

**BRIGHTON & HOVE CITY COUNCIL**

**POLICY & RESOURCES COMMITTEE**

**4.00pm 12 JUNE 2014**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor J Kitcat (Chair) Councillors Sykes (Deputy Chair), G Theobald (Opposition Spokesperson), Morgan (Group Spokesperson), Lepper, A Norman, Peltzer Dunn, Pissaridou, Randall and Shanks

**PART ONE**

**1. PROCEDURAL BUSINESS**

**(a) Declarations of Substitutes**

1.1 Councillor Pissaridou was present in substitution for Councillor Hamilton.

**(b) Declarations of Interest**

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

**(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 any of the items listed on the agenda.

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

**2. MINUTES**

2.1 The minutes of the meeting held on 1 May 2014 were approved as a correct record of the proceedings and signed by the Chair.

**3. CHAIR'S COMMUNICATIONS**

3.1 The Chair stated that the previous weekend the city came together for the 70<sup>th</sup> Anniversary of D-Day and extended thanks to everyone involved in preparing for the

events and to all of the people who came to support them. He made special mention of the ex-Mayor of Hove, Bernie Jordan, who made the headlines with his trip to France, and was pleased to note that he made the journey back and was safely with friends and family.

- 3.2 The Chair extended thanks to those staff and Members who participated in the previous week's Local Government Association (LGA) Peer Review. This had been a valuable exercise that tested the hypothesis of progress and asked LGA colleagues to measure the authority against a suite of set criteria. The initial feedback had been very positive and a more detailed report was expected.
- 3.3 The Chair also stated that much of the agenda considered directly or indirectly the financial situation; especially how services were planned to be delivered and progressed as the consequences of austerity played out. The Council had a duty to provide services and a duty of care to residents and visitors. It was noted that political views were not incompatible but they were becoming increasingly polarised as financial realities hit. The Chair hoped that all Members would seek to work together to find solutions to these challenges, and despite the increased politicisation that a pre-election year brought – the entire Council would seek to work on behalf of the electorate rather than hoping primarily to influence their vote.

#### **4. CALL OVER**

- 4.1 The Following items on the agenda were reserved for discussion:

Item 7	Targeted Budget Management (TBM) Provisional Outturn 2013/14
Item 8	Governance of Value for Money Phase 4
Item 9	Charging Options In Relation To Sunday Parking
Item 10	Adult Services – Future Service Models
Item 11	Brighton & Hove Seaside Community Homes – Registered Provider Application
Item 12	Progress Report on the Workforce Equalities Action Plan
Item 14	Confirmation Article 4 Direction – Office to Residential
Item 15	Hove Park Depot – Long Lease to School
Item 17	Brighton & Hove City Council Provision of Arboricultural Services
Item 18	Appointment to Brighton Estates Conservation Trust
Item 20	Hove Park Depot – Long Lease to School – Exempt Category 3
Item 20A	Brighton & Hove Seaside Community Homes – Registered Provider Application – Exempt Category 3

- 4.2 The Acting Democratic Services Manager 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 13	Development of Shared Lives
Item 16	Procurement of a Framework Agreement for Reactive Fabric Maintenance and Minor New Works.

## 5. PUBLIC INVOLVEMENT

- 5.1 The Chair noted that a petition in relation to Free Parking on Sundays had been referred from the Council meeting on 27 March 2014, and as part of the recommendation from that meeting there was an accompanying Officer report at Item 9 on the agenda. The Committee agreed to consider the petition at the same time as the Officer report at Item 9.
- 5.2 The Chair noted that a deputation from the 'Tenants Leasing Council Owned Properties in Stanmer Village' had been referred from the Council meeting on 8 May 2014, and it was clarified that since that meeting a new tenancy was now in place. The Chair then put the recommendation that the Committee note the report to the vote.
- 5.3 **RESOLVED:** That the Committee note the report.
- 5.4 The Chair noted that no other petitions, public questions or deputations had been received for the meeting.

