

**BRIGHTON & HOVE CITY COUNCIL**

**POLICY & RESOURCES COMMITTEE**

**2.00pm 11 JULY 2013**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Morgan (Group Spokesperson), Bowden, Davey, Mitchell, A Norman, K Norman and Shanks.

**PART ONE**

**11. PROCEDURAL BUSINESS**

**(a) Declarations of Substitutes**

11.1 Councillors Mitchell, Davey, Bowden and K. Norman declared that they were attending the meeting as substitutes for Councillor Hamilton, Randall, West and Peltzer Dunn respectively.

**(b) Declarations of Interest**

11.2 There were no declarations of interest.

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

11.3 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.

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

**12. MINUTES**

12.1 The minutes of the last meeting held on the 13<sup>th</sup> June 2013 were approved as a correct record of the proceedings and signed by the Chair.

**13. CHAIR'S COMMUNICATIONS**

- 13.1 The Chair informed the meeting that he had recently attended LGA Conference and been afforded the opportunity to address a meeting on future of local government and he also attended the 'State of the City' event on Tuesday.
- 13.2 The Chair reported that he was due to attend the Long Service Awards tomorrow (Friday) and welcomed the opportunity to recognise the dedication and contributions of staff to the council.
- 13.3 He was pleased to note the council's second place award from Stonewall for its work with schools on challenging homophobia and celebrating diversity.
- 13.4 He welcomed the fact that the council had been highly commended in the "Innovation Award" category at the Constructing Excellence in London and the South East Awards held in June, which was for the implementation of the UK's first Food Planning Advice Note, which had been written in collaboration with Food Matters. The document also reached the final of the National Royal Town Planning Institute Awards and has been short listed for an RTPI regional award.
- 13.5 The Chair stated that as there was a deputation about the King Alfred today, he wished to propose to bring the report on the item forward so that the committee could debate the issue immediately after it had been moved and include the points raised by the deputation during the debate.
- 13.6 The Chair stated that the report on Shoreham Airport had been deferred to a future meeting as discussions were ongoing with interested parties.
- 13.7 Finally, he noted that the by-election in Hanover & Elm Grove was currently taking place and therefore as such Members remained in purdah.

#### **14. CALL OVER**

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

Item 17	Circus Street – Landowner's Consent
Item 18	Brighton Bathing Pavilion – Lease Agreement
Item 19	Article 4 Direction – Removal of Permitted Development Rights Office to Residential
Item 20	Preston Barracks Development
Item 21	King Alfred Development
Item 25	Annual Performance Update 2012/13
Item 27	Economic Strategy and Action Plan 2013-18
Item 28	Greater Brighton City Deal
Item 29	Treasury Management Policy Statement 2012/13 – End of Year Review
Item 30	Targeted Budget Management (TBM2)
Item 31	Budget Update and Budget Process 2014/15
Item 33	Highway Works Framework Agreement
Item 38	Workforce Equalities Plan
Item 41	Brighton Bathing Pavilion – Lease Agreement – Exempt Category 3
Item 42	King Alfred Development – Exempt Category 3

14.2 The Head of Democratic Services confirmed that the 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 22 New Historic Records Office & Resource Centre
- Item 24 Annual Public Health Report
- Item 26 Development of a Policy & Prospectus for Community and Third Sector Development 2012-2017
- Item 32 Renewal of Public Health Service Contracts
- Item 34 Procurement and Award of the Highway Maintenance Contract
- Item 35 Procurement of the Corporate Building Cleaning Contract (July 2013)
- Item 36 Waiver of Contract Standing Orders
- Item 37 Metro Wireless Network Concession Extension
- Item 39 Information Security Policy Briefing.

## 15. PUBLIC INVOLVEMENT

### (a) Petitions

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

### (b) Written Questions

15.2 The Chair noted that there were no petitions to be presented at the meeting.

### (c) Deputations

15.3 The Chair noted that there was one deputation to be presented at the meeting and invited Mr. M. Weatherly MP and Mr. Cannon to come forward and present the deputation to the meeting.

15.4 Mr. Weatherley thanked the Chair and presented the following deputation; “My constituents and I were incredibly disappointed by several elements of the King Alfred report that is going before the Policy & Resources Committee. It was abundantly clear from the public meeting that I recently held that residents and sports groups overwhelmingly support a 50m pool. It appears that the Project Board has not applied appropriate weight to residents’ views on this point. Indeed, residents have not even been consulted.

