Network – Update which was listed in Part Two of the Addendum to the agenda and queried whether it should be debated in open session in view of the public interest in the matter.

- 16.7 Councillor Mitchell stated that she supported the request to debate the matter in open session and queried whether it should have been possible to have both a part one and a part two report rather than only a part two one.
- 16.8 The Chair stated that his intention was always to be as open and transparent as possible and to enable debate in open session. However, he believed that the information contained in the report related to commercial matters and should remain as a part two item.
- 16.9 The Monitoring Officer informed the Committee that the report detailed a potential error in a contract and was therefore required to be considered in part two of the meeting. It had not been felt possible to produce a part one report that would have enabled the committee to consider the matter fully, however it would be possible to make the outcome of the committee's deliberations public once the item had been considered.
- 16.10 Councillor Peltzer Dunn suggested that having received the information in the report, it would be possible for Members to debate matters in open session without disclosing any confidential information and if necessary continue the debate in a closed session.
- 16.11 The Chair stated that he believed it was more appropriate for the matter to be debated in full in closed session and to agree what information could then be made public. He therefore put the proposal that all items other than Item 45(A) should remain in part two as listed on the agenda, which was agreed. He then proposed that Item 45(A) should remain in part two as listed on the addendum and this was agreed on his casting vote.
- 16.12 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the items listed on Part 2 of the agenda and the addendum.

## 17. MINUTES

- 17.1 **RESOLVED:** That the minutes of (a) the Special Meeting held on the 30<sup>th</sup> May, 2012 and the last meeting held on the 14<sup>th</sup> June, 2012 be approved as a correct record of the proceedings and signed by the Chair.

## 18. CHAIR'S COMMUNICATIONS

- 18.1 The Chair noted that the meeting was being web cast live and would be capable of repeated viewing and therefore reminded Members of the need to use the microphones.
- 18.2 The Chair stated that he had been pleased to note the Royal Visit of the Earl and Countess of Wessex last week who had come down to support the Royal Pavilion Trust and visit other areas in the city.
- 18.3 The Chair also drew the committee's attention to the consultation taking place on 20mph schemes in residential areas and asked that Members encourage others to take part in what was a significant opportunity to influence how traffic was managed in such areas.

- 18.4 The Chair was pleased to note the joint working that was taking place with Lewes District Council on Housing matters and hoped that the council would see the outcome of this in the near future.
- 18.5 Finally he noted that the Committee would be considering a report on the Council Tax Draft Scheme and stated that he would be making a formal request to the Overview & Scrutiny Committee for a Scrutiny Panel to review this scheme and report back on its proposals so that any recommendations could be taken into consideration prior to the scheme being formally approved by Full Council.

## 19. CALL OVER

- 19.1 The following items on the agenda were reserved for discussion:

- Item 22 - Targeted Budget Management 2012/13 Month 2
- Item 23 - Budget Update and Budget Process 2013/14
- Item 24 - Council Tax Discounts and Exemptions Reform
- Item 25 - Council Tax Support System – Draft Scheme
- Item 26 - Treasury Management Policy Statement (Incorporating The Annual Investment Strategy) 2011/12 – End of Year Review
- Item 27 - I360 Loan Agreement
- Item 30 - Changing the Age Range of Three Primary Phase Schools in Portslade – Final Decision
- Item 31 - Three Year Strategic Grants 2013-16 Outline Bid Decision Making
- Item 33 - Black Rock – Update Report
- Item 34 - Appropriation of 243 and 245 Preston Road Brighton to the Housing Revenue Account
- Item 38 - Sussex Police and Crime Panel
- Item 41 - I360 Loan Agreement – Exempt Category 3
- Item 42 - 1A Major Close – Exempt Category 3
- Item 43 - Proposed Options for the Provision of 3 Junior Forms Central Hove – Site Acquisition – Exempt Category 3
- Item 44 - Black Rock – Update Report – Exempt Category 3
- Item 45(a) - Supported Bus Service Network – Update - Exempt Category 3
- Item 46 - Part Two Minutes – Exempt Categories 3 and 5.

