

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.00pm 3 MARCH 2015

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Fitch (Chair), Barnett, Bowden, Brown, Buckley, Carden, Cobb (Deputy Chair), Cox, Daniel, Davey, Deane, Duncan, Farrow, Gilbey, Hamilton, Hawtree, Hyde, A Kitcat, J Kitcat, Lepper, Littman, Mac Cafferty, Marsh, Meadows, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pissaridou, Powell, Randall, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Wealls, Wells, West and Wilson

PART ONE

57 DECLARATIONS OF INTEREST

- 57.5 Councillors Buckley, Davey, Farrow and Wells declared an interest in items 59, General Fund Revenue Budget & Council Tax 2015/16 as they were Board Members of Brighton & Hove Seaside Homes Ltd which was affected by the joint amendment.
- 57.6 The Mayor noted that no other declarations of interests in matters appearing on the agenda, other than had previously been declared were made.

58 MAYOR'S COMMUNICATIONS.

- 58.5 The Mayor welcomed everyone back to the reconvened meeting and invited the Chief Executive to address the Council.
- 58.6 The Chief Executive thanked the Mayor and stated that "Following the heated discussion in the Council chamber at the end of the long night of 26/2/15 I sought a private conversation with Councillor Mary Mears. I am sorry that this took place in a public area and was experienced by Councillor Mears as disrespectful. That was certainly not my intent. I am sorry. I acknowledge how frustrating it has been for all Members to find time to reconvene. I appreciate the excellent turnout and preparedness to reprioritise diaries."
- 58.7 Councillor Mears thanked the Chief Executive for her apology and stated that she was willing to draw a line under the matter and to move on.

- 58.8 Councillor G. Theobald raised a point of clarification with regard to the information provided at the previous meeting, when it had been intimated that Group Leaders had been aware of the potential date for an adjourned budget council meeting. Having checked the minutes of the Leaders Group meeting in question, no record had been found and he had received an apology from the Monitoring Officer.
- 58.9 The Mayor thanked Councillors Mears and Theobald and also stated that he wished to apologise to the Council if he had in any way misled Members over the date for a potential reconvened meeting.
- 58.10 Councillor Cobb noted that the Monitoring Officer had given an apology to the Leader of the Conservative Group, but questioned whether he wished to comment further on the matter.
- 58.11 The Monitoring Officer stated that his recollection and that of the Head of Democratic Services had been that a potential date for a reconvened budget council meeting had been raised with the Group Leaders. However, he acknowledged that there is no reference to this in the notes of the meeting. He further stated that, as honourable Members, he accepts the statement from Councillors Theobald and Peltzer Dunn that this was not mentioned and would like to apologise for any offence caused.
- 58.12 The Mayor thanked the Chief Executive and the Monitoring Officer, as well as Councillor Mears and noted that a revised procedural note had been circulated for the meeting. He therefore moved that the new procedural note should be agreed and put it to the vote.
- 58.13 The motion was **carried**.

59 GENERAL FUND REVENUE BUDGET & COUNCIL TAX 2015/16

- 59.73 The Mayor stated informed the Council that he understood the Group Leaders and Finance Leads had agreed to move each of their budget proposals and for a joint amendment to be moved. He therefore intended to call on the respective Members to move their proposed budgets and the amendment before putting each to the vote.
- 59.74 The Mayor then called on Councillor Jason Kitcat to move the Green Group's proposed budget based on a council tax increase of 5.9% as previously amended.
- 59.75 Councillor Kitcat thanked the Mayor and stated that he wished to thank all Members and officers who had worked during an intense period to reach a joint amendment that was before the meeting today. It remained the Administration's view that a council tax increase of 5.9% was the best option for the long-term of the council. He therefore wished to move the proposed referendum budget and to urge Members to consider backing the opportunity to hold a referendum. He also moved the joint amendment to the Threshold budget on behalf of the Green and Labour & Co-operative Groups which would be considered should the referendum budget be lost.
- 59.76 Councillor Sykes formally seconded the referendum budget as moved by Councillor Kitcat.

