



Brighton & Hove
City Council

Cabinet Meeting

Title:	Cabinet
Date:	15 January 2009
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

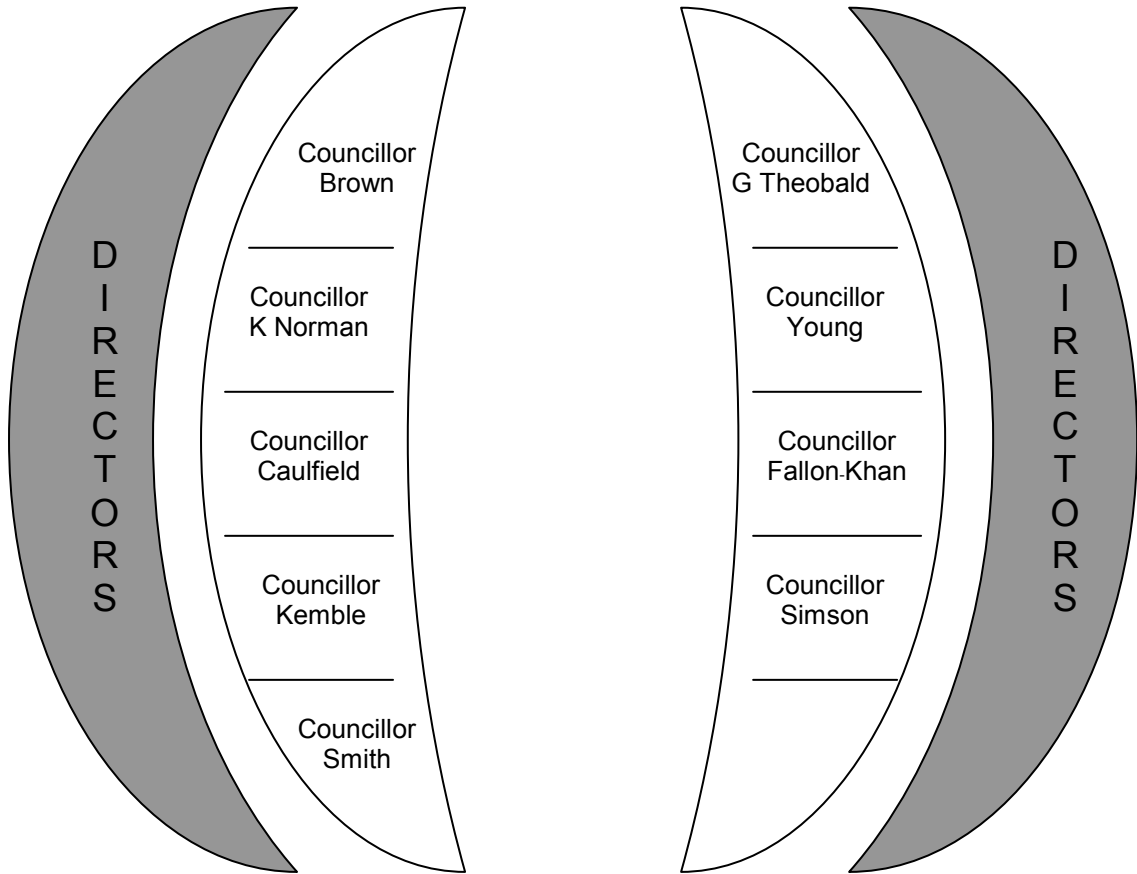
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Democratic Services: Meeting Layout

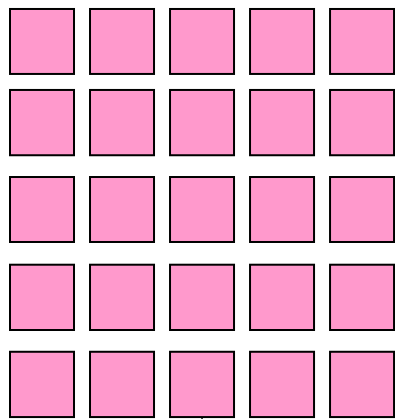
Director of Strategy & Governance Councillor Mears Chief Executive Democratic Services Officer

OFFICERS

MEMBERS

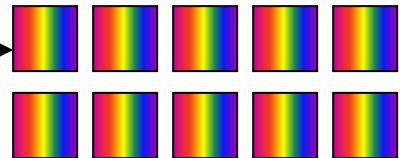


Speaker Leader of the Opposition



Public Seating

Members in Attendance



Press



AGENDA

140. 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 either that it is confidential or 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 categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

141. MINUTES OF THE PREVIOUS MEETING

1 - 8

Minutes of the Meeting held on 18 December 2008 (copy attached).

142. CHAIRMAN'S COMMUNICATIONS

143. 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.

144. PETITIONS

No petitions received by date of publication.

145. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 8 January 2009)

CABINET

No public questions received by date of publication.

146. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 8 January 2009)

No deputations received by date of publication.

147. LETTERS FROM COUNCILLORS

(The closing date for receipt of letters from Councillors was 10.00am on 5 January 2009)

No letters have been received.

148. WRITTEN QUESTIONS FROM COUNCILLORS

9 - 10

(The closing date for receipt of written questions from Councillors was 10.00am on 5 January 2009)

i) **Communal Bins.** Councillor Kitcat (copy attached).

149. NOTICES OF MOTIONS

No Notices of Motion have been referred.

150. COUNCIL TAX BASE 2009/10

11 - 20

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

Contact Officer: Mark Ireland

Tel: 01273 291240

Ward Affected: All Wards

151. COMMUNITY STADIUM

Report of the Director of Cultural Services (copy to be circulated separately).

Contact Officer: Chris Mortimer

Tel: 292556

Ward Affected: All Wards

152. INTEGRATED WASTE MANAGEMENT SERVICES CONTRACT (IWMSC) - ACQUISITION OF SITE AT PEBSHAM HASTINGS AND LEASING ARRANGEMENTS UNDER THE WASTE PFI

21 - 28

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

Contact Officer: Richard Butler, Angela Dymott

Tel: 29-1440, Tel: 29-1450

Ward Affected: All Wards

CABINET

153. AWARD OF CONTRACT FOR NEW HR/PAYROLL SYSTEM 29 - 34

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

Contact Officer: Shaun Rafferty *Tel:* 291290
Ward Affected: All Wards

154. REVIEW OF CABINET MEMBER FUNCTIONS FOR COMMUNITY SAFETY 35 - 42

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

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

PART TWO

155. COMMUNITY STADIUM

Report of the Director of Cultural Services – Exempt Category 3 (copy to be circulated to Members only).

Contact Officer: Chris Mortimer *Tel:* 292556
Ward Affected: All Wards

156. INTEGRATED WASTE MANAGEMENT SERVICES CONTRACT (IWMSC) - ACQUISITION OF SITE AT PEBSHAM, HASTINGS AND LEASING ARRANGEMENTS UNDER WASTE PFI 43 - 44

Report of the Interim Director of Finance & Resources – Exempt Category 3 (copy circulated to Members only).

Contact Officer: Angela Dymott, Richard Butler *Tel:* 29-1450, *Tel:* 29-1440
Ward Affected: All Wards

157. AWARD OF A CONTRACT FOR A NEW HR/PAYROLL SYSTEM 45 - 76

Report of the Director of Strategy & Governance – Exempt Category 3 (copy circulated to Members only).