## 6. MEMBER INVOLVEMENT

- 6.1 The Chair noted that Councillor G. Theobald has given advance notice of a question which was listed in the agenda papers.

- 6.2 Councillor G. Theobald's question asked:

"Given that it is now almost a year since P&R Committee agreed the way forward for the redevelopment of the King Alfred site, will the Leader of the Council please provide Committee with an update on progress with choosing a preferred bidder for the new leisure centre?"

- 6.3 The Chair responded:

"As Councillor Theobald will be aware, it was this administration that re-established the King Alfred project in 2012, following many years of inactivity from the previous administration. In a relatively short period we confirmed the city's priorities for the new Sports Centre, and the type of enabling development needed to help deliver it, and set out the process by which the council would seek to appoint a development partner.

Since securing the unanimous support of the Policy & Resources Committee in July 2013, officers have continued preparatory work needed to inform and support the formal procurement exercise. The King Alfred is among the most strategically significant projects in the city and it is vitally important that the council is properly prepared before embarking on a complex tendering process. To do so prematurely will not benefit either the council, interested developers or the community.

As a first step in this process, in November 2013, the council hosted a 'Developers' Day' event that enabled early engagement with the development community, and the opportunity for the council to promote this exciting development opportunity. This successful event, attended by 65 senior representatives from more than 40 companies,

enabled the council to outline the city's objectives and to begin dialogue with a range of industry specialists. Valuable feedback obtained from the day has helped inform the planned process, which we hope will be welcomed by developers.

We have just recently appointed Deloittes to support the council with property, procurement, and cost advice to support the OJEU 'Competitive Dialogue' and we are committed to starting the procurement exercise later this summer.

- 6.4 By way of a supplementary question Councillor G. Theobald asked for more information in relation to the specific timetable, and the Chair agreed he would send a detailed written response after the meeting to this effect.
- 6.5 The Chair noted the Notice of Motion as listed in the agenda, and formally proposed the motion himself which was seconded by Councillor by Councillor Sykes. The Committee then debated the motion.
- 6.6 The Chair then put the following motion to the vote:

"This Committee resolve to endorse the Local Works campaign for a 'supermarket levy', and support the Derby City Council-led bid to government requesting relevant powers under the Sustainable Communities Act."

- 6.7 The motion was **carried**.

## **7. TARGETED BUDGET MANAGEMENT (TBM) PROVISIONAL OUT-TURN 2013/14**

- 7.1 The Committee considered a report of the Executive Director for Finance & Resources in relation to Targeted Budget Management (TBM) Provisional Out-turn 2013/14. TBM was a key component of the Council's overall performance monitoring and control framework; the report set out the provisional outturn position (Month 12) on the Council's revenue and capital budget for the financial year 2013/14. The final outturn position was subject to the annual external audit review, and the final position would be shown in the Council's financial statements which had to be signed by the Chief Financial Officer by 30 June 2014 and the audited set approved by the Audit & Standards Committee by 30 September 2014.
- 7.2 Councillor Sykes thanked Officers for the work that had gone into the report, and noted that the underspend was good news which showed the change of position since the 2014/15 budget had been agreed. The pressure area in relation to the Code of Connection provision was also noted.
- 7.3 Councillor Morgan noted that the expenditure on homelessness had been lower than expected, but queried this against the growing number of homeless in the city; he also asked if the underspend in the City Parks service could be put back into the service. In response to the first matter the Executive Director for Finance & Resources confirmed that not all of the additional funding for homelessness had been needed, and the overall spend had been increased in this area. It was not certain if this trend would continue; a lot of work had been put in to help mitigate the impact of welfare reforms, and there was a degree of reliance on discretionary funds – not all of which would continue in future years. In response to the second point the Executive Director for Environment,

Development & Housing stated that, in relation to concerns about refuse collection in Parks, this could be looked at, but increasing spend on this in the current financial year would need to be considered against achieving underspend in other areas otherwise this would increase the risk of an overall budget overspend in the service – there would further information on this in the TBM report to the July meeting.