- 19.2 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 28 - Annual Performance Update of the Council's Corporate Plan 2011/12
- Item 29 - City Performance Plan 2011/12 Report
- Item 32 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan; Request for Delegated Authority to Agree and Consult on Draft Modifications
- Item 35 - 1A Major Close Brighton – Sale
- Item 36 - Procurement of the City Downland Estate Management Consultancy Contract
- Item 37 - Polling Place Review
- Item 39 - Budget & Policy Framework Process

Item 45 - Appointment of Acting Chief Executive – Exempt Category 1.

## **20. PUBLIC INVOLVEMENT**

### **(a) Petitions**

20.1 The Chair noted that there were no petitions due for presentation at the meeting.

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

20.2 The Chair noted that one written question had been submitted for the meeting, and invited Ms. Connolly to come forward and put her question to the meeting.

20.3 Ms. Connolly thanked the Chair and asked the following question, “Whilst I applaud the council’s vision and initiative in planning for the regeneration of the seafront and the possibility of 160 new jobs, have the council taken into consideration the loss of jobs and businesses that will be lost because of the i360 proposed build?”

20.4 The Chair thanked Ms. Connolly for her question and stated that, “The seafront market was not on council owned land but part of the West Pier Trust’s property. The Council recognised the affect that the development would have to the area and were in discussions with the Trust. He recognised that the regular West Pier temporary market had brought much needed vibrancy and life but it could not stay where it was during the construction period and there was no guarantee at present that it could be relocated without detriment to other business trading on the seafront.”

20.5 Ms. Connolly noted the information and asked the following supplementary question, “Would the council support the market being incorporated into the redevelopment of the surrounding area and would the Leader be willing to meet with the traders to discuss matters?”

20.6 The Chair stated that, “I would be very happy to support the seafront market traders in looking at how they could take advantage any opportunities that arise from the development and to meet with them.”

20.7 The Chair thanked Ms. Connolly for attending the meeting and noted that there were no other questions.

### **(c) Deputations**

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

## **21. MEMBER INVOLVEMENT**

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

## **22. TARGETED BUDGET MANAGEMENT 2012/13 MONTH 2**

### **22.1 RESOLVED:**

- (1) That the forecast outturn position for the General Fund, which is an overspend of £0.522m be noted;
- (2) That the forecast outturn for the Housing Revenue Account (HRA), which is an underspend of £0.204m be noted;
- (3) That the virement within the HRA of £0.558m from capital financing costs to revenue contribution to capital be approved;
- (4) That the forecast outturn position on the capital programme be noted;
- (5) That the following changes to the capital programme be approved:
  - (i) **The budget re-profiling and budget variations as set out in Appendix 2;**
  - (ii) **The carry forward of slippage into the 2013/14 capital programme, to meet on-going commitments on these schemes as set out in Appendix 2.**
  - (iii) The new schemes as set out in Appendix 3.

### **23. BUDGET UPDATE AND BUDGET PROCESS 2013/14**

- 23.1 The Director of Finance introduced the report which outlined the proposed budget process for 2013/14 and the Council decision in February to set the council tax and council budget. She noted that it was intended to repeat aspects of the previous year's consultation process which included Overview & Scrutiny and partner organisations and would cover a two-year budget programme.
- 23.2 Councillor Littman welcomed the report and thanked the officers concerned for their work to date. He stated that the council was facing a number of new as well as continuing pressures, many of which were unlikely to be supported by government funding. He noted that the budget premise was for a Council Tax increase of 3.5% and that many of the neighbouring authorities in the region were facing similar government grant reductions to that of the council.
- 23.3 Councillor G. Theobald questioned the need to identify a possible council tax figure at this stage bearing in mind that the government grant announcement was not made until November. He suggested that it would be better to look at the capacity of the organisation to reduce costs and plan for the grant announcement and therefore he could not support the recommendations.
- 23.4 Councillor Mitchell stated that she was concerned about the level of cuts being imposed by the government and noted that it was usual for the opposition groups to wait until the grant announcement in November before putting forward arguments in relation to the budget. She noted the information and welcomed the intention to follow a similar consultation process to last year.
- 23.5 The Chair stated that he hoped people would engage in the consultation process and that opposition group representatives were welcome to attend various budget review

groups and scrutiny meetings. He believed that it was important to outline the budget proposals at an early stage and to outline the financial position. He then put the recommendations to the vote.