- 59.77 Councillor G. Theobald moved the council tax freeze budget on behalf of the Conservative Group and noted that it provided for support to services, protected funding and adult services, as well as keeping parking fees down. With regard to the joint amendment, he could not support what was unnecessary increase to council tax and meant that residents had to pick up the bill. He therefore urged Members to consider supporting a council tax freeze which had government grant funding to enable services to be maintained.
- 59.78 Councillor A. Noman formally seconded the council tax freeze budget as moved by Councillor Theobald.
- 59.79 Councillor Morgan stated that he wished to thank the officers involved in enabling the council to reach the position it was in today. He was pleased to support and second the joint amendment for a threshold budget, which protected services and noted that the Labour Group had now compromised on two occasions, in order to achieve an agreed position. He hoped that a budget could be set at the present meeting and called on all Members to agree the joint amendment.
- 59.80 Councillor Hamilton formally seconded the threshold budget as amended and moved by Councillor Morgan.
- 59.81 Councillor Summers stated that she felt it was a real shame to have wasted the time of officers and resources, in order to have to hold today's meeting. She believed that discussions and negotiations should have been held prior to the actual budget council meeting so that an agreed position could have been reached. She also hoped that a budget would be set at the meeting and whilst the joint amendment did not meet all the aspects that her previous amendment had sought to achieve it was a positive step forward.
- 59.82 The Mayor noted the comments and stated that he would put the joint amendment followed by each of the budget proposals to the vote.
- 59.83 The Mayor then put the joint amendment from the Green and Labour & Co-operative Group's to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett - absent				Meadows	√		
Bowden	√			Mears		X	
Brown		X		Mitchell	√		
Buckley		X		Morgan	√		
Carden	√			A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips		X	

Davey	√			Pidgeon - absent			
Deane	√			Pissaridou	√		
Duncan		X		Powell	√		
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus		X	
Hamilton	√			Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio - absent				Summers	√		
Jarrett - absent				Sykes	√		
Jones - absent				C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat	√			Wakefield - absent			
J Kitcat	√			Wealls		X	
Lepper	√			Wells		X	
Littman			Ab	West	√		
MacCafferty		X		Wilson	√		
				Total	26	20	1

59.84 The Mayor confirmed that the Joint Amendment had been **carried** by 26 votes to 20 with 1 abstention.

59.85 The Mayor then put the referendum budget based on a 5.9% council tax increase to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh		X	
Bennett - absent				Meadows		X	
Bowden	√			Mears		X	
Brown		X		Mitchell		X	
Buckley		X		Morgan		X	
Carden		X		A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	

Daniel		X		Phillips		X	
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou		X	
Duncan		X		Powell	√		
Farrow		X		Randall	√		
Fitch		X		Robins		X	
Gilbey		X		Rufus	√		
Hamilton		X		Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio - absent				Summers		X	
Jarrett - absent				Sykes	√		
Jones - absent				C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat	√			Wakefield - absent			
J Kitcat	√			Wealls		X	
Lepper		X		Wells		X	
Littman	√			West	√		
MacCafferty		X		Wilson		X	
				Total	13	34	

59.86 The Mayor confirmed that the motion had been **lost** by 13 votes to 34.

59.87 The Mayor then put the council tax freeze budget to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh		X	
Bennett - absent				Meadows		X	
Bowden		X		Mears	√		
Brown	√			Mitchell		X	
Buckley		X		Morgan		X	
Carden		X		A Norman	√		
Cobb	√			K Norman	√		
Cox	√			Peltzer Dunn	√		
Daniel		X		Phillips		X	

Davey		X		Pidgeon - absent			
Deane	√			Pissaridou		X	
Duncan		X		Powell		X	
Farrow	√			Randall		X	
Fitch	√			Robins		X	
Gilbey	√			Rufus		X	
Hamilton	√			Shanks		X	
Hawtree	√			Simson	√		
Hyde				Smith	√		
Janio - absent				Summers		X	
Jarrett - absent				Sykes		X	
Jones - absent				C Theobald	√		
Kennedy - absent				G Theobald	√		
A Kitcat		X		Wakefield - absent			
J Kitcat		X		Wealls	√		
Lepper		X		Wells	√		
Littman		X		West		X	
MacCafferty		X		Wilson		X	
				Total	15	32	

59.88 The Mayor confirmed that the motion had been **lost** by 15 votes to 32.

59.89 The Mayor then asked the Interim Executive Director for Finance & Resources to confirm the position in regard to the threshold budget and the joint amendment.

59.90 The Interim Executive Director for Finance & Resources stated that the joint amendment was based on the proposals contained in the threshold budget and both over-rode and incorporated aspects of the amendments agreed at the meeting on the 26th February 2015. It resulted in a council tax increase of 1.99% and meant that some services were supported for a further year through one-off resources.