- 7.4 Councillor A. Norman welcomed the reported underspend in the budget, and noted there was indication, to her, in the report that the number of people in work in the city was increasing. In relation to business rates the reduced number of successful appeals was welcomed, and it was referenced that the Council no longer needed support from the Safety Net. With the addition of grant funding that had been lobbied for it was noted that there was a significant financial boost for the Council, and Councillor A. Norman queried if there had been a need to increase Council Tax as part of the 2014/15 budget.
- 7.5 In response to specific questions from Councillor A. Norman the Executive Director for Finance & Resources explained that the public health reserve had to be ring fenced specifically for that service; currently the Director of Public Health was considering options to secure long term finance gains. In relation to discretionary funds it was clarified that there had been an underspend in the previous financial year and the decision had been made to take some recurrent funding out of this to stretch these resources over a longer period. The carry forward on 'Living Our Values Everyday' related to the corporate plan modernisation agenda and the range of activities that had been rolled out for all managers in the organisation to equip them with the skills to work through the change process.
- 7.6 The Executive Director for Environment Development & Housing clarified for Councillor A. Norman that over all, expenditure in City Clean and City Parks had come in on budget. There had been an overspend in the City Clean budget in one area, but this needed to be considered in the context of a very difficult year for the service. There had been some serious problems with vehicle breakdowns which had contributed to cost pressures, but the Executive Director had full confidence that this would be addressed when the new vehicles became operational later in the year.
- 7.7 The Executive Director for Adult Services explained to Councillor A. Norman that work was being undertaken to consider a range of supported living options and this included extra care schemes.
- 7.8 Councillor Sykes noted the late receipt of £400k from central government, and stated that this was contrary to good financial planning; the Chair agreed with this, but Councillor A. Norman noted that in her experience local authority finance had always been complicated.
- 7.9 Officers agreed to provide Councillor G. Theobald with additional information in relation to Patcham Court open access scheme outside of the meeting.
- 7.10 In response to Councillor Pissaridou the Executive Director for Finance & Resources explained that the funds for short breaks for children had been a capital grant; the voluntary sector had since been invited to put forward ways to use these funds which had not had proposals in place.

7.11 The Chair noted the ongoing difficult position of the budget in the next year and referenced the amount of work that the organisation needed to undertake. The Chair then put the recommendation to the vote.

**7.12 RESOLVED:**

- (1) That the Committee note the total provisional outturn position for the General Fund, which is an underspend of £1.085m. This consists of an underspend of £1.190m on council controlled budgets and an overspend of £0.105m on the council's share of the NHS managed Section 75 services;
- (2) That the Committee note the provisional outturn for the Housing Revenue Account (HRA), which is an underspend of £0.766m.
- (3) That the Committee note the provisional outturn position for the Dedicated Schools Grant which is an underspend of £1.447m.
- (4) That the Committee approve the carry forward requests totalling £7.176m as detailed in Appendix 2.
- (5) That the Committee note the provisional outturn position on the capital programme.
- (6) That the Committee approve the following changes to the capital programme.
  - i. The variations and reprofiles in Appendix 4 and the new schemes as set out in Appendix 5.

**8. GOVERNANCE OF VALUE FOR MONEY PHASE 4**

- 8.1 The Committee considered a report of the Executive Director for Finance & Resources in relation to Governance of Value for Money Phase 4. The report set out the proposals for the next phase of the Council's Value for Money approach, Phase 4, together with arrangements for oversight for effective governance of the programme. This was to ensure the aims of the programme were clear and the arrangements for the oversight were robust and appropriate to the scale of the challenge. The Value for Money programme was a key component of the delivering the Council's Corporate Plan Priority of Modernising the Council. It was also a crucial building block for the Council's budget planning for 2015/16 and its Medium Term Financial Strategy.
- 8.2 Councillor Sykes referenced the enormity of the challenge for the Council stating that the budget would reduce by £90M in the next 5 years, and last year the value for money programme had delivered £9.4M of savings. The report referenced the need for strength in central services to monitor and push this process, and there would be an expanded group of elected Members involved to oversee it.
- 8.3 Councillor A. Norman thanked Officers for the work to support this report, and noted that EY had confirmed the view of her Group that there were bigger savings to be made through value for money in the organisation. She added that this was contrary to the view of both the Green and Labour Groups that there were no more significant efficiency savings to be made and it was necessary to raise Council Tax. Councillor A. Norman