#### 23.6 RESOLVED:

- (1) That the resource and expenditure projections for 2013/14 to 2015/16 set out in paragraph 3.26 be noted;
- (2) That the Directors be instructed to develop budget proposals for 2013/14 on the basis of:
  - a 3.5% council tax increase
  - the principles set out in paragraph 3.35
  - the consultation and engagement approach set out in paragraph 4;
- (3) That the Directors be instructed to develop outline budget proposals for 2014/15 alongside the detailed proposals for 2013/14; and
- (4) That the resource projections for the capital investment programme as shown in appendix 2 to the report be noted.

#### 24. COUNCIL TAX DISCOUNTS AND EXEMPTIONS REFORM

##### 24.1 RESOLVED:

- (1) That the following changes to council tax discounts and exemptions are proposed from 1 April 2013:
  - the removal of the 10% second Homes discount so that all second homes are liable for full council tax
  - the giving of 100% discount on properties undergoing structural work for up to 12 months (or 6 months after the works are completed whichever is the earlier) to replicate the existing Class A exemption;
  - the levying of the maximum allowable premium of 50% on properties that have been empty for more than two years;
- (2) That the issues in relation to discounts that might be applied in the first six months of a property being empty be noted;
- (3) That the proposed approach to consultation be agreed; and
- (4) That a further report be brought back to this Committee on 11<sup>th</sup> October 2012.

#### 25. COUNCIL TAX SUPPORT SYSTEM - DRAFT SCHEME

- 25.1 The Chair welcomed the report which detailed the requirement for the council to provide its own local Council Tax Benefits system from the 1<sup>st</sup> April 2013 and the process to enable such provision to be made. He also stated that he would be asking the Overview & Scrutiny Committee to agree to a scrutiny review for this matter. He welcomed the

comments from the CVSF, Fire and Police and recommended that Members refer to appendix 2 to the report as it provided a clear explanation of the position and the draft scheme.

- 25.2 The Director of Finance stated that the provision of such a scheme was complex and it was important to get it right as it would need to be able to provide for those that qualified for support. There would be a full consultation exercise and a further report to the committee and full council in the autumn.
- 25.3 Councillor Littman stated that he wished to thank the officers involved in producing the draft scheme and for their work to date. He noted the positive input from overview & scrutiny on the draft scheme and that neighbouring authorities were as concerned about the extra pressure this placed on families and councils.
- 25.4 Councillor G. Theobald welcomed the report and noted the comments from the Fire Authority and Police. He referred to paragraph 5.1 and the estimated cost of £23.5 and queried whether it would be £24.5m in 2013/14 if the council tax increase was set at 3.5%.
- 25.5 The Chair confirmed that every 1% increase on council tax equated to an extra £1m increase on council tax benefit.
- 25.6 Councillor Mitchell thanked the officers for the report and their work to date and stated that the Labour & Co-operative Group fully supported the principles of the draft scheme and welcomed the consultation process that had taken place and that was planned. She hoped that the draft scheme would be well publicised so that people were made aware of the changes and that support would be available in due course to help those affected.
- 25.7 Councillor Ann Norman welcomed the report and stated that she hoped the scheme would be in place and believed that it would help to bring people back into work and encourage young people to find employment.
- 25.8 Councillor Hamilton welcomed the report but noted that there was a likelihood of another 10,000 households being affected and having to pay council tax who would not have had to previously and therefore would need help with the scheme.
- 25.9 The Chair noted the comments and put the recommendations to the vote.

25.10 **RESOLVED;**

- (1) That the Government's Statement of Intent be noted;
- (2) That the feedback from the consultation with Major Precepting Authorities be noted;
- (3) That the feedback from the initial consultation with other stakeholders be noted;
- (4) That the Transition Principles and Scheme Principles be agreed as the basis for the draft Scheme as set out in paragraph 3.7 of the report;

- (5) That the draft Brighton & Hove Council Tax Low Income Discount Scheme (the “draft Scheme”) as set out in paragraph 3.8 of the report be agreed;
- (6) That the draft Scheme be published and formal consultation and next steps undertaken as set out in paragraphs 3.11 to 3.18 of the report;
- (7) That the key issues to be raised in response to the government’s consultation on funding arrangements, as set out in paragraph 3.19 of the report, be agreed;
- (8) That the Director of Finance be authorised to (a) settle the final draft of the Scheme for publication, the detailed arrangements for formal consultation, and the response to the government’s consultation on funding arrangements and (b) take any other steps considered necessary for progressing the proposed Scheme;
- (9) That the final proposed Scheme be brought back to Policy & Resources Committee and Full Council in October 2012.

