





**Brighton & Hove
City Council**

Cabinet Meeting

Title:	Cabinet
Date:	18 December 2008
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: Mears (Chairman) Mrs Brown, Caulfield, Fallon-Khan, Kemble, K Norman, Simson, Smith, G Theobald and Young
Contact:	Martin Warren Senior Democratic Services Officer 01273 291058 martin.warren@brighton-hove.gov.uk

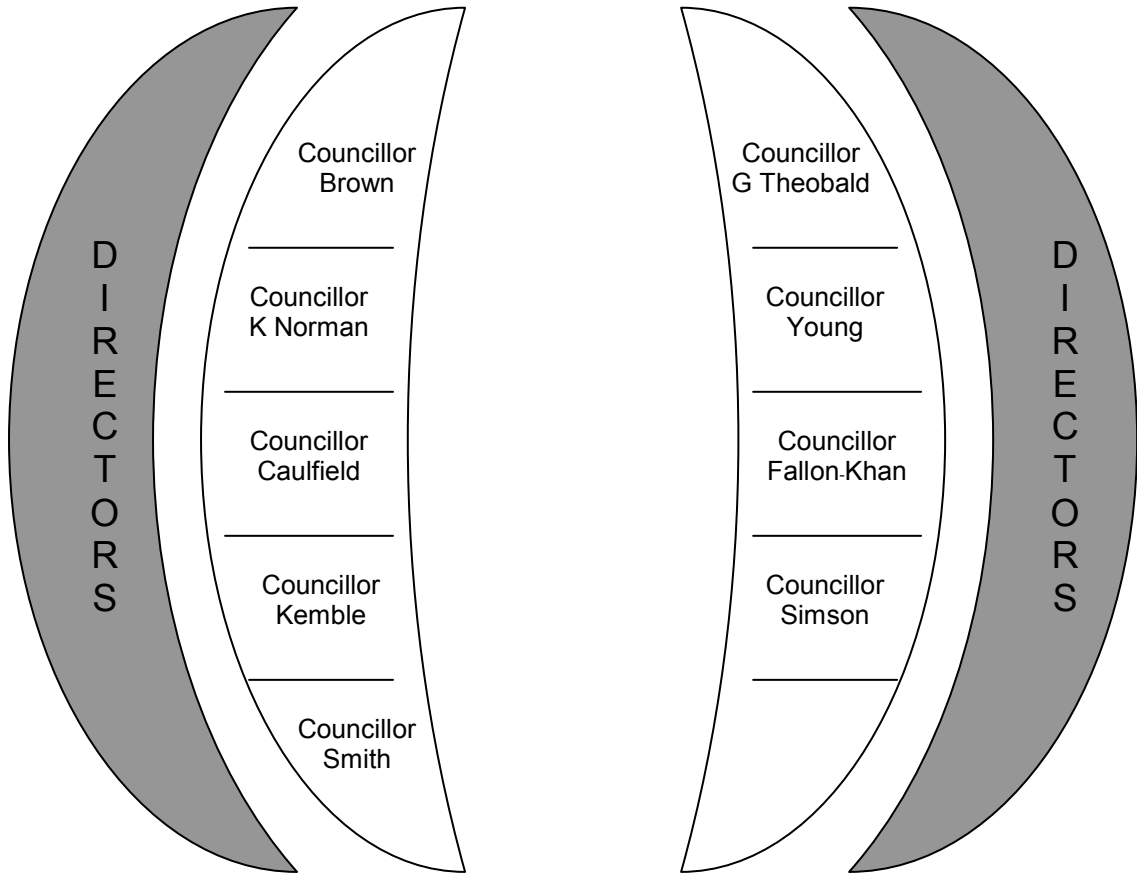
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Democratic Services: Meeting Layout

Director of Strategy & Governance Councillor Mears Chief Executive Democratic Services Officer

OFFICERS

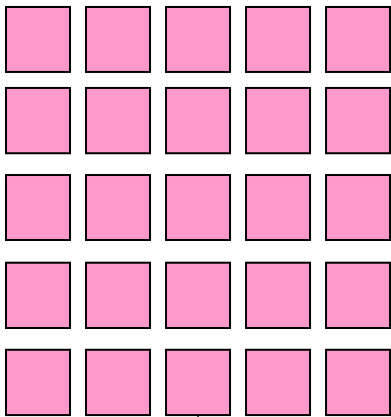
MEMBERS



OFFICERS

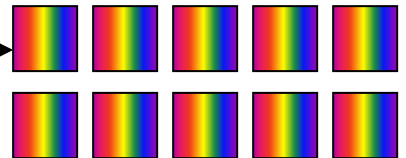
MEMBERS

Speaker Leader of the Opposition



Public Seating

Members in Attendance



Press



AGENDA

121. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

122. MINUTES OF THE PREVIOUS MEETING

1 - 12

Minutes of the Meeting held on 20 November 2008 (copy attached).

123. CHAIRMAN'S COMMUNICATIONS

124. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokesperson
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.

125. PETITIONS

No petitions received by date of publication.

126. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 11

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December 2008)

No public questions received by date of publication.

127. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 11 December 2008)

No deputations received by date of publication.

128. LETTERS FROM COUNCILLORS

(The deadline for letters from Councillors was 10.00am on 8 December 2008)

No letters have been received.

129. WRITTEN QUESTIONS FROM COUNCILLORS

(The deadline for written questions from Councillors was 10.00am on 8 December 2008)

No written questions have been received.

130. NOTICES OF MOTIONS REFERRED FROM COUNCIL

No Notices of Motion have been referred.

131. 08/09 QUARTER 2 PERFORMANCE REPORT

13 - 60

Report of the Director of Strategy & Governance (copy attached)

Contact Officer: Barbara Green Tel: 291081

Ward Affected: All Wards

132. FURTHER REVISIONS TO THE LOCAL DEVELOPMENT SCHEME FOR THE LOCAL DEVELOPMENT FRAMEWORK 2008-2011

61 - 90

Report of the Director of Environment (copy attached)

Contact Officer: Lisa Marshall Tel: 292612

Ward Affected: All Wards

133. WHITE AIR EXTREME SPORTS FESTIVAL 2009

91 - 96

Report of the Director of Environment (copy attached)

Contact Officer: Ian Taylor Tel: 292711

Ward Affected: All Wards

134. WORKING RELATIONS WITH THE OLDER PEOPLE'S COUNCIL

97 - 106

Report of the Director of Strategy & Governance (copy attached)

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Contact Officer: Abraham Ghebre-Ghiorghis *Tel:* 291500
Ward Affected: All Wards

135. REVIEW OF LEARNING DISABILITY SERVICES GOVERNANCE ARRANGEMENTS **107 - 118**

Report of the Director of Adult Social Care & Housing (copy attached)

Contact Officer: Joy Hollister *Tel:* 295030
Ward Affected: All Wards

136. OPEN MARKET DEVELOPMENT PROPOSAL **119 - 130**

Report of the Director of Cultural Services (copy attached)

Contact Officer: Richard Davies *Tel:* 296825
Ward Affected: All Wards

137. PROCUREMENT OF THE CORPORATE BUILDING CLEANING CONTRACT **131 - 136**

Report of the Interim Director of Finance & Resources (copy attached)

Contact Officer: Ian Sharpe *Tel:* 294590
Ward Affected: All Wards

PART TWO

138. OPEN MARKET DEVELOPMENT PROPOSALS **137 - 146**

Report of the Director of Cultural Services (copy circulated to Members Only)

[Exempt Categories 1,3, 5 and 6]

Contact Officer: Richard Davies *Tel:* 296825
Ward Affected: All Wards

139. TO CONSIDER WHETHER OR NOT ANY OF THE ABOVE ITEMS AND THE DECISIONS THEREON SHOULD REMAIN FROM DISCLOSURE TO THE PRESS AND PUBLIC

TO CONSIDER WHETHER OR NOT ANY OF THE ABOVE ITEMS AND THE DECISIONS THEREON SHOULD REMAIN FROM DISCLOSURE TO THE PRESS AND PUBLIC

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12

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noon on the fifth working day before the meeting.

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If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Martin Warren, (01273 291058, email martin.warren@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

Date of Publication - Wednesday, 10 December 2008

BRIGHTON & HOVE CITY COUNCIL

CABINET

4.00pm 20 NOVEMBER 2008

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Mears (Chairman), Mrs Brown, Caulfield, Fallon-Khan, Kemble, K Norman, Simson, Smith, G Theobald and Young

Also in attendance: Councillor

Other Members present: Councillors Mrs Cobb, Elgood, Oxley, Taylor and West

PART ONE

99. PROCEDURAL BUSINESS

99a Declarations of Interests

99a.1 Councillor Kemble declared a personal and prejudicial interest in item 117 'Taxi tariff setting under the new constitution' as a taxi driver.

99a.2 Councillor Mears declared a personal interest in item 117 'Taxi tariff setting under the new constitution' as a relative was a taxi driver.

99a.3 Note: Item 117 was not called or discussed.

99b Exclusion of Press and Public

99b.1 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

99b.2 **RESOLVED** - That the press and public be excluded from the meeting during consideration of items 119 onward.

100. MINUTES OF THE PREVIOUS MEETING

100.1 RESOLVED – That the minutes of the meeting held on 18th September 2008 be approved as a correct record.

101. CHAIRMAN'S COMMUNICATIONS

101.1 The Chairman noted that the Cabinet meeting was being web cast.

101.2 The Chairman noted that two additional items of information had been tabled; a) copies of the public questions to be taken at the meeting. b) an extract from the Governance Committee held on 18th November that related to Item 117.

101.3 The Chairman made a statement on the action the council was taking to shield the city from the worst effects of the economic downturn. This included supporting small businesses by paying for goods and services within 10 days of receiving an invoice and offering monthly rent payments on premises, as opposed to quarterly payments.

101.4 The council would also be offering small businesses the opportunity to pay their business rates in 12 annual instalments, as opposed to 10. The council would also be funding more business support clinics, contacting bank managers to ask them to help support businesses and campaigning to promote the local businesses that help to make Brighton a unique place.

101.5 The council would also be setting up a 'taskforce', with representatives from the public and private sectors, to monitor the situation and drive action forward.

101.6 The Chairman was pleased to announce that all major roadworks in the city centre would be suspended over the Christmas period. Both utility companies had agreed to suspend all major works by December 5th.

101.7 The Chairman informed the meeting that just prior to the next Cabinet meeting on 18th December, there would be a Cabinet Committee Meeting to progress the next stage of the project to develop the Local Delivery Vehicle for housing. This would take place at 2.00pm.

102. ITEMS RESERVED FOR DISCUSSION

102.1 Item 116 was reserved by Cabinet.

102.2 Items 111, 112, 113 and 118 were reserved by Councillor Mitchell.

102.3 **RESOLVED** - That with the exception of the items reserved (and marked with an asterisk), the recommendations and resolutions contained therein be approved and adopted without debate.

103. PUBLIC QUESTIONS

- 103.1 The Chairman noted that four public questions had been received and welcomed Mr. Hawtree, Mr Furness, Mr Poole and Valerie Paynter to the meeting. The Chairman invited Mr Hawtree to put his question.
- 103.2 Mr. Hawtree thanked the Chairman and asked the following question:
- 103.3 'Can Councillor Mears please confirm that the closing date for public consultation about the Libraries Plan has been extended until December 31st?'
- 103.4 The Chairman invited Councillor Smith to respond. Councillor Smith replied as follows:
- 103.5 'I can confirm that the closing date for public consultation on the Libraries Plan has been extended to the 31 December 2008.'
- 103.6 Anticipating a supplementary query Councillor Smith offered additional information as to the opening hours of libraries and the book fund.
- 103.7 The Chairman noted that Mr. Hawtree had the right to pose one supplementary question and invited him to put a further question.
- 103.8 Mr. Hawtree asked if the final Libraries Plan would be presented to the Culture & Tourism Cabinet Member Meeting before being offered to full Council for determination.
- 103.9 Councillor Smith replied that the final plan would be submitted to Council direct.
- 103.10 The Chairman invited Mr Furness to put his question.
- 103.11 Mr. Furness thanked the Chairman and asked the following question:
- 103.12 'Could Councillor Mears please tell us how many of the conditions within the King Alfred planning permission were met by Karis?'
- 103.13 The Chairman invited Councillor Kemble to respond. Councillor Kemble replied as follows:
- 103.14 'Of the 48 planning (of a total of 98) conditions needed before Karis/ING could start work on the King Alfred site, only one planning condition was approved. The condition met was for the highway Stopping Up order which went directly to the Government Office for the South East for a decision and was approved in October. However, as the Karis/ING scheme is no longer going to take place, this order is no longer valid.'
- 103.15 The Chairman noted that Mr. Furness had the right to pose one supplementary question and invited him to put a further question.

- 103.16 Mr Furness felt the current situation was due to the breakdown of the developers' plans rather than the current economic crisis. He suggested that in the time it had taken for the scheme to dissolve a previous version could have been completed. He asked, whilst alternatives were being considered, whether it would be possible for the bowling alley to be refurbished and the water temperature of the pool to be lowered.
- 103.17 Councillor Kemble offered a written response to these technical points.
- 103.18 The Chairman invited Mr Poole to put his question.
- 103.19 Mr Poole thanked the Chairman and asked the following question.
- 103.20 'The Council has neglected both the King Alfred and Brighton Centre in the hope of redevelopment. Both are vital to residents. Surely it would be wrong to re-direct any funds to the Brighton Centre, at the expense of the King Alfred, if Hove is an equal partner in the city?'
- 103.21 The Chairman replied, 'The Brighton Centre remains this administration's number one priority for redevelopment and as we have also made clear with the report brought to Cabinet today on the King Alfred – keeping the King Alfred open is also a high priority for us. The Council's contribution towards the redevelopment of the Brighton Centre is being financed through prudential borrowing, not from taking funding from other projects. Funds that have been allocated for the King Alfred will remain with the King Alfred.'
- 103.22 The Chairman noted that Mr. Poole had the right to pose one supplementary question and invited him to put a further question.
- 103.24 Mr Poole noted that the estimates for the complete refurbishment of the King Alfred Sports Centre were quoted as being in the region of 16 million pounds. He asked where these figures had come from.
- 103.25 The Chairman noted a report that had been prepared for a meeting of the (now defunct) Policy & Resources Committee in 2003. The figures being discussed had been included in the report when considering proposals for development on the King Alfred site.
- 103.26 The Chairman invited Valerie Paynter to put her question.
- 103.27 Valerie thanked the Chairman and asked the following question.
- 103.28 'Given that each annual Budget allocates some £50 million to Capital Funding, is there any reason why some part of that sum could not be allocated as part or total payment of a refurbishment, a creative makeover by appointed architects or even a redevelopment incorporating something like a high school which could share sports facilities with King Alfred?'
- 103.29 The Chairman invited Councillor Kemble to respond. Councillor Kemble replied as follows:

- 103.30 The capital programme for the council is in the region of £55m for 2008/09 and incorporates education, housing, transport, social care, culture and the environment. £10 million of this money is earmarked for education projects. The total funding is provided from a number of sources including government grants, borrowing, revenue contributions and capital receipts. Much of the funding, such as government grants and Housing Revenue Account expenditure, are ringfenced, which means that the conditions of the funding require that it is spent on the services identified. This all adds up to very limited flexibility on funds.
- 103.31 Creative makeovers or refurbishments still cost very significant amounts of money. Having said this, we need to review all the available options we have and are not excluding any possibilities at this stage. We will be doing this in consultation with local residents at the earliest possible point in the process - this time, they must not feel as though they are having a scheme imposed upon them.
- 103.32 On the specific question of the high school, there is no identified need for an additional secondary school in Brighton & Hove at the current point in time.
- 103.33 The Chairman noted that Valerie had the right to pose one supplementary question and invited him to put a further question.
- 103.34 Valerie asked; 'Over recent years it has become very clear that tall buildings on the site of the King Alfred or, indeed, anywhere along the seafront, would destroy rather than enhance any part of Hove or the city. The King Alfred/RNR site was designated a tall building node for the purposed of redevelopment by the previous Administration and I wonder if the present Administration might be minded to revisit that anomaly with a view to removing that designation.'
- 103.35 Councillor Kemble responded that consideration was being given as to the future use of the site and that he would speak with colleagues about the suggestion.

104. WRITTEN QUESTIONS FROM COUNCILLORS

104.1 There were none.

105. DEPUTATIONS

105.1 There were none.

106. PETITIONS

106.1 There were none.

107. LETTERS FROM COUNCILLORS

107.1 There were none.

108. NOTICES OF MOTIONS REFERRED FROM COUNCIL

108.1 There were none.

109. MATTERS REFERRED FOR RECONSIDERATION

109.1 There were none.

110. REPORTS FROM OVERVIEW & SCRUTINY COMMITTEES

110.1 There were none.

111. KING ALFRED LEISURE CENTRE - REDEVELOPMENT AND URGENT WORKS*

- 111.1 The Cabinet considered a report of the Director of Environment and the Interim Director of Finance and Resources in respect of refurbishment of the King Alfred Leisure Centre and the redevelopment of the whole King Alfred/RNR site (for copy see minute book).
- 111.2 Councillor Mitchell noted that there had been suggestions from local councillors that a primary school might be developed on the site. She asked if this was a serious proposal.
- 111.3 Councillor Kemble commented that the Local Plan did not allow for a school to be developed on the site.
- 111.4 Councillor Mitchell noted the 1.5 million funding required to maintain the current building. She asked how long the works would hold good.
- 111.5 The Chairman noted that the funding was ring-fenced and that details about the programme of works would be the subject of a future report.
- 111.6 Councillor Mitchell asked when plans would be produced that considered the future of the site.
- 111.7 Councillor Mears noted that until the current agreement with the Developer had ceased it would have been inappropriate for the Administration to be publicly discussing alternative plans. Work was ongoing considering the use of the site and any plans would take into account the views of residents so that any development was acceptable to the city.
- 111.8 Councillor Mears invited Councillor Taylor to address the meeting.
- 111.9 Councillor Taylor was sorry that the opportunity to develop low cost housing had been lost. He noted that any new plans should be sustainable and suggested that there might be an opportunity to exploit the Governments current thinking on boosting funding to public works. He suggested that any new plans should take heed of the 2004 planning brief.

111.10 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

(1) That it be noted that the initial condition assessments and surveys of the King Alfred Leisure Centre have identified approximately £1.5 million of health and safety and maintenance works as detailed in Part B of Appendix 1 to keep the building operational.

(2) That an allocation of £859,000 be approved to the capital programme (from the £2m capital reserves identified for affordable housing on the King Alfred site) to carry out the urgent health and safety items indicated in Part A of Appendix 1.

112. TARGETED BUDGET MANAGEMENT (TBM) MONTH 6*

112.1 The Cabinet considered a report of the Interim Director of Finance and Resources that set out the forecast outturn position on the revenue and capital budgets as at the end of September 2008 (month 6). (for copy see minute book).

112.2 Councillor Mitchell congratulated the Finance Team on their skilful treasury management. She asked if Councillor Young might provide her with information regarding the status of the 108 clients noted in paragraph 3.9 of the report.

112.3 Councillor Young offered a written response.

112.4 Councillor Mitchell asked if agreement had been reached with the NHS Trust in regard to the shared risk in relation to NHS Trust managed Section 75 Services. Councillor Young noted that discussions were ongoing.

112.5 Councillor Norman added that the Section 75 discussions with the Primary Care Trust were drawing to a conclusion.

112.6 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

(1) That forecast outturn for the General Fund, Section 75 Partnerships and Housing Revenue Account (HRA) for 2008/09 as at month 6, be noted.

(2) That release of £0.142 million from Local Authority Business Growth Incentive (LABGI) in respect of projects to support local employment and businesses to be determined by the Cabinet be agreed.

(3) That it be noted that the Primary Care Trust, as the Lead Commissioners of Mental Health Services, are continuing to work with Sussex Partnership Trust, as providers, to address current overspending, financial recovery plans, current Value for Money concerns in respect of the Dementia Care at Home service, and ensure ongoing funding issues and the potential shared financial risks to the council are resolved.

(4) That the forecast outturn position on the capital budgets as at month 6 be noted.

- (5) That following changes to the capital programme be approved.
 - Budget re-profiles (Appendix 5)
 - Budget variations (Appendix 6)
 - New schemes (Appendix 7)

113. TREASURY MANAGEMENT POLICY STATEMENT 2008/09 (INCLUDING ANNUAL INVESTMENT STRATEGY 2008/09) - MID YEAR REVIEW*

113.1 The Cabinet considered a report of the Interim Director of Finance and Resources that advised on the action taken during the period April to September 2008 to meet the policy statement and practices and the investment strategy (for copy see minute book).

113.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

That the Cabinet:

- (1) endorse the action taken during the half-year to meet the TMPS and associated TMPs and the AIS;
- (2) endorse the action taken to tighten the investment parameters set out in the AIS as detailed in paragraph 3.3.3;
- (3) note the authorised limit and operational boundary set by the Council have not been exceeded;
- (4) earmark any surpluses generated on the Financing Costs budget in 2008/09 to contribute towards possible future shortfalls in the investment interest budget as a result of base rate cuts;
- (5) note the budgeted support from net investment income to the General Fund in 2008/09 is £4.1m, the equivalent to circa £45 in council tax on a Band D property; and
- (6) note the latest projection for investment income on all funds in 2008/09 is £7.7m of which £4.9m is for the General Fund.

114. ICT STRATEGY 2008-11

114.1 The Cabinet considered a report of the Interim Director of Finance and Resources that introduced the initial Information and Communication Technologies (ICT) strategy which set out the council's approach to the delivery of technical and information services 2008 – 2012. The strategy superseded the 2006 'Review of ICT Strategy – The Transformation Agenda' (for copy see minute book).

114.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That initial ICT strategy 2008-2012 attached as Appendix 1 of the report be approved.
- (2) That the scrutiny of the strategy by the Overview and Scrutiny Commission at its meeting on 21st October 2008 be acknowledge and responses to the points raised noted.
- (3) That it be noted that the initial strategy will be updated further including a development plan by March 2009, for reporting to the Cabinet thereafter

115. THREE-YEAR GRANT PROCESS 2010-2013

115.1 The Cabinet considered a report of the Director of Cultural Services that offered information to consolidate and build upon the corporate Discretionary Grants Programme 2007-10 in recognition of its role in underpinning council's working relationship with, and the continuing sustainability of, Brighton and Hove's community & voluntary sector (for copy see minute book).

115.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That future discretionary grants programme for 2010-2013 be approved. The size of the programme to be determined by the 2010-11 budget strategy subject to the council's financial position, the indicative amount being equivalent to the 2008-09 budget level plus appropriate inflationary uplift (approx £1,584,000 pa. please see 5.1).
- (2) That revised vision for the discretionary grants programme, as detailed in paragraph 3.9, accompanied by updated eligibility criteria reflecting the new corporate priorities, be adopted.
- (3) That the current application procedure, appraisal process & delivery mechanism including the recommended timetable (see Appendix 1. 'Timetable Three Year Strategic Grants 2010-13') be approved.

116. COMMUNITY ENGAGEMENT FRAMEWORK*

116.1 The Cabinet considered a report of the Director of Strategy & Governance that considered the draft Community Engagement Framework that had been developed in response to a range of recent national policy and legislative drivers as well as local evidence presented to the Local Strategic Partnership in December 2007 (for copy see minute book).

116.2 Councillor Simson noted that, just prior to the cabinet meeting; political representation to the Stronger Communities Partnership had been agreed.

116.3 As Chair of the Overview and Scrutiny Commission Councillor Mitchell welcomed the agreement on political representation.

116.4 The Chairman congratulated officers and members for their work in drafting the framework.

116.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That the adoption of the Community Engagement Framework at the 2020 Community partnership meeting 2nd December 2008, be supported.
- (2) That the Framework be 'signed up to' subject to its approval by the 2020 Community Partnership.

117. TAXI TARIFF SETTING UNDER THE NEW CONSTITUTION

117.1 The Cabinet considered a report of the Director of Strategy & Governance that proposed a new procedure for setting taxi fares to comply with the law whilst retaining the expertise of the Licensing Committee (for copy see minute book)

117.2 An extract of the meeting of the Governance Committee held on 18th November was tabled. The Governance Committee had made an amendment to the recommendations as noted below.

117.3 *'that if the Director was minded to reject the Advisory Committee's recommendations that they would be referred to the Cabinet for consideration. It was therefore agreed that the wording in paragraph 3.6 should be amended accordingly to remove the words 'be expected to' and that recommendation 2.3 be amended to include reference to the revised report.'*

117.4 **RESOLVED** - That having considered the information and the reasons set out in the report, and the extract from the Governance Committee, the Cabinet accepted the following recommendations:

(1) That an advisory committee to the executive be established for the purpose of advising on licensing functions that are the responsibility of the Executive, including setting taxi fares;

(2) That the membership of the advisory committee mirror the Licensing Committee membership;

(3) That power be delegated to the Director of Environment to set taxi fares after considering the recommendations of the advisory committee in (1) above in accordance with the report as amended by the Governance Committee; and

(4) That the Head of Law be authorised to make the necessary amendments to the Constitution to reflect the above.

118. WELLSBOURNE SITE PROPOSED REDEVELOPMENT*

- 118.1 The Cabinet considered a report of the Interim Director of Finance & Resources in relation to the disposal of part of the site to AH Medical Properties plc (Ashley House, the developers for the PCT) for the development of an integrated health facility, GP surgery, on a long lease (for copy see minute book).
- 118.2 Councillor Mitchell welcomed the report and was pleased that the proposal was being progressed. She asked for an assurance that the building and its environs would be fully accessible.
- 118.3 Councillor Fallon-Khan noted that a new access path was being created to comply with legislation.
- 118.4 The Chairman apologised that Councillor Mitchell (as a Ward Councillor) had not been adequately consulted on the project and agreed that a site visit be organised as soon as practically possible.
- 118.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendation:
- (1) That the demolition proposal of the existing vacant Wellsbourne Centre building (shown dashed on the Appendix A, of the plan) be approved.