Contact Officer: Shaun Rafferty *Tel:* 291290
Ward Affected: All Wards

CABINET

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 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, 7 January 2009

BRIGHTON & HOVE CITY COUNCIL

CABINET

4.00PM 18 DECEMBER 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

Other Members present: Councillors Mitchell Hawkes and Taylor

PART ONE

121. PROCEDURAL BUSINESS

121a Declarations of Interests

121a.1 Councillor Mears declared a personal and prejudicial interest in items 136 and 138 as a stall holder at the open market.

121b Exclusion of Press and Public

121b.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.

121b.2 **RESOLVED** - That the press and public be excluded from the meeting during consideration of items 138 onward.

122. MINUTES OF THE PREVIOUS MEETING

122.1 **RESOLVED** – That the minutes of the meeting held on 20 November 2008 be approved as a correct record.

123. CHAIRMAN'S COMMUNICATIONS

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

123.2 The Chairman explained that just prior to the Cabinet meeting the 'Housing LDV Cabinet Committee' has met to consider a report on the funding options. The Chairman reported

that the project, though responding to the consequences of the current global financial situation was progressing.

123.3 The Chairman was pleased to note that the council has been short-listed for 'Beacon Status' for the way it worked with partners to manage our night time economy. The result would be announced in March.

123.4 The Chairman was pleased that the city centre was clear of road works and that the shops were busy. The Chairman thanked everyone who had helped to make this happen and noted that this was the first time the council had been able to persuade all contractors to cease work during the festive period.

123.5 The Chairman commented on Government cessation of funding for Neighbourhood Management and Community Support. But was pleased to note that the administration - with support from the Local Strategic Partnership - was allocating nearly 1.2 million pounds to community support activities across the city for the next two years.

123.6 The Chairman was pleased to report that independent Audit Commission had recently improved the councils rating for 'use of resources'. They had judged the council to be performing well in all aspects of our financial management and awarded a Three star rating.

123.7 The Audit Commission has recognised that we are driving down overall costs and have robust plans for further savings. They also acknowledged that in areas where we are spending more, such as social care, it's with good reason.

124. ITEMS RESERVED FOR DISCUSSION

124.1 Items 136 and 137 were reserved by the Cabinet.

124.2 Items 131, 132 and 133 were reserved by Councillor Mitchell.

124.3 **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.

125. PETITIONS

125.1 There were none

126. PUBLIC QUESTIONS

126.1 The Chairman reported that one public question had been received and welcomed Mr Cope to the meeting.

126.2 Mr Cope asked the about the rationale and reasonableness of recent changes to refuse collections.

126.3 Councillor Theobald gave the following response:

126.4 'We have had to implement changes to refuse routes following the build of the new waste site in Hollingdean. Instead of tipping at Beddingham landfill, our trucks now tip next door to our refuse depot saving a lot of travelling time and allowing crews to finish early. If we did not implement the changes the tax payer would be paying for a very inefficient service.

126.5 The change in refuse routes affected all 121,000 households across the city and of the 16 crews we have, 3 are yet to settle down. So, the majority of crews are working very well.

126.6 Unfortunately one of those crews which has had problems is in your area and I apologise for the disruption you have suffered. We have been working with the crew, and re-jigged some of their work.

The changes were agreed with the union including the timing.'

126.7 Mr Cope then posed the following supplementary question:

126.8 'Why have the collection days been changing from week to week, what effect will this have on collections over the Christmas period and what is the cost of the additional work that has been carried out on Saturdays?'

126.9 Councillor Theobald replied:

126.10 'It is mammoth task to change from 19 collection routes to 16 and I apologise to those people experiencing problems as a result of the 3 routes which are having difficulties. As we have reduced the number of crews, any short term costs to bed in the service is within budget. The long term saving from these changes is just short of £1m for the next financial year.'

127. DEPUTATIONS

127.1 There were none.

128. LETTERS FROM COUNCILLORS

128.1 There were none.

129. WRITTEN QUESTIONS FROM COUNCILLORS

129.1 There were none.

130. NOTICES OF MOTIONS REFERRED FROM COUNCIL

130.1 There were none.

131. 08/09 QUARTER 2 PERFORMANCE REPORT*

131.1 The Cabinet considered a report of the Director of Strategy & Governance that provided information in relation to the performance of the council during Quarter 2 of 08/09 (for copy see minute book).

131.2 The Cabinet Member for Children & Young People shared concerns with Councillor Hawkes across a number of outcomes relating to children and young people; in particular the teenage pregnancy rate, the difficulties seen around young people who are not in education, training or employment (NEET) and child protection issues. She added that these areas were being focussed on and there would be a report at the next Children & Young People's Cabinet Member Meeting on the review of child protection services.

131.3 The Cabinet noted concerns raised by Councillor Mitchell in relation to; the visitor economy, a rise in the number of traffic accidents, providing additional homes and tackling fuel poverty.

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

131.5 That the Cabinet notes

- (1) Progress against the LAA outcomes and arrangements for further reporting and monitoring by partners.
- (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.
- (3) Arrangements for monitoring at departmental and divisional level of Departmental and Business Plans, including organisational health and equality indicators.

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

132.1 The Cabinet considered a report of the Director of Environment that sought approval of the updated Local Development Framework (for copy see minute book).

132.2 Councillor Theobald noted concerns raised by Councillor Mitchell regarding dealing with waste from London. He noted that GOSE were advising on the issue.

132.2 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations;

- (a) To approve 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.
- (b) To agree that the LDS should be brought into effect following approval by the Secretary of State.

133. WHITE AIR EXTREME SPORTS FESTIVAL 2009*

133.1 The Cabinet considered a report of the Director of Environment that sought landlord's consent to stage 'White Air Extreme Sports Festival' on Brighton and Hove seafront from the 18 – 20 September (for copy see minute book).

133.2 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations;

(1) That landlord's consent be granted 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) That officers be authorised to enter into formal agreement with the event organisers and to determine conditions of support as appropriate.

134. WORKING RELATIONS WITH THE OLDER PEOPLE'S COUNCIL

134.1 The Cabinet considered a report of the Director of Strategy & Governance that provided information on the links and working relations between the Council and the Older People's Council (for copy see minute book)

134.2 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations;

(1) To note the information contained within the report.

(2) To accept the actions set out in paragraph 3.4.1 of the report.

135. REVIEW OF LEARNING DISABILITY SERVICES GOVERNANCE ARRANGEMENTS

135.1 The Cabinet considered a report of the Director of Adult Social Care & Housing that had been prepared in response to a Green Party amendment regarding constitutional arrangements for the future governance of Learning Disability services (for copy see minute book)

135.2 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations;

(1) That the 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 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.

136. OPEN MARKET DEVELOPMENT PROPOSALS*

- 136.1 The Cabinet considered a report of the Director of Cultural Services that advised on progress made during the past nine months on proposals submitted to develop the Open Market (for copy see minute book).
- 136.2 Councillor Mears declared a personal and prejudicial interest in the item and left the chamber for the duration of the debate. Councillor Mrs Brown took the Chair for the item.
- 136.3 Councillor Taylor addressed the Cabinet in his role as Ward Councillor and as a member of the Market Group. He supported the regeneration and welcomed the new housing and covered site. He was pleased to note the recommendations about sustainability performance contained within the report.
- 136.4 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations;
- 136.5 That the Cabinet;
- (1) Note the project progress described in section 7 made since the Stage 2 submission received by the council in September 2007.
 - (2) 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) 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) 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) 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) Agrees that the Open Market Traders Association, supported by council officers, proceed to incorporate a Community Interest Company for the purpose of taking a long term lease on the new market and managing all aspects of the new market.
 - (7) Supports 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.