## **26. TREASURY MANAGEMENT POLICY STATEMENT (INCORPORATING THE ANNUAL INVESTMENT STRATEGY) 2011/12 - END OF YEAR REVIEW**

- 26.1 The Director of Finance introduced the report and noted that there were three key issues in relation to the report concerning the end of year review for 2011/12, alternative investment options and the investment strategy which would be reported to full council for approval.
- 26.2 Councillor Littman welcomed the report and stated that he wished to thank the officers concerned for such a comprehensive report and their work during such uncertain times for financial institutions.
- 26.3 Councillor Ann Norman also welcomed the report and noted that officers provided an excellent service and managed the council’s finances to a high standard, noting that they had withdrawn funds from Icelandic banks just prior to the crash. She also noted the ethical investments and welcomed the fact that the council was still investing in Barclays.
- 26.4 Councillor Mitchell stated that she wished to thank the officers for their work and for the report and noted that as it was going to full council the Labour & Co-operative Members would be abstaining from the vote at the present meeting.
- 26.5 The Chair noted the comments and put the recommendations to the vote.
- 26.6 **RESOLVED:**
  - (1) That the action taken during the second half year to meet the treasury management policy statement and practices (including the annual investment strategy) be endorsed;
  - (2) That it be noted that the maximum indicator for risk agreed at 0.05% has not been exceeded;



- (3) That it be noted the authorised limit and operational boundary set by the Council has not been exceeded;
- (4) That the change in the Annual Investment Strategy 2012-13 as set out in paragraph 4.11 of the report be agreed and recommended to full Council on 19<sup>th</sup> July 2012 for approval.

## **27. I360 LOAN AGREEMENT**

- 27.1 The Strategic Director; Place introduced the report which followed on from a previous report to the Cabinet in May and following a due diligence process, proposed that a loan be made to the Development Company to help fund the cost of the i-360. He noted that further financial and commercial details were contained in the part two report, Item No.41 and recommended that proposed loan be approved.
- 27.2 The Chair welcomed the report and stated that he believed it was a very good project and one that would bring benefits and help to regenerate the area. He was aware that local traders and businesses were supportive and felt that it would be a unique focal point for the city.
- 27.3 Councillor G. Theobald stated that the Conservative Group fully supported the project and hoped that it would lead to extra employment and the regeneration of the seafront.
- 27.4 Councillor Mitchell stated that the Labour & Co-operative Group also supported the scheme and believed it would be the catalyst for the regeneration of the area and would encourage more visitors to the city. Her only concern that remained was in regard to transport links and how additional traffic would be accommodated.
- 27.5 Councillor West stated that he wished to thank the officers involved in project and also to point out the role that the previous Leader of the Council and current Leader had had in bringing the development forward. The potential benefits to the city were enormous and it would see the creation of a world-class icon that would put the city on the map. He acknowledged there was a need to look at the transport issue and hoped that it might lead to the development of a rapid transport system for the city.
- 27.6 Councillor Hamilton welcomed the report and stated that he felt it was important to noted that the loan from the council was not council tax payers' money, but a means whereby the council could loan funds to the developer and secure the project.
- 27.7 The Chair noted the comments and also welcomed the lead partners from Marks Barfield to the meeting. He also drew the committee's attention to appendices 5 and 6 to the report, which provided a lot of detail about how and why the project should be supported. He also noted that it was supported by the Local Enterprise Partnership which had also agreed to provide a loan of £3m to the Developer. He then put the recommendations to the vote.

**27.8 RESOLVED:**

- (1) That the structure and terms of the loan that have been agreed to date as set out in paragraphs: 4.2, 4.3, 4.7 and 4.8 of the report be noted;
- (2) That the Director of Finance and Strategic Director; Place, after consultation with the Chair of Policy & Resources Committee be authorised to finalise terms and enter into the proposed loan agreement with Brighton i360 Ltd with a target of financial close by mid September 2012 and to take all steps necessary or incidental to the completion and implementation of the agreement;
- (3) That the Head of Legal and Democratic Services be authorised to complete all necessary documentation and take all necessary action to effect completion of the proposed loan; and
- (4) That the inclusion of the commercial loan to Brighton i360 Ltd in the Capital Resources and Capital Investment Programme 2012/13 (and the following two years' capital programmes) to be funded through unsupported borrowing be approved.