Furthermore, the Project Board is using flawed research on the subject of costs of a 50m pool. There is no need to rule on the subject of pool size at this very early stage of the project; especially without discussing the matter with our local swimming clubs, including Shiverers. I am requesting that the Policy & Resources Committee embraces much of the good work of the Project Board, but simply holds off on any decision at this time on pool size – in the spirit of embracing our Olympic legacy.”

15.5 Mr. Cannon stated that as a representative from the Shiverers Swimming Club he wished to echo the points made by Mr. Weatherley, and to say that the flexibility of a 50m pool should be taken into consideration as part of the proposals for the development. He noted that competitive swimming galas were all moving to 50m pools

and that Sport England were offering grants to assist with the introduction of 50m pools. He hoped that due consideration would be given to the inclusion of such a pool at King Alfred and the benefits that it would bring both for swimming and the local economy.

15.6 The Chair thanked both Mr. Weatherley and Mr. Cannon for presenting the deputation and stated that he expected the points raised to be considered as part of the debate on the report. He therefore proposed that the deputation be noted.

15.7 **RESOLVED:** That the deputation be noted.

## 16. MEMBER INVOLVEMENT

16.1 The Chair noted that there were no items to be raised under Member Involvement.

## 17. CIRCUS STREET: LANDOWNER'S CONSENT

17.1 The Head of City Regeneration introduced the report which detailed the design progress for the regeneration of the former Circus Street Municipal Market site and sought approval for the scheme to progress to the planning application stage. The scheme provided a high quality mixed use development and there had been an extensive consultation exercise undertaken. He believed that the social and economic benefits for the council and the city were significant and hoped that it could progress.

17.2 Councillor Bowden welcomed the report and stated that he wished to commend the developers for taking on board the comments received as part of the consultation process. He also welcomed the provision of a library and dance studio on the site.

17.3 Councillor G. Theobald stated that he was a member of the Project Board and as such was very pleased to see the scheme coming forward and he wished to thoroughly endorse the proposals.

17.4 Councillor Morgan stated that he was also a member of the Project Board and welcomed the regeneration of the site and the area and was pleased to see progress being made after such a delay.

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

### 17.6 **RESOLVED:**

- (1) That the committee approves the RIBA Stage D design for the Circus Street site and The Dance Space as shown at Appendix 1, and authorises the Executive Director Environment Development & Housing and Executive Director Finance & Resources to agree any subsequent minor design changes in keeping with the principle of development and mix of uses.
- (2) That the committee gives landlord's consent for the developer, Cathedral (Brighton) Limited, to submit a planning application for the site.
- (3) That the committee nominates South East Dance to be the tenant of The Dance Space to be constructed on the site, and approves the heads of terms for the

Agreement to Lease at Appendix 2 and authorises the Head of Legal Services in consultation with the Executive Director Environment Development & Housing, Assistant Chief Executive and Executive Director Finance & Resources to finalise and enter into all documentation required in connection with the overall development of the site by the developer and the Agreement to Lease to South East Dance.

## **18. BRIGHTON BATHING PAVILION - LEASE AGREEMENT**

- 18.1 The Assistant Chief Executive introduced the report which sought approval for the disposal of the former Peter Pan site for the proposed Brighton Bathing facility. She noted that the results of the marketing exercise had been reported to the Economic Development & Culture Committee in June 2012, where it had been agreed to present the Heads of Terms with the preferred bidder to the Policy & Resources Committee for approval.
- 18.2 Councillor Bowden welcomed the report and stated that the site had been derelict for too long and he hoped that the proposed development could be delivered and needed regeneration brought to the area.
- 18.3 Councillor G. Theobald welcomed the investment in the area and hoped that it would be delivered.
- 18.4 Councillor Morgan also welcomed the report and stated that he hoped the facility would be inclusive and open to all residents of the city.
- 18.5 The Chair welcomed the level of investment that was being made and stated that he believed it would be open to all. He then put the recommendations to the vote.

### **18.6 RESOLVED:**

- (1) That the disposal of the site as shown on Plan 2 attached on a 60 year lease to the preferred bidder, the Karma Royal Group, at a ground rent for 21 years and a market rent thereafter be agreed, and the other terms of which shall be in a form agreed by the Executive Director Finance & Resources, the Assistant Chief Executive and the Head of Law;
- (2) That it be noted that the tenant will redevelop the site for leisure use to a specification to be agreed by the Council; and
- (3) That the Head of Law be authorised to enter into all associated documentation in a form to be agreed with the Executive Director Finance & Resources and the Assistant Chief Executive.