137. PROCUREMENT OF THE CORPORATE BUILDING CLEANING CONTRACT*

137.2 The Cabinet considered a report of the Director of Strategy & Governance that authorisation for the letting of the councils' corporate cleaning contract (for copy see minute book).

137.3 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations;

137.4 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.

PART TWO SUMMARY**138. OPEN MARKET DEVELOPMENT PROPOSAL**

138.1 The Cabinet considered a report of the Director of Cultural Services that advised on progress made during the past nine months on proposals submitted to develop the Open Market (for copy see minute book).

138.2 Councillor Taylor addressed the Cabinet in his role as Ward Councillor and as a member of the Market Group. He supported the regeneration and welcomed the new housing and covered site. He was pleased to note the recommendations about sustainability performance contained within the report.

138.3 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations;

138.4 That the Cabinet;

- (8) Note the project progress described in section 7 made since the Stage 2 submission received by the council in September 2007.
- (9) 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.
- (10) 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.

- (11) 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.
- (12) 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.
- (13) Agrees that the Open Market Traders Association, supported by council officers, proceed to incorporate a Community Interest Company for the purpose of taking a long term lease on the new market and managing all aspects of the new market.
- (14) Supports 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.

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

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

139.2 **RESOLVED** – That item 138, contained in Part Two of the agenda and the decisions thereon, remain exempt from disclosure to the press and public.

The meeting concluded at 5.05pm

Signed

Chair

Dated this

day of

CABINET MEETING

Agenda Item 148

Brighton & Hove City Council

Subject:	Written Questions From Councillors		
Date of Meeting:	15 January 2009		
Report of:	Director of Strategy & Governance		
Contact Officer:	Name:	Martin Warren	Tel: 29-1058
	E-mail:	martin.warren@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

i) COUNCILLOR JASON KITCAT

“Could Councillor Theobald provide, in detail, any arrangements for measuring the levels of waste and recycling collected during and after the introduction of communal bins to the city centre?”

CABINET MEETING

Agenda Item 150

Brighton & Hove City Council

Subject: Council Tax Base 2009/10
Date of Meeting: 15 January 2009
Report of: Interim Director of Finance & Resources
Contact Officer: Name: Mark Ireland Tel: 29-1240
E-mail: mark.ireland@brighton-hove.gov.uk
Key Decision: Yes Forward Plan No. CAB6523
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The council tax base represents the amount that would be raised by the setting of a £1 council tax.
- 1.2 It is a requirement of the Local Government Finance Act 1992 and regulations made thereunder that the tax base is calculated for the purpose of setting the Council Tax in 2009/10 before 31st January 2009.
- 1.3 The purpose of this report is for Members to agree the tax base calculation for 2009/10.

2. RECOMMENDATIONS:

- 2.1 That the report of the Interim Director of Finance & Resources for the calculation of the council's tax base for the year 2009/10 be approved.
- 2.2 That the Collection Rate increases by 0.1% to 98.1% and that an additional budget allocation of £52,000 from 2009/10 is made to the Revenues Service to achieve this increase generating a net saving of £50,000.
- 2.3 That pursuant to the Interim Director of Finance & Resources report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amounts calculated by Brighton & Hove City Council as its council tax base for the year 2009/10 shall be as follows:-
 - 2.3.1 For Brighton and Hove whole – 92,511.63
 - 2.3.2 For the Royal Crescent Enclosure Committee – 30.29
 - 2.3.3 For the Hanover Crescent Enclosure Committee – 40.35
 - 2.3.4 For the Marine Square Enclosure Committee – 78.63
 - 2.3.5 For the Parish of Rottingdean – 1,488.25

2.4 That for the purposes of Section 35(1) of the Local Government Finance Act 1992 the expenses of meeting the special levies issued to the council by the Enclosure Committees shall be its special expenses.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The tax base has been calculated in accordance with the Local Authority (Calculation of Council Tax Base) Regulations 1992. The detail of the calculation for the whole of Brighton & Hove is shown at appendix 1.

3.2 The regulations require a separate calculation to be carried out for parts of a local authority area where special expenses apply. Appendices 2, 3 and 4 show the details of the calculations for Enclosure Committees in Brighton which fall under this category. Each Enclosure Committee sets a levy for maintaining the enclosure gardens and this is recovered through an additional council tax charge to the enclosure residents. Appendix 5 shows the calculation for the Parish of Rottingdean.

3.3 The tax base is calculated as the aggregate of the “relevant amounts” for each valuation band multiplied by the council’s estimate of the “collection rate” for the year. The relevant amount is the authority’s estimate of the number of chargeable dwellings less discounts in valuation band, multiplied by the valuation band ratio. The collection rate is the authority’s estimate of the total amount of council tax relating to 2009/10 which will ultimately be paid.

3.4 Work has been undertaken to establish the level of resources that would be required in order to increase the collection rate by 0.1% to 98.1%. Best practice visits have identified successful pro-active practice in other high performing authorities and replicating this work should generate additional revenue to the council of about £0.1m. In order to achieve this £52,000 will be needed in the revenue budget to cover the cost of two extra officers to engage in pro-active recovery work, with the main emphasis being on outbound calls to secure payment before customers suffer the additional cost of enforcement action.

3.5 The tax base for 2009/10 is 92,511.63, a reduction of 0.9% from the 2008/09 tax base of 93,350.27. The main reason for the decrease is the increase in the number of student exempt properties which has not been offset by new properties as the credit crunch has had a detrimental impact on property developments across the city. Although the tax base projection is lower than 2008/09 this is still an improvement of 151.63 from the position previously reported to Members. This will raise an estimated £0.2m additional revenue to the council of which £0.1m is needed to generate the savings outlined in paragraph 3.4. The balance will be incorporated into the 2009/10 revenue budget report to Cabinet on 12th February 2009.

4. CONSULTATION

- 4.1 There are regular meetings between Strategic Finance and Customer Services to discuss the monthly movement in tax base and the projections used for determining the tax base for the following year.
- 4.2 Sussex Police Authority and East Sussex Fire Authority have been kept informed of the latest tax base projections.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The tax-setting tax base ("T") is a measure of the 2009/10 taxable capacity of the council and as such has a direct effect on the level of Council Tax. A higher tax base will result in a lower level of Council Tax.

Finance Officer Consulted: Mark Ireland Date: 31/12/08

Legal Implications:

- 5.2 Under section 67 of the Local Government Finance Act 1992 (as amended), the determination of an amount for "T" need not be a function of full Council, and is therefore proper to be made by the Executive. Regulation 8 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 requires the Council to calculate "T" between the period 1 December and 31 January so that any precepting authorities can be informed of the amount. The method of calculating "T" is as set out in the body of the report. Calculating "T" is a necessary function. It will ultimately enable the local Council Tax to be calculated after the Council has made decisions on the level of revenue it wishes to raise. Making the "T" calculation is not an indication of how much revenue the Council wants to raise. There are no immediate human rights implications in connection with this exercise.