**28. ANNUAL PERFORMANCE UPDATE OF THE COUNCIL'S CORPORATE PLAN 2011/12****28.1 RESOLVED:**

- (1) That the progress made against the performance measures ('Measures of Success') in the Corporate Plan, set out in Appendix 1 to the report be noted; and
- (2) That the annual performance report be referred to Full Council for approval, along with the June 2012 update report on Corporate Plan commitments.

**29. CITY PERFORMANCE PLAN 2011/12 REPORT****29.1 RESOLVED:**

- (1) That the areas of good progress made in the City Performance Plan (CPP) progress report in Appendix 2 and the Performance Indicators Headline report Appendix 1 be noted;
- (2) That the future activity, but also barriers outlined in the CPP report Appendix 2 in areas of concern be noted;
- (3) That the Strategic Leadership Team be requested to use the resources at their disposal, including officers in the local authority and thematic partnerships to maintain progress and tackle issues of concern highlighted in the CPP; and
- (4) That the plan be recommended to full Council for Approval.

**30. CHANGING THE AGE RANGE OF THREE PRIMARY PHASE SCHOOLS IN PORTSLADE – FINAL DECISION**

30.1 The Strategic Director; People introduced the report which detailed the proposed expansion of school places in three schools in Portslade which would enable the creation of all-through primary schools. There had been an extensive consultation process and no objections had been received and it was therefore proposed, subject to full council approval, to implement the changes in September 2013.

30.2 The Chair welcomed the report and stated that he wished to thank the officers concerned for all their work in bringing this matter to fruition.

30.3 Councillor Shanks echoed the Chair's comments and stated that she was aware that both schools and parents welcomed the changes.

30.4 Councillor Hamilton stated that as a Ward Councillor he was very pleased with the outcome and believed it was the right way forward for the schools in Portslade.

**30.5 RESOLVED:**

(1) That the decision to proceed with each of the three proposals be endorsed; and

(2) That the Council at its meeting on the 19<sup>th</sup> July 2012 be recommended to confirm the statutory notices and resolve to change the age range to allow for an additional junior form of entry and expand the premises of St Peter's Community Infant School, Portslade Infant School and St Nicolas Voluntary Aided Church of England Junior School from September 2013.

**31. THREE YEAR STRATEGIC GRANTS 2013-16 OUTLINE BID DECISION MAKING**

31.1 The Strategic Director; Communities introduced the report which sought approval for the process for invitation to Full Bid Stage for applications for Three Year Strategic Grant funding 2013-16 from community groups, voluntary organisations, and not-for-profit social enterprise.

31.2 Councillor Hamilton stated that he wished to congratulate the officers on all their hard work in bringing the bidding process forward and hoped that as many groups as possible could be supported.

31.3 The Chair welcomed the report and thanked the officers and the Members Advisory Group for their work in bringing the report forward. He also noted that the unsuccessful bidders would be encouraged to look at other avenues of support. He then put the recommendations to the vote.

**31.4 RESOLVED:**

(1) That the recommended 80 applicants be invited to Full Bid Stage for Three Year Strategic Grants 2013-16; and

- (2) That the recommended alternative support package where appropriate for the 23 applicants not invited to Full Bid stage be approved.

### **32. EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS PLAN; REQUEST FOR DELEGATED AUTHORITY TO AGREE AND CONSULT ON DRAFT MODIFICATIONS**

#### **32.1 RESOLVED:**

- (1) That the analysis of the representations made on the submitted Waste and Minerals Plan be noted;
- (2) That the Strategic Director; Place be authorised, in conjunction with East Sussex County Council and the South Downs National Park Authority, to agree any draft “main modifications” to the Waste and Minerals Plan necessary to make it sound and to authorise the publication of such draft modifications for public consultation save that should any draft modification involve a major shift in the policy approach of the Waste and Minerals Plan the draft modification shall be referred by the Strategic Director of Place to the Policy and Resources Committee for approval; and
- (3) That it be noted that all modifications to the Plan will ultimately be presented to the Policy & Resources Committee and Full Council in due course as part of the adoption of the Waste and Minerals Plan.