## **19. ARTICLE 4 DIRECTION – REMOVAL OF PERMITTED DEVELOPMENT RIGHTS OFFICE TO RESIDENTIAL**

- 19.1 The Head of Planning & Public Protection introduced the report which sought authority for making an Article 4 direction to remove the government's recently introduced temporary permitted development rights under planning legislation for changes of use

from offices (B1a) to residential uses (C3), in certain parts of the local authority area. He outlined the areas to be included and noted that it would not come into effect for a year and that there were already a number of pre-applications in the system.

- 19.2 The Chair welcomed the proposal and the defined area which he hoped would help to ensure that Brighton and Hove did not become a dormitory city. He then put the recommendations to the vote.
- 19.3 **RESOLVED:** That Policy & Resources Committee authorises the making of a non-immediate direction under article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) to remove the permitted development right to change the use from offices (B1a) to a dwelling house (Class C3) in the areas identified in Appendix 2 for the reasons outlined in this report.

## 20. PRESTON BARRACKS DEVELOPMENT

- 20.1 The Head of City Regeneration introduced the report which provided an update on the progress made in relation to the development opportunities for the Preston Barracks site and land owned by the University of Brighton. He wished to thank the Members of the Project Board for their support and contributions over the past months and stated that it was hoped to bring final recommendations to the Board later in the year, taking into account best consideration arrangements.
- 20.2 Councillor Bowden welcomed the report which had been a long time in coming forward and he hoped that a further report could be brought to committee before the end of the year.
- 20.3 Councillor K. Norman stated that it had been a lengthy period of time in regard to finding a solution for the development of the site and he hoped that the University of Brighton would be able to deliver on any part of a future development that came forward. With this in mind, he suggested that it may be helpful to work with any other developers who could be interested in the site rather than just the university at this stage.
- 20.4 Councillor Morgan welcomed the report and stated that he was pleased to see the reference to the co-operative housing element for any development.
- 20.5 Councillor G. Theobald stated that he believed the economy was improving and therefore suggested that other potential developers should not be precluded from the process, albeit that the University was the obvious choice.
- 20.6 The Chair noted the comments and stated that they would be taken on board and noted that there was also a need to give consideration to a number of uncertainties e.g. City Deal which relied on government actions. He then put the recommendations to the vote.
- 20.7 **RESOLVED:**
- (1) That the work to date summarised in Section 3 of the report, and the cross-party Project Board's recommendations to proceed accordingly be noted;

- (2) That the Project Board's view, that the partnership with the University of Brighton and alignment with the Greater Brighton City Deal 'Growth Hub' proposals presents the preferred route to successful delivery of the regeneration of the Preston Barracks site; and
- (3) That the Executive Director Finance & Resources, Executive Director Environment Development & Housing and Head of Law be authorised to enter into further negotiations to actively consider disposal of the Preston Barracks site to the University of Brighton and/or its development partner to enable delivery of the mixed use scheme, subject to a further report to the Project Board and Policy & Resources Committee being required to detail the proposed terms of such a disposal.

## **21. KING ALFRED DEVELOPMENT**

- 21.1 The Head of Planning and Public Protection introduced the report and stated that the cross-party Project Board had made rapid progress over the last few months having had a clear ambition and commitment to proceed. He believed that a viable proposition had been reached and that some pragmatic compromises had been required in order to bring the project forward. He referred to the maximum specifications detailed in appendix 1 to the report and noted that there was a need to remain cost neutral in capital terms. He also noted that consideration had been given to retaining the development at the King Alfred site and also to enabling an alternative site to be used. It was therefore hoped that an open day for potential developers could be held in October with a preferred developer being identified early next year.
- 21.2 Councillor Bowden stated that he wished to thank the other members of the Project Board for their support and that he felt the project was at a stage where it could be taken forward. He noted that an amendment to the recommendations had been circulated by the Conservative Group and stated that he was happy to accept it. In regard to the need for a 50m pool, he stated that discussions had been held with Sport England and it was not seen as being a requirement of any new development, however it could be part of the consideration during any competitive dialogue with potential developers.
- 21.3 Councillor G. Theobald welcomed the report and the acceptance of the amendment, which he moved, as he felt it was better to keep the option of having either a 25m or 50m pool at this point.
- 21.4 Councillor Morgan stated that as a member of the Project Board he believed the project could now be taken forward and wished to thank the officers for their work. He hoped that the project would be supported by all Groups and that its fruition would be realised in the near future.
- 21.5 Councillor A. Norman welcomed the report and thanked the officers for their work. She believed it was appropriate to include the possibility of a 50m pool and formally seconded the amendment.
- 21.6 The Chair noted the comments and stated that he believed the majority of residents in the city wanted to have a state of the art leisure centre and whilst the option of a 50m

pool could be considered, it should not prevent the realisation of a new leisure centre. He therefore put the recommendations as amended to the vote.