went on to add that she had believed there was more scope for procurement based savings and she welcomed more work around debt recovery.

- 8.4 In response to specific questions from Councillor A. Norman the Executive Director for Finance & Resources explained that the Council was following the advice from EY and giving a clear and consistent message that all staff had to play a part in contributing to and owning the changes and this would be a challenge for Senior Officers and Members. It was added that EY had been aware of some of the politically different views, and felt it was important there was political consensus around value for money.
- 8.5 The Executive Director went on to add that in relation to the modernisation of adult social care there was discussion around the opportunity for a local authority trading company, and much greater savings had been identified across health and social care. The report listed later in the agenda [Item 10] discussed the local authority trading company, and made a judgement around the scale of change, and the focusing of resources into the statutory requirements of the Care Bill and the Better Care Fund.
- 8.6 In response to Councillor G. Theobald the Executive Director for Finance & Resources explained that EY had reported back on the progression of the Workstyles programme in terms of its delivery within time and on budget. There had been challenge on whether the physical changes to buildings needed to be accompanied by greater consideration and change of how staff worked. It was also noted that other local authorities had invested much greater sums in terms of technology.
- 8.7 The Chair noted the budgetary challenge for the next financial year; the organisation would need to be very clear around this, and it was hoped the value for money programme would deliver. The Chair then put the recommendation to the vote.
- 8.8 **RESOLVED:**
- 1) That the Committee note the scope and savings opportunities identified for phase 4 of the council's Value for Money programme.
  - 2) That the Committee approve the cross-party member oversight arrangements for the programme as set out in paragraph 3.18.
  - 3) That the Committee note the minimum one-off resources of £1.450m anticipated to be required to achieve success and the further work required to quantify additional resources for key enabling projects.
  - 4) That together with £0.350m already approved for 2014/15, the Committee agree:
    - a) the early drawdown of the 2015/16 Modernisation Fund (£0.700m) to support the programme in 2014/15;
    - b) the set aside of £0.400m of the 2013/14 revenue budget underspend to support the programme in 2014/15, and;
    - c) to set aside the remaining £1.624m resources from 2013/14 to support the programme in 2015/16.

- (5) To agree additional recurrent investment of £0.300m in the council's procurement capacity as set out in paragraph 7.3 and appendix 1.