PART TWO SUMMARY

119. WELLSBOURNE CENTRE SITE PROPOSED REDEVELOPMENT

119.1 The Cabinet considered a report of the Interim Director of Finance & Resources in relation to the disposal of part of the site to AH Medical Properties plc (Ashley House, the developers for the PCT) for the development of an integrated health facility, GP surgery, on a long lease (for copy see minute book).

119.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendation:

(1) That the demolition proposal of the existing vacant Wellsbourne Centre building (shown dashed on the Appendix A, of the plan) be approved.

120. TO CONSIDER WHETHER OR NOT ANY OF THE ABOVE ITEMS AND DECISIONS THEREON SHOULD REMAIN FROM DISCLOSURE TO THE PRESS AND PUBLIC

120.1 The Cabinet considered whether or not any of the above items should remain exempt from disclosure to the press and public.

120.2 **RESOLVED** – That item 119, contained in Part Two of the agenda and the decisions thereon remain exempt from disclosure to the press and public.

The meeting concluded at 4.55pm

Signed

Chair

Dated this

day of

Subject:	08/09 Quarter Two Performance Report		
Date of Meeting:	18th December 2008		
Report of:	Director of Strategy & Governance		
Contact Officer:	Name:	Barbara Green	Tel: 29-1081
	E-mail:	barbara.green@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Performance Improvement Report for Quarter 2 of 08/09 is divided into 3 main sections:
 - Summary of Local Area Agreement Outcomes (LAA)
 - Mid year progress against the Corporate Plan priorities
 - Health of the organisation indicators
- 1.2 The report tracks progress against key actions and milestones to provide TMT and elected members with a fuller picture of progress and an early indication of 'performance drift'. TMT and Cabinet are invited to use this information to check progress and, where necessary, recommend additional action or reporting. Colours provide the direction of travel at the time of reporting. Red indicates performance is significantly off target; amber indicates progress against milestones is unknown or uncertain; green points to progress being at or better than target; grey indicates that no judgement is possible at this time.
- 1.3 Because the report covers the period up to end of September, it is not possible at this early stage to summarise progress across the piece on the LAA as many of the indicators are of an annual frequency. However, the Annual Report will be exception based and include details of challenges experienced and provide greater scope for detailed action plans to be reported.

LAA Targets

- 1.4 The majority of information measured by the new National Indicator Set established by the Audit commission and the Local Area Agreement is only available on an annual frequency. We have worked with partners to agree targets and milestones for the period of the agreement. These actions and milestones are clearly linked to outcomes alongside lead officers and directorates.

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1.5 This report represents a summary of the main actions or milestones, drawn from lead directorate or agency's detailed plans. In addition to the council's own reporting at TMT, Cabinet and Overview & Scrutiny, progress towards LAA targets are reported in the following ways:

- **The 2020 Community Partnership** - provides the overarching strategic vision of the partners throughout the city and monitor progress on the 2020 community strategy.
- **Pubic Service Board** - receives twice yearly updates on progress against the LAA outcomes; these will be half year and annual. The PSB, based on performance reports, will identify areas for improvement in terms of service delivery, and each partner will take responsibility for ensuring that their organisation makes the appropriate contribution to that improvement. There is an annual review session with the Chairs of the LSP & PSB, providing an opportunity for challenge and discussion about future support and allocation of resources.
- **Thematic Partnerships** (eg. Strategic Housing Partnership, Crime and Disorder Reduction Partnership etc.) - each thematic partnership is responsible for the day to day management of the actions and will review relevant areas at the regular meetings.
- **Partner Organisations** – we are working towards aligning the performance management frameworks across the city. Each participating organisation will ensure that their own management structures also review the same LAA Delivery Plan actions providing a systematic approach to the delivery of the priority outcomes contained in the LAA.
- **Partnership Managers Group** - provides an overview of progress against the agreement outcomes and will indentify areas of concern or areas where the joined up partnership working could be more effectively delivering the outcomes and will report back to the PSB and their own organisations.
- **Partnership Data Group** – officer group which aims to include representatives from all organisations delivering the LAA. In particular the work programme of the Partnership Data Group is designed to review the LAA and develop meaningful, accurate and timely information that will help the partnerships, Partnership Managers Group and PSB to understand performance trends, identify barriers to success and highlight areas of good practice.

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Corporate Plan Priorities

- 1.6 The second part of the report reflects progress towards our Corporate Plan priorities and is reported to TMT and Cabinet twice a year. We have developed a report that outlines progress against actions and milestones and provides a clear outline of achievements and future initiatives to ensure the delivery of our priorities.

Organisational Health

- 1.7 The third section reports progress against indicators of corporate health including sickness and equality monitoring.

2. RECOMMENDATIONS:

That Cabinet notes;

- 2.1 Progress against the LAA outcomes and arrangements for further reporting and monitoring by partners.
- 2.2 The frequency of reporting and plans for exception reporting in the annual report, including summarised achievements for the past year and challenges for 09/10.
- 2.3 Arrangements for monitoring at departmental and divisional level of Departmental and Business Plans, including organisational health and equality indicators.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 This year (08/09) is subject to transitional arrangements. Following consultation last year carried out by the Audit Commission (AC) with local authorities and other public sector bodies, the new National Indicator Set has been published. This set of indicators will represent the indicators assessed as part of the CAA in future years, with particular focus on the 35 measures that have been selected as improvement priorities for Brighton & Hove in the new Local Area Agreement.

4. CONSULTATION:

- 4.1 The Audit Commission is consulting on major changes to the Comprehensive Performance Assessment (CPA) regime, moving to a new framework called Comprehensive Area Assessments (CAA). The next round of consultation is planned to conclude in October 2008 with the aim that the agreed new methodology and arrangements to be fully in place by 2009/10.

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- 4.2 TMT, DMTs and partner agencies have been consulted on the new national indicator set and on the plans for future performance reporting. This reporting will ensure that we adequately reflect progress towards our objectives and will provide early warning for areas not on track to allow appropriate remedial action to be taken.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

Successful achievement of the LAA outcomes 2008-2011 will attract some performance reward grant; precise amounts are still to be confirmed by central government.

Patrick Rice

November 2008

5.2 Legal Implications:

None

5.3 Equalities Implications:

The proposed new performance management framework aims to incorporate monitoring of progress against equalities and inclusion outcomes in the city.

5.4 Sustainability Implications:

The proposed new performance management framework aims to incorporate monitoring of progress against sustainability outcomes in the city.

5.5 Risk and Opportunity Management Implications:

The management of performance is important and contributes to avoiding the risk that the council's improvement priorities will not be delivered. Progress against performance indicators informs our risk and opportunity management assessments.

5.6 Crime & Disorder Implications

Reducing crime and disorder is a central theme of the Corporate Plan and the Local Area Agreement and monitoring progress against these outcomes is a key element of the proposed new performance management framework.

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5.7 Corporate / Citywide Implications:

TMT will continue to have a Performance Focus session each month, this is recognised as good practice and allows for both a quarterly overview of the organisation performance against the LAA and more spotlighted discussions on areas that require additional discussion. These discussions will feed into the service planning timetable and establishment of a new corporate plan in the future. This is an essential part of the council's performance management framework, providing the link between the new 3 year Corporate Plan and the annual Directorate and Team plans.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 None

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 To facilitate close management of the council's performance and ensure continuous service improvements.

SUPPORTING DOCUMENTATION

Appendices:

Appendix One – Q2 Performance Improvement Report

Documents In Members' Rooms

None

Background Documents

None

Performance Improvement Report Quarter Two - July to September 2008

Council priorities 2008-2011



Spending time on Brighton Seafront

Protect the environment while growing the economy

Better use of public money

Reduce inequality by increasing opportunity

Fair enforcement of the law

Open and effective city leadership



Performance Improvement Report

Quarter Two - July to September 2008

Definitions of performance rating

Direction of travel incorporates an assessment of both performance against target and progress against the milestones in the delivery plan as follows:

● RED	Performance is significantly off target
● / ● AMBER/RED	Performance is off target and progress against delivery plan milestones is off track/ won't deliver required improvement
● AMBER	Performance is off target and progress against delivery plan milestones unknown or uncertain
● / ● AMBER/GREEN	Performance is off target and progress against delivery plan milestones is on track to deliver required performance levels
● GREEN	Performance is at or better than target
● GREY	No judgement possible (Targets may be missing or it is the baseline year for an indicator)

An indicator could be off target but if there is evidence the delivery of the planned actions will enable performance to reach the level targeted it will be colour coded AMBER/GREEN

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Promoting enterprise & learning

LAA outcome	Baseline	Target 08/09	Latest result	Direction of travel	Lead Directorate
NI 79 Achievement of a Level 2 qualification by the age of 19	69%	78%	Not Available N/A	●/● AMBER/GREEN	CYPT
NI 117 16 to 18 year olds who are not in education, training or employment (NEET)	9.3%	7.6%	9.1% (July 08)	● RED	CYPT
NI 152 Working age people on out of work benefits	24,672 14.5% (May 07)	20,630 12.3%	24,130 14.2% (Feb 08)	●/● AMBER/RED	Cultural Services/CYPT
NI 163 Working age population qualified to at least Level 2 or higher	75.3%	76.9%	73% (2007)	●/● AMBER/RED	Cultural Services/CYPT
NI 171 VAT registration rate	New indicator	Baseline year	N/A	●/● AMBER/RED	Cultural Services
L 1 Take forward the development of the Brighton Centre	N/A	N/A	N/A	● GREY	Cultural Services
L 2 Increase GVA per head	£17,230 2005	£18,418	Expected in (Dec 08)	● GREY	Cultural Services
L 3 Increase the number of people in employment	127,000 06/07	129,316	APS data	●/● AMBER/RED	Cultural Services
L 4 Increase the visitor economy	£408m	£427.8m	N/A	● AMBER	Cultural Services

Summary of progress

- Progress on milestones for NI 79 and NI 117 is good. Performance against NI 117 is measured annually as an average for November, December and January. In June 2008 figure was 8.8%, compared to 9.8% in June 2007.
- A recession relief package has been developed, including: “Buy local” campaign to support local traders; Faster payments of invoices to small businesses; Offering business tenants of council-owned property monthly rather than quarterly rent payments; Offering businesses the chance to pay business rates on a twelve-monthly rather than a ten-monthly basis; Securing funding for more business support activity such as clinics, workshops, professional drop-in sessions and a business event over the coming 6 months
- The ‘breakthrough’ project, which is delivering skills, health and employment solutions to key-benefit claimants in Brighton & Hove

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- Re-launch of new Visitor website with the plan to drive traffic from 1.9m unique visitors annually to 3m by 2010.
- Visitor Information Centre seen traffic increase by 50% since moving to the Royal Pavilion Shop.
- Successful Winter Campaign reaching target markets and delivering off-peak business
- Secured major new events and conferences for 2009 including Corporate Games and Conferences with an economic value of £61m

Risks

- Young people who are NEET, especially particularly vulnerable groups such as teenage parents and young offenders often have low skills, and as a result their employment and economic activity rates are likely to be significantly affected by the current economic downturn.
- Maintaining forward momentum with commercial development projects in a period of low lending levels plus housing market and construction decline
- The economic downturn will make achieving LAA, CESP and RES targets around employment and enterprise a key challenge; good performance in comparison to the region and nation will be a strong indicator given the global nature of the economic crisis
- Central and local fiscal and monetary interventions do not revive borrowing and spending in Brighton & Hove over next 18-24 months, leading to business failure/cutbacks/relocations which will impact on employment and benefit claimant rates, GVA, business rates collected etc. This will impact on council revenue.
- Loss of major employer. The highly vulnerable financial services sector is responsible for 'big four' private sector employers in the city.
- Medium-term damage to unique Brighton & Hove retail offer. Independent retailers are more prone to failure in an economic downturn, a relatively large proportion of independent failures which will impact on the city's comparative advantage in retail.
- Numbers of short breaks taken in the UK are likely to decline
- City visitor destination under threat as consumer spending is squeezed by economic downturn.
- Reduction in service revenue due to slackening consumer demand.

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Reducing crime & improving safety

LAA outcome	Baseline	08/09 target	Latest	Direction of travel	Lead Directorate
NI 17 Perceptions of anti-social behaviour	36% (Cityviews proxy)	32.5%	Place Survey data avail early 2009	● GREY	Environment
NI 30 Re-offending rate of prolific and priority offenders	285 convictions	205 convictions (-27%)	HO data awaited	●/● AMBER/GREEN	Environment
NI 32 Repeat incidents of domestic violence	New indicator	Baseline year	N/A	●/● AMBER/GREEN	Environment
NI 38 Drug-related (Class A) offending rate	New indicator	Baseline year	N/A	●/● AMBER/GREEN	Environment
NI 40 Drug users in effective treatment	1067	1078	981 (Sept 08)	● GREEN	Environment
NI 47 People killed or seriously injured in road traffic accidents	165	159 3.6% reduction	N/A	● RED	Environment/ ESFRS
NI 111 First time entrants to the Youth Justice System aged 10 – 17	443	421	149 (Sept 08)	● GREEN	CYPT
L 5 Specialist support to victims of a serious sexual offence (NI 26)	New indicator	Baseline year	N/A	● GREY	Environment
L 6 Assault with injury crime rate (NI 20)	2,191	2,081 5% reduction	1048 (Sep 08)	● GREEN	Environment
L 7a Arson incidents (NI 33) – primary fires	204	184	103 (Sept 08)	● RED	ESFRS
L 7b Arson incidents (NI 33) – secondary fires	347	312	213 (Sept 08)	● RED	ESFRS
L 8 Number of police recorded LGBT hate crimes and incidents	184	193 (+5%)	89 (Oct 08)	●/● AMBER/GREEN	Environment
L 9 Number of police recorded racist and religiously motivated crimes and incidents	554	526 (-5%)	226 (Oct 08)	● GREEN	Environment

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LAA outcome	Baseline	08/09 target	Latest	Direction of travel	Lead Directorate
L 10 Number of police recorded total sexual offences	283	297 (+5%)	201 (Oct 08)	● GREEN	Environment

Summary of progress

Progress on milestones is good in particular activity against milestones to reduce numbers of first time entrants to the Youth Justice System is on track and progress is good. The number of first time entrants for the first half of 2008/9 is 42% lower than for the same period in 2007/8. Increased level of joint working/pooled budgets between PCST and CYPT (Challenge and Support, Targeted Youth Support Service and Operation Park) to prevent and divert young people and reduce alcohol related disorder is assisting in good progress being achieved.

Risks

- The NI indicators linked to crime, community safety, drugs and alcohol issues (NI 17,30,32,38,40,111 and local indicators 5,6,8,9 and 10) are all delivered and / or supported by staff who are funded by initiative funding streams and for which the funding for their posts is not currently confirmed beyond March 2009.
- Unless funded, multi-agency services which have strong evidence of successful crime reduction outcomes, such as the ASB Team, Operation Reduction, Priority and Prolific Offender Project, Environment Improvement Team, Communities Against Drugs Team and others will not be able to continue.
- Impact of recession on opportunities for Young Offenders to obtain employment may also undermine engagement in education and training.
- In addition it is known that the main funding streams available up until 2008/09 are reducing in 2009/10 and then ceasing completely from 2010/11. Whilst work is underway to look for alternative sources of funding and to try and mainstream posts where possible this is a significant risk to delivering this area of work over the life of this delivery plan. The impact on achievement of targets will need to be closely monitored.
- Data is not yet available to access the first year's progress on NI 47. However when looking at progress against BVPI 99 (which NI 47 supersedes) the risk for not achieving targets is high and this can be used as an indication for NI 47's result. The LTP1 delivery report published in 2006 identified that the number of KSI does not appear to be reducing in line with the target trajectory.

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There are a number of factors that may have contributed to the current level of progress, including the significant amount of essential roadwork's and other improvement schemes that have been taking place in the city. Also, the contributory factors that can cause collisions and casualties can be complex and may not be resolved simply through an engineering scheme or education and training. These can include errors of judgement, weather conditions, irrational behaviour due to drink or drugs or lack of familiarity with surroundings.

Improving health and well being

LAA outcome	Baseline	08/09 target	Latest	Direction of travel	Lead Directorate
NI 39 Alcohol-harm related hospital admission rates	156.6 per 100,000 (2007/08)	0% increase	N/A	● GREY	ASC&H/ Environment
NI 51 Effectiveness of child and adolescent mental health (CAMHs) services	TBC	4x4=16	N/A	● GREY	CYPT
NI 56 Obesity among primary school age children in Year 6	16.1%	16.1%	N/A	● GREEN	CYPT
NI 59 Initial assessments for children's social care carried out within 7 working days of referral	56%	76%	90% (Sept 08)	● GREEN	CYPT
NI 112 Under 18 conception rate	43 per 1000 = 10%	34.7 per 1000 = 28%	ONS 2007 Q2 report 43.1 per 1000	● RED	CYPT/ Environment
NI 116 Proportion of children in poverty	20%	19%	N/A	●/● AMBER/GREEN	CYPT/ALL
NI 119 Self-reported measure of people's overall health and well-being	New indicator	Baseline year	N/A	● GREY	ASC&H
NI 123 16+ current smoking rate prevalence	TBC	944	TBC	● GREY	ASC&H
NI 130 Social Care clients receiving Self Directed Support (Direct Payments and Individual Budgets)	TBC	300	111.5	● GREEN	ASC&H
NI 135 Carers receiving needs assessment or review and a specific carer's service, or advice and information	12%	16%	12.9%	●/● AMBER/GREEN	ASC&H
NI 150 Adults in contact with secondary mental health services in employment	New indicator	Baseline year	N/A	● GREY	ASC&H

Performance Improvement Report Quarter Two - July to September 2008

LAA outcome	Baseline	08/09 target	Latest	Direction of travel	Lead Directorate
L 11 Services for disabled children (NI 54)	New indicator	Baseline year	N/A	● GREEN	CYPT
L 12 % of people contacting the Access Point whose needs were met at the access point	0 New service	90%	92% Sept 08	● GREEN	ASC&H
L 13a Reduce the number of 11-16 year olds completing the Safe at School Survey who state that they have been bullied in 2008	29% (2004)	24%	Available Feb 09	● GREY	CYPT
L 13b Reduce the number of 8-11 year olds completing the Safe at School Survey who state that they have been bullied in 2008	36% (2004)	26%	Available Feb 09	● GREY	CYPT
L 14 Reduction in suicide	14.5 per 100,000 – 05/06	13.69 per 100,000	N/A	● GREY	CYPT
L 15 Increase uptake of risk assessment screening for hypertension and cholesterol in general practice	TBC	2890 patients at 21 practices on the at- risk register	N/A	● GREY	ASC&H
L 16 Take up/offer of 'talking therapies'	New indicator	Baseline year	N/A	● GREY	ASC&H

Summary of progress

- Activity against milestones to improve the health and well being of children and young people and their families is on track and progress is good.

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- Endorsement of a redesigned mental health service for young people 14-25, completion of a draft strategy to reduce rates of childhood obesity and progress on the joint commissioning strategy for services for children with a disability demonstrates effective partnership working.
- Performance against N1 59 (Initial Assessments) is good. This is an important proxy indicator that enables the PSB to monitor safeguarding and child protection services provided or commissioned by the CYPT and overseen by the Local Children's Safeguarding Board.
- Reducing the rate of teenage conceptions remains a significant challenge and with NI 56 (childhood obesity) will be a priority outcome in the PCT's Strategic Commissioning Plan and the new Children and Young People's Plan.
- It is anticipated that the reduction in bullying at school indicators will be achieved, but we cannot know until the results of the Safe at School Survey are available in Feb 2009 (the survey is carried out by schools in Nov & Dec 08).

Risks

- 2007 ONS data for NI 112 - Under 18 conception rate has confirmed an increase in the quarterly figures to a rate of 43.1/1000 – this was the first increase for the 15 months. In response a second review of our local strategy and services has been completed benchmarked against two high performing areas - North East Lincolnshire and Doncaster - which have similar deprivation profiles and cultural norms to Brighton & Hove – for example high teenage pregnancies in deprived communities with many of conceptions unplanned but often not unwanted.
- Research in both areas indicated that young women would often continue the pregnancy because it was seen as simply bringing the inevitable forward by a few years. Local research indicates that this is also a significant factor in Brighton & Hove. An emerging hypothesis from the current review is that some frontline staff may have developed a non-intervention approach with regards to sexual activity in young people and young women at risk of early parenthood. Focus groups are testing that hypothesis and a revised strategy and action plan will be completed in December 2008.
- The profile of safeguarding and child protection services has shifted dramatically following events in Haringey and this will have policy, practice and resource implications for Brighton and Hove. The DCSF has announced a national review of safeguarding and child protection arrangements and issued new Statutory Guidance on inter-agency cooperation to improve well being of children, young people and their families. OFSTED is consulting on proposals for the assessment of children's services as part of the new Comprehensive Area Assessment regime which will include a particular focus on child protection and outcomes for

Performance Improvement Report Quarter Two - July to September 2008

looked after children and young people. Even closer working will be required between the PSB, the CYPT and the LSCB to maximise the impact of the LAA to ensure that in Brighton and Hove 'child protection is everyone's business'. It may be necessary to review and increase the range of indicators in the LAA which track child protection performance and outcomes (NI 59 to NI 71).

- It is intended to set a target to further reduce levels of reported bullying 2009 - 11, subject to the agreement of head teachers. LPSA2 funding which has supported the prevention of bullying comes to an end in March 2009 and this has serious implications for the continued achievement of reduction targets if it is not replaced. Successful interventions to reduce levels of reported bullying dependent on LPSA2 funding includes support for peer mentoring, development of work to further prevent racist and religiously motivated bullying and the running and dissemination of the Safe at School Survey.
- LPSA2 funding has also supported a range of other interventions which have improved performance and outcomes and are now also at risk including:
 - The number of local schools achieving National Healthy Schools Status – now at 100%, an achievement recognised by both regional and national government
 - Educational outcomes for particularly vulnerable groups where school attendance and fixed term exclusion rates have been high
 - Educational outcomes for looked after children which, alongside scrutiny of child protection arrangements will be a key priority for OFSTED's future inspection of children's services
 - Activity to address the proportion of children in poverty currently focuses on the take up of childcare and is geared towards NI 118 (take up of formal child care by low income working families). This activity will continue to be delivered by the CYPT and is monitored through the annual Sure Start Self-Evaluation Framework. Attention should be given to widening/coordinating relevant activity across the LAA.

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Strengthening communities and involving people

LAA outcome	Baseline	Target 08/09	Latest result	Direction of travel	Lead Directorate
NI 4 % of people who feel they can influence decisions in their locality	N/A	Baseline year	Place Survey data avail early 2009	● GREY	S&G
NI 6 Participation in regular volunteering	N/A	Baseline year	Place Survey data avail early 2009	● GREY	S&G
NI 7 Environment for a thriving third sector	N/A	Baseline Year	National Survey of 3rd Sector Org data avail early 2009	● GREY	S&G
NI 11 Engagement in the arts	N/A	Baseline Year	Active People Survey	● GREY	Cultural Services
L 17 % of people who believe people from different backgrounds get on well together in their local area (NI 1)	N/A	Baseline year	Place Survey data avail early 2009	● GREY	S&G
L 18 Adult participation in sport (NI 8)	25.1% (Active People Survey 05/06)	To be set at review in 2009	Active People Survey	● GREY	Environment
L 19 % of communities with local communication / involvement mechanisms	N/A	Baseline year	Place Survey data avail early 2009	● GREY	S&G
L 20 % of people who are satisfied with opportunities to engage in local decision-making	N/A	Baseline year	Place Survey data avail early 2009	● GREY	S&G
L 21 Public Libraries and Local Engagement Indicator	See Delivery Plan for measures			●/● AMBER/GREEN	Cultural Services

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LAA outcome	Baseline	Target 08/09	Latest result	Direction of travel	Lead Directorate
L 22 Number of school age children in organised school visits to museums	33,124 (2007/8)	34,300 (amended)	13,150 (Apr-Sept)	● GREEN	Cultural Services

Summary of progress

Delivery is on track for the activities specified in the LAA Strengthening Communities action plan. Key milestones achieved this year to date include:

- Enhanced representation of the third sector in the city's strategic partnerships
- High level community involvement in and community development support for local neighbourhood forums
- Significant partnership working between service providers and representative forums to develop and implement neighbourhood action plans
- Completion of the Community Engagement Framework following extensive consultation and development of a delivery plan for the actions it specifies
- Publication of Taking Account: an economic and social audit of the third sector providing a baseline for measuring how thriving the sector is locally going forward
- Successful targeted initiatives to increase arts activity and participation e.g. White Nights involving free entry and entertainment at a number of cultural venues across the city, 10 participatory public arts projects such as Air Street and Phoenix Rise Housing Estate, Frantic Assembly (Urban Cultural Programme), the Fat Boy Slim beach event and partnership work with the Drug and Alcohol Action Team to create Useful Arts, a group for service users who recently had their first public exhibition in collaboration with Brighton Photo Fringe.
- A range of participatory sports events e.g. Take Part festival of sport, Active for Life sessions, Health Living Day, Under 21 World Volleyball Championships and Get Moving (mental health) day
- Increased Sunday opening hours at Jubilee Library - Since extending the hours in April 2008, we receive around 1,400 visits each Sunday. Some 80% of library users combine their visit with other activities e.g. shopping or eating out in the Cultural Quarter

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- Opening of new community library in Coldean – projected in partnership with Adult Social Care & Housing providing more effective community facilities that will increase people's access to learning, information and leisure.
- Opening of Children's Centre in Portslade library bringing together a range of services for children and families into one accessible location, with the integration of innovative micro-museum exhibits. This is a good example of the mixed use development planned for the future development of community libraries as envisaged in the new Libraries Plan
- Work with pre-school and school age children is strong in museums and libraries e.g. in museums, outreach programmes to school assemblies and early years sessions have reached well over 2,200 children so far this year

Many indicators in this block are still lacking in statistical baseline data, which can only be set once the ongoing national surveys report in early 2009: the Place Survey, the Third Sector Survey and the Active People Survey. Targets in this area are also largely based on perception, so are susceptible to influence from a range of external factors beyond partners' control.