59.91 The Mayor then put the threshold budget as amended based on a council tax of 1.99% to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett		X		Marsh	√		
Bennett - absent				Meadows	√		
Bowden	√			Mears		X	

Brown		X		Mitchell	√		
Buckley		X		Morgan	√		
Carden	√			A Norman		X	
Cobb		X		K Norman		X	
Cox		X		Peltzer Dunn		X	
Daniel	√			Phillips		X	
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou	√		
Duncan		X		Powell	√		
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus			Ab
Hamilton	√			Shanks	√		
Hawtree	√			Simson		X	
Hyde		X		Smith		X	
Janio - absent				Summers	√		
Jarrett - absent				Sykes	√		
Jones - absent				C Theobald		X	
Kennedy - absent				G Theobald		X	
A Kitcat	√			Wakefield - absent			
J Kitcat	√			Wealls		X	
Lepper	√			Wells		X	
Littman			Ab	West	√		
MacCafferty		X		Wilson	√		
				Total	26	19	2

59.92 The Mayor confirmed that the motion had been **carried** by 26 votes to 19 with 2 abstentions.

59.93 **RESOLVED:**

General Fund Revenue Budget 2015/16

That Council notes:

- (i) That for the avoidance of doubt, all Amendments considered and approved by the council represent resourcing decisions only. Where possible, the necessary lead-

in time to undertake statutory and/or other appropriate consultation with staff and/or service users, together with appropriate one-off resources, has been identified in support of each Amendment, however, even where this has not been possible this does not absolve the council from undertaking statutory or other appropriate consultation before proposals can be implemented;

- (ii) The Equalities Impact Assessments to cover all budget options and their cumulative effect as set out in Appendices 13 and 14;
- (iii) The proposed responses to the scrutiny recommendations as set out in Appendix 17;
- (iv) The revised Medium Term Financial Strategy and resource projections for 2015/16 to 2019/20 as set out in Appendix 5

That Council grants delegated authority to the Executive Director of Finance & Resources to design and administer the extended business rates transitional relief scheme in accordance with government guidelines as set out in paragraph 3.8.

Formal Council Tax Resolution

1. It be noted that at on 22 January 2015 the Council calculated the Council Tax Base 2015/16:
 - (a) for the whole Council area as 83,633.50 (Item T in the formula in Section 31B of the Local Government Finance Act 1992 (the "Act")); and
 - (b) for dwellings in those parts of its area to which special items relate:-
 - Rottingdean Parish – 1,516.60
 - Hanover Crescent Enclosure – 42.10
 - Marine Square Enclosure – 67.70
 - Royal Crescent Enclosure – 30.30
2. Calculate that the Council Tax requirement for the Council's own purposes for 2015/16 (excluding Parish precepts) is £111,987,000;
3. That the following amounts be calculated for the year 2015/16 in accordance with Sections 31 to 36 of the Act:
 - (a) £713,603,471 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils;
 - (b) £601,573,141 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
 - (c) £112,030,330 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in

accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);

- (d) £1,339.54 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
- (e) £71,513 being the aggregate amount of all special items referred to in Section 34(1) of the Act;
- (f) £1,338.68 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relates;

(g) Parts of the Council's area

£1,367.25 Rottingdean Parish Council

£1,516.57 Hanover Crescent

£1,532.46 Marine Square

£1,588.68 Royal Crescent

Being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the relevant amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for the dwellings in those parts of its area to which one or more special items relate;

Valuation Band: Parts of the Council's area	A*	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£	£
Rottingdean Parish	759.58	911.50	1,063.42	1,215.33	1,367.25	1,671.08	1,974.92	2,278.75	2,734.50
Hanover Crescent	842.54	1,011.05	1,179.55	1,348.06	1,516.57	1,853.59	2,190.60	2,527.62	3,033.14
Marine Square	851.37	1,021.64	1,191.91	1,362.19	1,532.46	1,873.01	2,213.55	2,554.10	3,064.92
Royal Crescent	882.60	1,059.12	1,235.64	1,412.16	1,588.68	1,941.72	2,294.76	2,647.80	3,177.36
All other parts of the council's area	743.71	892.45	1,041.20	1,189.94	1,338.68	1,636.16	1,933.65	2,231.13	2,677.36

*Entitled to disabled relief

4. To note that the Police and Crime Commissioner and the Fire Authority have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below;

Band:	A*	A	B	C	D	E	F	G	H
Sussex Police and Crime Commissioner	79.95	95.94	111.93	127.92	143.91	175.89	207.87	239.85	287.82

Band:	A*	A	B	C	D	E	F	G	H
East Sussex Fire Authority	47.26	56.71	66.17	75.62	85.07	103.97	122.88	141.78	170.14

5. That the Council, in accordance with Section 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2015/16 for each part of its area and for each of the categories of dwellings;

Valuation Band: Parts of the Council's area	A* £	A £	B £	C £	D £	E £	F £	G £	H £
Rottingdean Parish	886.79	1,064.15	1,241.52	1,418.87	1,596.23	1,950.94	2,305.67	2,660.38	3,192.46
Hanover Crescent	969.75	1,163.70	1,357.65	1,551.60	1,745.55	2,133.45	2,521.35	2,909.25	3,491.10
Marine Square	978.58	1,174.29	1,370.01	1,565.73	1,761.44	2,152.87	2,544.30	2,935.73	3,522.88
Royal Crescent	1,009.81	1,211.77	1,413.74	1,615.70	1,817.66	2,221.58	2,625.51	3,029.43	3,635.32
All other parts of the council's area	870.92	1,045.10	1,219.30	1,393.48	1,567.66	1,916.02	2,264.40	2,612.76	3,135.32

*Entitled to disabled relief

6. In accordance with Section 52ZB of the Local Government Finance Act 1992 the Council determines its relevant basic amount of council tax for the financial year 2015/16 is not excessive.