## 9. CHARGING OPTIONS IN RELATION TO SUNDAY PARKING

- 9.1 The Committee considered a report of the Executive Director for Environment, Development & Housing in relation to Charging Options in Relation to Sunday Parking; the item was also linked to a petition which was listed as Item 5(c) on the agenda. At Council on 27 March 2014 a petition was presented to 'introduce free Sunday car parking and on street parking across Brighton & Hove,' an amendment was tabled "*that the petition is referred to the Policy & Resources Committee for consideration accompanied by a full Officer report on the proposal, including an estimate of the costs of partial or full implementation of free Sunday parking and an impartial assessment of the advantages and disadvantages.*" The Committee were asked to consider three options for parking: i) Citywide free parking on Sundays; ii) partial free parking on Sundays; and, iii) to refer alternative suggestions for parking to the annual review at the end of the year for consideration.
- 9.2 The Chair noted that an amendment had been put forward by the Conservative Group and invited Councillor G. Theobald to propose the amendment. Councillor G. Theobald stated the Group had sought to be helpful by specifying suggestions as part of the amendment, and they were of the view that a full report should come forward on these matters as there was real concern from residents. There was scope for targeted measures to help traders and address the perceived negative image the city had in relation to parking. Reference was made to measures taken by Worthing Borough Council to reduce parking charges, and there was a need to assist local businesses. Councillor G. Theobald added that Brighton & Hove had one of the largest parking surpluses outside of London, and some of the existing car parking facilities in the city were currently underused.
- 9.3 Councillor A. Norman formally seconded the amendment.
- 9.4 Councillor Morgan stated he would not support the proposed amendment, and he felt that the recommendation as listed in the report was the most appropriate and practical approach. He expressed concern about some of the wording of the proposed amendment and felt it could potentially lead to displacement parking in more outer lying areas of the city. Councillor Morgan wanted to see a fair policy that gave provision for road safety schemes that had not come forward during the roll out of the 20mph zone, and wished to support local traders through the best use of the city car parks.
- 9.5 Councillor J. Kitcat referenced the success of the city economy, and its status as a seaside resort nationally. He did not believe that Worthing Borough Council represented a like for like comparison, but agreed there was always scope to consider targeted measures across the city as part of the Annual Parking Review. It was noted that recent changes had been implemented to allow greater flexibility.
- 9.6 Councillor Peltzer Dunn stated he would support the amendment, and noted that it sought to provide a series of suggestions. He noted the proposals for Option 3 and requested that in relation to paragraph 4.3 of the report there be a full list of alternatives



with reasons as the amendment sought action to this extent. In response the Executive Director stated that this was an appropriate approach to take.

- 9.7 The Chair added that in light of feedback from the Annual Review changes made been made year on year.
- 9.8 The Chair put the amendment to the vote which was **lost**.
- 9.9 The Chair then put the recommendation as per the report to the vote.
- 9.10 **RESOLVED:** That the Committee decides to refer alternative suggestions for parking charges to the annual review at the end of the year for consideration (option 3).

## 10. ADULT SERVICES- FUTURE SERVICE MODELS

- 10.1 The Committee considered a report of the Executive Director for Adult Services in relation to Adult Services – Future Service Models. The report detailed the findings arising from the development of a business base to demonstrate whether establishing a Local Authority Trading Company (LATC) to deliver adult social care services was in the best interests of the city; following a request from the Committee in December 2013. The report also outlined the legislative and funding changes that had taken place since the decision had been taken. The Committee were asked to consider the impact of additional change; the competing priorities of management and the associated financial risks.
- 10.2 Councillor Randall noted he had been on the Scrutiny Workshop that had looked at local trading companies; it was noted that the unions had made make a compelling case against them; there was no overwhelming business case and other examples of failures elsewhere.
- 10.3 Councillor A. Norman asked some specific questions, and stated that she was concerned the decision to not progress this work was political at a time when the Council needed to change, modernise and deliver services differently, and she added that the assumptions in the report seemed reasonable over the next five years.
- 10.4 In response to Councillor A. Norman the Executive Director of Adult Services referenced paragraph 3.8 of the report – in relation to work around the Better Care Fund with partners, and stated that there could be some restrictions if this work ran alongside a LATC, and the current approach was to strengthen the joint commissioning agreement. The service was managing a significant amount of change; with a small senior management team. It was considered that the introduction of a LATC would be an additional pressure beyond current capacity when attention was focusing around the implementation of the Care Bill.
- 10.5 The Chair added that this could be revisited in a few years, but the current priorities for Officers should to focus on the Care Act and the Better Care Fund.
- 10.6 Councillor G. Theobald stated that services would have to change for the benefit of residents, and he felt that views of the Green and Labour Groups went against recommendations from EY, and placed Officers in a difficult position.

- 10.7 The Chair stated that the report contained the professional view of Officers, and reiterated the challenges in relation to the timing of this in the face of other significant changes in the service.
- 10.8 The Executive Director stated that Officers were of the view that modernising the service with partners through the provision of the Better Care Fund was the most appropriate way forward, and this would help to deliver efficiencies as outlined in the report.
- 10.9 The Chair put the recommendation to the vote.
- 10.10 **RESOLVED:** That Committee agree not to establish a Local Authority Trading Company (LATC) for ASC services.