Risks

- Many activities are funded under the Area Based Grant / Community Development Commissioning Programme and resources beyond March 2009 are not yet confirmed.
- No additional resources have been identified for arts, sport, libraries and museums. Indeed these areas are under significant budgetary pressure.
- With the introduction of new activities under the Community Engagement Framework, the Sustainable Communities Act and the Duty to Involve the Stronger Communities Partnership is tasked with co-ordinating delivery of new activities without any increase in resources being made available to CVSF in providing the secretariat. Similarly, with the development of a new Stronger Neighbourhoods Group, there will be greater demand on neighbourhoods' infrastructure for partnership working. It is suggested therefore that LSP partners consider the extent to which SCP community engagement partners are co-ordinating and delivering on key statutory responsibilities and reconsider resourcing requirements accordingly.

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Improving housing & affordability

LAA outcome	Baseline	Target 08/09	Latest result	Direction of travel	Lead Directorate
NI 154 Net additional homes provided	569	570	N/A	●/● AMBER/RED	ASC&H/Environment
NI 158 % decent council homes	56.6%	46%	54.45%	● RED	ASC&H
NI 141 Number of vulnerable people achieving independent living	65%	66%	71%	● GREEN	ASC&H
L 27 Number of households living in Temporary Accommodation (NI 156)	498	385	432 (Oct 08)	● GREEN	ASC&H
L 23 Bringing empty properties back into use (BV 64)	153	153	68 (Sept 08)	● GREEN	ASC&H
L 24 Reduce the number of rough sleepers	10	8	N/A	●/● AMBER/GREEN	ASC&H/Environment
L 25 Number of (fire) Home Safety Visits carried out	TBC	2,842		● GREY	ESFRS

Summary of progress

Whilst performance on decent homes (NI 158) is still off track, the development of the LDV is going well and this will ensure improvements in the future.

Risks

- Indications are that planning for additional residential properties have been severely curtailed due to the current economic climate, making performance on net additional homes provided (NI 154) very difficult to achieve.
- Again, one of the knock on effects of the economic situation & unemployment is that we are likely to see an increase in homelessness and therefore we anticipate additional demand & need for temporary accommodation. These factors will also clearly impact on other issues e.g. health and crime, which in turn will again put services under additional pressure.

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Promoting resource efficiency & enhancing the environment

LAA outcome	Baseline	Target 08/09	Latest result	Direction of travel	Lead Directorate
NI 186 Per capita CO ₂ emissions in the LA area	5.19 tons	4% reduction	5.19%	●/● AMBER/RED	S&G
NI 187 Tackling fuel poverty – people receiving income based benefits living in homes with a low energy efficiency rating	TBC	Significant reduction	N/A	● GREY	ASC&H
NI 195 Improved street and environmental cleanliness - levels of graffiti	9%	8%	5%	● GREEN	Environment
L 26 CO ₂ reduction from Local Authority operations (NI 185)	New indicator	Baseline year	N/A	● GREY	S&G

Summary of progress

- Per capita CO₂ emissions are reported with such a time lag, that in effect we have just six months to have any impact on this target during the life of the LAA: figures for emissions in 2006, for example were only published by Defra in September 2008.
- These showed an overall rise in CO₂ emissions in the city from 2005-2006, though due to a change in population calculation no change in the per capita figure,; while emissions from transport were judged to have fallen, those measured from industry and commerce energy use rose significantly, while domestic emissions rose too, but more modestly.
- For NI 187 the peculiarities of the new calculation methodology for fuel poverty mean that a baseline has still to be set.
- NI 195 continues to show improvement
- L26 – the complexity of data collection and differences from the carbon management programme methodology mean that a baseline is not yet available though should be early in 2009. Lags in data collection mean that the last figure available, for near like-for-like performance, are for 2006/7, when an overall reduction of 4% was achieved, after adjustment.

Risks

- The trend for rising emissions in commerce and industry is a real risk for NI 186; the lag between improvement action and data publication also presents a risk in that there is little time to materially affect the overall performance against this measure during the lifetime of the LAA.
- Ironically it is climate that represents the most significant risk: a cold winter and a hot summer will push up emissions from heating and cooling and generate more traffic locally, which is used as the proxy for CO₂ emissions from transport.

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Promoting sustainable transport

LAA outcome	Baseline	Target 08/09	Latest result	Direction of travel	Lead Directorate
NI 167 Congestion – average journey time per mile during the morning peak	3 min per mile	3 min per mile	N/A	● GREY	Environment
NI 175 Access to services and facilities by public transport, walking and cycling	91%	92%	N/A	● GREY	Environment

Summary of progress

- NI 167 – this is a completely new indicator and the target is based on there being no increase in the average morning peak hour journey time on 5 key strategic routes entering the city centre. Latest results are not available until 2009 and there has been no progress to date on the actions and milestones
- NI 175 – This national indicator supersedes ltp1 and is a stretched target that now seeks to increase the proportion of the population that are within 10 minutes of a doctors surgery (using public transport and walking). Data is not yet available to monitor the first year's progress and no progress to date has been made on the actions and milestones.

Risks

Not identified

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Section 2 – Progress against Corporate Plan priorities

Priority	Actions over the next 3 years		Corporate Plan progress
Protect the environment while growing the economy	1.1	Keeping our city moving	
		Provide safer and better roads and transport routes by delivering the Local Transport Plan investment programme	<ul style="list-style-type: none"> 5 year £26+million Local Transport Plan (LTP) agreed in 2005 and progress reports made and agreed by Environment Committee in March 06, 07 and 08. 2008/09 progress report to be tabled at Environment CMM meeting on 11 December 2008.
		Change attitudes around travel to school, to reduce unnecessary car journeys	<ul style="list-style-type: none"> The council has continued to work closely with schools across the city to improve private car journey efficiency and mitigate the impact of the 'school run' on the cities road network. There are now 67 school travel plans in place (72% of all schools across the city) through which the council has invested in the Safer Routes to School programme.
		Start work on the new Rapid Transit System to speed up cross-city public transport	<ul style="list-style-type: none"> Business case prepared and submitted to DfT early 2008. Currently working with DfT on taking forward although major projects delays to King Alfred and BIA may delay progress.
		Improve public spaces with better signposting and a more welcoming street scene for all users	<ul style="list-style-type: none"> Initiatives have taken place in some areas of the city in respect of this including New Road, Trafalgar Street and Pool Valley. A LTP funded pedestrian signage strategy report will be presented to Environment CMM in January to guide future signage in the city.
		Retain and build upon our status as a cycling demonstration town.	<ul style="list-style-type: none"> Programme progressing – report to Cabinet in September 08 agreed to accept additional £1.5 million funding secured for

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Priority	Actions over the next 3 years		Corporate Plan progress
			further work across the city.
Protect the environment while growing the economy	1.2	Preserving and improving our urban and natural environments	
		Encourage more efficient use of private vehicles and fleets, and work with business and schools to help them do the same	<ul style="list-style-type: none"> • The council has continued to expand the Businesses Travel Plan Partnership which now has a membership of 37 of the cities employers, including some of the largest such as Legal & General and Lloyds bank. • Through the partnership the council has provided match funding for a number of businesses to improve sustainable transport choices for its workers. • Eco-Schools Programme (2/3 schools have signed up to the voluntary Eco-Schools Awards Schemes)
		Reduce carbon emissions and deliver energy and financial savings through our carbon management programme	<ul style="list-style-type: none"> • Carbon Management Programme Yr 1 – saving carbon and cash (4% reduction in carbon emissions and circa. £50,000 from the Council's energy bill). • Clarity on year 2 and 3 deliverables (especially commitment to housing stock energy efficiency improvement)
		Make our streets cleaner by introducing communal bins	<ul style="list-style-type: none"> • In the areas where we currently have communal bins, street cleanliness has dramatically improved since their introduction. In response to this, it was proposed to extend the area to serve a further 23,000 properties. A consultation regarding this expansion was undertaken during February 2008, the results were largely positive and therefore Cabinet approved the scheme to go ahead. Communal bins will be introduced to central parts of the city in June 2009 and this will see a significant improvement in street cleanliness.
		Strengthen the park ranger service	<ul style="list-style-type: none"> • Achieved – new park ranger service launched in autumn 08

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Priority	Actions over the next 3 years		Corporate Plan progress
		Support the roll-out of car club cars across the city	<ul style="list-style-type: none"> • The council has continued to work in partnership with Car Club companies and has provided provision of a further 18 spaces across the city in the last 9 months. • In addition the council through the planning process also seeks to secure Car Club contributions from developers. • The council has also introduced Car Club facilities open to staff to replace the Pool Car system at Kings House.
Protect the environment while growing the economy	1.3	Growing our economy Increase the space available to cultural and creative industries, to support growth in the cultural sector	<ul style="list-style-type: none"> • Production of Creative Workspace Study - Researched findings demonstrate that the creative industries cluster in Brighton and Hove in 2007 provides the city with 10.7% of its employment. This business sector was the fastest growing in the city's economy, with growth of 4.4% between 2000 and 2005. • The Creative Workspace Study was commissioned to quantify the future growth needs of the sector. This study was also specifically intended to supplement the work being undertaken in the development of the Local Development Framework. A wide ranging steering group oversaw the production of this study and we have now moved into the first stages of implementation. • Bristol Estate Studios project - The successful completion and launch of this capital project which provides studio spaces for creative practitioners working out of refurbished ex-drying rooms on the Bristol Estate. The Bristol Estate Community Interest Company have the management of this initiative and so this project impacts on both economic and social outcomes. • Progress on i360 - We have made significant progress in terms of the pre-construction arrangements that need to be put in place prior to the commencement on site of the i360. From the landowner and planning perspective, we are doing everything

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Priority	Actions over the next 3 years		Corporate Plan progress
Protect the environment while growing the economy			possible to facilitate the smooth start of this development. The developer has not yet secured the finance needed for the development, and we continue to work closely with them to offer any support we can.
		Support business investment in the city by creating and implementing an inward investment strategy	<ul style="list-style-type: none"> • Social Enterprise Strategy - Following a lengthy period of research and consultation, Brighton and Hove now has a Social Enterprise Strategy that has been received and endorsed by the Cabinet Member for Enterprise and Major Projects. An Action Plan is currently under development to take this forward with partners.
		Support retail and conference business by starting work on a new Brighton Centre	<ul style="list-style-type: none"> • A client brief for the retail expansion of Churchill Square has been agreed with Standard Life.
		Work with local businesses and others to ensure that workers have the skills they need	<ul style="list-style-type: none"> • In 2008 we have funded 10 City Employment and Skills Steering Group LABGI projects and 9 other economic development LABGI projects. We have also supported 2 Working Neighbourhood Funded projects (Pre-Employment Training and Breakthrough) • The London and Lewes Road (LR2) study was approved by the Council in July 2007. There is now work being undertaken to prepare an areas SPD and significant developer interest in the area. • City College Pelham Street – support for new city centre campus for the city's largest further education provider. • In addition the Economic development team worked with EDF and SEEDA on securing an SFIE investment from SEEDA to safeguard EDF employment in the City and allow them to expand their operation.

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Priority	Actions over the next 3 years		Corporate Plan progress
Protect the environment while growing the economy	1.4	Excellent cultural opportunities for all	
		Increase and diversify participation in cultural and sporting activities	<ul style="list-style-type: none"> • 'Take Part 2' week event in summer 2008 encouraged over 27,000 people and 70+ clubs to participate in cultural and sporting activity. • Our health walks programme has been running for over 3 years – there are up to 14 health walks a week and over 500 people have taken part in a health walk in the last 4 months.
		Develop an inspiring programme of activities leading up to the 2012 London Olympics	<ul style="list-style-type: none"> • The intention is to build up a calendar of Sporting and Cultural events that run throughout the year that use the inspiration of the Games to encourage our residents and visitors to take part and new sporting events for the cities young people so far include an Aqua Festival, KS1 Games and a Disability Games.
		Work through museums and local libraries to support early years learning	<ul style="list-style-type: none"> • Working with toddler groups in libraries and children's centres, improved access to our collections, making them truly inclusive and encouraging a lifelong engagement with the museums.
		Regenerate at least three community libraries, enabling them to act as hubs for community services	<ul style="list-style-type: none"> • Two micro museums opened in early 2008, taking collections out to the Whitehawk Childrens' Centre and Portslade Community Library. • Opening of new library in Coldean.
Protect the environment while growing the economy	1.5	Providing the homes that people need	
		Provide more family homes, including homes adapted for children with disabilities	<ul style="list-style-type: none"> • Affordable housing target recognised in the Local Development Framework (CP12) increased from 10% to 25% 3+ beds units. • Under occupation Officer released 81 family sized homes 07/08 & 46 in Q1 & 2 08/09. • Draft lettings protocol for new build wheelchair accessible homes with UO officer linking new affordable supply with top

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Priority	Actions over the next 3 years		Corporate Plan progress
		Improve the quality and availability of social housing	<p>Disability Facility Grant cases.</p> <ul style="list-style-type: none"> • Local Delivery Vehicle agreed by Cabinet and Council. Project team established. Consultants employed. Briefing pack for tenant representatives prepared and distributed. • New partnering contracts are on track. Asset management panel established and working well will look at Brighton standard. Programme board established with clear project timetable and risk register. Post qualifying responses received and Invitation to Tender (ITT) set to publish in November. • HRA Business Plan out to consultation. Pending political agreement will be presented to the Citywide Assembly in November (if tenants allow). Plan sets out actions to achieve 3 star rating. • Sheltered housing review. Report going to HMCC in November with recommendations arising from tenant's focus group and road shows. This addresses the warden service but not the shared facilities; this is being taken forward on a scheme by scheme basis. • Estates services focus group reporting to HMCC in November. Dedicated cleaners for blocks been well supported by tenants. • Kitchens, bathrooms and doors programme started. • Review of tenancy agreement nearing completion and includes succession policy revision and training
Protect the environment while growing the economy	1.5	Providing the homes that people need	
		Improve the quality and availability of social housing	<ul style="list-style-type: none"> • Deliver Patching Lodge extra care development by spring 2009. On target for opening in partnership with Hanover • Deliver Vernon Gardens extra care by spring 2010. Over £1m grant obtained. Lease to Guinness Trust agreed.

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Priority	Actions over the next 3 years		Corporate Plan progress
Protect the environment while growing the economy			<ul style="list-style-type: none"> • Work started on revision of extra care allocations policy to bring in line with CBL.
		Reduce homelessness and the use of temporary accommodation	<ul style="list-style-type: none"> • Rate of Homelessness prevention on target at 65% of all households' case worked. • Homeless Applications reduced by 25% from 2007-8 • Number of accepted homeless households projected to be maintained at 07-08 levels of 450. • Placements into temporary accommodation reduced 20% from 2007-8 levels. • Number of households entering Temp Accommodation is reducing. Q1 220 placements made and 246 moved out. Q1 achieved overall reduction of homeless households in TA to 477 and on target to achieve 445 for Q2. • Move on Officer appointed and developing a Pathway through Temporary Accommodation.
		Provide accommodation for gypsies and travellers, by opening a permanent travellers' site	<ul style="list-style-type: none"> • Approach agreed by cabinet and site identified. Planning permission to be applied for shortly.
		Work with the fire service to provide smoke detectors and fire safety visits to more homes	<ul style="list-style-type: none"> • Working with the fire service to target vulnerable people and arrange fire check within 48hours. • Where people have oxygen cylinders we are asking permission to inform the fire service. • New post in place with Health and Safety to ensure compliance within independent sector
		Maintain our high level of performance in reducing the number of empty private sector homes in the city	<ul style="list-style-type: none"> • April 08 implemented improved system; in Q1 163 contacts, active caseload 535 • In Q1, 54 EPA grant applications totalling £960K of which £180 approved • EPO officer RC seconded to PSH team Sept 08 – Mar 09 to

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Priority	Actions over the next 3 years		Corporate Plan progress
			assist with BEST programme inc EPA spend
		Provide financial assistance and support to householders and landlords to enable more vulnerable owner-occupiers and private tenants to live in decent homes.	<ul style="list-style-type: none"> Revised Housing Renewal Assistance Policy agreed at Cabinet on 10 September 08 for implementation from 1 October 08.
		Improve the energy efficiency of the city's housing stock across all tenures, and reduce the number of people on low incomes living in homes with a low energy efficiency rating	<ul style="list-style-type: none"> Revised Housing Renewal Assistance Policy agreed at Cabinet on 10 September 08 for implementation from 1 October 08.
Protect the environment while growing the economy	1.6	Supporting people into work	
		Help more people to get into work and reduce dependency on benefits	<ul style="list-style-type: none"> Local Employment Programme
		Develop apprenticeships that are relevant to the skills needs in key sectors of the economy	<ul style="list-style-type: none"> LEP Team to take responsibility for 10-20 Apprenticeships next year.
		Work with employers to sustain and improve models of employer engagement	<ul style="list-style-type: none"> Shaun Rafferty/Joe Davenport members of LEADER group – working with private sector employers in the City.
Better use of public money	2.1	Providing services that are good value for money	
		Deliver a council wide programme of value for money reviews of all services	<ul style="list-style-type: none"> All reviews now complete (housing management, waste, parks, development control, adult social care, corporate services, cultural services, CYPT (3 in final report and sign off stage – housing, waste and parks)). All others have become part of Directorate wide transformation programmes covering each service area. In process of developing clear monitoring arrangements for elected members and senior management. Aiming for integration into quarterly monitoring reports which more effectively aligns performance and progress against cost of key high cost services.

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Priority	Actions over the next 3 years		Corporate Plan progress
		Introduce a new business planning framework and approach to risk and opportunity management	<ul style="list-style-type: none"> • Both now completed and working closely with services to fully embed. • Planning framework has been redesigned and new guidance issued which links to both resource use and the value for money work, all Directorates fully consulted and are now using the approach (even better take up than expected). We are consistency testing with internal audit in quarter 3 and monitoring progress at DMTs and TMT. • Risk and opportunity management strategy refreshed via Council in the summer, current role out of refreshed corporate MAPS via Audit Committee, recent Cabinet and other Member development to support. • New workforce development plan completed.
		Implement our Access Vision for our Citizens	<ul style="list-style-type: none"> • Strategy/long term vision agreed by Policy & Resources Committee on 29 November 2007. • Details of projects which sit within Access Vision reported to TMT 4 June 2008. • First officer introductory programme board has met. • Second programme board meeting is considering current telephone access across public lines. • Currently recruiting for Project Manager. • Overview & Scrutiny intend to commission a piece of work on customer access. The Chair is currently considering potential for the scope.
Better use of public money	2.2	Protecting the council's financial position	
		Update the MTFS and review our reserves annually	<ul style="list-style-type: none"> • MTFS 2008-2011 is in place and is reviewed and monitored.
		Implement our policies on Anti-Fraud & Corruption, Treasury Management and Debt Collection &	<ul style="list-style-type: none"> • Introduction of new Officer Code of Conduct in next few months.

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Priority		Actions over the next 3 years	Corporate Plan progress
		Recovery	
Better use of public money	2.3	Responsible Financial Management	
		Improve financial management standards across the council	<ul style="list-style-type: none"> Detailed budget management reports are available and provide forecasts earlier allowing time for the directorates to develop action plans to deal with forecasted overspends.
		Further integrate our business and financial planning processes	<ul style="list-style-type: none"> We have embedded the value for money work and the use of resources work into the business planning model (Audit Commission have fed back positively on the approach)
Better use of public money	2.4	Ensuring the best use of our property & land assets	
		Identify sites that are underused or surplus to requirements and make plans to redevelop or dispose of them to meet our corporate objectives	<ul style="list-style-type: none"> Have sold properties totalling £900k to date. Currently marketing Queens Square Ice Rink site, informal offers returned early November. Marketing Patcham Court Farm, following October Cabinet decision
		Reduce our dependency on office accommodation by supporting effective mobile working for appropriate staff	<ul style="list-style-type: none"> Accommodation changes part of the VfM transformation programme– phase 1 complete at HTH. Development control planning team, phase 2 Kings House has started and will be complete before Christmas. HTH refurbishment has enabled 13 more staff in the space, improved density from 8.3m² to 6 m² and will produce energy efficiency savings of approx £2k pa. We will review flexible working policies as part of the revised people offer.
		Identify poorly performing buildings by reviewing our operational property assets in terms of condition, suitability and capacity	<ul style="list-style-type: none"> On-going through the asset management process. Reviewing service uses with Directorates, focusing on leased properties to explore alternative accommodation.
Better use of public money		Seek sustainable solutions to our new build and maintenance works programmes, improving energy	<ul style="list-style-type: none"> Sustainable designs for primary schools part of the primary capital strategy , currently in design to incorporate at Balfour

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Priority	Actions over the next 3 years		Corporate Plan progress
		efficiency and increasing materials recycling	<p>Junior – ground source heat pump for space heating, photovoltaic and solar panels on the roof to heat the hot water, rainwater harvesting.</p> <ul style="list-style-type: none"> • Davigdor Infants – has solar and photovoltaic panels. • Both have latest passive vent to provide fresh air and automatic cooling. • As part of the capital programme have completed extension and refurbishment to Varndean School to include, rain water harvesting to flush toilets in part of the existing school and installation of high efficiency lighting and high insulation levels. • Energy improvements to main office buildings through the carbon management programme and Salix fund to include boiler and control upgrades to HTH, lighting upgrades to KH and car park and Lanes car park, BTH and council wide server virtualisation.
Reduce inequality by increasing opportunity	3.1	Giving our children the best start in life	
		<p>Review and improve our services for children at risk and with special needs or disability</p> <p>Improve early assessment and support for children who need them</p>	<ul style="list-style-type: none"> • Multi-disciplinary area panels were established in April providing closer scrutiny of children who are on the cusp of care to reduce avoidable placement. The interface between the area panels and city-wide services has been strengthened to monitor outcomes for children who have been diverted from care. • Stability of placements for looked after children (LAC) has significantly improved. In September 08 they were reported at 14.2% against 18.2% this time last year. Total number of LAC continues on a positive trajectory, reporting 372 in September against 384 at the same time last year.

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Priority	Actions over the next 3 years		Corporate Plan progress
			<ul style="list-style-type: none"> Seaside View Child Development & Disability Service opened August 2008 providing brand new provision one point of access for all new referrals as part of the Children and Young People's Trust approach to delivering joined up services. Key-worker arrangements are being developed to support children with the most complex needs and their families
		Make services more accessible by building more children's centres across the city	<ul style="list-style-type: none"> The full capital programme for the Children and Young Peoples Trust of Brighton & Hove for the 2008 / 2009 financial year totalled £9.9 million. This will fund improvements in schools, children's centres, youth centres and social services for young people.
		Ensure that the city has sufficient flexible and accessible childcare to allow parents to work and train	<ul style="list-style-type: none"> To follow
		Improve young peoples' reading levels by implementing a city reading strategy	<ul style="list-style-type: none"> To follow
		Help keep children safe on our roads with Bikeability cycle training, road safety education, and publicity	<ul style="list-style-type: none"> Our LTP has specific targets/actions in this area as has the cycle demonstration town initiative and if agreed our civita's project. Specifically since January 2008 we have trained 937 children in bike-ability and trained 1234 children in pedestrian training.
Reduce inequality by increasing opportunity	3.2	Providing excellent education for all	
		Develop a capital programme for the rebuilding and refurbishment of primary and secondary schools	<ul style="list-style-type: none"> Our primary Strategy for Change (SfC) was submitted to the DCSF in June 2008 in line with all other Local Authorities. The DCSF announced the outcome of their review of all strategies for change on 12th November 2008. Our SfC was judges to be satisfactory to enable us to draw down funding form this

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Priority	Actions over the next 3 years		Corporate Plan progress
			<p>programme starting in April 2009. The DCSF gave requested that we make some amendments to our strategy and this will be complete by March 2009.</p> <ul style="list-style-type: none"> In September 2008 the DCSF announced that it was giving all local authorities not yet in BSF the opportunity to revise their Expressions of Interest (Eol) in respect of this programme. There has been consultation with secondary head teachers and providers of post 16 education on this matter and we will be submitting our revised Eol on 30th November 2008.
		Build an academy at Falmer providing excellent educational opportunities and specialising in entrepreneurship and sport	<ul style="list-style-type: none"> The statutory process to close Falmer High School pending the setting up of an academy has been completed and the DCSF have now confirmed our Outline Business Case for the project which releases approximately £28million to enable the construction of the new Academy. They have also signed the funding agreement with the sponsor. The project is now entering the procurement phase.
		Improve support to children and young people with behavioural, emotional and social needs	<ul style="list-style-type: none"> Permanent and fixed term exclusions of children and YP with Behaviour Emotional Social Difficulties (BESD) have now reduced significantly. There were 9 permanent exclusions in 2007/8 compared to 18 in the previous year. There were 1808 fixed terms in 07/08 compared to 2580 in 05/06 and 2419, in 06/07. The City wide Behaviour and Attendance team, SEN and Specialist Placements team, area teams and ACE have developed new arrangements for joint working to prevent exclusions.