Lawyer Consulted: Oliver Dixon Date: 22/12/08

Equalities Implications:

- 5.3 There are no direct equalities implications arising from this report.

Sustainability Implications:

- 5.4 None.

Crime & Disorder Implications:

- 5.5 None.

Risk & Opportunity Management Implications:

- 5.6 None.

Corporate / Citywide Implications:

- 5.7 The council's revenue budget position will determine the resources available to support the City Council's corporate implications.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 There are no alternative options as the council has a requirement to set the council tax base.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 It is a requirement of the Local Government Finance Act 1992 and regulations made thereunder that the tax base is calculated for the purpose of setting the Council Tax in 2009/10 before 31st January 2009.

SUPPORTING DOCUMENTATION

Appendices:

1. Tax base calculation for the whole of Brighton and Hove
2. Tax base calculation for Royal Crescent
3. Tax base calculation for Hanover Crescent
4. Tax base calculation for Marine Square
5. Tax base calculation for Rottingdean Parish

Documents in Members' Rooms

1. None

Background Documents

1. CTB return for Brighton & Hove City Council 2009/10
2. Targeted Budget Management (TBM) Month 4 Cabinet report 18th September 2008

Area:-

Brighton and Hove (Whole)

Appendix 1

Band:	A entitled to disabled relief reduction	A <40	B 40-52	C 52-68	D 68-88	E 88-120	F 120-160	G 160-320	H >320	Total
Range (£'k):										
1. Number of dwellings on list	0	26,134	27,877	33,121	18,961	10,824	4,379	2,613	172	124,081
2. Estimate of number of dwellings not listed	0	31	325	189	31	59	15	2	0	652
3. Estimate of number of dwellings listed which will not be in band	0	(10)	(59)	(106)	(104)	(58)	(39)	(41)	(22)	(439)
4. Estimated exempt dwellings	0	(2,224)	(1,931)	(2,869)	(1,191)	(446)	(148)	(128)	(23)	(8,960)
5. Disabled relief dwellings from band above	10	59	106	104	58	39	41	22	0	439
6. Number of chargeable dwellings (sum lines 1 - 5)	10	23,990	26,318	30,439	17,755	10,418	4,248	2,468	127	115,773
7. Single person discounts	5	14,234	11,922	10,251	5,018	2,569	852	388	9	45,248
8. All but one resident disregarded	0	406	520	475	219	120	33	20	1	1,794
9. Empty Dwellings	0	2	8	6	8	5	0	1	0	30
10. Second Homes	0	444	470	447	293	275	84	62	7	2,082
11. Long term empty properties	0	227	239	164	89	61	22	20	4	826
12. All residents disregarded	0	7	17	25	16	30	44	60	15	214
13. Total number of appropriate percentage discounts (Lines 7&8x0.25)+(Line 9x0.50)+(Line 10x0.10)+(Line 11x 0.00)+(Line 12x0.50)	(1.25)	(3,708.90)	(3,170.00)	(2,741.70)	(1,350.55)	(717.25)	(251.65)	(138.70)	(10.70)	(12,090.70)
14. Aggregate of Lines 6+13	8.75	20,281.10	23,148.00	27,697.30	16,404.45	9,700.75	3,996.35	2,329.30	116.30	103,682.30
15. Ratio to Band D	0.5556	0.6667	0.7778	0.8889	1.0000	1.2222	1.4444	1.6667	2.0000	
16. Relevant Amount (Line 14xLine 15)	4.86	13,520.73	18,004.00	24,619.82	16,404.45	11,856.47	5,772.51	3,882.17	232.60	

Aggregate of Relevant Amounts	94,297.61
Collection Rate	98.1%
Adjustment (contributions in lieu)	5.67
TAXBASE	92,511.63

Area:-

Royal Crescent

Appendix 2

Band:	A entitled to disabled relief reduction	A <40	B 40-52	C 52-68	D 68-88	E 88-120	F 120-160	G 160-320	H >320	Total
1. Number of dwellings on list	0	0	1	9	2	1	2	6	4	25
2. Estimate of number of dwellings not listed	0	0	0	0	0	0	0	0	0	0
3. Estimate of number of dwellings listed which will not be in band	0	0	0	0	0	0	0	0	0	0
4. Estimated exempt dwellings	0	0	0	0	0	0	0	0	0	0
5. Disabled relief dwellings from band above	0	0	0	0	0	0	0	0	0	0
6. Number of chargeable dwellings (sum lines 1 - 5)	0	0	1	9	2	1	2	6	4	25
7. Single person discounts	0	0	0	2	2	0	0	1	0	5
8. All but one resident disregarded	0	0	0	1	0	0	0	0	0	1
9. Empty Dwellings	0	0	0	0	0	0	0	0	0	0
10. Second Homes	0	0	0	1	0	0	0	2	0	3
11. Long term empty properties	0	0	0	1	0	0	0	0	0	1
12. All residents disregarded	0	0	0	0	0	0	0	0	0	0
13. Total number of appropriate percentage discounts (Lines 7&8x0.25)+(Line 9x0.50)+(Line 10x0.10)+(Line 11x 0.00)+(Line 12x0.50)	0.00	0.00	0.00	(0.85)	(0.50)	0.00	0.00	(0.45)	0.00	(1.80)
14. Aggregate of Lines 6+13	0.00	0.00	1.00	8.15	1.50	1.00	2.00	5.55	4.00	23.20
15. Ratio to Band D	0.5556	0.6667	0.7778	0.8889	1.0000	1.2222	1.4444	1.6667	2.0000	
16. Relevant Amount (Line 14xLine 15)	0.00	0.00	0.78	7.24	1.50	1.22	2.89	9.25	8.00	
Aggregate of Relevant Amounts										30.88
Collection Rate										98.1%
Adjustment (contributions in lieu)										0.00
TAXBASE										30.29

Area:-

Hanover Crescent

Appendix 3

Band:	A entitled to disabled relief reduction	A <40	B 40-52	C 52-68	D 68-88	E 88-120	F 120-160	G 160-320	H >320	Total
1. Number of dwellings on list	0	3	10	11	12	3	7	1	0	47
2. Estimate of number of dwellings not listed	0	0	0	0	0	0	0	0	0	0
3. Estimate of number of dwellings listed which will not be in band	0	0	0	0	0	0	0	0	0	0
4. Estimated exempt dwellings	0	(1)	(1)	0	0	0	0	0	0	(2)
5. Disabled relief dwellings from band above	0	0	0	0	0	0	0	0	0	0
6. Number of chargeable dwellings (sum lines 1 - 5)	0	2	9	11	12	3	7	1	0	45
7. Single person discounts	0	1	4	8	3	1	1	0	0	18
8. All but one resident disregarded	0	0	1	0	0	0	0	0	0	1
9. Empty Dwellings	0	0	0	0	0	0	0	0	0	0
10. Second Homes	0	0	0	0	1	0	0	0	0	1
11. Long term empty properties	0	0	0	0	0	0	0	0	0	0
12. All residents disregarded	0	0	0	0	0	0	0	0	0	0
13. Total number of appropriate percentage discounts (Lines 7&8x0.25)+(Line 9x0.50)+(Line 10x0.10)+(Line 11x 0.00)+(Line 12x0.50)	0.00	(0.25)	(1.25)	(2.00)	(0.85)	(0.25)	(0.25)	0.00	0.00	(4.85)
14. Aggregate of Lines 6+13	0.00	1.75	7.75	9.00	11.15	2.75	6.75	1.00	0.00	40.15
15. Ratio to Band D	0.5556	0.6667	0.7778	0.8889	1.0000	1.2222	1.4444	1.6667	2.0000	
16. Relevant Amount (Line 14xLine 15)	0.00	1.17	6.03	8.00	11.15	3.36	9.75	1.67	0.00	
Aggregate of Relevant Amounts										41.13
Collection Rate										98.1%
Adjustment (contributions in lieu)										0.00
TAXBASE										40.35