**11. BRIGHTON AND HOVE SEASIDE COMMUNITY HOMES - REGISTERED PROVIDER APPLICATION**

- 11.1 The Committee considered a report of the Executive Director for Environment, Development & Housing in relation to Brighton & Hove Seaside Community Homes – Registered Provider Application. The report sought approval for Brighton & Hove Seaside Community Homes Limited (BHSCH) to become a Charitable Registered Provider with the Homes and Communities Agency (HCA).
- 11.2 Councillor Randall highlighted the work of BHSCH which had included refurbishing 406 units at a cost of £7.4M saving the Council £2.4M – this work was programmed to finish in March 2016. This change would guarantee the future of BHSCH and enable it to act as a Council builder and develop sites within estates.
- 11.3 Councillor Peltzer Dunn welcomed the report and stated it was a common sense approach; he asked that the changes be properly and fully communicated with tenants to provide peace of mind.
- 11.4 Councillor Morgan welcomed the principle of the report, and noted this was similar to the 2007 proposal to undertake this for all of the Council's housing stock which had not been supported at that time.
- 11.5 The Chair then noted that the Part 2 matters would be discussed when the meeting moved into closed session.
- 11.6 Following consideration of the information in closed session the Chair put the recommendations to the vote.
- 11.7 **RESOLVED:**
- (1) That the Committee agree to Brighton and Hove Seaside Community Homes Limited becoming a Registered Provider with the Homes and Communities Agency and authorise the Head of Law to vary the existing agreements and complete any new documentation as necessary.

- (2) That the final agreement be subject to BHSCCH undertaking the necessary consultation with tenants and lenders.

## **12. PROGRESS REPORT ON THE WORKFORCE EQUALITIES ACTION PLAN**

- 12.1 The Committee considered a report of the Executive Director for Finance & Resources in relation to the Progress Report on the Workforce Equalities Action Plan. The report sought to update the Committee on the progress that had been made against the Year 1 Action Plan and seek approval for the work it was proposing to carry out in Year 2; this followed issues raised in the Council commissioned assessment of race equality in employment carried out by Global HPO.
- 12.2 The Chair welcomed this positive work, and hoped it would encourage further building of trust.
- 12.3 Councillor Randall referenced the BME needs assessment work that had been undertaken, and added that Global HPO had been enthusiastic about this work. He extended congratulations to the Communities Team, and added that this work had first begun during his time as Leader. The work stood out an example of real partnership working that made the city stand out positively.
- 12.4 Councillor Sykes agreed with the comments made by Councillor Randall, and referenced the report to note that the work was recognised by the trade unions and workers forums.
- 12.5 Councillor Warren highlighted the award the Scrutiny Team had received in relation to the Trans Scrutiny, and stated that the report would allow the Council to make long term commitments to facilitate the city becoming more diverse.
- 12.6 Councillor Shanks noted there would be reporting in schools where there was further work to do as BME numbers were increasing.
- 12.7 Councillor Peltzer Dunn complimented the work of Officers for the positive manner they proposed proceeding with this work.
- 12.8 The Chair put the recommendations to the vote.
- 12.9 **RESOLVED:**
  - (1) That the Committee note the progress made against the Year 1 Action Plan, as set out in paragraphs 3.7 - 3.10 and Appendix 1.
  - (2) That the Committee approve the Year 2 Workforce Equalities Action Plan set out in Appendix 2.

## **13. DEVELOPMENT OF SHARED LIVES**

- 13.1 **RESOLVED:**

- (1) That the Committee notes the results of the 12 week consultation undertaken regarding the proposed transfer of SPFT Shared Lives to the In-House scheme
- (2) That the Committee agrees the transfer of SPFT Shared Lives to The In-House scheme.