### **33. BLACK ROCK - UPDATE REPORT**

- 33.1 The Strategic Director; Place introduced the report which detailed the proposed termination of the development agreement with BAL in relation to the Black Rock site. He stated that the site had remained unused since 2007 and that the developer had been unable to bring forward a scheme for the site that had been acceptable. A revised scheme had been proposed in May, which the cross-party Project Board had considered and felt was not appropriate or in-line with the development brief and therefore had recommended that the agreement be terminated and the site re-marketed. He also noted that there was a part two report on the matter, listed as item 44 and detailed the contractual information in relation to the development agreement.
- 33.2 The Chair stated that he wished to thank the Project Board for their work to date on the scheme and that in view of the position that had been reached, the recommendation to terminate the agreement and re-market the site should be accepted. It was one of the major sites in the city and there was a real need to take positive action. He also noted that consideration should be given to temporary use of the site prior to any new development agreement being reached.
- 33.3 Councillor G. Theobald stated that he fully supported the recommendations and hoped that a temporary use could be found in the meantime. He also suggested that consideration be given to extending the link for the Volks Railway as a means enabling people to get to and from the area.

33.4 Councillor Mitchell stated that she supported the recommendations as the site had remained empty for too long and she hoped that the council would take the opportunity to get things right for the future of the site and the benefit of the city. She also hoped that the transport links would be taken into consideration.

33.5 The Chair noted the comments and put the recommendations to the vote.

33.6 **RESOLVED:**

- (1) That the revised proposals submitted by Brighton Arena Limited "BAL" relating to the Black Rock site (see Appendix 2 "the Site") be rejected;
- (2) That the Site will be subject to a fresh procurement and re-marketing exercise;
- (3) That it be agreed the future strategy for the re-marketing of the Site should be worked up in conjunction with the cross party Project Board, including future possible uses on the Site (including an ice rink) being feasibility tested and subject to soft market testing, prior to the council returning to the market;
- (4) That in the interim period, it be agreed that the Site should be marketed forthwith for a temporary use to ensure that the overall appearance of the Site can be improved and the Site can be used productively until the outcome of a full procurement exercise is known;
- (5) That any temporary use of the Site is to be agreed by the Economic Development & Culture Committee, who shall take into account the recommendations of the Project Board when referring any proposed temporary disposal to Policy & Resources Committee;
- (6) That it be noted that in regard to the rejection of BAL's revised proposals in (1) above, the Development Agreement with BAL would automatically terminate on 31<sup>st</sup> July 2012.

**34. APPROPRIATION OF 243 AND 245 PRESTON ROAD BRIGHTON TO THE HOUSING REVENUE ACCOUNT**

34.1 The Strategic Director; Place introduced the report and stated that the properties had been acquired in the 1950's and recently identified to be transferred to Brighton & Hove Seaside Homes Ltd. However, on review it had been found that they came under the General Fund and therefore it was proposed that they be placed under the Housing Revenue Account (HRA) prior to being transferred.

34.2 Councillor Peltzer Dunn stated that he supported the proposed transfer to the HRA but sought clarification with regard to the land to the rear of the properties and its potential redevelopment prior to it being placed with Brighton & Hove Seaside Homes Ltd.

34.3 The Strategic Director; Place confirmed that there was an intention to redevelop the site to the rear of the properties and stated that he would provide Councillor Peltzer Dunn with further information following the meeting.

34.4 The Chair noted the comments and put the recommendations to the vote.

**34.5 RESOLVED:**

- (1) That the appropriation of the 19 dwellings comprising 15 flats and four bungalow units and the land at 243 and 245 Preston Road, Brighton to the council's Housing Revenue Account be agreed; and
- (2) That the earlier Cabinet and Council decisions to lease dwellings at these properties to Brighton & Hove Seaside Community Homes as part of the LDV project in September and October 2008 be noted.

**35. 1A MAJOR CLOSE BRIGHTON - SALE**

**35.1 RESOLVED:**

- (1) That the freehold sale to the YMCA at the negotiated price be approved; and
- (2) That should the sale to the YMCA not proceed the marketing and sale by auction or other method by an appointed agent be approved.