Area:-

Marine Square

Appendix 4

Band:	A entitled to disabled relief reduction	A <40	B 40-52	C 52-68	D 68-88	E 88-120	F 120-160	G 160-320	H >320	Total
1. Number of dwellings on list	0	65	25	24	3	2	1	2	0	122
2. Estimate of number of dwellings not listed	0	0	0	0	0	0	0	0	0	0
3. Estimate of number of dwellings listed which will not be in band	0	0	0	0	0	0	0	0	0	0
4. Estimated exempt dwellings	0	(4)	0	0	0	0	0	0	0	(4)
5. Disabled relief dwellings from band above	0	0	0	0	0	0	0	0	0	0
6. Number of chargeable dwellings (sum lines 1 - 5)	0	61	25	24	3	2	1	2	0	118
7. Single person discounts	0	29	13	11	1	0	1	0	0	55
8. All but one resident disregarded	0	3	0	0	0	0	0	0	0	3
9. Empty Dwellings	0	0	0	0	0	0	0	0	0	0
10. Second Homes	0	5	1	2	0	0	0	0	0	8
11. Long term empty properties	0	1	0	0	0	0	0	0	0	1
12. All residents disregarded	0	0	0	0	0	0	0	0	0	0
13. Total number of appropriate percentage discounts (Lines 7&8x0.25)+(Line 9x0.50)+(Line 10x0.10)+(Line 11x 0.00)+(Line 12x0.50)	0.00	(8.50)	(3.35)	(2.95)	(0.25)	0.00	(0.25)	0.00	0.00	(15.30)
14. Aggregate of Lines 6+13	0.00	52.50	21.65	21.05	2.75	2.00	0.75	2.00	0.00	102.70
15. Ratio to Band D	0.5556	0.6667	0.7778	0.8889	1.0000	1.2222	1.4444	1.6667	2.0000	
16. Relevant Amount (Line 14xLine 15)	0.00	35.00	16.84	18.71	2.75	2.44	1.08	3.33	0.00	
Aggregate of Relevant Amounts										80.15
Collection Rate										98.1%
Adjustment (contributions in lieu)										0.00
TAXBASE										78.63

Area:-

Rottingdean Parish

Appendix 5

Band:	A entitled to disabled relief reduction	A <40	B 40-52	C 52-68	D 68-88	E 88-120	F 120-160	G 160-320	H >320	Total
Range (£'k):										
1. Number of dwellings on list	0	125	136	191	353	314	269	127	9	1,524
2. Estimate of number of dwellings not listed	0	0	0	0	0	0	0	0	0	0
3. Estimate of number of dwellings listed which will not be in band	0	0	0	(1)	(8)	(1)	(1)	(2)	(1)	(14)
4. Estimated exempt dwellings	0	(5)	(8)	(4)	(9)	(4)	(7)	(2)	0	(39)
5. Disabled relief dwellings from band above	0	0	1	8	1	1	2	1	0	14
6. Number of chargeable dwellings (sum lines 1 - 5)	0	120	129	194	337	310	263	124	8	1,485
7. Single person discounts	0	66	68	85	126	103	58	23	2	531
8. All but one resident disregarded	0	2	2	0	3	6	0	0	0	13
9. Empty Dwellings	0	0	1	0	0	0	0	0	0	1
10. Second Homes	0	15	5	3	12	14	10	3	0	62
11. Long term empty properties	0	4	1	3	0	1	1	3	0	13
12. All residents disregarded	0	0	0	2	1	0	2	3	1	9
13. Total number of appropriate percentage discounts (Lines 7&8x0.25)+(Line 9x0.50)+(Line 10x0.10)+(Line 11x 0.00)+(Line 12x0.50)	0.00	(18.50)	(18.50)	(22.55)	(33.95)	(28.65)	(16.50)	(7.55)	(1.00)	(147.20)
14. Aggregate of Lines 6+13	0.00	101.50	110.50	171.45	303.05	281.35	246.50	116.45	7.00	1,337.80
15. Ratio to Band D	0.5556	0.6667	0.7778	0.8889	1.0000	1.2222	1.4444	1.6667	2.0000	
16. Relevant Amount (Line 14xLine 15)	0.00	67.67	85.94	152.40	303.05	343.87	356.06	194.08	14.00	
Aggregate of Relevant Amounts										1,517.07
Collection Rate										98.1%
Adjustment (contributions in lieu)										0.00
TAXBASE										1,488.25

CABINET MEETING

Agenda Item 152

Brighton & Hove City Council

Subject:	Integrated Waste Management Services Contract (IWMSC) – Acquisition of site at Pebsham, Hastings and leasing arrangements under Waste PFI		
Date of Meeting:	15 January 2009		
Report of:	Interim Director of Finance & Resources		
Contact Officer:	Name:	Angela Dymott	Tel: 29-1450
		Richard Butler	Tel: 29-1440
	e-mail:	angela.dymott@brighton-hove.gov.uk	
		richard.butler@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No. CAB 7220	
Wards Affected:	All	City-wide Implications	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To summarise briefly the arrangements leading to the Integrated Waste Management Service Contract, advise Cabinet of the proposals for the provision of one of the sites for waste management and seek authorisation to deal with the property transactions. The Policy & Resources Committee previously considered the Waste Contract and the Joint Working Arrangements (JWA) with East Sussex County Council (ESCC) at a special meeting of Policy & Resources on 12th March 2003. Subsequently, at meetings on 1st March 2006 and 28th June 2007 the Policy & Resources Committee approved joint acquisition and leasing arrangements in respect of several sites across the county which form part of the joint waste contract with ESCC. After protracted negotiations ESCC have now agreed terms for the eastern site which is located Pebsham between Bexhill and Hastings (See attached plan). This report is complemented by a report in part two of the Agenda.