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Priority	Actions over the next 3 years		Corporate Plan progress
		Review special needs provision and promote inclusive practice	<ul style="list-style-type: none"> Leadership and management arrangements have been revised following the CYPT's Value for Money Review and a work programme implemented including close joint working with head teachers from special and mainstream schools.
		Improve museum education services for children and adults through the Museum Renaissance Programme	<ul style="list-style-type: none"> Working with toddler groups in libraries and children's centres, improved access to our collections, making them truly inclusive and encouraging a lifelong engagement with the museums. Two micro museums opened in early 2008, taking collections out to the Whitehawk Childrens' Centre and Portslade Community Library.
		Increase public access to excellent online information and learning in public libraries	<ul style="list-style-type: none"> Children's library services in top 4 with over 90% satisfaction score - CIPFA survey of library users 16 an under gave our children's library services over 90% satisfaction rating – we were one of only 4 library authorities to achieve this. Improved take up of Bookstart packs, and achieved continued funding for the programme.
Reduce inequality by increasing opportunity	3.3	Improve the health of our residents	
		Provide mothers with the help they need to breastfeed	<ul style="list-style-type: none"> The CYPT is coordinating a city wide strategy which includes specific actions to ensure that: mothers who want to breastfeed are supported by health systems, their community, friends and family to do so; public facilities and employers in the city do what they can to make feeding a baby as stress free and satisfying as possible; additional support is targeted in the East of the city where rates of breastfeeding are low.

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Priority	Actions over the next 3 years		Corporate Plan progress
		Support participation in sport, particularly among the young	<p>Our active for life programme supported the following :</p> <ul style="list-style-type: none"> • 932 young people in summer fun activities • 16,216 young people in “take part” event in summer 08 • 72 young people in volleyball clinics • 140 young people in ASDA sporting chance scheme • 100 young people active for life summer camp
		Improve support in the community for those with mild mental health problems	<ul style="list-style-type: none"> • Reconfiguration of Sussex Partnership Trust services to provide self direct support • Commissioning of additional psychological therapy posts in SPT
		Help more older people to maintain independence through better rehabilitation and intermediate care	<ul style="list-style-type: none"> • Joint Delayed Transfer of care post appointed. ASC now delivering timely discharges through MD teams • Rollout of Telecare underway • Pilot of Home Care rehabilitation service started • Dementia at home service commissioned and underway but some issues • Review of day care complete and recommendations agreed.
		Improve air quality by reducing transport emissions	<ul style="list-style-type: none"> • Our air quality assessment has been recognised by DEFRA as best practice and we have extended our air quality management area. Our scores on the doors campaign has considerably raised food standards and food quality in the city’s restaurants etc
		Bring the drug treatment system in line with new and emerging best practice, training staff better and providing a high-quality, stable service	<ul style="list-style-type: none"> • The national treatment agency (NTA) mid year review in October 2008 recognised Brighton & Hove as having a strong and robust partnership in delivering drug treatment services. The NTA also recognised that the partnership was good at getting people into treatment and retaining them there.
		Improve public health by improving the health and safety of workplaces, the fitness of food sold, and the	<ul style="list-style-type: none"> • Our 5 year £26+million LTP has a range of targets and policies to reduce transport emissions and these as well as projects ie

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Priority	Actions over the next 3 years		Corporate Plan progress
		quality of the city's air.	<p>cycle demonstration town are all contributing to improving air quality.</p> <ul style="list-style-type: none"> • Our LTP for 2009/10 is focussed on the year of walking and cycling which includes a variety of projects and initiatives specifically designed to reduce emissions from transport. • ASC have completed a project on the management and training of food safety in all our establishments, the impact is beginning to be seen in improved scores on the doors. • Adult Social Care have completed a major project focused on ensuring fire safety in all our residential establishments.
Reduce inequality by increasing opportunity	3.4	Working together to target the most vulnerable	
		Provide more self-directed support, so individuals can control their own care	<ul style="list-style-type: none"> • New stretch targets set but will need revision to take account of new definitions • Work underway on the RAS, project on target
	Help more vulnerable adults and older people to live in their own homes and to claim the benefits they are entitled to	<ul style="list-style-type: none"> • Access point opened and already achieving 90% of queries dealt with at first point of contact. • Over £1.2m of additional benefits achieved. • Advice and assistance given through web and through the access point. • Partnership working on implementation of 'Information Prescriptions' progressed through local stakeholder event. On target for key milestone of providing prescriptions for all those people with long term conditions. 	
	Help those on benefits save money through greater fuel efficiency	<ul style="list-style-type: none"> • To follow 	
		Expand the breadth of the curriculum offer to take into account the needs of all young people and increase	<ul style="list-style-type: none"> • To follow

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Priority	Actions over the next 3 years	Corporate Plan progress
	the number of in-year enrolment opportunities to encourage those not in education to re-engage	
Fair enforcement of the law	4.1 Reduce crime and anti-social behaviour	<ul style="list-style-type: none"> Implementation of the Parent Support strategy is progressing well and on target. The Triple P evidence based parenting programme that is being rolled out in Brighton & Hove offers support and intervention for parents and carers at all levels of need. Tip sheets, seminars and parenting groups are being delivered in each area and cluster through Children's Centres and Extended Services to address problems at an early stage. These services are publicised through the Family Information Service The voluntary sector have been commissioned to offer specialist groups to BME parents, parents of children with disabilities and parents with substance misuse problems. Targeted groups and 1 to 1 intensive interventions for families with high level needs are being coordinated by the Senior Parenting Practitioner within parenting team. The Parenting Order Panel chaired by the Parenting commissioner is established and coordinating all requests for Parenting orders. The Parenting Order Panel has representation from Housing, the Anti Social Behaviour team, the YOT the police, the Education Welfare Service and the Parenting team. The father's Network has been re launched and specific Triple P groups are being run for fathers. Parenting interventions are being embedded in the practice of the Anti social Behaviour Team, the Family Intervention Project, the YOT and the newly established TYS teams. Outcomes are monitored and collated by the parenting team and further training to address gaps is
	Deliver a parenting strategy that sets out different levels of support from prevention through to compulsory engagement and enforcement	

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Priority	Actions over the next 3 years		Corporate Plan progress
			being planned.
		Involve communities in reducing crime and antisocial behaviour in social housing	<ul style="list-style-type: none"> To follow
		Improve support to survivors of domestic violence	<ul style="list-style-type: none"> We have just received national recognition for our domestic violence work/service and have now set up in the city specialist domestic violence courts.
Fair enforcement of the law	4.2	Fair enforcement	
		Reduce noise problems by swift investigation and action on complaints	<ul style="list-style-type: none"> Noise complaints are rising at 7-9% annually. Last year 3,284 complaints were investigated, 153 confirmed as statutory nuisances resulting in 149 abatement notices, 16 prosecutions and two seizures of audio-equipment. 905 of noise complaint investigations commence within four working days. The night time noise patrol usually responds within 2 hours of a call (89.5% last year). Last year they had cause to serve 68 warning notices for night time noise offences.
		Continue with high-profile enforcement of food and health and safety rules	<ul style="list-style-type: none"> Our food safety enforcement service has been recently audited by the EU Food Veterinary Office and the Food Standards Agency who found no non-compliances. Brighton & Hove City Council launched the 'Scores on the Doors' scheme in October 07 to make it quick and easy for people to check out food hygiene standards at local food businesses. The scheme rates premises from five stars (excellent) to zero (poor) - has proved a big hit with customers and been welcomed by the catering industry. It has driven up the hygiene standards since it was launched the number of 'excellent' premises awarded the top five stars has soared from 78 to 129 and the number of four stars establishments is up from 263 to 399. The health and safety inspectors investigate complaints and accidents to support the HSE's "Fit 3" campaign to reduce the

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Priority	Actions over the next 3 years		Corporate Plan progress
Fair enforcement of the law			number of major injury slip and trip accidents and falls from height risks. Inspectors raise awareness about asbestos, occupational dermatitis, occupational asthma, muscular-skeletal disorder, noise, stress and violence at work with high profile events, publicity, advice and enforcement.
		Maintain our excellent record on environmental health Improvements	<ul style="list-style-type: none"> • Our community programme with the Community Payback Team has led to a large number of high profile improvements in the city, including painting of the seafront railings and the facades at Adelaide Crescent. We have continued to organise jointly with the community and the police a number of community clean up days, including those at Hangleton and Eastern Avenue. • Work has continued to progress on Gating Orders, with an agreed protocol being developed in order to ensure smooth implementation of community requests for gating. We are currently working on two potential sites for Gating Orders at George Street Passage and Black Lion Lane. • We have received high profile publicity for innovative environmental improvements, such as the use of public art to improve the appearance of derelict or empty buildings, e.g. the Astoria, London Road, and the camping outlet in St James's Street. • The team has managed to attract and utilise funding from additional sources other than its direct budget. These have included Section 106 monies for improvements in Richmond Parade. <p>We are continuing to work with communities and local action teams across the city and carrying out improvements.</p>

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Priority	Actions over the next 3 years		Corporate Plan progress
Open & effective leadership	5.1	Keeping residents informed and engaged	
		Support the city-wide assembly for housing tenants and leaseholders	<ul style="list-style-type: none"> • City wide assembly first meeting in November, put back due to HMCC's business. • Improved communication with tenants work underway
		Create a new forum that will inform decisions on the personalisation of adult social care	<ul style="list-style-type: none"> • First citywide stakeholder forum taken place. Feedback given and priorities incorporated into personalisation plan. • Regular meetings held with independent and voluntary sectors to ensure understanding of self directed support. • Review underway of all current service user feedback across adult social care to align this more closely with personalisation, ensure rigour of process, collate impact and use made of feedback.
		Create a community engagement framework to bring council decisions closer to the people	<ul style="list-style-type: none"> • Extensive consultation via community and voluntary sector and other groups over the summer. Signed off by Cabinet on 20/11 and will be taken to the LSP on 2nd December. The lead for the Council will be the Voluntary Sector Unit
Building an excellent council	6.1	Becoming an employer of choice	
		Ensure that our internal processes for managing people are consistently strong and effective	<ul style="list-style-type: none"> • New performance development planning framework created and re-launched (through the scheme and individual folders to support) "golden thread links" made much clearer (i.e. individuals know why they are doing things in terms of the council's broader objectives) management and leadership standards established and embedded into the PDP process, supported by learning and development offerings for managers (probably not enough at present). • Corporate approach to obtaining Investors in People (IiP) status to support stronger people management ongoing, all

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Priority	Actions over the next 3 years		Corporate Plan progress
			<p>Directorates making significant progress aiming for corporate assessment (ie one liP assessment early in the new year 2009).</p> <ul style="list-style-type: none"> • This approach and messages supported by staff conferencing in the summer 2008, launch of Team Talk, messaging in The Channel (and via The Wave). • Staff Excellence Awards Scheme currently being reviewed (creating an "Oscars" for the city/city council). • Use of 360° Appraisals and talent management ongoing
Building an excellent council	6.1	Becoming an employer of choice	
		Modernise our pay schemes to make them fair and comprehensible	
Building an excellent council		Transform our HR approach through new technology, reducing costs and allowing more flexibility in how we manage our business	<ul style="list-style-type: none"> • Have restructured the HR function and recruited to one key senior post • New IT systems tenders have been received and being evaluated • Significant development of HR staff into new roles to support the new business partnering way of working • Increased operational flexibility (e.g. managing redundancies, sickness absence, etc.)
		Increase our staff satisfaction and thereby improve the quality of services delivered	<ul style="list-style-type: none"> • Our "people offer" later this year together with welfare at work and dignity at work approaches • Next staff survey December 2009
		Increase the number of apprenticeships/ trainee schemes that lead to local people working for us and partner organisations in the city	<ul style="list-style-type: none"> • Currently assessing baseline position across the council • New Apprenticeships Act early next year means we must take a revised approach

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Priority	Actions over the next 3 years		Corporate Plan progress
			<ul style="list-style-type: none"> Requirement for apprenticeship schemes built in to new partnering contracts Proposal to use LEP team as apprenticeships coordinator, set council wide targets for numbers and quality of apprenticeships delivered
		Ensure that we continue to make progress with good diversity in our workforce	<ul style="list-style-type: none"> All workforce composition PI's (except senior BME staff) are positive (and very many of them in the top quartile) Recruitment and churn will change in recession and impact will need careful monitoring Working with the staff equality forums on better use of exit data to understand barriers to promotion for key groups of staff. Stonewall LGB Workforce Index interviews underway. Agreed by Stonewall for Diversity Index (results Jan 09)
Building an excellent council		Develop a comprehensive people strategy to ensure we have the workforce that we need into the future	<ul style="list-style-type: none"> Workforce Development Plan to be completed by the end of December (looks medium and long term at our workforce needs and how we will meet them) The "people offer" including talent management, succession planning, enhanced L&D etc. underway, due for completion by end of December)
Building an excellent council	6.2	Creating opportunities and reducing barriers to achievement for all residents	
		Create an Equality & Inclusion Policy to draw together our activities on reducing inequality	<ul style="list-style-type: none"> Agreed by Council 9.10.08 Use it as a single equalities scheme for the council (a legal requirement) but the intention is to use the CIP to create a city wide single equalities scheme and for all organisations (to both save considerable public sector money but also to give a unified approach, particularly between the big employers and service

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Priority	Actions over the next 3 years		Corporate Plan progress
		Improve our rating on the equalities standard for local government to ensure a consistent approach across all services	<p>providers)</p> <ul style="list-style-type: none"> • Council wide Equalities Steering Group overseeing progress. • Now confident fully comply with Level 2 • Currently making considerable progress to Level 3, major gap at present is the number of Equalities Impact Assessments completed (new system set up, well communicated and being used but is still in early days) • Assessment for Level 3 will be in January/February 2009 (once sufficient EIAs have been completed)
Building an excellent council	6.3	Delivering excellent services that are good value for money	
		Improved score on the Audit Commission's Use of Resources measure	<ul style="list-style-type: none"> • Initial feedback from Audit Commission has been very positive, will receive confirmation of assessment in November with published result in mid December 08.
		Have demonstrated that our value for money work has supported the decrease in council tax rises and efficiency savings	<ul style="list-style-type: none"> • Specific examples of progress of demonstrable outcomes from the value for money reviews are reduce number of looked after children, unit costs in housing management and homelessness reduced, feed into the transformation of home care and day care services, increased income from tourism venues and reducing basic costs by increasing library visits. • Early results from sickness pilot shows significant progress and savings as a result of increased staff attendance.

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Section 3 – Progress against health of the organisation indicators

Indicator	Target	Q2 Result	Improvement Actions / Comments	Direction of travel
Progress against Equality standard level (BV2a)	Level 4	Level 2	<p>The council has a programme in place to improve its performance against the Standard over the coming year.</p> <p>In April 2009, the current Equality Standard for Local Government will be replaced with a new Equality Framework. The council is planning a work programme for an external assessment at level 3, and how we transfer our current position to the new framework.</p>	● RED
% of disputed invoices with 30 days (BV8)	95	92.79%	Working with finance teams and departments to address a range of issues which will have a positive impact on our year end result	● AMBER
Absence due to Sickness, working days lost per FTE (BV12)	2.37 days Full year target 9.50 days	5.16 days	Work is underway to address sickness absence in the council, including: <ul style="list-style-type: none"> • Intensive training for managers • One to one coaching for managers on difficult cases • Accelerated progression of long term cases • Trialling a new way of reporting and monitoring sickness • Early intervention on cases of stress or back problems • A pilot programme is underway and 	● AMBER

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Indicator	Target	Q2 Result	Improvement Actions / Comments	Direction of travel
			will be evaluated for effectiveness prior to being rolled out across the council.	
% of top paid 5% of staff who are women (BV11a)	52%	53.60%	This is top quartile performance (top quartile is 43.56%)	● GREEN
% of top paid 5% of staff who are from an ethnic minority (BV11b)	4%	3.15%	This is upper median quartile performance (top quartile starts at 4.53%)	● AMBER
% of top paid 5% of staff who have a disability (BV11c)	6%	4.60%	This is upper median quartile performance (top quartile starts at 5.49%)	● AMBER
% of top paid 5% of staff who are LGBT		13.3%	There is no comparison information for this indicator	● AMBER
Staff declaring they meet DDA as a % of total workforce (BV16a)	4%	3.77%	This is upper median quartile performance (top quartile starts at 4.43%)	● AMBER
% of staff who are from ethnic minorities (BV 17a)	6%	4.33%	This is upper median quartile performance (top quartile starts at 5.2%)	● AMBER
% of buildings open to the public that are suitable and accessible to people with disabilities (BV156)	70%	68.48%	<p>Access improvement works to bring 7 more buildings up to Grade 1 or 2 DDA standard by Mar 09.</p> <p>Buildings recently upgraded to meet the accessibility/access criteria:</p> <ul style="list-style-type: none"> ● Wellington House ● Waterhall Golf Club ● Woodingdean Youth Centre ● Manor Road Gym ● Stoneham Park <p>Buildings highlighted for improvement Mouslecoomb Leisure Centre lift upgrade</p>	● GREEN

Subject: Further Revisions to the Local Development Scheme for the Local Development Framework 2008-2011

Date of Meeting: 18 December 2008

Report of: Director of Environment

Contact Officer: Name: Lisa Marshall Tel: 29-2612
Project Manager (LDF)

E-mail: lisa.marshall@brighton-hove.gov.uk

Key Decision: Yes Forward Plan No. CAB6345

Wards Affected: All

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To seek approval of the updated Local Development Scheme (LDS). This is the three year work programme for the Local Development Framework (LDF) covering the period from 2008 to 2011.
- 1.2 The scheme previously approved by the Cabinet in July 2008 has been altered in light of the announcement by the Government in July 2008 that Shoreham Harbour was to be awarded Growth Point Status which has affected the work programme.

2. RECOMMENDATIONS:

That Cabinet:

- (1) Approves the revised Local Development Scheme for submission to the Secretary of State subject to minor alterations that may be made in consultation with the Director of Environment and the Cabinet Member for Environment.
- (2) To agree that the LDS should be brought into effect following approval by the Secretary of State.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 All local planning authorities are required to submit a Local Development Scheme (LDS) under the Planning and Compulsory Purchase Act (2004). LDS's are a public statement of a local planning authority's programme for the production of local development documents that over time will replace Local Plans and form part of the Local Development Framework. The revised LDS will be submitted to the Secretary of State for approval after which it can be brought into effect.
- 3.2 The LDS includes a three year timetable showing the main stages for community and stakeholder involvement in producing Development Plan Documents (DPDs). DPDs set out policies on the development and use of land in a local authority area.
- 3.3 The council's performance is assessed annually against the LDS timetable via the Annual Monitoring Report (AMR) which is submitted to Government annually in December each year. This is necessary to meet the relevant BVPI (BV200b) and help secure future Housing and Planning Delivery Grant (PDG).
- 3.4 The most recent version of Brighton & Hove's Local Development Scheme was approved by Cabinet in July 2008. However, this scheme was not submitted to the Secretary of State due to the implications of the Shoreham Harbour 'Growth Point' announcement also made in July 2008. Following advice given by the Government Office for the South East and the Planning Inspectorate, the city wide implications of a major regeneration scheme at Shoreham Harbour need to be considered in the Core Strategy. A number of studies and updates therefore need to be undertaken to provide a sound evidence base for the Core Strategy before it can go to the next stage of preparation. These studies are currently being undertaken and will report in Spring 2009. Results will be analysed and the Core Strategy will be adjusted if necessary and further consultation would then be required.
- 3.5 SEEDA have provided funding in order to bring forward the development of a Joint Area Action Plan (JAAP) to provide the planning framework and strategy for any future development at the Harbour. The Shoreham Harbour JAAP is being prepared jointly by the city council, Adur District Council and West Sussex County Council and as a development plan document, has been added to the LDS timetable and will be subject to public consultation.

- 3.6 The main changes to the July 2008 version of the Local Development Scheme are:
- Amendments to the timetable for adoption of the Core Strategy (DPD) due to the requirement for further background research including on housing, flood risk and the potential transport impacts of the regeneration of Shoreham Harbour.
 - The addition of a Shoreham Harbour Joint Area Action Plan (JAAP) to be developed jointly with Adur District Council and West Sussex County Council
 - Amendments to the Development Policies & Site Allocations DPD as a result of delays to the Core Strategy timetable.
 - The addition of further detail regarding timetables for SPDs.

4. CONSULTATION

- 4.1 The LDS is not subject to public consultation.
- 4.2 GOSE has been consulted on the main changes proposed to the LDS.
- 4.3 The Planning Inspectorate will be consulted in order to assist with the national scheduling of public examinations for DPDs.

5. FINANCIAL & OTHER IMPLICATIONS

5.1 Financial Implications:

Preparation costs for local development documents have been identified and budget provision has been made within the City Planning division. The financial implications of each local development document will be assessed and commented upon within future reports.

Direct costs arising from the Shoreham Harbour JAAP include the funding of new staff posts in the JAAP Team based at Adur District Council and the costs of the additional background studies. These costs are being funded by SEEDA via a grant agreement with Adur District Council.

Finance Officer consulted: Derek Mansfield

Date: 11/11/08.

5.2 Legal Implications:

The Local Development Scheme, and any revisions to it, must comply with statutory requirements, notably s15 of the Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Development) (England) Regulations 2004 as amended by The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. It is considered there are no human rights implications.

Lawyer consulted: Hilary Woodward

Date: 11/11/08.

5.3 Equalities Implications:

The LDF will make the planning system more accessible and transparent to the community. The Council has already adopted a Statement of Community Involvement, which encourages effective social inclusion for all groups to influence the policy-making agenda. DPD's are subject to an Equality Impact Assessment (EQIA).

5.4 Sustainability Implications:

Sustainability considerations are central to the new planning system. Each local development document will require an integrated sustainability appraisal.

5.5 Crime and Disorder Implications:

Documents to be prepared as part of the LDF, for instance, the Core Strategy and future guidance documents will address priorities relating to the agreed Community Safety, Crime Reduction and Drugs Strategy 2005-2008.

5.6 Risk and Opportunity Management Implications:

The programme management of the LDF includes risk management procedures. A dedicated risk log is maintained, regularly monitored and updated. The proposed LDS and timetable has been risk assessed key concerns centre around risk of delay, financial and staff resource issues.

5.7 Corporate / Citywide Implications:

The LDF will help to deliver the Sustainable Community Strategy and a number of key council and city wide strategies such as the Economic Strategy. The LDS sets out a three-year programme of planning work to be undertaken against which progress will be monitored.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The main alternative options considered and evaluated in preparing the LDS relate to the type of local development documents to be prepared over the next three years, how they will be resourced, prioritised and when the key stages will be undertaken. The proposed timetable is considered the best option with the resources available.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To ensure that there is an up to date timetable for preparing development plan documents in accordance with government guidance. In addition, to ensure that minor changes can be made, in consultation with the Cabinet Member for Environment, without the need for the document to return to Cabinet.
- 7.2 Should the LDS be agreed by the Secretary of State there would be no requirement for the document to return to Cabinet for adoption.

SUPPORTING DOCUMENTATION

Appendices:

1. Revised Local Development Scheme 2008-2011 (December 2008 version)

Documents in Members' Rooms

None

Background Documents

1. Local Development Scheme, July 2008 and April 2007
2. Planning Policy Statement 12: Local Spatial Planning

Brighton & Hove Local Development Scheme

2008-2011 Revised

December 2008



**Brighton & Hove
City Council**

Brighton & Hove City Council
City Planning
Environment Directorate

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APPENDICES

Appendix A – Profile of Development Plan Documents

Appendix B – List of documents adopted as part of the LDF

Appendix C – Transition from Supplementary Planning Guidance (SPG) to Supplementary Planning Documents (SPDs)

Appendix D - Glossary of Terms

1. Introduction

1.1 This is the amended 2008 version of the **Local Development Scheme (LDS)** produced by Brighton & Hove City Council. This document revises the version that was approved by the city council Cabinet in July 2008.

1.2 A revision of the July 2008 version was required in order to amend the Core Strategy timetable. This was a result of the announcement in July 2008 that Shoreham Harbour was awarded provisional Growth Point¹ status by the government. This required the need for some additional background research to be undertaken and for the Core Strategy timetable to be delayed.

1.3 The LDS sets out the three year work programme for the Brighton & Hove **Local Development Framework (LDF)**. The government introduced Local Development Frameworks in 2004² as part of a new system of plan preparation with the aim of ensuring that the long term social, environmental, economic and resource impacts of development were more fully considered as part of delivering sustainable development.

1.4 As part of these changes, Local Plans were replaced by a range of **Local Development Documents (LDD's)** that can be prepared at different times dependent on local circumstances. Together these make up the Local Development Framework (LDF). There are three main types of Local Development Document within the new LDF:

- **Development Plan Documents (DPDs)**
- **Supplementary Planning Documents (SPDs).**
- Other **Local Development Documents** – including the **Statement of Community Involvement** and the **Annual Monitoring Report.**

1.5 As and when new Local Development Documents become adopted, they will gradually replace the policies in the adopted Brighton & Hove Local Plan (2005). The status of policies and plans in the transitional period from local plan to local development documents are also discussed in section 5. Appendix D also summarises the status of Supplementary Planning Guidance notes that are to be saved as part of the transition to the new system.

1.6 This LDS also includes documents that are to be jointly produced with East Sussex County Council as part of the **East Sussex and Brighton & Hove Waste and Minerals Development Framework**. This also forms part of the Local Development Framework and will eventually replace the East Sussex and Brighton & Hove Waste Local Plan (2006) and Minerals Plan (1999).

¹ Growth Point status- Provides potential access to central government funding for projects that support the delivery of additional housing and sustainable development. Currently, this status is provisional and reliant on further development work.

² Via the Planning and Compulsory Purchase Act 2004.

2. The Local Development Scheme 2008-2011

2.1 Key Changes to the LDS produced in April 2007

2.1.1. Completion of Documents

The 'Advertisements' Supplementary Planning Document (SPD) was adopted in June 2007. The Sustainable Building Design SPD was adopted in September 2008. Both of these documents have been removed from the LDS work programme.