#### 21.7 RESOLVED:

- (1) That the Project Board be thanked for the work undertaken to date, the main findings of which summarised in Sections 3.9 to 3.44 of the report be noted, and the Project Board's recommendations to proceed be supported;
- (2) That the Board's view that the project's primary objective remains the delivery of a new, modern sports facility in the west of the city, either on the King Alfred site or another appropriate site to be identified as part of the procurement process by a preferred developer be supported;
- (3) That it be agreed that the proposed sports centre specification shown at Appendix 1 provides the appropriate range and mix of facilities demanded in the city, and approve the specification as the basis for taking the project forward, whilst not at this stage ruling out a 50m swimming pool and provision for diving should a developer come up with a viable proposal to incorporate this in a scheme;
- (4) That the forecast revenue costs for the proposed sports centre, the potential saving this provides when compared with the costs to the council of the current centre, and the potential this has to support council borrowing to enable direct investment towards the capital cost of the new facility;
- (5) That the findings of the development viability advice, which suggests financially viable solutions, are possible, but that pragmatic compromises are likely to be required be noted;
- (6) That the appointment of appropriate external advisers to support the procurement and evaluation process and approve the allocation of existing financial resources to enable this be agreed; and
- (7) That it be agreed that the Council should seek a preferred developer for the sports centre and enabling development by way of the Competitive Dialogue process and note the indicative programme leading to this, including a proposal for an open day with potential developers, and that a further report leading to the appointment of a preferred developer will return to a future meeting of this committee.

## 22. NEW HISTORIC RECORDS OFFICE & RESOURCE CENTRE

### 22.1 RESOLVED:

- (1) That the considerable progress of this major partnership project, with Practical Completion achieved and building handover completed, so that the partners' collections can be decanted into the building with a view to going operational in November of this year be noted;
- (2) That it be noted that the partnership and legal arrangements between the partners are at an advanced stage, but not yet in their final form and that a stakeholder

account has been set up as an interim measure pending the finalisation of the legal documents;

- (3) That the planned triggers for the release of staged payments from the Council to East Sussex County Council out of the stakeholder account be agreed;
- (4) That the Assistant Chief Executive, the Executive Director Finance & Resources and the Head of Law be authorised to conclude negotiations to enable (i) the decanting and other partnership arrangements to take place and (ii) the Head of Law to complete all necessary documents;
- (5) That it be agreed that the finalised arrangements, when completed, be reported to the Economic Development & Culture Committee for information.

### **23. BRIGHTON SHOREHAM AIRPORT**

23.1 The item had been withdrawn.

### **24. ANNUAL PUBLIC HEALTH REPORT**

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

### **25. ANNUAL PERFORMANCE UPDATE 2012/13**

- 25.1 The Assistant Chief Executive introduced the report which detailed the three major performance management areas for the city and the council; the City Performance Plan, the Corporate Plan and the Organisational Health Report. She noted that in regard to the City Performance Plan and the Corporate Plan, 72% and 76% of the plans' respective targets had been achieved and work towards the remaining targets was progressing. She also drew attention to the error in the dates listed for the CO2 emissions in appendices 2 and 3 which had been rectified and amended pages circulated and should have referred to 2010 and not 2013.
- 25.2 The Chair welcomed the report and noted the direction of travel in regard to achieving the aims and objectives that had been identified in the plans.
- 25.3 Councillor Mitchell welcomed the improvements for school attainment and placements for looked after children but expressed concern in relation to the increase in reporting of domestic violence incidents and the reduction in recycling rates.
- 25.4 The Chair acknowledged the concern for domestic violence and noted that the recently appointed Chief Superintendent, Nev Kemp had highlighted the need to focus on tackling the issue. In regard to the recycling rates, he accepted that levels had reduced but hoped that these figures would improve and noted the support for communal recycling and composting which should be welcomed.
- 25.5 Councillor Shanks noted that there was a need to improve children's attainment levels in relation to those on free school meals and was pleased that officers were working with those schools that had been successful to work with and support other schools with a view to improving results.

