

BRIGHTON & HOVE CITY COUNCIL
POLICY & RESOURCES COMMITTEE

4.00pm 1 DECEMBER 2022

HOVE TOWN HALL - COUNCIL CHAMBER

DECISION LIST

Part One

144 TARGETED BUDGET MANAGEMENT (TBM) 2022/23: MONTH 7 (OCTOBER)

Contact Officer: Jeff Coates
Ward Affected: All Wards

Tel: 01273 292364

RESOLVED: That the Committee -

- (i) Note the forecast risk position for the General Fund, which indicates a potential forecast overspend risk of £11.637m. This includes an underspend of £0.208m on the council's share of the NHS managed Section 75 services;
- (ii) Noted the expected provision required in relation to the academisation of Homewood House of £0.250m as set out in paragraph 9.8;
- (iii) Noted the forecast for the Housing Revenue Account (HRA), which is currently an overspend of £1.173m;
- (iv) Noted the forecast position for the Dedicated Schools Grant which is currently an overspend of £0.094m;
- (v) Noted the forecast outturn position on the capital programme which is a forecast underspend of £0.393m and approve the variations and slippage in Appendix 6 and new schemes as set out in Appendix 7;
- (vi) Noted that further urgent work is required to balance the budget within the current financial year;
- (vii) Requested officers report back to service committees and January Policy & Resources Committee, listing the actions they are taking within their directorates under officer delegations together with a list of further recommended actions that could be taken this year to bring the budget under control, including consideration of bringing forward

proposed rises to fees and charges and the proposed reduction in payments of concessionary bus fares support to Brighton & Hove Bus Company in to this financial year – subject to legal advice.

145 TREASURY MANAGEMENT STRATEGY STATEMENT 2022-23 - MID-YEAR REVIEW

Contact Officer: James Hengeveld Tel: 01273 291242

RESOLVED: That the Committee –

- (i) Noted the key actions taken during the first half of 2022/23 to meet the Treasury Management Strategy Statement and practices (including the investment strategy) as set out in this report;
- (ii) Noted the reported compliance with the Annual Investment Strategy for the 6 month period up to the end of September 2022;
- (iii) Noted that the approved maximum indicator for investment risk of 0.05% has been adhered to and the authorised borrowing limit and operational boundary have not been exceeded.

146 DRAFT GENERAL FUND BUDGET & RESOURCES UPDATE 2023/24

RESOLVED: That the Committee –

- (i) Noted the updated forecasts and latest resource estimates set out in the report;
- (ii) Noted the Draft Budget Strategies and first draft savings at Appendix 1 and requests that the criteria against which these draft savings are measured is published in full for this committee to scrutinise at February Policy & Resources Committee;
- (iii) Noted the draft Equality Impact Assessments (EIAs) at Appendix 2 and notes that final EIAs will be provided to February Policy & Resources Committee and Budget Council;
- (iv) Noted the updated budget gaps set out in paragraph 4.23 totalling £53.739m over the 4-year period, including £18.930m in 2023/24;
- (v) Noted the potential actions and routes that the authority may need to consider if it is unable to develop and agree a balanced budget for 2023/24, including accommodating the impact of any projected overspend for 2022/23 as at month 9 (December);
- (vi) Noted that updated financial data and information from central government regarding the Local Government Financial Settlement (LGFS) may impact further on the development of budget proposals for 2023/24.

147 8-9 KINGS ROAD BRIGHTON

Ward Affected: Regency

RESOLVED:

- (i) That the Committee agreed to the disposal of the freehold of this property and that delegated powers be given the Executive Director Economy, Environment and Culture and the Assistant Director Legal and Democratic Services to approve terms and take any necessary steps to facilitate this recommendation;
- (ii) That the net capital receipt be invested in the existing commercial portfolio to reduce inherent risk and secure revenue streams by funding landlords repair liability and reducing obsolescence, subject to a future report to Policy & Resources Committee, via Asset Management Board, that considers the use of the capital receipt being directed towards investment in social housing/homeless support services, in line with the original intended use of the asset.