2.1.2 Additional Documents

The following new documents have been added to this version of the LDS:

- A joint **Development Policies and Site Allocations DPD** in place of two separate Site Allocations and Development Policies documents.
- A **Waste Sites DPD** to be prepared jointly with East Sussex County Council as part of the Waste and Minerals Development Framework. It is anticipated that only early development work on this document will take place during the three years of this LDS.
- New Supplementary Planning Documents to be undertaken including **Brighton Marina, London Road Central, Universities, Householder Extensions and the Urban Design Framework SPDs**.
- A **Shoreham Harbour Joint Area Action Plan (JAAP)** to be developed in partnership with Adur District Council and West Sussex County Council.

2.1.3 Changes to timetables previously published in July 2008

- **Core Strategy DPD** – The work programme has been altered due to the need to carry out additional background research regarding the potential impacts of the Shoreham Harbour regeneration project.
- **Development Policies and Site Allocations DPD** – A new timetable has been developed for this joint document. Joining the two documents together will allow for more rapid replacement of the Local Plan. This timetable has been further adjusted to allow for a focus of resources on completing the submission version of the Core Strategy.
- **Supplementary Planning Documents (SPD's)** –
 - **Nature Conservation in Development** – This timetable has been deferred for further consultation and now has an estimated adoption date of March 2009.
 - **Parking and Accessibility** - There have been further changes to the Parking and Accessibility SPD timetable due to the need to focus resources on the Core Strategy. The estimated adoption date is now December 2009.
 - **Infrastructure Delivery** (previously referred to as the Developer Contributions SPD) – This SPD is being re-drafted and will be subject to further public consultation and is now due for adoption in March 2010.

3. The Brighton & Hove Local Development Framework

3.1 Spatial Planning in Brighton & Hove

3.1.1 The 2004 Act introduced the concept of '**spatial planning.**' Spatial planning broadens traditional land use planning by seeking to integrate it more closely to other policies and programmes which influence the nature of places and how they function, for example, by achieving clearer linkages between local planning and other key local strategies such as the Sustainable Community Strategy and health and community safety strategies.

3.1.2 The city council has taken measures to ensure that there are effective links between the LDF and the Brighton & Hove Sustainable Community Strategy. These include:

- Ensuring that there is full alignment between the policies of the Core Strategy and the Sustainable Community Strategy
- Mapping and analysing how the Core Strategy delivers on Sustainable Community Strategy priorities and regular reporting on this to the LSP
- Consulting and engaging with the Local Strategic Partnership (LSP) and the Public Service Board's LDF Partnership Sub-Group on emerging documents
- Sharing monitoring information

3.1.3 The LDF is an important mechanism in helping to deliver the spatial elements of a number of Brighton & Hove's citywide strategies. These include the economic, local transport, housing, community safety, tourism, sports and cultural strategies and the climate change action plan. Linkages are made with these strategies via the internal LDF Steering Group (this is made up of senior officers across the city council) and the wider Internal Officers Advisory Group that advises on options for DPDs.

3.2 Proposed Documents

The Brighton & Hove LDF will consist of the following development plan documents. These documents together with the final version of the South East Plan³, will form the statutory development plan for the city.

Table 1

Development Document	Description
Core Strategy DPD	The purpose of the Core Strategy is to provide an overall strategic vision for the city to 2026. It will set out priorities and meet the challenges of the future and identify the broad locations, scale and type of development and supporting infrastructure that will take place in the city.
Shoreham Harbour Joint Area Action Plan DPD	To set out a vision, objectives, strategies, policies and detailed site allocations for Shoreham Harbour for the period up to 2026
Development Policies & Site Allocations DPD	This document will include existing and proposed site allocations not shown in the Core Strategy as well as a set of generic development management policies.
LDF Proposals Map DPD	This will be adopted at the time the Core Strategy is adopted or when the South Downs National Park is designated (if later). It will be updated as each new DPD is adopted.
Waste and Minerals Core Strategy DPD	This is being prepared jointly with East Sussex County Council. Sets out the vision, objectives and strategy for sustainable waste development and minerals production in the area and will provide the framework for development control.
Minerals Sites DPD	This is being prepared jointly with East Sussex County Council This will set out the existing sites and commitments and any new site allocations for minerals development.
Minerals Sites Proposals Map DPD	Shows on a geographical basis the application of the policies in the Minerals Sites DPD.
Waste Sites DPD	This will be prepared jointly with East Sussex County Council. This will set out the existing sites and commitments and any new site allocations for waste development not covered in the Waste & Minerals Core Strategy. The timetable for this document is yet to be confirmed.
Waste Sites Proposals Map DPD	This will show on a geographical basis the application of the policies in the Waste Sites DPD. The timetable for this document is yet to be confirmed.

³ The 'South East Plan' is the Regional Spatial Strategy relevant to Brighton & Hove. The draft plan is currently subject to modification by the Secretary of State. The final plan will be published later in 2008.

3.3 Other Documents in the Local Development Framework

3.3.1 Statement of Community Involvement (SCI)

This document was adopted in September 2006 and guides how local communities and stakeholders will be involved in the preparation of the LDF. This will be revised and updated in 2009 to take into account the changes to the LDF consultation process as a result of the Government's revisions to Planning Policy Statement 12: 'Local Spatial Planning' introduced in June 2008.

3.3.2 Annual Monitoring Report (AMR)

This is published by the city council in December every year. It will assess performance over the previous financial year (1 April through to 31 March) and will review performance in relation to implementing the Local Development Scheme and whether policies in the LDF are meeting their aims. It will also monitor the effectiveness of the Statement of Community Involvement and will include information on the number of new dwellings provided every year (and projected into the future). In addition it will include development control performance against key indicators (for example, decisions taken within 8 weeks).

3.3.3 Sustainability Appraisal Framework

The purpose of the Sustainability Appraisal (SA) framework is to promote sustainable development through the integration of social, environmental, and economic considerations into the policies and guidance in Development Plan Documents (DPD's) and certain Supplementary Planning Documents (SPD's). Where a Sustainability Appraisal is required, this will be produced and consulted on in parallel to the development document in order to inform the final submission version.

Strategic Environmental Assessment (SEA) is a legally enforced assessment procedure required by European SEA Directive 2001/42/EC. The SEA Directive aims at introducing systematic assessment of the environmental effects of strategic land use related plans and programmes. This will be carried out as part of a full Sustainability Appraisal.

4. Timetable of proposed Local Development Documents and Supplementary Planning Documents

4.1 The **Schedule of proposed Local Development Documents** (Table 2 overleaf) sets out the documents to be prepared giving a brief description, the status of the document and sets out the key stages for consultation. For a more detailed breakdown of the key stages of document production, please see Appendix B.

4.2 Table 3 summarises the key milestones for the Supplementary Planning Documents (SPDs) that are to be prepared over the next three years, giving their proposed draft SPD publication and proposed adoption dates.

Table 2: Schedule of Proposed Local Development Plan Documents

DPD Document	Description	Chain of Conformity	Consulting Statutory Bodies on the Scope of the Sustainability Appraisal	Publication of the DPD	Submission to the Secretary of State	Proposed date for Adoption
Core Strategy	Provides an overall strategic vision for the city to 2026. It will set out priorities and meet the challenges of the future and identify the broad locations, scale and type of development and supporting infrastructure that will take place in the city.	Planning Policy Statements and the Regional Spatial Strategy, Sustainable Community Strategy and other relevant city strategies..	Completed in October-November 2006	October 2009	February 2010	November 2010
LDF Proposals Map	Identifies the national, regional and local designations. To be updated when DPD's are adopted/updated.	National, regional and development plan designations.	As part of DPD preparation	As part of DPD preparation	In accordance with the DPD	November 2010
Waste and Minerals Core Strategy	Sets out the vision, objectives and strategy for sustainable waste development and minerals production in the area and will provide the framework for development control.	Planning Policy Statements, national policy and guidance, the Regional Spatial Strategy and both Sustainable Community Strategies.	Completed in March-April 2007	Feb - March 2010	June 2010	January 2011
Shoreham Harbour Joint Area Action Plan	To set out a vision, objectives, strategies, policies and detailed site allocations for Shoreham Harbour for the period up to 2026.	Planning Policy Statements, national policy and guidance, the Regional Spatial Strategy and both Sustainable Community Strategies.	December 2008	December 2009 - January 2010	February 2010	December 2010
Development Policies and Site Allocations	This document will include existing and proposed site allocations not shown in the Core Strategy as well as a set of generic development management policies.	Planning Policy Statements and the Regional Spatial Strategy, Sustainable Community Strategy, Core Strategy and other relevant city strategies.	February 2010	September-October 2011	January 2012	September 2012
Minerals Sites	Sets out the existing sites and commitments and any new site allocations for minerals development not covered in the Waste and Minerals Core Strategy.	Planning Policy Statements, Regional Spatial Strategy, national policy and the Waste and Minerals Core Strategy.	March-April 2007	February-March 2011	July 2011	April 2012
Minerals Sites Proposals Map	Shows on a geographical basis the application of the policies in the Minerals Sites DPD	In conformity with Core Strategy.	As part of DPD preparation	As part of DPD preparation	July 2011	April 2012

Table 3 Supplementary Planning Documents (SPDs)

Document Title	Description	Geographical Area	Date Draft SPD to be published	Date SPD due to be adopted
Nature Conservation in Development	To provide guidance on integrating and protecting nature conservation features with new development proposals.	City wide	December 2008 (re-drafted version)	March 2009
Architectural Features	To provide broad guidance on detailed design in conservation areas including roofing materials, doors, windows and extensions.	City wide Conservation Areas	February 2009	June 2009
London Rd Central	To provide a masterplan for steering the future redevelopment and regeneration of the London Road area of Brighton.	London Road area	January 2009	July 2009
Brighton Marina	To provide a masterplan for steering the future development of Brighton Marina and the former Gas Works site.	Brighton Marina	March 2009	September 2009
Parking Standards & Accessibility	To provide revised guidance on parking standards and accessibility needed to comply with national and regional guidance and to support the city's sustainable transport policies, the Local Transport Plan and the development management process.	City wide	June 2009	December 2009
Universities	To provide a framework to guide future development within the university campuses together with an analysis of future student accommodation requirements.	Lewes Rd Corridor, Falmer, Moulsecoomb and Grand Parade university campuses	June 2009	December 2009
Infrastructure Delivery	To identify the general infrastructure and service requirements that will be taken into account when assessing requirements for developer contributions both for on site and/or financial contributions. It will make developers aware of when contributions are likely to be required, and will allow these to be considered early in the planning process	City wide	September 2009	March 2010
Householder Extensions	To provide guidance on minor household extensions.	City wide	September 2009	March 2010
Urban Design Framework	To provide detailed and city-wide policy guidance to support the Urban Design policy in the Core Strategy. It will take forward the background evidence of the Urban Characterisation Study into strategic policy and set out priorities for future intervention.	City wide	July 2010	January 2011

Overall Programme 2008-2011

ID	Task Name	Start	Finish	2008	2009	2010	2011	2012
1	CORE STRATEGY	03/10/05	30/11/10					
2	Public Participation in Preparation	03/10/05	30/06/09					
3	Publication of Document	01/10/09	30/10/09					
4	Submission to Secretary of State	01/02/10	26/02/10					
5	Pre-Examination Meeting	01/04/10	30/04/10					
6	Examination	03/05/10	30/06/10					
7	Adoption	01/11/10	30/11/10					
8								
9	SHOREHAM HARBOUR JAA P	03/11/08	30/12/10					
10	Public Participation in Preparation	03/11/08	30/11/09					
11	Publication of Document	01/12/09	31/12/09					
12	Submission to Secretary of State	01/02/10	26/02/10					
13	Pre-Examination Meeting	01/07/10	31/07/10					
14	Examination	01/09/10	30/09/10					
15	Adoption	01/12/10	30/12/10					
16								
17	WASTE & MINERALS CORE STRATEGY	29/02/08	31/01/11					
18	Public Participation in Preparation	29/02/08	30/10/09					
19	Publication of Document	01/02/10	26/02/10					
20	Submission to Secretary of State	01/06/10	30/06/10					
21	Pre-Examination Meeting	01/07/10	30/07/10					
22	Examination	01/09/10	30/09/10					
23	Adoption	03/01/11	31/01/11					
24								
25	DEVELOPMENT POLICIES & SITE ALLOCATIONS	01/02/10	28/09/12					
26	Public Participation in Preparation	01/02/10	29/07/11					
27	Publication of Document	01/09/11	30/09/11					
28	Submission to Secretary of State	02/01/12	31/01/12					
29	Pre-Examination Meeting	01/03/12	30/03/12					
30	Examination	02/04/12	30/04/12					
31	Adoption	03/09/12	28/09/12					
32								
33	MINERALS SITES	29/02/08	30/04/12					
34	Early Public Participation in Preparation	29/02/08	24/04/08					
35	Public Participation in Preparation	01/06/10	31/07/10					
36	Publication of Document	01/02/11	31/03/11					
37	Submission to Secretary of State	01/07/11	31/07/11					
38	Pre-Examination Meeting	01/11/11	30/11/11					
39	Examination	02/01/12	31/01/12					
40	Adoption	02/04/12	30/04/12					

5. Saved Documents

5.1 The Brighton & Hove Local Plan

The Brighton & Hove Local Plan was adopted in July 2005. Under the new planning system, local plans will remain the statutory development plan and be automatically saved for three years from adoption. The Local Plan will be gradually replaced by emerging development plan documents including the Core Strategy and the Development Policies and Site Allocations DPD and will be fully replaced by July 2011 when the new Development Policies and Site Allocations DPD is adopted. Given this goes beyond the three year period, a proposal was placed in the council's submitted Annual Monitoring Report 2006-7 to 'save' the policies until the replacement policies are adopted. A letter from the Secretary of State confirming this request was received in June 2008.

5.2 East Sussex and Brighton & Hove Waste Local Plan

The East Sussex and Brighton & Hove Waste Local Plan was adopted in February 2006 and its policies were automatically 'saved' for three years to February 2009. A submission has been made to the Secretary of State to save Waste Local Plan policies until they are replaced by new waste and minerals development plan documents. The LDS includes a timetable for preparing a new Waste and Minerals Core Strategy and a Minerals Sites DPD. The council is satisfied that the current waste site allocations in the Waste Local Plan will meet waste needs until the Waste Sites DPD is adopted. A timetable for the development of the Waste Sites DPD is yet to be formally agreed.

5.3 East Sussex and Brighton & Hove Structure Plan

The majority of policies in the East Sussex and Brighton & Hove Structure Plan have been saved beyond September 2007. A schedule of saved policies was included in Appendix 1 of the Annual Monitoring Report 2006-7. It will eventually be replaced by the South East Plan (the Regional Spatial Strategy) which is due to be adopted in late 2008.

5.4 East Sussex and Brighton & Hove Minerals Local Plan

The East Sussex and Brighton & Hove Minerals Local Plan was automatically saved for three years to July 2007. Brighton & Hove City Council will be preparing a Waste and Minerals Development Framework with East Sussex County Council. There is only one minerals site within Brighton & Hove at Shoreham Port. Appropriate policies in the Minerals Local Plan have been saved until the Waste and Minerals Core Strategy DPD is adopted. These are set out on East Sussex County Council's web site at www.eastsussex.gov.uk.

5.5 Supplementary Planning Guidance (SPG)

It is proposed that all of the SPG notes linked to the adopted Brighton & Hove Local Plan are saved until:

- superseded by new Supplementary Planning Documents;

- or until the policies to which they are attached to are replaced by policies in Development Plan Documents. The saved SPGs are listed in appendix D and can be found on the city council's website at:
www.brighton-hove.gov.uk/planning/local_plan/supplementary_planning_guidance.

The council is currently considering options to upgrade some Supplementary Planning Guidance notes to Supplementary Planning Documents subject to policy considerations.

6. Monitoring and Review

6.1 The performance of the council against the LDS timetable will be monitored in the Annual Monitoring Report (AMR). This will be published and submitted to the Government Office for the South East in December every year. It will be publicly available at the City Council's City Direct offices and available on the council's website (www.brighton-hove.gov.uk/ldf).

6.2 The AMR monitors and reviews a number of areas and will mainly look at the following:

- Performance against the timetable as set out in the LDS;
- The effectiveness of saved policies;
- The effectiveness of new policies and DPD's. This will determine the timetable for review of local development documents;
- It will provide an up to date list of superseded and 'saved' policies ;
- Monitor effectiveness of the SCI;
- Set out a housing trajectory. This forecasts the amount of new housing currently being delivered and projects this into the future.

6.3 The AMR is based upon information generated by monitoring four sets of indicators:

- Contextual
- Core output
- Local output
- Significant effects

The core output indicators are required and prescribed by the government and are common to all authorities. The other three types of indicator are identified by the city council.

6.4 The information in the AMR will be used to identify LDF work priorities. The LDS will be reviewed as the need for further documents emerges and to ensure that a three year programme is maintained.

7. Supporting Documents and Evidence Base

Table 4 below sets out background evidence and research work undertaken that will inform the new local development documents.

Table 4

Study Title	Description	Status
Tall Buildings Study	Provided a design and plan-based approach to determine areas of Brighton & Hove that may be suitable for taller development.	Completed in October 2003
Socio-Economic Baseline Report (based on City Stat's)	City profile of demographic; socio-economic statistics; ward profiles; definition of neighbourhood areas.	Completed in June 2005
Housing Needs Study	Updated the Brighton & Hove Housing Needs Study (2002) and assessment of need for Gypsy and Travellers' Sites.	Completed in Sep 2005
Retail Study & Retail Health Checks	Provided an up-to-date picture of current and future capacity for retailing in the city.	Completed in June 2006
Employment Land Study	Assessed the demand for and supply of employment land over the next ten years.	Completed in September 2006
Infrastructure Capacity Study	Assessed the physical, social and transport infrastructure capacity across the city.	Completed in November 2006
Houses in Multiple Occupation (HMO's) Study	Studied the role that HMO's serve particularly in terms of providing low cost accommodation.	Completed in June 2006
The East Sussex and Brighton & Hove Gypsy and Traveller Study	Assessed the accommodation needs of gypsies and travellers.	Completed in 2006
LR2 (London and Lewes Road Study)	This study identifies options and opportunities for regeneration of the London Rd/Lewes Rd area of the city.	Completed in July 2007
Urban Characterisation Study	Citywide and neighbourhood characterisation study.	Completed in March 2007
Hotel Futures Study	Provided up to date information on hotel and guest accommodation, performance and development potential in the city.	Completed in March 2007
Public Place Public Life Study	Provided a Public realm toolkit for Brighton & Hove - made recommendations for improving the city's network of streets and spaces.	Completed in April 2007
Affordable Housing Viability Study	To test alternative percentages of affordable housing.	Study completed in December 2007
Reducing Inequalities Review	To evaluate the approaches taken in Brighton & Hove to address social exclusion and deprivation in neighbourhoods and among groups facing disadvantage and offer recommendations for future approaches to tackling inequality.	Completed January 2008

Brighton & Hove Local Development Framework

Study Title	Description	Status
Strategic Flood Risk Assessment	Determined the basis for preparing appropriate policies for flood risk management and the approach to flood risk in the development control process	Commissioned jointly with ESCC - completed at the end of March 2008
Sequential and Exception Test	This paper sets out the sequential tests relating to flood risk at the broad locations (or 'Development Areas') identified in the Core Strategy.	Completed in March 2008
Creative Industries Workspace Study	Provided an evidence base on the supply and demand of creative industry workspace.	Study completed by end of March 2008
Strategic Housing Land Availability Assessment	To identify potential land for the development of sites for housing to cover at least the first ten year life of the plan and to assess their housing potential and when they are likely to be developed.	Interim report completed in May 2008. Final report due by January 2009.
Strategic Housing Market Assessment	Estimated housing need and demand in terms of affordable and market housing, determine the distribution of need, demographic trends and accommodation requirements of specific groups.	Completed in May 2008
Appropriate Assessment	Part of the Habitat Regulation Assessment and the Core Strategy Sustainability Appraisal	Completed in May 2008
Transport Assessment	To provide a transport assessment of the Core Strategy's spatial strategy.	Final report completed in June 2008.
Open Space, Sport and Recreation Study	Quantitative, qualitative and accessibility analysis of existing open spaces/recreational facilities. Development of local Open Space Standards.	Interim report completed in June 2008. Final report by end of December 2008.
Green Infrastructure Network	Options for developing a green network through combining ecological, sustainable transport and social/cultural benefits.	Interim report completed in June 2008. Final report due in Jan 2009.

In addition, research has been commissioned in November 2008 for the Shoreham Harbour Joint Area Action Plan which also informs the evidence base for the Core Strategy. The key studies are summarised below, others may follow:

Shoreham Harbour JAAP Background Studies	Date of Expected Completion
Shoreham Harbour Housing Study	Final report end of Jan 09
Strategic Transport Study	Final report end of Feb 09
Economic Development Strategy	Final report end of Jan 09
Retail Study	Final report end of Jan 09
Hotels and Tourism Study	Final report end of Jan 09
Reclamation and Port Masterplanning	Final report end of March 09
Flooding	To be agreed by March 2009
Site Capacity and Viability	Interim report end of Nov 08

8. Project Management and Resources

8.1 The LDF is delivered by staff across Brighton & Hove's City Planning division. The main responsibility for delivering the Local Development Framework lies with the Local Development Framework Team which is managed by the Local Development Framework Team Manager. It is staffed by a dedicated LDF Project Manager, a Principal Policy Advisor and three Senior Planning Officers.

8.2 The LDF Project Manager uses Prince 2 project management methodology where appropriate to manage the LDF process and produces and monitors the yearly LDF Programme Plan and LDF Risk Log. Updates are reported regularly to the Assistant Director, City Planner and the cross-departmental LDF Steering Group consisting of senior council officers. The Project Manager is also responsible for working up detailed work programmes across the LDF, ranging from background research, SPD preparation and consultation schedules and has a key role in supporting the joint project management arrangements with East Sussex County Council with regard to the Waste and Minerals Development Framework. Joint project management arrangements are managed by a Joint Project Management Group which meets regularly and reports to a joint Waste and Minerals Project Board.

8.4 The City Planning Strategy and Monitoring Team provides support in terms of staffing, leading on the Waste and Minerals Development Framework, undertaking sustainability appraisal work and producing the Annual Monitoring Report. Project support is also provided by planners in the Planning Projects Team and officers in the Conservation and Design Team.

8.5 Development Plan Documents are prepared via identified officers in a project team lead by a manager and co-ordinated by a dedicated lead officer. Supplementary Planning Documents may be prepared outside City Planning or within other departments within the city council. If this is the case project management for these remain the responsibility of an identified officer in City Planning.

8.7 A wider LDF Internal Officers' Advisory Group is also used to ensure good strategic policy links are made across the city council to support the preparation of DPDs. Key officers from this group are represented on the LDF Steering Group. Close working with the LDF Partnership Sub-Group of the Local Strategic Partnership and the Public Service Board ensure good links are made with delivery of the Sustainable Community Strategy. Currently lead councillors have been identified by each party to lead on the LDF and are briefed at key stages.

9. Risks and Contingencies

9.1 Dedicated LDF Risk and Issue Logs are maintained by the LDF Project Manager and are regularly reviewed with the Assistant Director, City Planner and the LDF Steering Group at its meetings. These logs include any resource based issues which may arise as a result of the regular programme review process. The log identifies action required to mitigate the risks if they occur and also identifies contingency measures that may be required to ensure key deadlines can be met. In addition, there is also a dedicated Waste and Minerals Development Framework risk log maintained jointly with East Sussex and reviewed regularly by the joint Waste and Minerals Project Board.

APPENDICES**APPENDIX A- Profile of Development Plan Documents (DPDs)****1. CORE STRATEGY DPD****OVERVIEW**

Role and Subject	To provide an overall strategic vision for the city to 2026. It will set out priorities and meet the challenges of the future and identify the broad locations, scale and type of development and supporting infrastructure that will take place in the city.
Coverage	Citywide
Status	Development Plan Document
Conformity	National policy and the South East Plan (Regional Spatial Strategy)

TIMETABLE

Stage	Date
Commencement of Document	June 2005
Early Stakeholder and Community Involvement: Issues and Options	October – March 2005
Early Stakeholder and Community Involvement: Scoping Report	October – November 2006
Preferred Options Public Consultation Consultation on draft Sustainability Appraisal	November – December 2006
Revised Preferred Options consultation	June – August 2008
Publication of the Document	October – November 2009
Date for submission to Secretary of State	February 2010
Pre-examination meeting with Inspector	April 2010
Examination in Public (estimated)	May 2010
Estimated date for adoption by the council	November 2010

ARRANGEMENTS FOR PRODUCTION

Role	Officers
Organisational Lead	Chief Executive
Political Management	Cabinet and full Council
Internal Resources	Local Development Framework Team Manager, Principal Policy Advisor, LDF Project Manager, Core Strategy Project Team and the Sustainability Appraisal Officer, the LDF Steering Group and the LDF Internal Officers Advisory Group.
External Resources	Consultants commissioned for research/evidence base work.
Stakeholder Resources	Local Strategic Partnership LDF sub-group, Economic Partnership, Community and Voluntary Sector Forum, statutory consultees and the local housing partnerships.
Community and Stakeholder Involvement	The approach to stakeholder and community involvement is set out in the Statement of Community Involvement.

2. DEVELOPMENT POLICIES & SITE ALLOCATIONS DPD

OVERVIEW

Role and Subject	This document will include existing and proposed site allocations not shown in the Core Strategy as well as a set of generic development management policies.
Coverage	Citywide
Status	Development Plan Document
Conformity	National policy and guidance, South East Plan (RSS) and the Core Strategy.