- 25.6 Councillor A. Norman welcomed the report and referred to appendix 1 on page 155 and queried how many plans/reports were required from a statutory basis. She noted that the amount of waste going into landfill had gone down and suggested that it was because of the beneficial impact of the incinerator. She also queried whether the planning application for the proposed travellers' site at Horsdean had been delayed because of the quality of ground water listed on page 202 and expressed concern over the level sickness and queried whether any support was available to staff.
- 25.7 The Chair noted the comments and suggested that it was helpful from a performance management perspective to measure various aspects and therefore did not see the need to review the number of indicators that were in use.
- 25.8 The Head of City Regeneration stated that the planning application in regard to the Travellers' Site at Horsdean was being held pending the obtaining of information in regard to water treatment requirements to support the proposed site.
- 25.9 Councillor Littman referred to the levels of staff sickness and stated that these were monitored regularly and support provided in a number of ways to help staff. He also noted that there had been a flu spike earlier in the year which may have affected the levels.
- 25.10 Councillor Morgan stated that it was important for the council to do all it could to reduce sickness rates and levels of domestic violence and hoped that improvements could be made.
- 25.11 The Assistant Chief Executive stated that a Board covering Violence Against Women and Girls was due to be launched, which would look at how such incidents could be prevented and support provided to those affected.
- 25.12 The Chair then put the recommendations to the vote.
- 25.13 **RESOLVED TO RECOMMEND:**
- (1) That the areas of good progress be noted;
  - (2) That the Executive 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;
  - (3) That the arrangements for review of the Performance and Risk Management Framework be noted;
  - (4) That the content of the new Organisational Health report be noted; and
  - (5) That the report and appendices be recommended to full Council for information.

**26. DEVELOPMENT OF A POLICY & PROSPECTUS FOR COMMUNITY AND THIRD SECTOR DEVELOPMENT 2014-2017****26.1 RESOLVED:**

- (1) That the development of a Corporate Policy and Commissioning Prospectus for Community and Third Sector Development 2014 – 2017 be approved;
- (2) That the approach and timescale for developing the policy and prospectus including final agreement of the approach at December Policy & Resources Committee noted; and
- (3) That officers be instructed to bring a report for decision on neighbourhood governance to Policy and Resources Committee in December 2013 to align this work to the development of the policy and commissioning prospectus.

**27. ECONOMIC STRATEGY AND ACTION PLAN 2013-18**

27.1 The Head of City Regeneration introduced the report which detailed the refresh of the Economic Strategy and Action Plan for 2013-2018. He stated that there were five strategic objectives set out in the action plan and that there had been an extensive consultation process. It was intended to take the report to the Economic Partnership in September and then onto Council in October.

27.2 Councillor Bowden welcomed the report and stated that he wished to thank the Economic Partnership for their involvement in the process and he believed it was a robust document that should be commended.

27.3 Councillor Morgan welcomed the report and stated that he wished to thank all those involved in developing the strategy and stated that there was a need to create jobs at all levels across the city.

27.4 The Chair stated that there had been a need for a refresh and the collective approach to the new plan should be welcomed and referred to as a good example of partnership working. He then put the recommendations to the vote.

**27.5 RESOLVED TO RECOMMEND:**

- (1) That the refresh of the Economic Strategy and Action Plan 2013 -2018 be approved and recommended to the Full Council in October 2013;
- (2) That the Economic Partnership and other business and voluntary sector partners be thanked for their contribution to the creation of the new Economic Strategy for the city;

- (3) That the Executive Director for Environment, Development & Housing be authorised to make any minor amendments relating to the report following further consultation with the Economic Partnership in September 2013; and
- (4) That the work taking place to align the Economic Strategy with the Greater Brighton City Deal proposals and emerging Coast to Capital Local Enterprise Partnership (LEP) Growth Strategy be noted.

## **28. GREATER BRIGHTON CITY DEAL**

- 28.1 The Head of City Regeneration introduced the report which provided an update on the Greater Brighton's bid for a Wave 2 City Deal and the work taking place with partners to develop a sustainable growth strategy for a prosperous Greater Brighton City Region. He noted that it was hoped to get final agreement to the bid in the autumn.
- 28.2 Councillor G. Theobald welcomed the report and hoped that the progress to date would result in the bids success later in the year. He also welcomed the work with neighbouring authorities and believed that the region was well positioned in regard to future economic growth.
- 28.3 Councillor Morgan stated that it was a complex matter and wished to thank the officers concerned for the recent briefing that they had provided.
- 28.4 The Chair stated that the feedback on the bid to date had been positive and it had been helpful to build relations with the neighbouring authorities and to be able to access other funding streams as a result of making the bid. He then put the recommendation to the vote.
- 28.5 **RESOLVED:** That the progress to date be noted and the work being undertaken by officers to secure a Wave 2 City Deal for the Greater Brighton City Region be endorsed.