2. RECOMMENDATIONS:

- 2.1 That Cabinet approve and authorise the Director of Finance & Resources and Assistant Director Property & Design to enter into the following agreements :-

(1)The acquisition of a leasehold interest, jointly with ESCC, in land at Pebsham between Bexhill and Hastings

(2)To grant, jointly with ESCC, an underlease to South Downs Waste Services Ltd (SDWS Ltd) to build and operate a waste transfer station, recycling facility and additional waste plant as required.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS

- 3.1 On 12 March 2003 Policy & Resources Committee approved the Integrated Waste Management Service Contract whereby for the next 50 years Brighton & Hove City Council would enter into partnership with ESCC to procure a solution to waste management, recycling and disposal throughout Brighton & Hove and East Sussex. Policy & Resources Committee also approved the award of the contract to Onyx (now Veolia) and the concept of the JWA, authorising the Head of Law to finalise the details of the latter agreement. Central to the waste proposals is the need to work with the waste contractor who will procure sites where necessary and deal with all aspects of waste transfer, re-cycling and disposal. This was the culmination of several years' joint effort to adopt a new approach to waste management.
- 3.2 During a period from 1997 to 2003 a Waste Study was undertaken to investigate methods of recycling and disposal and the sites needed to facilitate those activities. From the study the Waste Strategy was developed with ESCC and incorporated in the Waste Local Plan. This in turn was covered in the report approved by Committee in March 2003.
- 3.3 Under the contract the waste company is required to buy sites or obtain 50 year leases and make them available to the joint authorities to the Waste PFI. Under the terms of the Waste PFI and the JWA the councils must have shared interest in all the main sites provided. There are detailed arrangements in the JWA governing working arrangements and the ultimate disposal of the sites if no longer required by the authorities.
- 3.4 The Waste Contractor is now undertaking the construction of waste facilities at a number of sites jointly held by Brighton & Hove City Council and East Sussex County Council. These include the Waste Transfer Station and Materials Recycling Facility at Hollingdean Lane, both of which are now in operation, plus various waste facilities at Maresfield, Newhaven and Whitesmith (between Uckfield and Hailsham).
- 3.5 For several years both the Waste Contractor and ESCC attempted to negotiate terms for a new extended lease of the existing waste site at Pebsham. Currently ESCC have a lease until 2018 and Veolia have an underlease from ESCC until 2016. The length of terms did not suit the objectives of the waste contract which required the councils to hold the freehold or at least a 50 year term to permit development of the waste facilities on the site.
- 3.6 After protracted negotiations, the site owner, Hastings Borough Council relaxed its stance late in the first week of December enabling ESCC to agree terms for an extended lease of the site. On the basis of the terms agreed, ESCC and B&HCC will jointly lease the site from Hastings Borough Council for a term of 50 years with effect from 01/04/2008. The two councils will then lease the site on the similar terms to Veolia or their nominated company. Veolia will set in motion plans to develop a waste transfer station and materials recycling facility on this, the eastern most of the joint waste sites. In addition the agreement makes provision for the development of other waste facilities as required.

4. CONSULTATION

- 4.1 East Sussex County Council, Hastings Borough Council, Cityclean and other internal and relevant parties at B&HCC.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The original plan for the Pebsham site envisaged the Council's waste contractor obtaining a freehold interest. However the current landowner, Hastings Borough Council, is only willing to consider the granting of a lease. The financial provision made by the waste contractor is insufficient to cover the full costs of the annual lease charge from Hastings Borough Council. However this was anticipated and provision has been made in the Waste PFI to meet the potential additional costs of acquiring the land which is sufficient to meet the Council's estimated liability.

Finance Officer Consulted: Mark Ireland Date: 09/12/08

Legal Implications:

- 5.2 The purpose and terms of the proposed lease at Pebsham are consistent with the purpose and terms of the Integrated Waste Management Services contract.

Lawyer Consulted: Jonathan Vernon-Hunt Date: 09/12/08

Equalities Implications:

- 5.3 The key equalities implication for the use of this site is to ensure it meets identified and future waste needs.

Sustainability Implications:

- 5.4 The appropriate use of this site has the potential to address long term waste requirements for ESCC and B&HC as part of the Waste PFI. It forms an important link in a chain of sites extending across Sussex from Hollingdean in the west to Pebsham in the east.

Crime & Disorder Implications:

- 5.5 Whilst the problem of "fly – tipping" is widespread the better the system for dealing with waste the greater the chance there is of reducing this problem.

Risk & Opportunity Management Implications:

- 5.6 The key risk is to avoid the loss of this important waste site which currently already forms an important part of the chain of sites across Sussex for waste processing and transfer.

Corporate / Citywide Implications:

- 5.7 Whilst this site will not be directly involved in dealing with waste from the City it forms an important part of the network of sites established to provide a co-ordinated approach to waste handled as part of the Waste PFI between ESCC and the City Council.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 A number of options were assessed for an eastern site during the study period from 1997 to 2003 and the Pebsham site, which was already the subject of an ESCC lease, was considered to be the best available. During the subsequent protracted negotiations whilst other solutions were considered the inescapable conclusion was that Pebsham offered the best solution in terms of size, location and given its existing status as a waste site.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Under the Joint Working Arrangements (JWA) the two councils have agreed to enter a Deed establishing Trusts for each of the waste sites. The JWA sets out the basic requirements for the Trusts and the arrangements for ultimate disposal in the event that the councils agree that they no longer wish to use one or any of the sites for waste purposes.
- 7.2 Under the waste agreement the two councils share control of the sites. The combination of this requirement and the fact that the various sites across the county were owned by various parties, Council and private, has resulted in somewhat complex leasing arrangements to put the councils, as nearly as possible on an even footing in terms of their interests in each of the sites.
- 7.3 Accordingly, Cabinet authorisation is needed to enable the Council to jointly take a lease of the site with ESCC. In addition, given the terms of the sub lease to Veolia, or their nominated subsidiary, Cabinet Approval is also necessary to enable a sublease to be granted.
- 7.4 Negotiations for the Pebsham site were in stalemate for several years but early in December Hastings Borough Council relaxed its stance to enable agreement of a reasonable transaction which met all the objectives of the Integrated Waste Management Services Contract. The other waste facilities being developed in Brighton & Hove and across East Sussex are aimed at meeting local demand whilst addressing specialist requirements for a wider area at particular sites such as the Energy from Waste facility at Newhaven. In this way the object is to provide an integrated range of waste facilities to meet the requirements of the main waste producing areas both now and into the future. This is vital to meet Government targets and to address the imminent loss of local landfill sites as they reach capacity. The

site at Pebsham is an important link in the chain to deal with waste transfer and materials recycling for the eastern part of the County.

SUPPORTING DOCUMENTATION

Appendices:

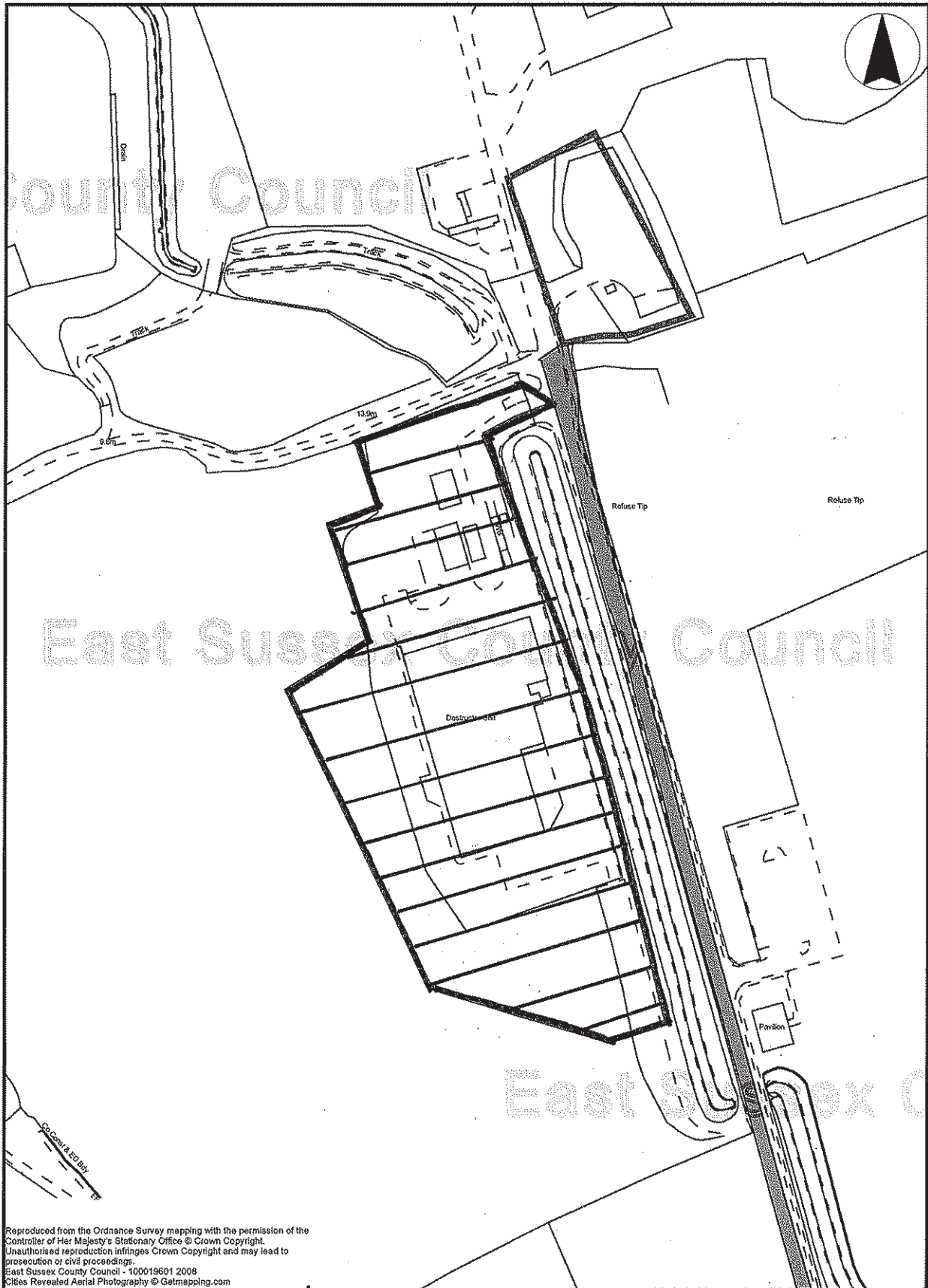
1. Site Plan

Documents In Members' Room

None

Background Documents

None



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<p>County Hall St Anne's Cresent</p>	<p>Date : 11 Dec 2008</p>	<p>Map No :</p>
<p>Lewes</p>	<p>Scale : 1: 2500</p>	<p>Author :</p>

CABINET MEETING

Agenda Item 153

Brighton & Hove City Council

Subject: Award of a Contract for a New HR/Payroll System
Date of Meeting: 15 January 2009
Report of: Director of Strategy & Governance
Contact Officer: Name: Shaun Rafferty Tel: 29-1290
E-mail: shaun.rafferty@brighton-hove.gov.uk
Key Decision: Yes Forward Plan No. CAB2874
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To seek approval for Brighton & Hove City Council to award the contract for the provision of an integrated HR/Payroll Management Information System and associated services following the procurement process advertised through the Official Journal of the European Union (OJEU). NB This paper needs to be read in conjunction with the sister paper on Part B of the Agenda which contains commercially sensitive information.

2. RECOMMENDATIONS:

- 2.1 To note the contents of the report and the information provided in the sister paper on Part B of the Agenda.
- 2.2 It is recommended that cabinet approve the award of the contract to “contractor A” following the outcome of a tender submission and formal presentation.
- 2.3 That the five year contract, with an optional extension of up to a further two years, commences as soon as legal clarifications have been concluded.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Members will see from the report on Part B of the Agenda that the council has a number of patchwork legacy systems that currently provide payroll, recruitment, employee management information and a range of other functions that have reached the end of their functioning life. At present, the absence of one post based HR system to provide essential data, that is easily updated and integrates with our new Financial Information System is a real barrier to a variety of strategies for developing our workforce, financial planning, the delivery of value for money and the provision of an HR service that adds real value to the council and moves away from having a focus on providing paper based transactional services.

- 3.2 The Policy & Resources Committee of 6th March 2008 considered a report on the options appraisal and risk assessment of maintaining the existing software systems and of tendering through the Official Journal of the European Union (OJEU) for a new integrated system. Authorisation was granted to commence the procurement process with cabinet approval required for award of contract at the conclusion of the tendering process and for agreement of the final funding structure of the project.
- 3.3 The tender was advertised in the OJEU on 31st March 2008 with a closing date of 7th May 2008. There were 17 responses to the Pre-Qualification Questionnaire and following evaluation, 6 of these companies were invited to tender.
- 3.4 The Invitation to Tender was issued on 3rd September 2008 with a closing date of 13th October 2008. During this period each supplier was invited to a separate tender clarification meeting to communicate the council's vision and to allow tenderers the opportunity to ask key members of the project team any questions. Responses to any questions raised at these clarification meetings, or received in writing, were provided to all tenderers.
- 3.5 An evaluation matrix was established to score each tenderer as follows:

Evaluation Criteria	Maximum Percentage Score
Pricing	35%
Contract Compliance	5%
Functional and ICT Requirements	40%
Presentation (Scenarios)	10%
Presentation (Project Board & Users)	4%
Organisation	6%

- 3.6 The procurement of technology services is complex and can require specialist advice and guidance. External legal advisers were appointed to support this major procurement. This was to provide assurance and reduce the likelihood of contractual difficulties. The advisors will provide knowledge and skills transfer as part of the agreement to enhance the council's ability to procure major ICT systems internally in the future.
- 3.7 Following the evaluation of the suppliers the scores for the preferred and reserve bidders were as follows:

Contractor A	86.35%
Contractor B	81.35%

4. CONSULTATION:

- 4.1 The specification for the tender was drafted having consulted a range of other organisations that had tendered for similar services recently, key internal professionals with relevant up to date technical knowledge and external professionals who have advised on similar procurement exercises.
- 4.2 The AD, Head of Human Resources also conducted extensive discussions with senior officers and members on the vision for the service and how new systems could support significant organisational change and value for money.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The financial implications of the project are detailed within the Part B report.

Finance Officers Consulted: Anne Silley & Rob Allen Date: 09/12/08

Legal Implications:

- 5.2 The contract falls under 'Part A' of the EU Procurement Directive and accompanying UK Regulations. As a result, the contract is subject to the full application of both the Directive and Regulations. The tender process has been undertaken in compliance with the relevant legislation. 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:

- 5.3 A new system will support improved diversity monitoring across a range of employment related areas.

Sustainability Implications:

- 5.4 The contract will be awarded to support the council's sustainability strategy. The provision of an integrated HR/Payroll Management Information System will improve the council's carbon footprint by significantly reducing the amount of paper and manual processes by introducing Employee and Manager Self Service and by reducing the council's direct energy use.

Crime & Disorder Implications:

- 5.5 The system will improve the management of all necessary employment checks prior to employment commencing or on renewal of registration. This will include Criminal Records Bureau, Child Protection Register, right to work in the UK, references and health checks.

Risk & Opportunity Management Implications:

- 5.6 The Policy & Resources Committee report of 6th March 2008 included an initial risk log for the project that is also included in the Part B report.