#### **14. CONFIRMATION ARTICLE 4 DIRECTION - OFFICE TO RESIDENTIAL**

- 14.1 The Committee considered a report of the Executive Director for Environment, Development & Housing in relation to the Confirmation Article 4 Direction – Office to Residential. The report sought confirmation of the article 4 direction to remove the permitted development rights for change of use from office to residential in: Central Brighton; New England Quarter and London Road and two key office sites: Edward Street Quarter and City Park. This was the last stage in the process before the article 4 could come into effect.
- 14.2 Councillor G. Theobald stated that he had supported this work since July 2013, and asked for confirmation that policy would not protect office sites that were very unlikely to come back into use as offices. In response the Executive Director for Environment, Development & Housing stated that the emerging City Plan had a general allowance for greater flexibility and mixed use. The Principle Policy Advisor added that the City Plan recognised that the Preston Road area had changed to a secondary office area of the city, and it was recognised that such areas would not have the same attraction for employers as those in the city centre.
- 14.3 Councillor Peltzer Dunn asked a specific query in relation to the wording that ‘applicants must have “redeveloped” the office to establish residential use by 30 May 2016’, and Officers agreed to circulate a legal definition of this wording to the Committee following on from the meeting.
- 14.4 The Chair put the recommendations to the vote.
- 14.5 **RESOLVED:**
  - (1) That the Committee notes consultation responses to the proposed amended boundary;
  - (2) That the Committee confirms the direction under article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) made on 25 July 2013 to remove the permitted development rights for the conversion of offices (B1a Use Class) to residential use (C3 Use Class) in Central Brighton, New England Quarter and London Road area and two key office sites Edward Street Quarter and City Park and authorises officers to undertake formal notification of the confirmation.
  - (3) That the Committee notes that the Article 4 Direction, once confirmed, will come into force on 25 July 2014.

**15. HOVE PARK DEPOT - LONG LEASE TO SCHOOL**

- 15.1 The Committee considered a report of the Executive Director of Finance & Resources in relation to Hove Park Depot – Long Lease to School. The report sought to advise the Committee on the provision of a primary Bilingual Free School and to seek approval to the grant of a long leasehold interest at a premium.
- 15.2 Councillor Shanks welcomed the report and the additional funding that would be raised through the lease of the site. She noted that the school was currently doing very well, and she added that some recent concerns raised by residents had been looked into, but would not impact on the funding for the school.
- 15.3 The Chair then noted the Part 2 matters would be discussed when the meeting moved into closed session.
- 15.4 Following consideration of the information in closed session the Chair put the recommendations to the vote.
- 15.5 **RESOLVED:**
- (1) That approval be given to the disposal, subject to planning permission, of land at Hove Park Depot as shown on the attached plan, on a 125 year lease at a peppercorn to the Bilingual Free School for the capital receipt identified in the confidential appendix to this report.
  - (2) That the detailed terms of the lease shall be settled by the Head of Property & Design and the Head of Law, in consultation (as appropriate) with the Executive Director of Children's Services. and that the Head of Law is authorised to complete all of the necessary documentation.

**16. PROCUREMENT OF A FRAMEWORK AGREEMENT FOR REACTIVE FABRIC MAINTENANCE AND MINOR NEW WORKS**

- 16.1 **RESOLVED:** That the Committee grants delegated authority to the Executive Director, Finance & Resources to approve the procurement and award of a framework agreement for reactive fabric maintenance and minor new works to the council's civic offices, social care historic, operational (excluding schools) and commercial buildings with a term of up to a maximum of four (4) years.

**17. BRIGHTON AND HOVE CITY COUNCIL PROVISION OF ARBORICULTURAL SERVICES**

- 17.1 The Committee considered a report of the Executive Director of Environment, Development & Housing in relation to Brighton & Hove City Council Provision of Arboricultural Services. The report sought approval for the procurement of a contract to provide aboricultural services within Brighton & Hove.
- 17.2 Councillor Randall hoped that the procurement exercise could use local companies wherever this was possible. Councillor A. Norman also noted that she agreed with these

comments, and the Executive Director noted the steer from the Committee and agreed to look at the procurement options.