## **29. TREASURY MANAGEMENT POLICY STATEMENT 2012/13 - END OF YEAR REVIEW**

- 29.1 The Executive Director for Finance & Resources introduced the report and noted that the council had not exceeded its borrowing limits. She also noted that interest levels had not been achieved and that the council was not currently investing with the Co-operative bank following its recent down-grading.
- 29.2 Councillor A. Norman asked that the Committee's thanks to Peter Sargent for his management of the investment portfolio be placed on record and noted that in view of the changes affecting the Co-op Bank that the council was not currently investing in it.
- 29.3 The Chair stated that he had written to Peter Sargent and was happy to record the Committee's thanks for his services to the council. He then put the recommendations to the vote.
- 29.4 **RESOLVED:**

- (1) That the key actions taken during the second half year to meet the treasury management policy statement and practices (including the investment strategy) as set out in this report be endorsed;
- (2) That it be noted that the approved maximum indicator for investment risk of 0.05%, authorised borrowing limit and operational boundary have not been exceeded.

### **30. TARGETED BUDGET MANAGEMENT (TBM 2)**

- 30.1 The Executive Director for Finance & Resources introduced the report which set out the forecast outturn position as at Month 2 on the council's revenue and capital budgets for the financial year 2013/14. She noted that an overspend was currently forecast, which was partly due to the pressures identified on the community care budget and under-achievement in regard to the voluntary severance scheme and because of the early period of the financial year.
- 30.2 Councillor Littman stated that it was an early forecast and it was likely to change as the year progressed. He noted that there was good news in regard to the level of capital receipts and that it was intended to be as open and transparent about the budget position as possible.
- 30.3 Councillor A. Norman questioned the fact that there had been a significant change from an underspend to a projected overspend within a couple of months and whilst pressures such as those on the community care budget were known, and the unachieved savings from the voluntary severance scheme disappointing, it was concerning to be forecasting an overspend at this stage.
- 30.4 Councillor Mitchell stated that it was unusual to have an overspend in one area so early into the financial year and she had questioned the level of savings that could be achieved in Adult Care. She also queried where the funding of £4m referred to on page 435 of the agenda was going in regard to new pupil places. She also noted that capital funding of £420k had been received and asked if any more would be available in relation to two-year olds.
- 30.5 Councillor Shanks stated that she believed the funding was in relation to the purchase of Hove Police Station in order to provide additional pupil places. She also stated that she would provide a written response in regard to the funding of for two-year olds.
- 30.6 The Executive Director for Finance & Resources noted that estimates had been made at Budget Council in relation to new pupil places because of the government's delay in providing the necessary information. She stated that the Children & Young People Committee would have considered options in regard to allocations of spend and she would ensure that information on that would be made available to the members of the Policy & Resources Committee.
- 30.7 The Chair then put the recommendations to the vote.
- 30.8 **RESOLVED:**

- (1) That the forecast outturn position for the General Fund, which is an overspend of £3.388m be noted;
- (2) That the forecast outturn for the Housing Revenue Account (HRA), which is an underspend of £0.123m be noted;
- (3) That the forecast outturn position for the Dedicated Schools Grant which is an underspend of £0.208m be noted;
- (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 new schemes as set out in Appendix 3.

### **31. BUDGET UPDATE AND BUDGET PROCESS 2014/15**

- 31.1 The Executive Director for Finance & Resources introduced the report which set out the financial context the Council was working in, following major national changes to local government finance which had been introduced from the 1<sup>st</sup> April 2013. She noted that further information was anticipated from the government but in the meantime officers were working on the premise of a 2% council tax increase for 2014/15. It was also intended to bring together the Corporate Planning and Financial Planning processes to enable a more co-ordinated approach to the budget process. It was intended to bring a report to the December committee meeting on the outline proposals and a final report to the February meetings of the committee and full council.
- 31.2 Councillor Littman welcomed the report and the proposed process for consultation and involvement in the budget setting process. He noted that it was going to be a challenging process and that difficult decisions would have to be taken.
- 31.3 Councillor A. Norman stated that she wished to thank the officers for the report and noted that a 2% council tax rise was being considered rather than maintaining a council tax freeze and utilising government support. She also noted that it was intended to improve the scrutiny review aspects for the budget setting process.
- 31.4 Councillor Morgan expressed concern over the scale of financial savings anticipated at paragraph 3.41 and stated that there was a need to maintain services provided by democratically elected bodies and not privatised organisations.
- 31.5 The Chair stated that the council faced a huge challenge in terms of its future finances and savings that would have to be found and urged all Members to support the LGA campaign for the future of local government. He then put the recommendations to the vote.
- 31.6 **RESOLVED:**
- (1) That the resource and expenditure projections for 2014/15 set out in the body of the report and appendix 1, and the Medium Term Financial Strategy (MTFS) projections set out in appendix 2 be noted;