TIMETABLE

Stage	Date
Consultation with Statutory Bodies on the Scope of the Sustainability Appraisal	February 2010
Public Participation in Plan Preparation	February 2010 – August 2011
Publication of the Document	September 2011
Date for submission to Secretary of State	January 2012
Pre-examination meeting with Inspector	March 2012
Examination in Public (estimated)	April 2012
Estimated date for adoption by the council	September 2012

ARRANGEMENTS FOR PRODUCTION

Role	Officers
Organisational Lead	Assistant Director, City Planner, Brighton & Hove City Council
Political Management	Cabinet and full Council.
Internal Resources	Local Development Framework Team Manager, Principal Policy Advisor, LDF Project Manager, Development Policies & Site Allocations Project Team and Sustainability Appraisal Officer. Work will be endorsed by the LDF Steering Group. Close working with other teams including Housing Strategy Team, Economic Development and Children, Families and Schools Department. Initial work will be with the LDF Internal Officers Advisory Group.
Stakeholder Resources	These include the Housing and Economic Partnerships, LDF Sub-Group of the community partnership, and the Primary Care Trust. There will be the need to engage at regional and sub-regional level as well as local stakeholder groups around a number of issues including design, community safety and sustainability.
Community and Stakeholder Involvement	The approach to stakeholder and community involvement is set out in the Statement of Community Involvement.

3. WASTE AND MINERALS CORE STRATEGY DPD

OVERVIEW

Role and Subject	The Waste and Minerals Core Strategy is a joint document that will set out the vision and spatial strategy for sustainable waste reduction, recycling and disposal for Brighton & Hove and East Sussex. It will set out the strategy for identifying sites for waste and waste facilities. This document will include a suite of development control policies.
Coverage	Citywide and countywide
Status	Development Plan Document
Conformity	National policy and guidance, South East Plan (RSS) and the Community Strategies.

TIMETABLE

Stage	Date
Consultation with Statutory Bodies on the Scope of the Sustainability Appraisal	March – April 2007
Public Participation in Plan Preparation	February 2008 – October 2009
Publication of the Document	February – March 2010
Date for submission to Secretary of State	June 2010
Pre-examination meeting with Inspector	July 2010
Examination in Public (estimated)	September 2010
Estimated date for adoption by the council	January 2011

ARRANGEMENTS FOR PRODUCTION

Role	Officers
Organisational Lead	Assistant Director City Planner (Brighton & Hove City Council) and Assistant Director of Policy (East Sussex County Council).
Political Management	Cabinet and full Council (Brighton & Hove) and Cabinet and full Council (East Sussex County Council).
Internal Resources	Strategic Planning and Monitoring Manager, Lead Waste Officer, LDF Project Manager, Waste Planner, Sustainability Team.
External Resources	Joint working with officers at East Sussex and Sustainability Appraisal officer or consultant. Consultants commissioned for research/evidence base work.
Stakeholder Resources	Community Partnerships Sustainability Commission.
Community and Stakeholder Involvement	The approach to stakeholder and community involvement is set out in both Statements of Community Involvement.

4. SHOREHAM HARBOUR JOINT AREA ACTION PLAN DPD

OVERVIEW

Role and Subject	To set out a vision, objectives, strategies, policies and detailed site allocations for Shoreham Harbour for the period up to 2026
Coverage	Shoreham harbour and South Portslade area
Status	Development Plan Document
Conformity	General conformity with the South East Plan and national policy and the emerging Brighton & Hove and Adur Core Strategies.

TIMETABLE

Stage	Date
Commencement of Document	Early 2008
Consultation with Statutory Bodies on the Scope of the Sustainability Appraisal	December 2008
Public Participation in Plan Preparation	November 2008-November 2009
Publication of the Document	December 2009
Date for submission to Secretary of State	February 2010
Pre-examination meeting with Inspector	July 2010
Examination in Public (estimated)	September 2010
Estimated date for adoption by the council	December 2010

ARRANGEMENTS FOR PRODUCTION

Role	Officers
Organisational Leads	Assistant Director, City Planner, (Brighton & Hove City Council), Strategic Director (Adur District Council) and the Coastal West Sussex Regeneration Manager (West Sussex County Council).
Political Management	Joint Member Steering Group, Cabinet and full Council (Brighton & Hove), Cabinet and full Council (Adur) and Cabinet and full Council (West Sussex).
Internal Resources	Planning Director for Shoreham Harbour (SEEDA funded, working on behalf of all three local authorities), Strategic Planning and Monitoring Manager, Senior Planning Officer, LDF Project Manager.
External Resources	South East of England Development Agency (SEEDA), SEEDA appointed consultants for research and evidence base work, English Partnerships.
Stakeholder Resources	Shoreham Harbour Stakeholder Steering Group. Community Partnerships. Economic Partnerships.
Community and Stakeholder Involvement	The approach to stakeholder and community involvement is set out in the Statements of Community Involvement for each individual local authority.

5. MINERALS SITES DPD

OVERVIEW

Role and Subject	Will set out existing and any new sites for the allocation of minerals development
Coverage	Citywide and countywide
Status	Development Plan Document
Conformity	General conformity with the South East Plan and national policy and the Waste and Minerals Core Strategy.

TIMETABLE

Stage	Date
Early Public Participation in Plan Preparation: Scoping Report	March – April 2007
Public Participation in Plan Preparation	February – March 2008
Further Public Participation in Plan Preparation	June-July 2010
Publication of the Document	February – March 2011
Date for submission to Secretary of State	July 2011
Pre-examination meeting with Inspector	November 2011
Examination in Public (estimated)	January 2012
Estimated date for adoption by the council	April 2012

ARRANGEMENTS FOR PRODUCTION

Role	Officers
Organisational Lead	Assistant Director, City Planner, (Brighton & Hove City Council) and Assistant Director of Policy (East Sussex County Council).
Political Management	Cabinet and full Council (Brighton & Hove) and Cabinet and full Council (East Sussex County Council).
Internal Resources	Strategic Planning and Monitoring Manager, Senior Planning Officer, LDF Project Manager, Waste Planner, Sustainability Team.
External Resources	Joint working with officers at East Sussex and Sustainability Appraisal officer or consultant. Consultants commissioned for research/evidence base work.
Stakeholder Resources	Community Partnerships.
Community and Stakeholder Involvement	The approach to stakeholder and community involvement is set out in both Statements of Community Involvement.

APPENDIX B– Adopted documents within the Brighton & Hove LDF

Document Name	Document Type	Date Adopted
Brighton Centre Design Framework	SPD	Jan 2005
Brighton & Hove Local Plan	DPD	Jul 2005
East Sussex and Brighton & Hove Waste Local Plan	DPD	Feb 2006
Statement of Community Involvement	LDD	Sep 2006
Shopfront Design	SPD	Sep 2005
Circus Street Development Brief	SPD	Mar 2006
Edward St Development Brief	SPD	Mar 2006
Trees and Development Sites	SPD	Mar 2006
Construction and Demolition Waste	SPD	Dec 2006
Advertisements	SPD	Jun 2007
Sustainable Building Design	SPD	Sep 2008

APPENDIX C

Transition from Supplementary Planning Guidance (SPG) to Supplementary Planning Documents (SPDs)

All of the city council's currently adopted SPGs are up to date and will remain a material consideration linked to the Local Plan saved policies. Upgrading a number of these to SPD status is currently being considered. The saved SPGs are set out below.

Supplementary Planning Guidance Note and date	Saved Policy in the Brighton & Hove Local Plan
SPG1: Roof Alterations and Extensions – adopted February 1999	QD14 Extensions and Alterations
SPG2: External Paint Finishes and Colours – October 1998	HE1 Listed Buildings HE6 Development within or affecting the setting of conservation areas
SPG3: Brighton Station Brief – October 1998	EM13 Brighton Station – mixed uses
SPG4: Parking Standards – September 2000 (this SPG is currently under review and will be replaced by an SPD in July 2008)	TR1-TR4, TR14, TR17-TR20 public transport accessibility and parking and TR19 Parking Standards
SPG5 Black Rock Planning Brief – 2001	SR19 Black Rock Site
SPG7 Satellite Dishes – September 2003	QD22 Satellite dish aerials
SPG10 King Alfred/RNR Site Planning Brief – adopted 2002	SR24 King Alfred/RNR Site
SPG11 Listed building interiors – September 2003	HE1 Listed Buildings
SPG13 Listed Buildings – general advice – adopted September 2003	HE1 Listed Buildings
SPG14 Preston Barracks – September 2003	EM17 Preston Barracks
SPG15 Tall Buildings – January 2004	QD1-QD4 Design policies
SPG16 Energy Efficiency and Renewable Energy SPG – May 2004	SU2 Efficiency of development in the use of energy, water and materials
SPG17 Hollingdean Depot and Abattoir Site Planning Brief – January 2004	Waste Local Plan Policy – WLP8b Site specific designation of a proposed recycling, transfer and materials recovery facility Local Plan Policy – EM1 Identified employment sites.
SPG19 Fire Precaution Works to Historic Buildings – May 2004	HE1 Listed Buildings
SPG20 Brighton Marina Planning Brief – January 2003	Linked to a number of policies in the local plan including QD design policies, transport, housing and retail policies.
SPG21 Sustainability Checklist – May 2004	SU2 Efficiency of development

APPENDIX D **GLOSSARY OF TERMS AND KEY DOCUMENTS**

Acronym Buster

AMR - Annual Monitoring Report
DPD - Development Plan Document
LDF - Local Development Framework
LDD - Local Development Document
LDS - Local Development Scheme
SCI - Statement of Community Involvement
SPD - Supplementary Planning Document

Glossary of Terms

Term	Definition
Annual Monitoring Report (AMR)	An assessment of the progress against the LDS Includes a commentary on the performance of policies. Sent to the Secretary of State each December.
Area Action Plans (AAPs)	These will provide a planning framework to cover key areas of change or conservation.
Background Documents	Technical documents that will inform the production of LDDs, for example an Urban Capacity Study.
Chain of conformity	Outlining how the policies in the DPDs conform to the national, regional and local policy
Core Strategy	Sets out the vision and spatial strategy for the area and will address important spatial matters including housing, the economy, retail, community safety, tourism, transport issues, areas of regeneration and social infrastructure. A key diagram will illustrate the spatial vision for the city.
Development Plan	Term which groups together Regional Spatial Strategies and DPD's.
Development Plan Documents (DPDs)	These are subject to statutory requirements, including submission to the Secretary of State, formal testing through an independent examination and a binding Inspector's report.
Development Policies	A suite of criteria-based policies which are required to ensure that all development within the area meets the vision and strategy set out in the Core Strategy.
Independent Examination	All DPD's are subject to independent examination by a planning inspector. The inspector will carry out an "assessment of soundness" of the document.
Local Development Documents (LDDs)	The collective term for DPDs, SPDs and the SCI.
Local Development Framework (LDF)	This is the group of documents that form the spatial development framework for the area. Includes DPDs, SPDs, the SCI, the LDS and the AMR.
Local Development Scheme (LDS)	Sets out a three year rolling project plan for the preparation and delivery of the various LDDs. The purpose of the LDS is to inform the public of the documents that will make up the LDF and the timescales they can expect preparation and review of these documents.
Planning Policy Statements (PPS)	Produced by central government and express national planning policy.
Proposals Map	Will show existing and revised designations of areas of land such as conservation areas and green belt, and the locations of any proposed or actual Area Action Plans. It would also define the sites for particular future land uses or developments, and the areas to which specific policies apply.
Regional Spatial Strategy (RSS)	To be prepared in the South East by the South East England Regional Assembly (SEERA). The regional spatial strategy or the 'South East Plan' will be a statutory document and part of the local Development Plan and it will set out the policies in relation to the development and use of land in the region and will be approved by the Secretary of State.
Site Allocations	This will identify all citywide site allocations for uses including housing, affordable housing, employment land, retail, leisure, social, health and education.
Saved Plan	Certain existing plans will be "saved", that is they will remain a material consideration as part of the development plan for three years and be contained within the local development framework.
Spatial Planning	Planning that is not just about land use but concerned with delivering sustainable development and that takes into account for example, education, housing, economic development, cultural and social issues.
Statement of Community Involvement (SCI)	Sets out how the community is to be engaged in the LDF process and sets standards for involving the community in the preparation, alteration and continuing review of all local development documents.
Supplementary Planning Documents (SPDs)	These will need to be consistent with parent DPDs and will elaborate upon the policies and specific site allocations. They will be capable of being a material consideration in the determination of planning applications although afforded less weight.
Sustainability Appraisal	Strategic environmental assessment (SEA) is a generic term used internationally to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' requires a formal 'environmental assessment' of certain plans and programmes, including those in the field of planning and land use.

CABINET MEETING

Agenda Item 133

Brighton & Hove City Council

Subject:	White Air Extreme Sports Festival 2009		
Date of Meeting:	18 December 2008		
Report of:	Director of Environment		
Contact Officer:	Name:	Ian Taylor	Tel: 292711
	E-mail:	ian.taylor@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All	Queens Park & East Brighton	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To seek landlord's consent to stage White Air Extreme Sports Festival on Brighton & Hove Seafront from 18th – 20th September 2009.
- 1.2 Authorise officers to enter into a formal agreement with the event organisers and to determine conditions of support as appropriate.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet grant landlord's consent to stage White Air Extreme Sports Festival on Madeira Drive, Brighton & Hove Seafront from 18th – 20th September 2009. Reference can be made to appendix two for the exact location on Madeira Drive and adjoining beach.
- 2.2 That the Cabinet authorise officers to enter into formal agreement with the event organisers and to determine conditions of support as appropriate.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 White Air is the largest land and water based extreme sports festival in Europe. It has previously taken place in the Isle of Wight for several years.
- 3.2 In 2007 the event attracted over 500 competitors across 26 sports with 50,000 spectators over the four days.

- 3.3 The event is seeking to move to Brighton & Hove to develop and grow the event. Brighton & Hove offers considerably more bed spaces and improved transport links when compared to the Isle of Wight.
- 3.4 The event includes numerous World and European Championships and open events for all to enter. Sports include wind surfing, kite surfing, jet skis, skateboards, bmx, sailing, canoeing, parkour, frisbee, mountain biking and inline skating.
- 3.5 Alongside the competitive sports there are 'have a go' and introductory sports sessions for members of the public to try these sports. In 2007 there were nearly 5000 sessions taken up by the public. The event would be a valuable addition to the city's sporting calendar and help develop the local London 2012 legacy.
- 3.6 The event will take place from a main village environment with catering, exhibitors and a central music stage. A plan/schematic diagram of the event is attached as appendix one.
- 3.7 The White Air Festival generates an enormous amount of media coverage and public interest. In 2007 White Air was ranked number one with Google when searched for 'Extreme Sports Festivals'.
- 3.8 The Festival attracts a wide range of demographic due to the diversity of sports and music offered. The unique formula fits very well within Brighton & Hove's ethos and its sporting aims and objectives.

4. CONSULTATION

- 4.1 Consultation has taken place with Ward Councillors (Queen's Park and East Brighton Wards), Sussex Police, East Sussex Fire & Rescue Service, South East Coast Ambulance Service, NHS Trust and the Seafront Traders Association. Internally, consultation has taken place with the Seafront Office, Environmental Health & Licensing and Highways. No objections have been raised.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

- 5.1.1 A contribution of £15,000 towards the staging of the event is being requested from the Events revenue budget, this will be funded from existing Sport & Leisure budgets, there will be no further direct costs to the Council. All restitution costs will be the responsibility of the organiser, either by a held deposit or by signed agreement. All expenses will be settled by the organiser.

- 5.1.2 There will be no impact on Volks Railway, which closes the weekend prior to the event. Any preparation work will take place outside of Volks Railway operating hours.

Finance Officer Consulted: Derek Mansfield Date: 17th November 2008

5.2 Legal Implications:

- 5.2.1 Brighton & Hove City Council is empowered under the East Sussex Act 1981 to use Madeira Drive for up to 28 days a year in order to facilitate the staging of major outdoor events.

- 5.2.2 The proposal in this report is made in accordance with the Outdoor Events Policy. The policy incorporates relevant considerations in respect of convention rights incorporated by the Human Rights Act 1998. The policy is clear that a balancing act is required between the competing interests of those who attend the events and those who do not wish to attend and consultation is suggested to ensure that this balancing exercise is properly carried out.

- 5.2.3 The terms of the agreement with the events organiser, the ongoing consultation process and the long lead-in period should ensure that the event is properly managed and that disruption is kept to a minimum.

Lawyer Consulted: Bob Bruce Date: 17th November 2008

5.3 Equalities Implications:

The Events programme caters for people from all sectors of the community

5.4 Sustainability Implications:

- 5.4.1 All events are planned and staged in accordance with the statutory powers and planning obligations as set out in the Outdoor Events Policy.

- 5.4.2 Work is continuing to establish a set of sustainability guidelines for event organisers. These guidelines will be in place by the time this event comes to Brighton & Hove.

5.5 Crime & Disorder Implications:

- 5.5.1 Safety Advisory Groups have been convened for all major outdoor events taking place in Brighton & Hove that have the potential to attract significantly large numbers of people. A protocol between the council and emergency services was agreed in 2004 and will be used for this event.

5.5.2 The Police are involved in both the consultation and planning of all major events.

5.6 Risk and Opportunity Management Implications:

5.6.1 The event will be subject to a full site-specific risk assessment.

5.7 Corporate / Citywide Implications

5.7.1 The event takes place on public highway and beach along the seafront.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 Not applicable

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 Landlord's consent is required for the staging of all major events within Brighton & Hove.

7.2 White Air is a valuable addition to the events calendar.

SUPPORTING DOCUMENTATION

Appendices:

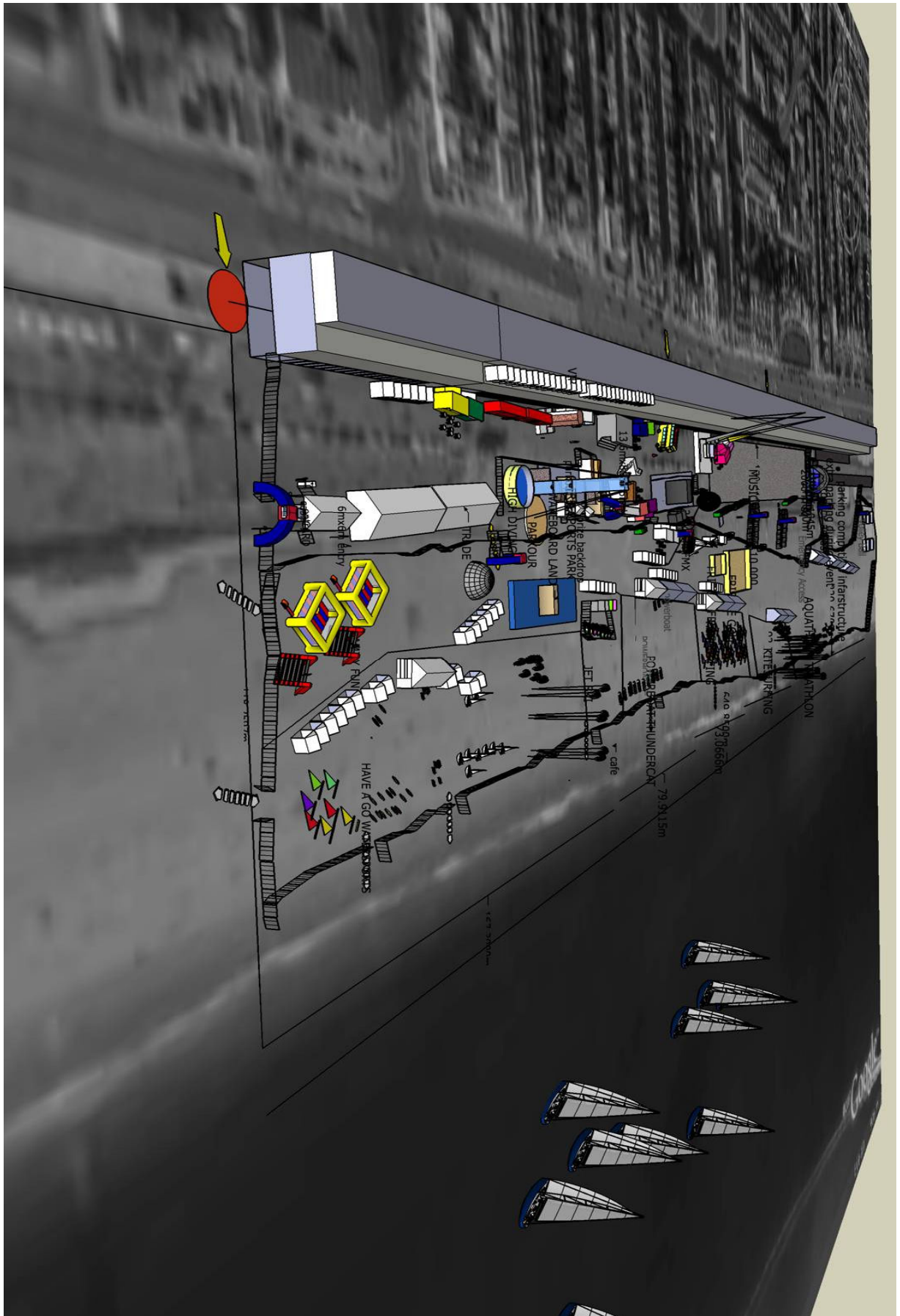
1. Schematic diagram of White Air site layout
2. Overview of site layout

Documents in Members' Rooms

None.

Background Documents

1. Proposal from event organisers



Appendix Two



Subject:	Working relations with the Older People's Council
Date of Meeting:	18 December 2008
Report of:	Director of Strategy & Governance
Contact Officer:	Name: Abraham Ghebre-Ghiorghis Tel: 29-1500
	E-mail: Abraham.ghebre-ghiorghis@brighton-hove.gov.uk
Wards Affected:	None

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To report to the Governance Committee on the links and working relations between the Council and the Older People's Council ("the OPC") and recommend certain steps to improve the working relationship by building on existing good practice.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet note the information in this report.
- 2.2 That Cabinet and the Chairs of Overview & Scrutiny Committees accept the actions set out in paragraph 3.4.1 of the report.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 At its meeting on 24 April 2008, the Council resolved to instruct Officers to bring forward a report within the 6 months review period, a report on the links and working relationships between the Council and the OPC. This report provides some background information before proposing certain steps to build on the existing working relationship between the Council and the OPC.

3.2 The Role and Status of the OPC.

- 3.2.1 The OPC was established by the Council in November 2001. Elections were held in 2003 and again in 2007 to the OPC which consists of 9 people of 60 years of age or above from an electoral register of 40,000 Brighton & Hove residents aged 60 or above. The next elections are in 2011. The City is divided into 9 electoral districts based on council electoral wards for these purposes:

1. North Portslade, South Portslade and Wish
2. Patcham and Withdean
3. Central Hove and Westbourne,
4. Rottingdean and Woodingdean,
5. Hangleton & Knoll, Stanford,

- 6. Hollingbury & Stanmer, Moulsecoomb & Bevendean,
- 7. Hanover and Elm Grove, Preston Park, St Peters and North Laine
- 8. East Brighton, Queens Park and
- 9. Brunswick and Adelaide, Goldsmid and Regency.

3.2.2 This method of directly electing an Older People's Council is based on a Danish Model where every Town or City, by law, has to elect a Seniors Council. A small study group of older people and City Councillors from Brighton & Hove visited Denmark in 2000 and were impressed by the difference the Senior Councils made in influencing policy makers and the provision and delivery of services for older people. Following this visit, the Council decided to set up the OPC.

3.2.3 The Brighton & Hove OPC is supported by but independent of the Council. It works in partnership with the Council, the Health Service and other organisations making sure that older people have a say about the services and development of policies that affect them and the community they live. The OPC's Constitution provides, among other things;

“the OPC is established to inform the policy and decision-making of Brighton & Hove City Council... including service development, service delivery and resource allocation, with regard to matters that impact on quality of life and the opportunities available for older people in Brighton & Hove.”

3.2.4 The OPC has a code of conduct based on the Code of Conduct for Members. The Council's Head of Law acts as its “Legal Adviser” for the purposes of ensuring compliance with the Code.

3.3 **The Current Position**

3.3.1 The OPC has a close working relationship with the Council. It is supported by a Senior Officer in the Adult Social Care & Housing Directorate and receives other support in the form of venues for meetings, contribution towards expenses and organising the elections. At least 3 Members of the OPC have been local councillors in the past which helps in the mutual understanding and working relations of the Council and the OPC.

3.3.2 The OPC has a co-optee in the Health Overview & Scrutiny Committee of the Council and receives agendas for Council meetings. Each of the 9 OPC members are assigned a special area of interest so that they can keep abreast of policies and make representations if it is thought there would be an impact on older people in the City. The OPC is also represented in the Community Safety Forum.

3.3.3 Much of the liaison with the OPC takes place informally. The Leader and the Cabinet Member for Community Affairs, Inclusion and Internal Relations have meetings with OPC members in addition to contacts at Officer level. However these are currently not structured or co-ordinated.

3.3.4 The OPC has adopted priorities/a programme of action for 2007-2011. These include:

- **Listening to older people in the city** by organising public events (lectures, conferences, workshops etc.) and working closely with the Pensioners Forum.
- **Publicise the work of the OPC** by developing good relations with representatives of the local media, publishing news about what we do in The Pensioners Newsletter and other community journals and maintaining our own website.
- **Monitor the city council, local health trusts and other providers of goods and services** by making sure that we are represented on the appropriate committees and forums and by listening to the experience of older people using and receiving goods and services.
- **Challenge disadvantage experienced by older people** by being watchful to ensure that all older people, regardless of race, creed, sexuality or ability, are given the same access to opportunity as every other member of society and are not discriminated against.
- **Highlight good service and opportunities that promote dignity and independence** by identifying and promoting the practical initiative that allow older people to live independent lives where they want to.
- **Promote the human and civil rights of older people** by encouraging the provision and maintenance of a physical and social environment that enables older people to live productive and fulfilling lives.