60 SUPPLEMENTARY FINANCIAL INFORMATION FOR BUDGET COUNCIL

- 60.2 The Mayor noted that the supplementary financial information had been considered as part of the general debate on the general fund revenue budget and council tax for 2015/16 and therefore had been taken into account as part of the resolution set out in item 59 above.

61 CAPITAL RESOURCES AND CAPITAL INVESTMENT PROGRAMME 2015/16

- 61.2 The Mayor asked for the electronic voting system to be activated and put the recommendations affecting the Capital Resources and Capital Investment Programme 2015/16 to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh	√		
Bennett - absent				Meadows	√		
Bowden	√			Mears	√		
Brown	√			Mitchell	√		
Buckley	√			Morgan	√		
Carden	√			A Norman	√		
Cobb	√			K Norman	√		

Cox	√			Peltzer Dunn	√		
Daniel	√			Phillips	√		
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou	√		
Duncan		X		Powell	√		
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus	√		
Hamilton	√			Shanks	√		
Hawtree	√			Simson	√		
Hyde	√			Smith	√		
Janio - absent				Summers	√		
Jarrett - absent				Sykes	√		
Jones - absent				C Theobald	√		
Kennedy - absent				G Theobald	√		
A Kitcat	√			Wakefield - absent			
J Kitcat	√			Wealls	√		
Lepper	√			Wells	√		
Littman	√			West	√		
MacCafferty	√			Wilson	√		
				Total	46	1	

61.3 The Mayor confirmed that the motion had been **carried** by 46 votes to 1.

61.4 **RESOLVED:**

- (1) That the draft Capital Investment Strategy for 2015 to 2025 as detailed in Appendix 4 to the report be approved;
- (2) That the Capital Investment Programme for 2015/16 as detailed in Appendix 1 to the report be approved;
- (3) That the estimated capital resources in future years as detailed in Appendix 1 to the report be noted;
- (4) That the allocation of £0.25m resources in 2015/16 for the Strategic Investment Fund for the purposes set out in paragraph 3.19 of the report be approved;
- (5) That the allocation of £2.0m for the ICT fund be approved;

- (6) That the allocation of £1.0m for the Asset Management Fund be approved; and
- (7) That the proposed use of council borrowing as set out in paragraph 3.34 and Appendix 3 to the report be approved.

62 HOUSING REVENUE ACCOUNT (HRA) REVENUE BUDGET 2015/16

61.2 The Mayor asked for the electronic voting system to be activated and put the recommendations affecting the Housing Revenue Account (HRA) Revenue Budget 2015/16 to the vote.

	For	Against	Abstain		For	Against	Abstain
Barnett	√			Marsh	√		
Bennett - absent				Meadows	√		
Bowden	√			Mears	√		
Brown	√			Mitchell	√		
Buckley		X		Morgan	√		
Carden	√			A Norman	√		
Cobb	√			K Norman	√		
Cox	√			Peltzer Dunn	√		
Daniel	√			Phillips		X	
Davey	√			Pidgeon - absent			
Deane	√			Pissaridou	√		
Duncan		X		Powell	√		
Farrow	√			Randall	√		
Fitch	√			Robins	√		
Gilbey	√			Rufus	√		
Hamilton	√			Shanks	√		
Hawtree	√			Simson	√		
Hyde	√			Smith	√		
Janio - absent				Summers	√		
Jarrett - absent				Sykes	√		
Jones - absent				C Theobald	√		
Kennedy - absent				G Theobald	√		
A Kitcat	√			Wakefield - absent			
J Kitcat	√			Wealls	√		
Lepper	√			Wells	√		

Littman	√				West	√		
MacCafferty		X			Wilson	√		
					Total	43	4	

61.3 The Mayor confirmed that the motion had been **carried** by 43 votes to 4.

61.4 **RESOLVED:**

- (1) That the budget for 2015/16 as shown in Appendix 1 to the report be approved;
- (2) That a rent increase of 2.2% in line with government guidance be approved;
- (3) That the changes to fees and charges as detailed in Appendix 2 to the report be approved; and
- (4) That the Medium Term Financial Strategy shown in Appendix 3 to the report be noted.

63 CLOSE OF MEETING

63.2 The Mayor thanked everyone for attending and closed the meeting.

The meeting concluded at 4.35pm.

Signed

Chair

Dated this

day of

2015