- (2) That the Executive Leadership Team be instructed to develop budget proposals for 2014/15, for submission to Policy & Resources Committee for consideration, on the basis of:
  - a 2% council tax increase;
  - the purpose, ambition and priorities set out in the corporate plan and principles set out in paragraph 3.44 of the report;
  - the consultation and engagement approach set out in paragraph 4 of the report.
- (3) That the Executive Leadership Team be instructed to identify options to meet the 2014/15 savings target of £23.6m and expand the proposals currently contained in the MTFs to provide more detail over the subsequent 4 year period; and to report such options and proposals to Policy & Resources Committee for consideration.
- (4) That the proposed approach to reviewing the Council Tax Reduction Scheme as set out in paragraphs 3.24 to 3.26 of the report be agreed; and
- (5) That the resource projections for the capital investment programme as shown in appendix 3 to the report be noted.

## **32. RENEWAL OF PUBLIC HEALTH SERVICES CONTRACTS**

### **32.1 RESOLVED:**

- (1) That the proposals for the renewal of public health contracts as set out in paragraphs 3.6 – 3.9 of the report be approved;
- (2) That the procurement of the lifestyle weight management and the stop smoking services contracts described in Appendices D and E respectively to the report be approved;
- (3) That a twelve month extension of the existing contracts for sexual health and substance misuse and alcohol services referred to in paragraphs 3.7.4 - 3.7.5 of the report and described in Appendices F and G respectively to the report be agreed; and
- (4) That the Director of Public Health be granted delegated authority to:
  - (i) conduct a competition through a mini-prospectus for the mental health promotion contracts referred to in paragraph 3.9.1 and described in Appendix H to the report.
  - (ii) award contracts for the lifestyle weight management and the stop smoking services on the basis of price and quality evaluation criteria.

## **33. HIGHWAY WORKS FRAMEWORK AGREEMENT**

- 33.1 The Lead Commissioner for City Regulation & Infrastructure introduced the report which sought approval for the tendering of a highway works framework agreement to provide for the structural maintenance of the highway and to provide the civil engineering element of environmental enhancement projects, road safety projects, traffic management works and traffic signal alterations. He noted that the current contract expired in December 2014 with an annual spend of £4.5m.
- 33.2 Councillor G. Theobald queried whether any discussions had been held with other authorities in the SE7 Group in regard to sharing services and or having joint contracts.
- 33.3 The Lead Commissioner stated that partner organisations within the SE7 Group had been approached about having a joint framework agreement; however they had declined as they felt that they had much larger contracts. However officers were actively engaged in working with their SE7 partners for future arrangements.
- 33.4 The Chair noted the information and stated that there was also a need to balance the ability of local contractors to bid for the work available. He then put the recommendations to the vote.
- 33.5 **RESOLVED:**
- (1) That the procurement of a framework agreement for highway works with a term of four years from 1 January 2015 to 31 December 2018 and an option to extend for a further two years to 31 December 2020 be approved;
  - (2) That delegated authority be granted to the Executive Director Environment, Development and Housing –
    - (i) to carry out the procurement of the framework agreement referred to in (1) above including the award and letting of the framework agreement; and
    - (ii) to grant an extension to the framework agreement referred to in (1) above of two years should he/she consider it appropriate at the relevant time.

**34. PROCUREMENT AND AWARD OF THE HIGHWAY SAFETY MAINTENANCE CONTRACT**

- 34.1 **RESOLVED:**
- (1) That the procurement of a contract for the provision of highway safety maintenance for a 4 year period, with an option to extend for a further 2 years be approved;
  - (2) That delegated authority be granted to the Executive Director, Environment, Development & Housing –
    - (i) to award the contract for 4 years following the recommendations of the evaluation panel and the results of the tendering process; and
    - (ii) to extend the contract for up to 2 years, subject to satisfactory performance of the contractor.