3.3.5 Although the OPC's priorities are focused on older people, much of it is consistent with the Council priorities.

3.4 **Proposals for Moving Forward**

3.4.1 The OPC met recently to consider suggestions for improving the working relations between the Council and the OPC. This was followed by a meeting between the Leader of the Council and the Chair of the OPC where there was substantial agreement on the proposals. These are set out below with specific recommendations.

(a) Streamlining Points of Contact

It was proposed that there should be regular scheduled meetings between the Leader, the Cabinet Member for Community Affairs, Inclusion and Internal Relations and other relevant Members with the Chair of the OPC.

Recommendations

It is recommended that there be a quarterly meeting as proposed where issues of common interest are discussed and taken forward as appropriate.

(b) Formalising the Relationship between the Council and the OPC

This included a number of specific proposals as follows:

- (i) Continuation of OPC co-option into the Health Overview & Scrutiny Committee (HOSC).

Recommendation

This continues existing arrangements and it is recommended that the Council agree.

- (ii) Co-option of an OPC member into the Housing and Adult Social Care Overview & Scrutiny Committee.

Recommendation

This has potential unintended implication in that if the OPC is co-opted as a member, it would be difficult to justify excluding other groups such as tenants, young people and people with disabilities.

It is therefore recommended that this is not agreed, but the issue of co-option generally is considered as part of the 6 months review of the constitution.

- (iii) Request that all other Overview & Scrutiny Committees consider OPC co-option.

Recommendation

Formal co-option into the membership of the Overview & Scrutiny Committees is not the best way to address issues of interest to older people as it has some of the adverse effects as discussed under (ii) above. It is therefore not recommended that there be a formal co-option of OPC members. However, the Overview & Scrutiny Committees should be encouraged to take on board representations made by the OPC as part of the Committees work programme and invite OPC members to comment or speak on issues of special direct relevance to older people (for example concessionary bus passes).

- (iv) Co-option of OPC members into Scrutiny Panels where there is an obvious OPC interest.

The Council's Constitution, as it stands, authorises the Overview & Scrutiny Committees, when establishing panels, to co-opt non-councillors. The proposal is therefore consistent with the letter and intent of the constitution and should be supported.

Recommendation

That the proposal is agreed and the Chairman of Overview & Scrutiny Committee be requested to bear this in mind.

- (v) Invite the OPC to give evidence to any Panel convened to examine issues of relevance to older people.

Recommendation

Again this is consistent with the Council's Constitution and Overview & Scrutiny Committees or Panels should be encouraged to invite the OPC to comment if the matter under discussion has particular relevance to older people.

- (vi) Clarification that OPC members co-opted into Committees or Panels are given speaking rights.

Recommendation

Any co-optee to a committee or panel has the same speaking rights as councillor members. There is therefore no specific action needed and that this be just noted

(c) Developing Joint Priorities

At the moment the OPC engages in various initiatives, but there are no priorities jointly shared with the Council. It would be beneficial for both the Council and the PCT to agree 4 or 5 issues they would focus on during the year rather than trying to tackle everything with the risk that none of it receives focused attention. By way of example the OPC suggest the following priorities:

- Public Toilets
- Public Seating
- Public clutter and
- Public Transport (bus links with where older people live – sheltered housing schemes etc.)

Recommendations

- That the Principle of agreeing shared priorities is agreed.
- That the priorities be agreed via the regular meetings with the Leader and actioned as appropriate.

3.5 The Next Steps

- 3.5.1 None of the recommendations in the report involve amendments to the constitution and they are capable of being implemented via the Leader and the Chairman of the overview & Scrutiny Committee. It is therefore proposed to forward the action points to them.

4. CONSULTATION

- 4.1 The proposals in the report were developed in consultation with the OPC and the Leader of the Council.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications arising from this report.

Finance Officer Consulted: Anne Silley

Legal Implications:

- 5.2 The proposals in the report are consistent with legal requirements and the Council's constitution.

Lawyer Consulted: Abraham Ghebre-Ghiorghis

Equalities Implications:

- 5.3 The creation of the OPC and the further improvements to the working relations with the Council outlined in this report have positive contribution to the council's objectives regarding equalities and inclusion. They will ensure that the interests and concerns of older people are taken into account in the decision-making process.

Sustainability Implications:

- 5.4 There are no adverse sustainability implications arising from this report.

Crime & Disorder Implications:

- 5.5 The arrangements will assist in addressing the concerns of older people regarding their safety as the OPC will be able to influence policies through the proposed contacts.

Risk and Opportunity Management Implications:

- 5.6 There are no risks identified from the proposals in this report.

Corporate / Citywide Implications:

- 5.7 The proposals will have positive city-wide implications as they enable more effective representation of the interests of older people.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The proposals were formulated in close consultation with the Older People's Council.
- 6.2 A more formal co-option of OPC representatives to the scrutiny structure was considered but not deemed to be appropriate.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To improve the working relations with the OPC.

SUPPORTING DOCUMENTATION

Appendices:

- A) Extract from the proceedings of the Governance Committee as held on 18 November 2008

Documents in Members' Rooms

None

Background Documents

None

APPENDIX A

EXTRACT FROM THE PROCEEDINGS OF THE GOVERNANCE COMMITTEE HELD ON THE 18 NOVEMBER 2008

Subject:	Working Relations with the Older People's Council		
Date of Meeting:	18 December 2008		
Report of:	Director of Strategy and Governance		
Key Decision:	No		
Contact Officer:	Name: Mark Wall	Tel: 29-1006	
	E-mail: mark.wall@brighton-hove.gov.uk		
Wards Affected:	All		

FOR GENERAL RELEASE

GOVERNANCE COMMITTEE

4.00pm 18 NOVEMBER 2008

COUNCIL CHAMBER
HOVE TOWN HALL

MINUTES

Present: Councillor Ann Norman (Chairman); Councillor Simpson (Deputy Chairman), Councillors Mrs Brown, Mrs Cobb, Elgood, Mears, Mitchell (OS), Oxley, Taylor and West.

***49. WORKING RELATIONS WITH THE OLDER PEOPLE'S COUNCIL**

49.1 The Committee considered a report of the Director of Strategy & Governance, concerning the links and working relations between the Council and the Older People's Council (OPC), and how these could be improved by building on existing good practice (for copy see minute book).

49.2 The Chairman introduced the report and stated that she hoped the recommendations could be taken forward and that stronger working relations could be developed between the two bodies.

- 49.3 Councillor Mears informed the Committee that as Leader of the Council she had met with the Chair of the OPC to discuss matters and a number of issues that had been raised had been taken on board within the report. She also noted that the Chair was very happy with the report and its recommendations.
- 49.4 Councillor Mitchell stated as the Chairman of the Overview & Scrutiny Commission she welcomed the report and supported the recommendations. She believed it was appropriate to have a co-opted member on the Health Overview & Scrutiny Committee and that other scrutiny committees and ad-hoc panels should take account of the need to involve the designated OPC member for the area in question. She felt that it would be helpful for the Overview & Scrutiny Commission to monitor the situation and would raise it with the Chairmen of the scrutiny committees.
- 49.5 Councillor Taylor referred to the OPC priorities listed in paragraph 3.3.4 and expressed his concern over the contradiction with the promotion of human civil rights, and the fact that a member of the OPC had been told they would have to stand down if they put their name to a political publication.
- 49.6 Councillor Mears stated that the OPC was an independent body and had the authority to determine how it should operate. The council recognised that independence and was seeking to build working relations with the OPC so that both organisations could work together effectively for the benefit of the city.
- 49.7 **RESOLVED -**
- (1) That the information in the report be noted; and
 - (2) That the actions set out in paragraph 3.4.1 of the report be recommended to the Cabinet and the Chairmen of the Overview & Scrutiny Committees.

CABINET MEETING

Agenda Item 135

Brighton & Hove City Council

Subject:	Review of Learning Disability Services Governance Arrangements		
Date of Meeting:	18 December 2008		
Report of:	Joy Hollister		
Contact Officer:	Name:	Joy Hollister	Tel: 29-5035
	E-mail:	joy.hollister@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report is in response to the Green party amendment regarding constitutional arrangements tabled at Council in April 2008. This report considers the arrangements for the future Governance of Learning Disability services.
- 1.2 Learning Disability Services for adults in Brighton & Hove provide services and support to over 700 people with learning disabilities and their families in the city.
- 1.3 The service is currently made up of 2 distinct areas:
 - a. Learning Disability Community Support Services which include: Community Learning Disability Team (CLDT) providing specialist assessments, treatment, setting up and reviewing of care packages and discharging the Councils Safeguarding responsibilities for people with learning disabilities in the city. This integrated service is provided by a multidisciplinary team made up of Social Workers, Care Managers, Community Nurses, Physiotherapists, Occupational Therapist, Speech and Language Therapists, Psychology and Psychiatry. The Healthcare staff in this service are employed by Sussex Partnership NHS Trust. Also included are the directly provided Community Support Services - 5 Learning Disability Day Services and a residential Short Break Service.
 - b. Learning Disability Accommodation Services are managed as part of the Homeless and Social Inclusion Section of Housing Strategy and provide a range of registered and non registered accommodation with support on 17 sites across the city for 68 people with learning disabilities, a floating support service and our registered Adult Placement Scheme.
- 1.4 The Council discharges its statutory duties to people with learning disabilities and their families as required under the NHS and Community Care Act 1990 and relevant legislation that preceded this through its Learning Disability Services.

Since the introduction of the Children Act 2004 the statutory accountability for delivery of all adult social services functions lies with the Director of Adult Social Services (DASS). This accountability is wide ranging and includes;

- Assessment of local need and ensuring availability and delivery of a full range of adult social services.
- Professional leadership, including workforce planning.
- Leading the implementation of standards.
- Managing cultural change.
- Promoting local access and driving partnership working.
- Delivering a whole systems approach to supporting communities.
- Promotion of social inclusion and wellbeing.

- 1.5 In Governance terms the council meets its obligations through the Executive. The Executive in turn executes its responsibilities through the Cabinet system. Learning Disability decisions are, in the main, executed by the Cabinet member for Housing unless the decision is one falling under the section 75 agreement where decisions are taken by the Joint Commissioning Board (JCB). The JCB includes both the Cabinet member for Housing and the Cabinet Member for Adult Social Care and Health. The Scrutiny function is overseen by the Overview and Scrutiny Commission who oversee the work of the Adult Social Care and Housing Scrutiny Committee.
- 1.6 'Our Health, Our Care, Our Say' White Paper 2006 clearly endorses the integrated approach across health and the local authority to providing services for people with longer term conditions.
- 1.7 In line with the 'Personalisation' of adult social care services as outlined in the National 'Putting People First' concordat published in 2007 learning disability services are actively working towards the personalisation agenda and are piloting the use of Individualised Budgets. Learning Disability services are engaged in the modernising agenda for adult social care both as part of the Personalisation Board and operational sub groups and as part of its own Learning Disability Modernisation Project Board.
- 1.8 Formal consultation is exercised through the Learning Disability Partnership Board. Membership is taken from a wide range of stakeholders to include the voluntary sector, service users and carers. Since the introduction of the Cabinet system in 2008 the Board is co chaired by the Cabinet Member for Housing.

2. RECOMMENDATIONS

2.1 Cabinet are asked to agree the recommendations from Governance committee that -

2.1.1 The committee recommends to the Cabinet that Learning Disability services remain the responsibility of the Director of Adult Social Care and Housing in order to execute the statutory responsibilities of the DASS.

2.1.2 To recommend to Cabinet that the Executive functions remain as they are currently set out in the constitution, thus ensuring continuity of leadership and minimising further change for those stakeholders on the Learning Disability Partnership Board.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 In 2002 via a Section 31 Agreement using Health Act Flexibilities South Downs Health NHS Trust became the lead organisation for all Learning Disability Services in the City. This arrangement continued until 2006. When with the formation of Sussex Partnership Trust new arrangements were required.

3.2 In April 2006 Brighton and Hove City Council took on lead organisation responsibilities and the direct management of the learning disability services (excluding psychiatry and psychology) was provided via Housing Strategy Division of the Adult Social Care and Housing Directorate. This arrangement is still in place.

3.3 Prior to May 2008 (when the new Cabinet Governance arrangements were put in place) reports requiring formal decisions were taken through Adult Social Care Committee and the Joint Commissioning Board when required.

3.4 In addition to this the Learning Disability Partnership Board was Co Chaired by the lead member for Adult Social Care who chaired the Adults Social Care Committee.

3.5 From May 2008 onwards all Cabinet Member decisions for Learning Disability Services have been made via the Cabinet Member Housing and the Joint Commissioning Board when required.

3.6 In addition to this from May 2008 onwards the Learning Disability Partnership Board had been co chaired by the Lead Member for Housing. Prior to this arrangement the Partnership Board was co chaired by the lead member for Adult Social Care and Health

4. ACCOMMODATION SERVICES – DEVELOPMENT AND IMPROVEMENT:

- 4.1 The 'provider' functions of the Learning Disabilities Service were transferred to the management of Housing Needs and Social Inclusion in August 2006. This included 19 accommodation service units, the Adult Placement Scheme and the Community Support Team.
- 4.2 The Accommodation Service management structure was remodelled in 2007. This has streamlined managerial decision-making; devolved areas of responsibility toward the point of service delivery; made better use of resources and yielded significantly increased value.
- 4.3 The current structure provides a coherent provider/commissioning split. The commissioning function remains with the Community Learning Disability Team under the Manager of the Integrated Learning Disability Service. As outlined in the report the arrangements are working effectively and therefore no need to change the current delegations.
- 4.4 The service works in partnership with colleagues in the Learning Disability Service and Adult Social Care. It contributes to the development of multi-agency policy in the following fora:
- Learning Disability Services Governance Group
 - Safeguarding Adults Forum
 - Provider Forum

Performance culture

- 4.5 The need to establish a strong performance culture with an expectation of continuous improvement was an acknowledged factor informing current management arrangements.
- 4.6 Changing practices and attitudes was also seen as a necessary prelude to steering the service through the transformation agenda

Health & Safety

- 4.7 Improved awareness and management of Health and Safety issues has led to improved performance with respect to Safety Management System (SMS) compliance. Since December 2007 this improvement has been sustained over three audit points:
- December 2007 = average compliance 32%
 - April 2008 = average compliance 42%
 - August 2008 = average compliance 56%
- 4.8 The Service has put in place a programme of actions to ensure full compliance with its responsibilities under The Regulatory Reform (Fire Safety) Order 2005.
- 4.9 Since June 2008 a series of twenty-one service level risk assessments have been implemented across all services.
- 4.10 The Quality Assurance and Risk Manager for Housing Needs & Social Inclusion has instigated a series of internal audits of service SMS to ensure that health and safety continues to be managed effectively. Compliance with SMS is now monitored through the new quarterly Quality Assurance and Risk Management Audit Programme (QARMAP). Progress and recommendations are subject to regular scrutiny at Service Management Team meetings.
- 4.11 QARMAP audits compliment other current assurance processes i.e. Regulation 26 inspections and Supporting People annual contract reviews.

Service Development

- 4.12 All services now complete a monthly Quality Assurance Return that measures performance against a series of indicators agreed with the Learning Disability Commissioner and reported at Divisional level. Over the last year the following improved performance has been evidenced in the following areas:
- Person Centred Plans
 - Health Action Plans
 - Support Planning
 - Risk Assessments

- 4.13 The development of a new service at 11 Hawkhurst Road represents a significant improvement to the range of accommodation services available to adults with a learning disability. Collaborative work with Downland Housing Association to develop the service, together with that at 11a Hawkhurst Road, was completed to deadline.
- 4.14 Licence agreements for adult placement service users have been put in place, enabling increased access to welfare and housing benefits: this has made a significant contribution to the financial recovery process. It has also increased the financial stability of service users.
- 4.15 Accommodation Services are now networked to the council IT system, improving lines of communication significantly and access to corporate initiatives, values and services.
- 4.16 Services have been successfully restructured into three distinct areas: Registered Care, Supported Accommodation & Move On Services. This has helped to clarify a pathway for the movement of service users to greater independence.
- 4.17 The Community Support Team has been judged as operating at performance level B against 5 of the Supporting People core objectives (a review of the sixth objective to a level B is imminently expected). This is a significant improvement on the last review. The service has also been judged as providing value for money with an hourly rate below both the Brighton & Hove and regional averages.
- 4.18 All the Registered Care Services are now rated as 'Good' by the Commission for Social Care Inspection. This is the first time this has been achieved across all of the Learning Disability Accommodation Services.
- 4.19 The service has made a significant contribution to joint developmental initiatives with colleagues from Adult Social Care in the following areas:
- Fire Safety Focus Group
 - Food Safety Focus Group
 - Management of Service User finances

Financial Recovery

- 4.20 The service as a whole successfully delivered a £186,000 Financial Recovery Plan target for 2006/07
- 4.21 Last year (2007/08) a saving of £1.4 million was achieved, representing a significantly improved financial performance. Overall, the service was £28,000 overspent for the financial year against a savings target of £2.2 million.

Staff development

- 4.22 All Accommodation Service teams completed their 08/09 Team Development Plans within timescales, allowing the production of a comprehensive service development plan that has been shared with Learning and Development. This helped to inform the Workforce Development Programme for Learning Disability Services 2008/09. Learning Disability services workforce development is a key part of the overarching workforce strategy for the personalisation of adult social care.

Service Users

- 4.23 A reshaped and clarified Quality Performance Framework has allowed services to achieve greater focus on service user needs and commissioning objectives: clear targets are now set through performance indicators and delivery on Person Centred Plans, Health Action Plans and Outcome Reviews have all improved as a result.
- 4.24 Closer links with officers in Housing Strategy increases the range of accommodation available to adults with a learning disability within the city.

Conclusion

4.25 The transfer of Accommodation Services to Housing Needs and Social Inclusion involved a number of challenging objectives. A service more responsive to changing needs and more able to deliver solutions has resulted:

- Improved financial self-regulation has meant better budgetary control
- Improved management systems have led to the development of more challenging team plans and objectives. This, in turn, has lifted performance as indicated in Quality Assurance Returns.
- Improved awareness and management of Health & Safety has led to improved compliance with SMS objectives.

The service is now well positioned to meet future Commissioning Strategy objectives whilst delivering *Value for Money*.

5. **CONSULTATION** - Cabinet member for Adult Social care and Health, Cabinet member for Housing, Health Partners.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial governance is achieved through the council's Targeted Budget Management process and finance reports to the Joint Commissioning Board. In order to deliver within budget strategies and contribute towards Value for Money financial recovery plans are in place as outlined in paragraphs 4.20-4.21, achievement against these are monitored monthly.

6.1 Financial Implications:

There are no financial implications arising from the recommendations in this report.

Finance Officer Consulted: Anne Silley Date: 5.11.08

6.2 Legal Implications:

The current arrangements and the analysis of the position in the body of the report are entirely consistent with legal and constitutional requirements. As Learning Disabilities is an executive function, any changes have to be approved by the Leader or Cabinet.

Lawyer Consulted: Abraham Ghebre-Ghiorghis Date: 31.10.08

6.3 Equalities Implications:

The learning disability services have recently completed an equalities impact assessment.

6.4 Sustainability Implications:

There are no direct sustainability implications arising from this report

6.5 Crime & Disorder Implications:

There are no direct crime and disorder implications arising from this report.

6.6 Risk and Opportunity Management Implications:

There are no direct risks or opportunity implications arising from this report.

6.7 Corporate / Citywide Implications:

Learning Disability services are provided across the City – there are no other implications than contained in this report.

7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

7.1 Not applicable.

8. REASONS FOR REPORT RECOMMENDATIONS

8.1 Current arrangements are working well and there is therefore no need for change to delegations at this point.

SUPPORTING DOCUMENTATION

Appendices:

A) Extract from the proceedings of the Governance Committee held on 18th November 2008.

Documents In Members' Rooms:

None

Background Documents

1. Valuing People White Paper 2001 & Valuing People Now 2008.
2. 'Putting People First' 2007
3. 'Our Health Our Care Our Say' 2006
4. Local Government Briefing Note 39 2008 Transfer of Funding for Social Care Provision for adults with learning disabilities

**EXTRACT FROM THE PROCEEDINGS OF THE GOVERNANCE COMMITTEE
HELD ON THE 18 NOVEMBER 2008**

Subject:	Review of Learning Disability Services Governance Arrangements		
Date of Meeting:	18 December 2008		
Report of:	Director of Strategy and Governance		
Key Decision:	No		
Contact Officer:	Name: Mark Wall	Tel: 29-1006	
	E-mail: mark.wall@brighton-hove.gov.uk		
Wards Affected:	All		

FOR GENERAL RELEASE

GOVERNANCE COMMITTEE

4.00pm 18 NOVEMBER 2008

**COUNCIL CHAMBER
HOVE TOWN HALL**

MINUTES

Present: Councillor Ann Norman (Chairman); Councillor Simpson (Deputy Chairman), Councillors Mrs Brown, Mrs Cobb, Elgood, Mears, Mitchell (OS), Oxley, Taylor and West.

***43. REVIEW OF LEARNING DISABILITY SERVICES GOVERNANCE ARRANGEMENTS**

43.1 The Committee considered a report of the Director of Adult Social Care & Housing, concerning the arrangements for the future governance of Learning Disability Services (for copy see minute book).

43.2 The Director of Adult Social Care & Housing introduced the report and drew the committee's attention to the recommendations which proposed that the responsibility for the Learning Disability Services should remain with the Director for Social Services and the Cabinet Member for Housing. She noted that the review had been undertaken as a result of the decision taken by the Council at its meeting in April, when it had approved the new constitution and Members had agreed to the 6-month review of the areas of responsibility.

- 43.3 Councillor Taylor stated that he had been unsure as to why the report had been brought forward and suggested that it should have referred to the amendment that had been moved at the council meeting. He had not had the opportunity to discuss the proposals with his Group and suggested that the item should be deferred to the next meeting.
- 43.4 The Chairman stated that the council had agreed to the 6-month review and that the Committee had also agreed to receive a report as part of its work programme which was agreed in July. She did not therefore see the need to defer the matter.
- 43.5 Councillor Taylor noted the comments and stated that in having put the amendment forward to the council, he would have expected to have been consulted on the matter before the report was brought to the Committee. He therefore felt that a deferral would be appropriate.
- 43.6 The Director of Strategy & Governance stated that the council had asked for the review, which had been undertaken and was being reported to Members accordingly. As part of this process Members of the Committee were being asked to consider the matter and give their views before reaching a decision.
- 43.7 Councillor Oxley stated that he did not see the need to defer the matter as the report was before the Committee in accordance with the council's instructions and had recommendations from the professional officers.
- 43.8 **RESOLVED –**
- (1) That the Cabinet be recommended to agree that Learning Disability services remain the responsibility of the Director of Adult Social Care and Housing in order to execute the statutory responsibilities of the DASS.
 - (2) That the Cabinet be recommended to agree that the Executive functions should remain as they are currently set out in the constitution, thus ensuring continuity of leadership and minimising further change for those stakeholders on the Learning Disability Partnership Board.

Note: Councillors Elgood, Taylor and West wished their names recorded as having abstained from voting in respect of resolution (2) above.

CABINET MEETING

Agenda Item 136

Brighton & Hove City Council

Subject: Open Market Development Proposal
Date of Meeting: 18 December 2008
Report of: Director Cultural Services
Contact Officer: Name: Richard Davies Tel: 29-6825
E-mail: Richard.davies@brighton-hove.gov.uk
Key Decision: Yes Forward Plan No. CAB 5522
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report advises of the progress made during the past nine months and of the latest proposals submitted to the council by the Open Market Traders Association and Hyde Martlet (Hyde Housing Association). It also seeks Cabinet approval for land owner consent to continue the project to complete the Development Agreement prior to submitting a planning application.

2. RECOMMENDATIONS:

- (1) That Cabinet note the project progress described in section 7 made since the Stage 2 submission received by the council in September 2007.
- (2) That Cabinet approves the draft Heads of Terms referred to in section 5 and attached to the accompanying part two confidential report as the basis for negotiations of the Development Agreement.
- (3) That Cabinet approves landowner consent for the project to continue, subject to continued engagement between officers and the Open Market Traders Association and Hyde regarding sustainability issues to seek improved sustainability performance, and that the Director of Cultural Services and the Head of Law negotiate a draft Development Agreement.
- (4) That Cabinet approves the delegation of authority to approve the Development Agreement to the Director of Cultural Services and the Head of Law in consultation with the Cabinet Member for Enterprise, Employment and Major Projects.
- (5) That Cabinet delegates authority for approval of the final scheme at RIBA Stage D, and prior to the submission of a planning application, to the Director of Cultural Services in consultation with the Cabinet Member for Enterprise, Employment & Major Projects.
- (6) That Cabinet agrees that the Open Market Traders Association, supported by council officers, proceed to incorporate a Community Interest Company for the

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purpose of taking a long term lease on the new market and managing all aspects of the new market.