**36. PROCUREMENT OF THE CITY DOWNLAND ESTATE MANAGEMENT CONSULTANCY CONTRACT**

**36.1 RESOLVED:**

- (1) That the retendering of the Estate Management consultancy service for the City Downland Estate for a 5 year period, with an option for up to a 2 year extension be agreed;
- (2) That the granting of delegated powers to the Strategic Director; Resources in consultation with the Leader, Chair of Policy & Resources Committee to, (a) award the contract following the recommendations of the evaluation panel and the results of the tendering process and (b) approve an extension to the contract if required dependent on performance be agreed; and
- (3) That the timetable and process, as set out in Paragraph 3.8 and Appendix 1 of the report be agreed.

**37. POLLING PLACE REVIEW**

**37.1 RESOLVED:**

- (1) That the polling place for DV, East Brighton Ward, be changed from St Mark's CE Primary School to the Manor Gym;
- (2) That the polling place for PX, Hangleton & Knoll Ward, be changed from West Blatchington Primary School to the Hangleton Community Centre;

- (3) That Cottesmore St Mary's RC Primary School be retained as the polling place for NY/OZ, Hove Park and Goldsmid Wards, in the absence of any suitable alternative;
- (4) That the Clarendon Centre be used as a polling place for KS, St Peter's & North Laine Ward, instead of the Friends Centre or St Bartholomew's CE School;
- (5) That the Pavilion at Aldrington Recreation Ground, Wish Road, be used as a double polling station for the voters for SW and SX, Wish Ward, due to the unavailability of the Saxon Road Pavilion;
- (6) That the polling place for IY, Withdean Ward, be changed from Balfour Primary School to Dorothy Stringer High School;
- (7) That the Electoral Services Manager, on behalf of the Returning Officer and Electoral Registration Officer, be authorised to take the measures, as required by law, to bring the changes into effect; and
- (8) That the Returning Officer (the Chief Executive), be granted delegated authority following consultation with the Group Leaders and respective ward councillors, the designation of alternative polling places in the event of any polling place not being available at any particular election.

### **38. SUSSEX POLICE AND CRIME PANEL**

- 38.1 The Strategic Director; Communities introduced the report and stated that there were two key issues for the Committee to consider; these being the approval of the proposed Constitution for the Police & Crime Panel (PCP), and the agreement to the proposed nominees for Brighton & Hove to the PCP. He stated that the principal role of the PCP would be to scrutinise the work of the new Police Commissioner, who was due to be elected in November. He noted that officers had made representations to colleagues from the other constituent authorities for Brighton & Hove to be able to nominate to one of the 3 additional co-optees' places on the PCP, in view of the Authority's position in the County and this had been accepted. It was therefore recommended that based on the proportionality rules that Councillor Duncan be nominated as the Council's representative on the PCP and that Councillor Morgan be nominated as the co-optee representative.
- 38.2 The Strategic Director also reported that officers had expressed the need to address the demographic profile of the city and to account for this as part of an Equalities Impact Assessment, however; the PCP had chosen not to take on board the action points at this point in time. He suggested that this was something that would need to be continually raised and further representations made in due course.
- 38.3 The Chair expressed his concerns with regard to the process for the appointment of the Police Commissioner and thanked the officers and Councillor Duncan for their work in securing a further place for the authority on the PCP.
- 38.4 Councillor Mitchell stated that she also had concerns with regard to the concept of a Police Commissioner and their role within the county. She also wished to thank the officers involved for their work to date and hoped that the council's Members on the

PCP would be able to raise the need to reflect the true diversity of communities across the county. There was also a need to hold the Commissioner to account and she hoped that this would be effective. In the meantime she wished to put forward Councillor Robins as the nominated substitute for Councillor Morgan.