17.3 In response to Councillor Morgan the Executive Director noted the procurement would give the service greater flexibility, but he would need to confirm outside of the meeting the arrangements between land and parks.

17.4 Councillor Peltzer Dunn stated he had a great deal with sympathy with local contractors; whilst the report gave a preference for one contract he suggested this could be split into two across the city to make it easier for local contractors to bid.

17.5 The Chair put the recommendations to the vote.

17.6 **RESOLVED:**

(1) That the Committee approves the procurement of a contract for aboriginal services in Brighton & Hove with a term of three (3) years from 1 February 2015 to 31 January 2018 and an option to extend for a further two years to 31 January 2020;

(2) That the Committee grants delegated authority to the Executive Director Environment, Development and Housing –

(i) to carry out the procurement of the contract referred to in 2.1 above including the award and letting of the framework agreement; and,

(ii) to grant an extension to the contract referred to in 2.1 above of two years should he/she consider it appropriate at the relevant time.

**18. APPOINTMENT TO BRIGHTON ESTATES CONSERVATION TRUST**

18.1 The Committee considered the Appointment to Brighton Estates Conservation Trust; this had been delegated to the Committee as it was not able to be determined at Annual Council for reasons of sensitivity. Nominations were sought for the two representative positions for 2014/15 and these roles were currently filled by Councillors Mitchell and West. The Chair asked for nomination:

18.2 Councillor G. Theobald nominated Councillor Janio and this was seconded by Councillors A. Norman.

18.3 Councillor Morgan nominated Councillor Mitchell and this was seconded by Councillor Lepper.

	<i>Janio</i>	<i>Mitchell</i>	<i>West</i>
<b>J. Kitcat</b>			√
<b>Randall</b>			√
<b>Pissaridou</b>		√	
<b>Lepper</b>		√	
<b>Sykes</b>			√
<b>Morgan</b>		√	
<b>A. Norman</b>	√		
<b>Peltzer Dunn</b>	√		
<b>Shanks</b>			√
<b>G. Theobald</b>	√		

- 18.4 Councillor J. Kitcat nominated Councillor West and this was seconded by Councillor Sykes.
- 18.5 A recorded vote was then taken by the Acting Democratic Services Manager; as listed below:
- 18.6 As there was a tie in the vote the Chair exercised his casting vote and voted for Councillor Mitchell.
- 18.7 The Chair then proposed that Councillors Mitchell and West be appointed to Brighton & Hove Estates Conservation Trust.
- 18.8 **RESOLVED:** That the Committee agree the appointment.

## 19. ITEMS REFERRED FOR COUNCIL

- 19.1 There were no items referred to the Council meeting on 17 July 2014.

## 20. HOVE PARK DEPOT - LONG LEASE TO SCHOOL - EXEMPT CATEGORY 3

- 20.1 **RESOLVED:** That the information contained in the appendix be noted.

## 20.1 BRIGHTON AND HOVE SEASIDE COMMUNITY HOMES - REGISTERED PROVIDER APPLICATION - EXEMPT CATEGORY 5

- 20A.1 **RESOLVED:** That the information contained in the appendix be noted.

## 21. PART TWO MINUTES - EXEMPT CATEGORY 5

- 21.1 **RESOLVED:** That the Part 2 minutes of the last meeting held on 1 May 2014 be approved as a correct record of the proceedings and signed by the Chair.

**22. PART TWO PROCEEDINGS**

- 22.1 **RESOLVED:** That the information contained in the appendix, Items 20 & 20A to the reports listed at Items 11 & 15 on the agenda and the minutes of the last meeting, Item 21, remain exempt from disclosure to the press and public.

The meeting concluded at 6.21pm

Signed

Chair

Dated this

day of

2014