(7) That Cabinet support council representation of up to 19% on the Board of the Community Interest Company to be incorporated by the Open Market Traders Association and that the Board should be made up as described in paragraph 7.2, point 6 of the report.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Since April 2006, the council has supported the Open Market Traders Association (“Association”) to bring forward a redevelopment proposal for the council owned Open Market.
- 3.2 The Association has previously submitted a two stage proposal, in February 2007 and September 2007. These proposals were assessed by the project officer team and reported to Members.
- 3.3 On 3 April 2008, Policy & Resources Committee extended the lock out period to 19 December 2008, to allow the Association and Hyde time to undertake further work to address identified issues and prepare a development proposal with draft Heads of Terms and draft Development Agreement for consideration by the council.
- 3.4 The Association and Hyde Martlet have successfully engaged in partnership working to bring forward the present redevelopment proposal. The most recent proposal comprises a redevelopment overview, Business Plan, Management Plan and designs and plans. This work has been fully supported by the council through Member decisions, the council’s project officer team and the council’s project manager. Hyde demonstrated full commitment to the project when in October 2007, it bought the old City College site on Francis Street. Hyde were supported in this process by the council and the site is now included within the proposed scheme. This amalgamation of this site with council owned land creates the opportunity of improved servicing of the new market from Francis Street and allows gains in terms of market layout, number of stalls and potentially increased housing units. These elements combine to enable an improved and comprehensive scheme when compared to developing the market site alone.
- 3.5 The redevelopment of the Open Market would contribute to the aims identified by the London Road and Lewes Road Regeneration Strategy, including “Improving the retail environment, including revitalising the Open Market”. This strategy has been approved as a background document for the city’s emerging Local Development Framework (“LDF”).

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4. CONSULTATION

- 4.1 The earlier redevelopment proposal was assessed by the internal officer project team and the results reported to the Project Board, Major Projects Sub Committee and Policy & Resources Committee. The internal process for the refined proposal now under consideration has included a presentation by the Association and Hyde to the project officer team and the Open Market Project Board.
- 4.2 The Project Board met to consider the development proposal on 17th and 26th November 2008 and has indicated its support for the project in line with the recommendations in section 2, subject to the condition that there is continued engagement between officers and the Open Market Traders Association and Hyde regarding sustainability issues to seek improved sustainability performance.
- 4.3 The Open Market Traders Association has had a series of meetings for market traders throughout the lifetime of the project. Representatives of the OMTA Steering Group have attended the Project Boards that have considered the scheme at each stage of its preparation.
- 4.4 The preparation of a Health Impact Assessment included meetings in August 2008 with all traders, local businesses and local residents.
- 4.5 The council's Research and Consultation Team has carried out two Open Market customer surveys.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The current Business Plan includes a revised funding appraisal provided by Hyde that includes the total development cost of the revised scheme.
- 5.2 The cost of the housing element has increased from that reported at Stage Two as a direct result of the additional increase in the number of housing units. A detailed cost exercise has been undertaken analysing construction costs and this has resulted in a significant reduction in the construction costs of the market.
- 5.3 Hyde will fund the development cost of the housing element through a combination of Social Housing Grant, shared ownership receipts and internal group loan financing.
- 5.4 Overall this results in a current funding requirement to be provided by the Association that will be met from borrowing. The Association has explored a number of routes to secure loan finance for this project. A reputable bank has been identified and has now expressed a desire to offer a mortgage to the future CIC up to the required limit subject to contract. A letter of support from the bank has been included within the Business Plan.

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Business Plan

- 5.5 The current Business Case includes a reasonable increase to the rates of market stall rental levels with an additional 5% payable for service charge. The revised rent is at the bottom end of current prices for similar markets. The revised rent will assist with the affordability of the project including the ability to service debt and provides greater viability toward the long-term operation of the market.
- 5.6 Additional income is generated through the use of the central market square. This is made up of a variety of events including temporary market stalls, continental markets, a Christmas market, collector's fairs, exhibitions and table top sales. The successful operation of the market is dependent upon this additional income being achieved from day 1, an assumption that requires further clarification. This will be addressed as part of the discussions regarding the Development Agreement.

Management Plan

- 5.7 The practicalities of the Association's Management Plan will become more focussed as the development progresses. The Association has indicated the intended proposed tenant mix and have provided drafts of the sub-tenancies to be granted. Ultimately some management issues will be set out in the headlease to the CIC and detailed discussion on those will be undertaken as part of the negotiations for the Development Agreement.

Finance Officer Consulted: Rob Allen

Date: 12.11.08

Legal Implications:

- 5.8 The draft Heads of Terms provide the basis of the understanding of the project as agreed between the council, the Association and Hyde. These will provide the starting point for negotiations of the Development Agreement.
- 5.9 The Heads of Terms propose that a head lease be granted by the council to Hyde for Hyde to carry out the redevelopment before Hyde grants a sub-lease for the completed market and workshops to the newly formed Community Interest Company. It also sets out the general conditions that will have to be observed when negotiating the Development Agreement and carrying out the redevelopment.

Section 123/State Aid

- 5.10 Section 123 of the Local Government Act 1972 requires that the city council does not dispose of land "for a consideration less than can reasonably be obtained" without consent of the Secretary of State. S128 provides that such consent may be general or specific and also that non-compliance with s123 does not invalidate the disposal. The current general consent is the General Disposal Consent 2003 ["the General Consent"] which was issued with Circular 6/2003 ["the Circular"].

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5.11 The technical annex to the Circular explains that best consideration equates with seeking to maximise the value and is the RICS Red Book market value and the defined unrestricted value. In the Circular a “voluntary condition” is defined “as any term or condition of the proposed transaction which the authority chooses to impose, excluding any term or condition which it is obliged to impose”. In s123 terms, voluntary conditions artificially depress the consideration, although the Circular recognises that that they will frequently produce a direct or indirect benefit to the Council which can be assessed in monetary terms. Thus the overriding consideration in determining what constitutes the best consideration that can reasonably be obtained is assessing what is the commercial value of the Site.

5.12 Paragraph 2b) of the General Consent gives consent to disposals where: *“the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000”*, provided also that the scheme satisfies well-being requirements. The city council will therefore need to consider any social, environmental and regeneration benefits when considering the proposed scheme, but if the consideration is lower than the strict market value by a figure in excess of £2million express consent will be needed.

5.13 It should also be noted that if as is currently envisaged in the Heads of Terms, the land, which is currently held as part of the commercial property portfolio, is appropriated for planning purposes, express consent will be needed under s233 of the Town & Country Planning Act 1990 regardless of the amount foregone i.e. where land is held for planning purposes a different consent regime applies and there is no General Consent provision.

5.14 The S123/S233 regimes are independent of the rules relating to State Aid, which in essence prevent unlawful subsidy to businesses. Preliminary state aid advice has been given by counsel and it will be necessary for counsel to further consider the position in that respect once detailed terms of a disposal have been agreed.

Lawyer Consulted: Bob Bruce, Principal Solicitor

Date: 01.12.08

Equalities Implications:

5.15 An Equalities Impact Assessment (EIA) of this project is planned as part of a comprehensive EIA covering the project management function across all Major Projects. The assessment will be undertaken in the New Year with a target date for completion of March 2009.

5.16 The proposed scheme has fully considered the requirements of the Disability Discrimination Act (DDA) and addresses these through appropriate design. The proposed covered market will provide a new destination that benefits from excellent public transport links. Two customer surveys carried out by the council found that a quarter of users of the existing market are over 65 years of age and that almost half of all customers walk to the market.

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Sustainability Implications:

- 5.17 Sustainability implications are a significant part of the overall assessment of the Open Market proposals including the redevelopment of the proposed site and will continue to influence the evolution of the scheme. This is discussed further in section 7 of the report.

Crime & Disorder Implications:

- 5.18 The redevelopment of the Open Market and introduction of residential units on Francis Street will create more activity and passive surveillance. This is likely to have a positive influence on peoples perception of personal safety. The project architects have stated that the design will be developed in accordance with the design principles set out in “Secured By Design” and have carried out consultation in this regard. The proposed market will be gated and locked at night.

Risk & Opportunity Management Implications:

- 5.19 The project manager keeps a risk register for the project which is reviewed on a regular basis with the project team. The project Quantity Surveyor engaged by Hyde also keeps a risk register for the development.

Corporate / Citywide Implications:

- 5.20 The redevelopment of the Open Market will aid the overall regeneration of the London Road and contribute to achieving the aims of the London Road/ Lewes Road Regeneration Strategy.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The Association and Hyde have developed the design to achieve a viable project that delivers a new covered market and workshops that is fit for purpose. This has been an iterative process with a previous two stage process leading to the final proposal now being considered. The previous stages have been assessed by the council and this has resulted in an improved scheme that is potentially viable and deliverable.
- 6.2 The redevelopment proposal as it stands has continued to be amended to improve the residential amenity on Francis Street, including the reduction of loading bays for the market. This has resulted in a shorter stretch of loading bays, which improves conditions for the housing facing onto Francis Street as it results in fewer units at ground level opposite the loading area.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Members have previously received the Stage One and Two redevelopment proposals for the Open Market from the Open Market Traders Association and Hyde Housing.

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7.2 The officer assessment of the Association's Stage 2 proposal, submitted to the council in September 2007, identified a number of issues needing to be addressed if the proposal was to progress to the point where landowner consent could be granted. This section lists the previously identified issues (shown in italics) and reports the progress made to resolve them.

1. *The design and operation of the development must fully address issues of sustainable design and a Health Impact Assessment ("HIA").*

- A HIA is being carried out by external consultants and is close to completing a final draft report. The initial draft of the HIA is broadly positive and makes a number of recommendations to improve the health benefits of the proposed scheme. The final report will be included in the proposed planning application for the scheme and its recommendations will be considered as part of that process.
- Hyde and the project architects have been exploring measures to achieve a Sustainable Homes Code Level 4 for the residential element of the proposal. The submitted Business Plan reports that the proposed housing scheme achieves a Code for Sustainable Homes Level 3 rating for energy use and a Level 4 rating for all other aspects. While this does not reach the level recommended in the council's SPD 08 Sustainable building design, it is acknowledged that through the planning process discussions will seek to improve the scheme where it does not currently reach the recommended standards. SPD 08 says that in assessing the achievement of the recommended sustainability standards the council will consider;
 - i. Site constraints;
 - ii. Technical viability;
 - iii. Financial viability; and
 - iv. Delivery of additional benefits.

2. *Justify the proposal in terms of Local Plan policy, the principles of the Local Development Framework Core Strategy, the Local Transport Plan and the economic benefit for London Road.*

- The project architects have had helpful pre-application discussions with the City Planning Team to address areas of concern and to arrive at an acceptable scheme. These discussions have resulted in positive amendments to the design, particularly regarding height and massing of the north block on Francis Street, which have sought to reduce the interference of the view out of The Level Conservation Area towards St Bartholomew's church. The treatment of Francis Street has also been advanced to reduce the impact of traffic on amenity.
- Additional pre-application meetings were had at the end of November and in early December that covered a range of planning issues including potential S106 financial contributions for open space, transport and education;

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- The Draft Transport Assessment will be considered by Sustainable Transport following previous feedback given to the development team;
- The latest proposal, at a height of 6 storeys, will require a Tall Buildings Statement as part of the planning application.
- Hyde will be informed of the National and Local Requirements for the submission of the full planning application.

3. *Confirmation of the Development Vehicle and partnership arrangements.*

- The latest development proposal indicates that Hyde Martlet will provide the development vehicle for the scheme and has selected a preferred developer using its procurement framework. Hyde's preferred developer is Denne Construction who are currently the contractor for the One Brighton development in the New England Quarter.
- The Association's and Hyde's solicitors have exchanged draft Heads of Terms for the Development Agreement with the council's Principal Solicitor and are continuing discussions to finalise the draft for approval by Cabinet. The draft Heads of Terms includes proposals for lease and other partnership arrangements and progress will be reported at the Project Board. This process will lead into the preparation of the Development Agreement.

4. *Confirmation of development costs and funding package.*

- The Association and Hyde have significantly reduced the funding gap and the relative scheme costs through two main routes: firstly, a redesign of the scheme to increase the number of residential units: and secondly, an examination of the construction options involving Hyde's preferred contractor, who has been able to confirm costs using its established supply chains and discussions with sub-contractors. This route of involving a contractor has brought considerable benefits to the cost plan and resulted in a reduced funding requirement to be borrowed by the newly formed CIC
- Hyde has confirmed it has the funding in place to carry out the housing element of the development.
- The Association has met with the bank who's credit committee has authorised the necessary funding, subject to contract, to lend to the future CIC. This intention to lend and general support of the project has been gained on the back of the present Business Case and Management Plan, which provides a degree of confidence in the robustness of the overall proposal. The bank takes an ethical approach to banking and deals with businesses and charities that value people and planet, as well as profit.
- Ethical Property Company has reconfirmed its commitment to the project and its intention to lease the workshops. It is currently in discussions with the Association and Hyde regarding the specification and contract.

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- The three funding elements including finance brought by Hyde, bank borrowing and a lease on the workshops taken by Ethical Property Company, provide the development finance required to meet the development costs for the proposed scheme.
5. *Further detail regarding cash flow and operating costs of the new market to support the Association's ability to repay its debt.*
- A reasonable increase of the present rental levels for stalls has been incorporated into the Business Plan which increases income levels to a point where the anticipated cash flow indicates that the running costs of the market and servicing the required borrowing can be met. Officers will seek further clarification of the assumptions made as part of the on-going negotiations for the draft Heads of Terms and draft Development Agreement to ensure that the cash flow is a realistic projection.
6. *Confirmation of company structure and clarification of other legal matters, including vacant possession.*
- The Association has proposed incorporating a Community Interest Company (“CIC”) to take the leasehold on, and be responsible for the management of, the new market. The Association has submitted proposed Memorandum of Articles for the CIC.
 - A key aspect of the CIC constitution will be membership of the company Board, including council representation. The proposed Board would be made up of representatives of the Open Market Traders Association, council representation, Hyde, The Ethical Property Company and local professional co-optees. No one interest should hold a majority of votes. It is expected that for the council to avoid controlled company issues, council representation should be no more than 19%. For example, this would mean that if there were 11 people on the Board, council representatives should be at the most two of these.
 - The leasing structure between the CIC, Hyde and the council and when those interests will be granted will be a part of the on-going negotiations for the Heads of Terms and Development Agreement.
 - The Association’s Business Plan anticipates that the council will obtain vacant possession of the Open Market. However, the council is expecting the traders to resolve this issue and the Association is discussing the surrender of leases with all leaseholders in the market. The council will only step in where statutory action is necessary and will also be responsible for the tenancies at will, the costs of which are to be underwritten by the CIC.

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7. *Development of a strategy to implement the market 'Vision' and ensure local food is incorporated into the market.*

- A report by consultants into the availability of local produce and how this might be integrated into the new market has been completed and offers strategies for including local producers and products in the new market. The Association has considered the recommendations of the report and supports the incorporation of local produce into the market including reserving stalls for this produce and working with any cooperatives set up to promote the distribution and sale of locally produced goods.

- 7.3 The latest submitted redevelopment proposal has made good progress in responding to the key issues that were previously identified and in putting together a financially viable scheme that delivers a range of benefits for the city in the difficult current economic circumstances.
- 7.4 The Association and Hyde have put in place a funding strategy that includes finance brought by Hyde, bank borrowing and a leasehold of the workshops taken by Ethical Property Company. Agreement with the bank and Ethical Property Company is now being sought and the likelihood of success has been increased by the enthusiasm for the project shown by both organisations.
- 7.5 The project architects have progressed pre-application discussions with the Local Planning Authority which have sought to address key issues such as the building design and the treatment of Francis Street. These discussions are on-going and have resulted in considerable progress towards achieving an acceptable scheme before submitting a planning application.
- 7.6 Arrangements are in place to incorporate the CIC to take forward the proposal and prepare for the management of the new market.
- 7.7 Draft Heads of Terms have been produced and are included in the part two report for approval. The agreed Heads of Terms will be the basis for negotiations to prepare the Development Agreement.
- 7.8 If the council were to agree land owner consent for the proposal and the draft Heads of Terms as the basis for negotiating the Development Agreement, sustainability issues would form part of these negotiations and be part of the normal planning process for any development to ensure the development is acceptable in planning terms. This was confirmed at the Project Board on 26th November as a reasonable approach.

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7.9 In consideration of the above, the proposed scheme does offer the opportunity to achieve a viable development, which now offers the potential to deliver a range of benefits that would contribute to the regeneration of London Road Town Centre and include:

- a new covered market with 45 permanent market stalls;
- an internal central market square for temporary stalls, visiting markets and a variety of events;
- 12 arts/crafts workshops;
- 86 affordable housing units, 27 for rental and 59 shared ownership;
- A significant contribution to the regeneration of London Road Town Centre;
- Safeguarding existing, and creating new, employment opportunities by way of an expanded new market and workshops;
- Increased economic activity in London Road Town Centre;
- Reinstating Francis Street within the urban fabric.

7.10 It is considered appropriate to approve land owner consent for the proposed scheme prior to completing the Development Agreement and submitting a planning application.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents In Members' Rooms

None

Background Documents

1. Previous Open Market Cabinet Member Meeting, Major Projects Sub Committee and Policy & Resources Committee reports.
2. London Road & Lewes Road Regeneration Strategy

CABINET MEETING

Agenda Item 137

Brighton & Hove City Council

Subject:	Procurement of the Corporate Building Cleaning Contract		
Date of Meeting:	18 December 2008		
Report of:	Interim Director of Finance and Resources		
Contact Officer:	Name:	Angela Dymott,	Tel: 295064
		Ian Sharpe	293589
	E-mail:	Ian. Sharpe@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No. CAB4002	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report requests that the Cabinet authorise the Director of Finance and Resources and Assistant Director Property & Design, in consultation with the Cabinet member for Central Services to let the Brighton & Hove City Council Corporate Building Cleaning Contract that expires in October 2009.
- 1.2 The Corporate Cleaning Contract currently services approximately 100 plus council owned / leased buildings from across all directorates as well as schools at a current value of approximately £1.2m per annum.

2. RECOMMENDATIONS:

That Cabinet approves :

- (1) The re-tendering of the building cleaning contract for a 4 year period with the option to extend by a further 2 years at the council's discretion, in accordance with the tendering timetable included in this report at item 4.2 to enable the new services to commence in October 2009.
- (2) That the Director of Finance and Resources and Assistant Director Property & Design, in consultation with the Cabinet member for Central Services, be given delegated authority to award the contract to the successful bidder following evaluation and recommendations of the evaluation team.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 This contract was last tendered in 2004, after a review of cleaning services by Property & Design found that the procurement of cleaning services was undertaken by individual departments, each with varying termination dates. This meant that economies of scale were not achieved. A corporate building cleaning contract was tendered that brought together this function to achieve a quality service and achieved efficiency gains through reducing the number of contracts and ad hoc arrangements across the council.
- 3.2 The 2004 tender created four distinct packages for the provision of building and window cleaning services ; two of these were for building cleaning and the other two were for window cleaning. The building cleaning packages have been combined and are managed by Nviro. The window cleaning contracts for our civics buildings were undertaken by F & G Cleaners Ltd for the duration of the contract and by Silvarstar in the extended period, with schools making their own arrangements.
- 3.4 The contract contains the following monitoring features to ensure high standards as a quality service is paramount:
- The contractor is required to have robust quality assurance procedures. Monitoring is carried out by the contractor's site and area supervisors on a daily basis. The contractor will annually monitor each building with a nominated building user, to evaluate standards
 - There are also random monitoring checks and regular meetings with stakeholders, some with the Contractor and some without.
 - There are quarterly and annual reviews and the council is a member of the Building and Window Cleaning Contract Improvement Group, which meets to discuss the issues from West and East Sussex County Council's, along with the cleaning contractors that are used in each county to discuss ways that the contracts can be improved.
- 3.5 Cabinet should note that the proposed contract re-tender is for building cleaning only. Due to feedback from Clients the window cleaning proposals have been reviewed and will be tendered separately with schools sourcing their own contractors, according to the council's procurement guidelines. The intention is to make the Window Cleaning contract a framework agreement for the main civic building. Housing and other sites may join in if they wish, the benefits being that it will encourage local SMEs to apply which should reduce the council's carbon footprint.

4 Proposed Contract and Procurement Route.

- 4.1 The proposed building contract will service a wide variety of building types, including schools, libraries, sheltered housing, SureStart Nurseries, Civic buildings, Industrial buildings, Day Centres and a shopping arcade. There will be provision in the new contract for other sites to join at a later date if they wish to do so. It is proposed that the contract will be for four years with an option to extend based on the successful contractor's performance over the contract period. Housing have been consulted and will be keeping their

cleaning work in-house.

- 4.2 The building cleaning tender process follows the EU Restricted Route for Supplies & Services. There will first be a Pre-Qualification Questionnaire (PQQ) that will be used to make a shortlist of bidders that will then be invited to tender. The proposed procurement timetable is shown below:

Task	Date
Cabinet Meeting	18th December 2008
PQQ ready for Consultation	22nd December 2008
OJEU Placed	5th January 2009
PQQ Placed on Website and Trade Magazines	6th January 2009
Closing date for PQQ's	11th February 2009
Evaluate PQQs	23rd February 2009
ITT sent out	9th March 2009
Closing date for tenders	21st April 2009
Evaluation of Tenders	22nd April 2009 – 8 th May
Clarification Meetings	w/c 11th May 2009
Select Preferred Bidder	20th May 2009
(Standstill Period - 14 days)	
Award Contract	8th June 2009
TUPE & Handover Period	3 Months
Contract Start	8th October 2009

- 4.3 Bidders will be invited to submit a formal tender and supply sufficient supporting documentation to demonstrate their ability to deliver the service and make improvements to include internal quality procedures, staffing details and levels, equipment strategy, performance measures, sustainability and social proposals, pricing schedules, health & safety documentation and mobilisation plan.
- 4.4 The tenders will be evaluated on a 60% technical / quality and 40% price split. It has been decided to have the technical / quality split as higher because it is important that the quality of the work carried out is to a high standard for the safety of both employees and visitors. High standards of cleanliness will also mean that building maintenance costs will be reduced. A cross - functional evaluation panel consisting of representatives from procurement, property & design, finance, legal, human resources, service clients and health & safety will evaluate the tenders according to a methodology set out in the invitation to tender and evaluation guidelines.
- 4.5 This contract will also feature site specific specifications where each site will have a 'core' specification plus additional requirements that are needed to ensure that the site is kept clean. This should encourage flexibility and possible savings where Clients will be paying for the correct services and not generic works with top up payments for the clean that is actually required.

- 4.6 TUPE (Transfer of Undertaking Protection of Employment) regulations will apply to this contract and the council is working with the current contractor to ensure that all information is up to date. TUPE transfers will take place between the current contractor and the successful Contractor. It is not thought that any Brighton & Hove City Council staff will be affected.

5 CONSULTATION

- 5.1 Consultation is currently underway with a view to determining
- Each sites cleaning requirements
 - A specification with quality criteria which meets stakeholder needs.
 - Evaluation criteria and weighting for determining the most economically advantageous tender, which will produce an appropriate mix of cost and quality.
- 5.2 Those who have been, or who are, involved in the consultation process include: the current contractor, West Sussex County Council Strategy Group, Stakeholders, Procurement, Health & Safety, Finance, Legal, Property & Design, Human Resources, Adult Social Care & Housing.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 The tender will be prepared on a basis to maximise efficiencies and value for money achieved through site specific specifications.
- 6.2 It is difficult to anticipate tender prices compared to current costs until proposed tender amounts have been submitted by contractors. Should significant financial implications arise from the tender process it may be necessary to report these to members at a later date.

Finance Officer Consulted: Stuart Taylor

Date: 03.11.2008

Legal Implications:

- 6.3 Contracts for the cleaning services fall under 'Part A Services' of the EU Procurement Directive and accompanying UK Regulations. As a result, any such contract is subject to the full application of both the Directive and Regulations. The tender process will need to be undertaken in compliance with the relevant legislation. In addition in this case the report refers to TUPE being applicable therefore HR will need to be consulted as necessary. Contracts over £75,000 must be prepared in a form approved by the Head of Law. The Council must take the Human Rights Act into account in respect of its actions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in this report.

Lawyer Consulted: Sonia Likhari

Date: 28.10.08

Equalities Implications:

- 6.4 These issues will be addressed in the tender documentation.

Sustainability Implications:

- 6.5 Sustainability issues will be addressed in the pre-qualification and specification documents. The new contract will contain the following sustainable efficiencies:
- The successful contractor will be sourcing eco-friendly products
 - It will be a requirement of the contract to train all staff how to use chemicals correctly so that there is no wastage.
 - All of the contractor's suppliers must be accredited with British and European standards as identified in Defra's sustainable cleaning guidelines.

Crime & Disorder Implications:

- 6.6 There are no crime and disorder implications to be considered.

Risk & Opportunity Management Implications:

- 6.7 Full risk assessments will be undertaken by the successful Contractor in conjunction with the Contract Manager. Key risks identified will need to be dealt with and regularly reviewed and updated by the respective parties. It will also be a requirement at tender stage that the tenderers provide example risk assessments for evaluation purposes.

Corporate / Citywide Implications:

- 6.8 The re-tendering of this contract will achieve value for money and help to protect the environment while growing the economy.

7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 7.1 **Do Nothing** – this was not recommended, as council buildings and schools need to be cleaned, it would not be possible to just let the current contract expire with no alternative in place.

- 7.2 **Bring the service in-house** - The possibility of bringing this contract 'in house' was considered. The current contract is valued at £1.2 million p.a. in total, a figure that would cover salaries only should we transfer 250+ cleaning/supervisory/contract management and administration staff into our employment. Additional costs would include the replacement of most of the equipment which will be nearing the end of its' working life, the purchase of 5 vehicles for the Area supervisors, Contract Manager and mobile cleaner. It is estimated that the cost would be approximately £1.4 million p.a. plus the additional work placed on our Human Resources and Payroll teams.

7.3 **OGC Framework Agreements** – There are no existing framework agreements that Brighton & Hove City Council could use in place of a tender process.

8. REASONS FOR REPORT RECOMMENDATIONS

8.1 The existing contract is due to expire in October 2009. A new contract is needed to ensure that council sites are clean, hygienic and well presented to the public and that the buildings are safe for the council's employees.

SUPPORTING DOCUMENTATION

Appendices:

1. NONE

Documents in Members' Rooms

1. NONE

Background Documents

1. NONE

Document is Restricted