**35. PROCUREMENT OF THE CORPORATE BUILDING CLEANING CONTRACT (JULY 2013)**

35.1 **RESOLVED:** That the Executive Director for Finance & Resources be authorised to:

- (i) Extend of the existing corporate building cleaning contract by one (1);
- (ii) Carry out a tendering process for the new corporate building cleaning contract in accordance with full of EU Procurement legislation together with the Public Contracts Regulations 2006, the Council's Standing Orders and Financial Regulations;
- (iii) In consultation with the Chair of Policy & Resources, to award the OJEU procured corporate building cleaning contract referred to in section 2.2 above for a term of four (4) years; and
- (iv) In consultation with the Chair of Policy & Resources, to grant a two (2) year extension to the corporate building cleaning contract referred to in section 2.2 above at the relevant time, subject to satisfactory performance.

**36. WAIVERS OF CONTRACT STANDING ORDERS**

36.1 **RESOLVED:** That the number of waivers authorised under Contract Standing Orders 18.2, 18.3 and 18.4 during financial years 2011/12 and 2012/13 be noted.

**37. METRO WIRELESS NETWORK CONCESSION EXTENSION**

37.1 **RESOLVED:**

- (1) That approval be given to let a service concession for the use of council owned assets (primarily street furniture) to deliver a Wireless Network for a 7 year initial period with the option to extend for 2 years plus a further period of up to 12 months (7 plus 2 plus 1);
- (2) That the Executive Director Environment, Development & Housing be granted delegated authority to award a service concession contract to deliver a Metro Wireless network and, subject to satisfactory performance of the appointed contractor, to extend the 7-year contract by a maximum of 3 years (2 years, then 12 months); and
- (3) That the Executive Director Environment, Development & Housing be authorised to agree any minor amendments to the draft contract deemed necessary and to conclude the contract accordingly.

**38. WORKFORCE EQUALITIES ACTION PLAN**

38.1 The Executive Director for Finance & Resources introduced the report which detailed the findings of Global HPO in relation to their assessment of race equality in employment in the Council and the action plan that had been drawn up as a result of the

findings. She noted that a number of the findings went across the organisation and also included aspects affecting partner organisations. She wished to put on record her thanks to all those that took part in the review and stated that she believed significant progress had been made.

38.2 Councillor Littman welcomed the report and stated that it was an important step in moving forward and enabling the council to meet a number of very challenging aspects that were part of the HPO report.

38.3 The Chair endorsed the comments and stated that he wished to thank the Executive Director for leading on what had been a huge piece of work and stated that he believed the organisation was on the right path, albeit that there were challenges to be tackled in order to achieve the objectives.

38.4 Councillor A. Norman welcomed the report and the action plan. She stated that over the years the organisation had tried a number of ways to address the issues highlighted and it did now appear that a considered approach could be taken forward and results achieved.

38.5 Councillor Morgan welcomed the report and stated that it was essential to ensure that all staff were treated with respect.

38.6 The Chair thanked the Members for their comments and put the recommendations to the vote.

38.7 **RESOLVED:**

- (1) That the findings of the Global HPO report on race equality in employment at Appendix 1 to the report be noted;
- (2) That the progress made to date on the issues identified in that report as set out in paragraph 3.3 be noted;
- (3) That the Workforce Equalities Action plans set out in Appendix 2 and 3 to the report be approved; and
- (4) That the ongoing monitoring and reporting arrangements set out in Appendix 4 to the report be noted.

39. **INFORMATION SECURITY POLICY BRIEFING**

39.1 **RESOLVED:**

- (1) That the Information Security Policy framework attached as Appendix 1 to the report be agreed; and
- (2) That the Executive Director, Finance & Resources, be granted delegated powers to approve ICT related policies, protocols and guidance subject to compliance with the Information Security Policy Framework.

**40. ITEMS REFERRED FOR COUNCIL**

40.1 No items were referred to the Council meeting on the 18<sup>th</sup> July 2013.

**PART TWO SUMMARY**

**41. BRIGHTON BATHING PAVILION - LEASE AGREEMENT - EXEMPT CATEGORY 3**

41.1 **RESOLVED:** That the information contained in the appendix to the report listed at Item No.18 on the agenda be noted.

**42. KING ALFRED DEVELOPMENT - EXEMPT CATEGORY 3**

42.1 **RESOLVED:** That the information contained in the appendix to the report listed at Item No.21 on the agenda be noted.

**43. PART TWO PROCEEDINGS**

43.1 **RESOLVED:** That the items contained in Part Two of the agenda and the decisions thereon remain exempt from disclosure to the press and public.

The meeting concluded at 4.25pm.

Signed

Chair

Dated this

day of

2013