148 ANNUAL WAIVER REPORT 2021/22

Contact Officer: Cliff Youngman

Tel: 01273 291408

Ward Affected: All Wards

RESOLVED: That the Committee noted the number and value of waivers authorised under Contract Standing Orders during the financial year 2021/22.

149 BUS & TAXI SHELTERS CONCESSION AGREEMENT

Contact Officer: Owen McElroy

Tel: 01273 290368

Ward Affected: All Wards

RESOLVED: That the Committee –

- (i) Delegated authority to the Executive Director Economy, Environment & Culture to tender for a new Bus & Taxi Shelter Advertising Concession for a period of 8 years with an option to extend for a further period up to 24 months;
- (ii) Agreed an extension to the current concession contract for up to 12 months with an option to extend for a further 6 months while the procurement process takes place.

150 DEVELOPMENT BRIEF FOR BLACK ROCK

Contact Officer: Sam Smith

Tel: 01273 291383

Ward Affected: Rottingdean Coastal

RESOLVED: That the Committee –

- (i) Agreed the proposals and timetable for producing a Development Brief for the future development of the Black Rock site as outlined in para 3.30-3.42;
- (ii) Agreed that £100,000 of capital funding is allocated to procure professional support for the production of the Brief associated surveys and investigations;
- (iii) Agreed to the use of the site for meanwhile uses and entertainment space as detailed in para 3.10-3.23, and that the meanwhile uses and lettings policies take into account the need to prioritise local businesses and foster a local circular economy.

151 CITY DOWNLAND ESTATE PLAN

Contact Officer: Angela Dymott
Ward Affected: All Wards

Tel: 01273 291450

RESOLVED: That the Committee –

- (i) Approved the City Downland Estate Plan attached at Appendix 1 of this report as policy;
- (ii) Noted the extensive consultations undertaken over a two year period to inform the CDEP and that following approval and SDNPA's endorsement in February 2023 the focus will be on the first phase of implementation as set out in the two-year Next Steps section;
- (iii) Agreed that any additional net income or capital receipts raised from the disposal of Downland Estate assets should be retained for reinvestment within the CDEP through the council's capital programme and that an appropriate reserve fund be maintained;
- (iv) Noted the implementation of the CDEP will be monitored and progress reported back to Policy & Resources annually, the Asset Member Board being the primary reporting point.

152 FAIR & INCLUSIVE UPDATE INCLUDING ETHNICITY AND DISABILITY PAY GAP REPORTS

Ward Affected: All Wards

RESOLVED: That the Committee –

- (i) Noted the report and recommendations;
- (ii) Continued to support and champion actions within the Fair & Inclusive Action Plan.

153 FREEDOM LEISURE CONTRACT - RESPONSE TO INCREASED ENERGY COSTS

Ward Affected: All Wards

RESOLVED: That the Committee –

- (i) Noted the contents of this report in relation to the increased costs faced by leisure operators across the UK linked to the energy supply crisis;
- (ii) Agreed that it is necessary to support Freedom Leisure to ensure their continued viability and the delivery of the Sports Facilities Contracts;
- (iii) Authorised the Executive Director of Economy, Environment and Culture to implement the range of mitigation measures outlined in this report at paragraphs 3.18 and 3.23, with the exception of the caveat regarding parking charges outlined in 2.8;
- (iv) Noted that the various measures will be reviewed by officers over six months and a report will be brought to TECC by June 2023 on whether it is possible to revert back to standard contract arrangements. Committee authorises the Executive Director of Economy, Environment and Culture to make revisions and changes to the arrangements based on the ongoing impact, cost and potential changes to utility prices, but agrees that committee approval will be sought if car park charging is required at Withdean Sports Complex.