Corporate / Citywide Implications

- 5.7 A post-based HR system will support improved financial control across the whole organisation. An HR service that can contribute more strategically to the council will impact on organisational change and service delivery.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The business case and options appraisal presented in March 2008 considered the merits and risk of retaining existing systems compared with procuring a new integrated HR/Payroll system. An updated business case is attached within the Part B report. One of the council's key HR systems will only be supported by the existing supplier in the short-term and the risk of maintaining and developing the current systems is high.
- 6.2 The option of outsourcing has not been preferred on the strategic view that the benefits to be delivered by a new system can be realized with the service "in-house" and thus all of the benefits retained for the council tax payer. Experience of several recent HR outsourcing ventures elsewhere in the UK strongly suggests that organisations should make their functions cost effective before any consideration of other options.

7. REASONS FOR REPORT RECOMMENDATIONS:

- 7.1 Following a tender process in line with both EU and council regulations the preferred contractor has shown through their tender submission and subsequent presentation that they are the company which has provided most evidence to support their ability to deliver on this contract.
- 7.2 The contract will support a number of the council's priorities in both better use of public money through use of resources, protecting the environment by eliminating paper and other resources, reducing inequality through improved management information for monitoring and informing strategy.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None

Background Documents:

None

CABINET MEETING

Agenda Item 154

Brighton & Hove City Council

Subject:	Review of Cabinet Member Functions for Community Safety
Date of Meeting:	15 January 2009
Report of:	Director of Strategy & Governance
Contact Officer:	Name: Abraham Ghebre-Ghiorghis Tel: 29-1500
	E-mail: abraham.ghebre-ghiorghis@brighton-hove.gov.uk
Key Decision:	No
Wards Affected:	All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Community Safety has been an important function of the Council and is likely to increase in importance with new initiatives, such as the creation of a Crime and Disorder Committee and proposals in the Green paper on policing issued by the Home Office in July 2008. This report proposes a realignment of the Cabinet Member responsibilities to reflect this and to achieve greater co-ordination with related functions around equalities, inclusion and community affairs by transferring the Community Safety function from the Cabinet Member for Environment to the Cabinet Member for Community Affairs, Inclusion and Internal Relations.

2. RECOMMENDATIONS:

- 2.1 That the **Governance Committee** considers and comments on the proposals from the Leader as set out in this report regarding the transfer of community safety functions currently delegated to the Cabinet Member for Environment to the Cabinet Member for Community Affairs, Inclusion and Internal Relations.
- 2.2 That the **Cabinet** agrees the proposals and authorises the Head of Law to make the necessary amendments to the Council's constitution.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Under the Council's constitution, Cabinet responsibility for Public Safety, which includes Community Safety and Civil Contingencies, is delegated to the Cabinet Member for Environment. The community safety functions are described in the constitution as including the co-ordination of the Council's functions regarding the police and public safety, making consultative arrangements under the Police Act 1996, drawing up community safety plans and co-ordinating the Council's functions under the Crime and Disorder Act 1998. This will expand to include

initiatives relating to the Crime and Disorder Committee when section 19 of the Police and Justice Act 2006 comes into force. A full description of the functions as they appear in the Council's constitution is attached in appendix 1.

3.2 Although Community Safety has historically been part of the Environment Committee/ Cabinet Member portfolio, there are emerging issues that make a re-alignment of the functions necessary. They tend to suggest that it would be more appropriate for these functions to be discharged as part of the functions of the Cabinet Member for Community Affairs, Inclusion and Internal Relations (CAIIR). In particular:

3.2.1 There is a recognised link between community safety (including the reduction of crime and disorder) and policies on community engagement, equalities and inclusion. These already form part of the Cabinet Member for CAIIR's portfolio.

3.2.2 The Environment Cabinet Member portfolio, covering as it does Public Safety, Parks and Open Spaces, Travellers and Gypsies, Highways and Traffic, Parking, Waste, Conservation and Design, Coast Protection, Seafront, Environmental Health, Building Control, Trading Standards, Planning and Licensing, carries an extremely heavy workload. In order to provide Community Safety greater focus at Cabinet level, and given the overlap between community safety and the functions encompassed in the Cabinet member for CAIIR's remit, it would be more effective for these functions to be discharged as part of the same portfolio.

3.2.3 Part of the Policing Green Paper, issued by the Home Office in July 2008, is about improving the connection between the public and the police. The Council responded to the Green Paper consultation and has an interest in proposals for directly elected crime and policing representatives, neighbourhood policing and holding the police to account through Councillor Call for Action.

By taking on responsibility for community safety matters, the Cabinet Member for CAIIR would be well placed to assimilate the Green Paper proposals that affect the Council and to give a political lead where required.

3.3 Under this proposal, Cabinet level responsibility for Civil Contingencies would remain with the Cabinet Member for Environment.

3.4 Under the Local Government Act 2000 the decision about individual portfolios remains with the Leader and with his/her permission, with the Cabinet. When the constitution was adopted, it was agreed that any permanent changes to the scheme of delegations should be considered by the Governance Committee who then makes recommendations to the decision-maker. The Leader is minded to introduce the changes outlined in the report with the decision taken at Cabinet. This report is therefore coming to the Governance Committee for comments/recommendations before going to the Cabinet for a decision.

4. CONSULTATION

- 4.1 The Leader of the Council and the relevant Cabinet members were consulted and they are supportive of the proposals.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

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

Finance Officer Consulted: Anne Silley Date: 17/12/08

Legal Implications:

- 5.2 The proposals in this report are in accordance with the Local Government Act 2000 and the Council's constitution

Lawyer Consulted: Abraham Ghebre-Ghiorghis Date: 17/12/08

Equalities Implications:

- 5.3 The proposals will have positive equalities implications by enabling the discharge of community safety functions alongside equalities, inclusion and community affairs.

Sustainability Implications:

- 5.4 There are no sustainability implications arising from this report

Crime & Disorder Implications:

- 5.5 The proposals will enable issues around crime and disorder to receive a more focussed attention and achieve greater co-ordination between crime and disorder and the wider community engagement agenda.

Risk and Opportunity Management Implications:

- 5.6 The proposals will provide the opportunity for greater co-ordination of related functions.

Corporate / Citywide Implications:

- 5.7 The proposals will assist the Council by providing greater focus and co-ordination at Member level between community safety and the wider community engagement agenda.

6. EVALUATION OF ALTERNATIVE OPTIONS

The retention of the existing arrangements was considered, but for reasons set out in the report, the proposed changes will enable a more effective discharge of Council functions regarding Community Safety

7. REASONS FOR REPORT RECOMMENDATIONS

These are set out in paragraphs 3.2.1-3.2.3 of the report.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1: list of community safety functions currently delegated to Cabinet member for Environment

Documents in Members' Rooms

None

Background Documents

1. The Council's constitution

Appendix 1

Delegated Functions – Cabinet Member for Environment

1. Public Safety

(a) Community Safety

To co-ordinate the Council's functions regarding the police and public safety and to take such action as is necessary, including:

- (i) making consultative arrangements under the Police Act 1996;
- (ii) drawing up community safety plans;
- (iii) co-ordinating the Council's functions under the Crime and Disorder Act 1998 including the formulation, with other responsible authorities, of strategies for reducing crime and disorder and the making of child curfew schemes providing that this shall not include the adoption of the Crime and Disorder Reduction Strategy.

(b) Civil Contingencies

To exercise the Council's functions in relation to emergency planning and business continuity, including the Council's functions under the Civil Contingencies Act 2004.

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