38.5 The Chair noted the comments and put the recommendations to the vote.

38.6 **RESOLVED:**

- (1) That Councillor Ben Duncan (1) be nominated as the Brighton & Hove councillor to serve on the Sussex Police and Crime Panel (PCP) from the formal constitution of the Panel and (2) be appointed to the Panel if he accepts nomination and that Councillor Matt Follett be nominated as the named substitute for the PCP;
- (2) That Councillor Warren Morgan (1) be nominated as the Brighton & Hove co-opted member to serve on the Sussex PCP, as stipulated in paragraph 14a of the PCP constitution (Annex 3), and (2) be appointed to the PCP subject to ratification at the first meeting of the PCP; and that Councillor Alan Robins be nominate as the named substitute for Cllr Morgan;
- (3) That the proposed PCP constitution and panel arrangements as set out in Annex 3 of the report be ratified;
- (4) That in addition to the Policy and Resources Committee, the Chief Executive be given full delegated power to exercise the Council's functions in relation to the establishment and maintenance of the Sussex PCP;
- (5) That the Committee note ongoing concerns regarding PCP equality and operational issues as set out in paragraphs 4.8 to 4.10 of the report and mandate nominated Members to address these during future PCP meetings.

**39. BUDGET & POLICY FRAMEWORK PROCESS**

39.1 **RESOLVED:** That the proposed process for approving the Budget and Policy Framework and other items reserved to Council as set out in the attached tables A and B to the report be agreed.

**40. ITEMS REFERRED FOR COUNCIL**

40.1 Councillor Mitchell requested that following consideration of the items in part two of the meeting, Item 45(a) be referred to the next council meeting for information.

**PART TWO SUMMARY**

**41. I360 LOAN AGREEMENT - EXEMPT CATEGORY 3**

41.1 **RESOLVED:** That the report be noted.



**42. 1A MAJOR CLOSE - EXEMPT CATEGORY 3**

42.1 **RESOLVED:** That the recommendations contained in the report be approved.

**43. PROPOSED OPTIONS FOR THE PROVISION OF 3 JUNIOR FORMS CENTRAL HOVE - SITE ACQUISITION - EXEMPT CATEGORY 3**

43.1 **RESOLVED:** The recommendations contained in the report be approved.

**44. BLACK ROCK - UPDATE REPORT - EXEMPT CATEGORY 3**

44.1 **RESOLVED:** That the report be noted.

**45. APPOINTMENT OF CHIEF EXECUTIVE - EXEMPT CATEGORY 1****45.1 RESOLVED:**

- (1) That the appointment of Catherine Vaughan, to be the Acting Chief Executive and Head of Paid Service for the Council pending the appointment of a permanent Chief executive be approved;
- (2) That the appointment be on a salary of £140,000 per annum and that the appointment takes effect from date of the termination of contract of employment of the current Chief Executive.

**45(A) SUPPORTED BUS SERVICES NETWORK - UPDATE - EXEMPT CATEGORY 3**

45.2 **RESOLVED:** That the recommendations contained in the report be agreed.

Note: The above item was taken with the agreement of the Chair as a matter of urgency as information had come to light in regard to the proposed award of a contract in relation to the Supported Bus Services Network, which had also meant that the item and report had not been included on the agenda or available at the time of despatch.

**46. PART TWO MINUTES - EXEMPT CATEGORIES 3 AND 5**

46.1 **RESOLVED:** That the minutes of (a) the Special Meeting held on the 30<sup>th</sup> May and (b) the last meeting held on the 14<sup>th</sup> June, 2012 be approved as a correct record of the proceedings and signed by the Chair.

**47. PART TWO PROCEEDINGS**

47.1 The Chair proposed that Item 45 and the decisions thereon should be made public and form an open report to the Council meeting on the 19<sup>th</sup> July, 2012. He also suggested that Items 41 to 44 and 46 should remain exempt from disclosure, as well as the urgent report Item 45(A), although he acknowledged that the outcomes would need to be discussed with the affected bus companies and made public.

47.2 Councillor Mitchell asked that the report for Item 45(A) be referred to the council meeting for information and that a part one report be drafted so that aspects could be debated in open session at the council meeting.

47.3 The Director of Finance and the Monitoring Officer informed the committee that they would prepare a document for publication having informed the bus operators of the outcome of the decisions taken under Item 45(A) and that a part one report would also be provided for the council meeting subject to the agreement of the Mayor.

47.4 **RESOLVED:**

- (1) That Items 41, 42, 43, 44, 45(A) and 46 and the decisions thereon remain exempt from disclosure to the press and public.
- (2) That Item 45(A) and the decisions thereon be made public and that an urgent part one report on the Supported Bus Service Network be prepared for the Council meeting on the 19<sup>th</sup> July subject to the Mayor's agreement.

The meeting concluded at 6.50pm

Signed

Chair

Dated this

day of 2012