154 PROGRESS UPDATE AGAINST CORPORATE KEY PERFORMANCE INDICATORS Q2 2022/23

Contact Officer: Richard Miles

Tel: 01273 292344

Ward Affected: All Wards

RESOLVED: That the Committee –

- (i) Noted the progress made in relation to Corporate KPIs, particularly the corrective measures outlined for 'red' and 'amber' indicators included in Appendix 2 and provide support and challenge to lead officers to bring performance back on track;
- (ii) Noted the council's current Strategic Risks linked to the committee as outlined in Appendix 3 and provide support and challenge to

Risk Owners in managing these risks;

- (iii) Noted progress against Annual Governance Statement (AGS) actions as monitored by Directorate Plans included in Appendix 4;
- (iv) Requested the Chief Executive, as Head of Paid Service, provides a detailed report back to this committee on the specific support and challenge they are providing to progress performance in relation to:
 - Housing repairs
 - Refuse collection
 - EHCP (Education, Health & Care Plans)
 - Safeguarding Adults

155 REVIEW OF THE COUNCIL'S CONSTITUTION

Contact Officer: Victoria Simpson *Tel:* 01273 294687
Ward Affected: All Wards

RESOLVED: That the Committee –

- (i) Recommends to full Council the proposals set out at paragraphs 3.1-3.9 (Council Procedure Rules), 3.14 (Sub-Committee reporting) and 3.20-3.23 (Contract Standing Orders and the Petitions Scheme);
- (ii) Noted the proposals set out at paragraph 3.10-3.12 (Minutes of meetings), 3.24 (the light touch annual survey on the Constitution) and 3.25 -3.27 of the report (the co-option of an additional Independent Person to Audit and Standards Committee);
- (iii) Agreed the proposals to make minor changes to the Scheme of Officer Delegations set out at paragraph 3.15 (Safer Communities) and 3.16 (authorised and unauthorised encampments);
- (iv) Agreed the proposals to make changes to the Downland Advisory Panel Terms of Reference set out at paragraphs 3.17 -3.19 and Appendix 2;
- (v) Agreed the appointment of Councillor Robert Nemeth as a member of East Sussex Fire and Rescue Service as set out at paragraph 3.28.

156 EASTERGATE ROAD FORMER GARAGE SITE REDEVELOPMENT

Ward Affected: Moulsecoomb &
Bevendean

RESOLVED: That the Committee approved a budget for the former garage site at Eastergate Road of £293,000 to allow the completion of design work to the

end of RIBA Stage 4 (technical design), and for site clearance works, financed by a mixture of HRA borrowing and Brownfield Land Release Fund (BLRF) grant.

157 CHARLES KINGSTON GARDENS LEASE ACQUISITION

Contact Officer: Martin Reid
Ward Affected: Patcham

Tel: 01273 293321

RESOLVED: That the Committee –

- (i) Delegated authority to Executive Director Housing, Neighbourhoods & Communities to accept a surrender of the long lease on Charles Kingston Gardens from Clarion Housing Association Limited, to use as seniors housing subject to all further enquiries to be carried out proving satisfactory;
- (ii) Approved that the Council makes an offer of up to the agreed sum and approves a budget line in the 2022/23 HRA Capital Programme detailed in the Part 2 report.

158 NEW HOMES FOR NEIGHBOURHOODS ROTHERFIELD CRESCENT - PROCUREMENT OF CONTRACTOR

RESOLVED: That the Committee –

- (i) Approved the increase of £0.600m in the Design Competition budget allowance to deliver the Rotherfield Crescent scheme for three, three-bedroom homes based on the Pre-Tender Estimate £1.192m;
- (ii) Delegated authority to the Executive Director for Housing, Neighbourhoods and Communities to procure and award a contract for construction via an existing Framework (the preferred route) or other compliant route.

159 CORONERS SERVICE

Contact Officer: Elizabeth Culbert
Ward Affected: All Wards

Tel: 01273 291515

RESOLVED: That the Committee –

- (i) Agreed the transfer of Coroner's Officer staff in accordance with the principles set out at paragraph 3.7, subject to the outcome of a staff consultation process;
- (ii) Delegated power to the Executive Director Health & Adult Social Care to enter into an agreement with West Sussex County Council to place WSCC Coroner's Officers at the disposal of BHCC and

the Senior Coroner for Brighton & Hove, and to take all steps necessary to give effect to the recommendations in this report;

- (iii) Noted the financial implications of the three-year financial tapering arrangement proposed by Sussex Police (indicative cost to BHCC of £224k per annum by 2025/26).

NB The above decisions will be implemented after close of business on XXXXXX unless they are called in.

a) FIELD_TITLE