





Brighton & Hove
City Council

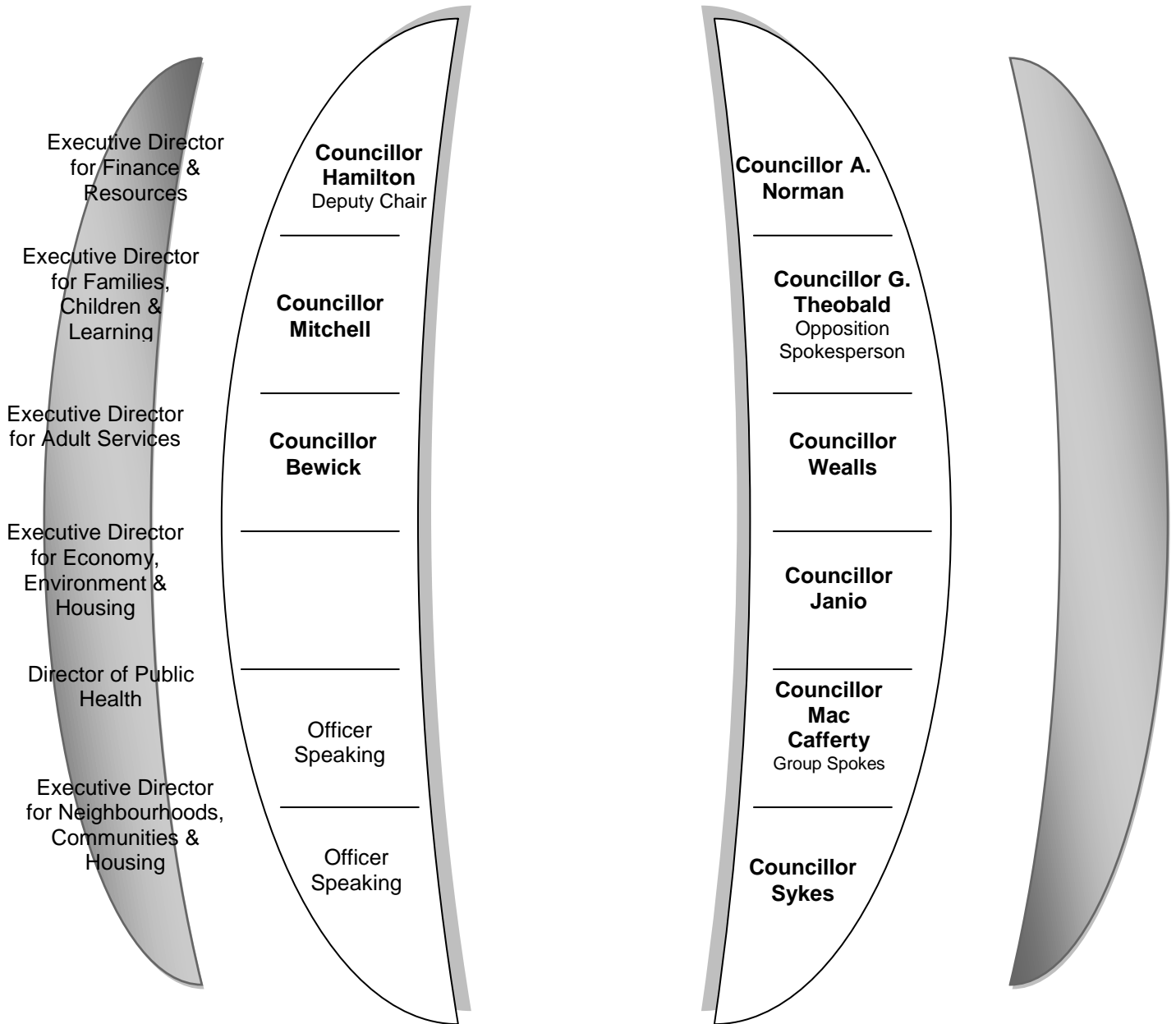
Policy, Resources & Growth Committee

Title:	Policy, Resources & Growth Committee
Date:	9 June 2016
Time:	4.00pm
Venue	Friends Meeting House, Ship Street, Brighton
Members:	Councillors: Morgan (Chair), Hamilton (Deputy Chair), G Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bewick, Janio, Mitchell, A Norman, Sykes and Wealls
Contact:	Ross Keatley Democratic Services Manager 01273 29-1064 ross.keatley@brighton-hove.gov.uk

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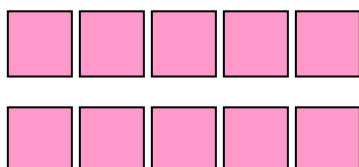
Democratic Services: Policy, Resources & Growth Committee

Monitoring Officer	Councillor Morgan Chair	Chief Executive	Democratic Services Manager
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Public Speaker	Councillor Speaking
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Public Seating



Press

AGENDA

PART ONE

Page

PROCEDURAL MATTERS

1 PROCEDURAL BUSINESS

(a) **Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) **Declarations of Interest:**

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) **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 Two 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.

2 MINUTES

1 - 30

To consider the minutes of the ordinary meeting held on 17 March 2016 and the special meeting held on 28 April 2016 (copies attached).

Contact Officer: Ross Keatley

Tel: 29-1064

Ward Affected: All Wards

POLICY, RESOURCES & GROWTH COMMITTEE

3 CHAIR'S COMMUNICATIONS

4 CALL OVER

- (a) Items 7 – 14 will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

GENERAL MATTERS

5 PUBLIC INVOLVEMENT

31 - 32

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions presented by members of the public to the full Council or at the meeting itself.
- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 2 June 2016.
 - i) **Christopher Hawtree** – Hove Carnegie Library
 - ii) **Ninka Willcox** – Hove Carnegie Library
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 2 June 2016.

6 MEMBER INVOLVEMENT

33 - 40

To consider the following matters raised by Members:

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
 - i) **Save Hove Library** – Petition referred from Council on 24 March 2016, together with an extract of the proceedings of the meeting (copies attached).
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion.

STRATEGIC & POLICY MATTERS

7 DEVELOPMENT OF LIBRARY SERVICES IN HOVE AND HOLLINGBURY

To Follow

Report of the Acting Executive Director for Economy, Environment & Culture (copy to follow).

Contact Officer: Sally McMahon
Ward Affected: All Wards

Tel: 01273 296963

POLICY, RESOURCES & GROWTH COMMITTEE

8 PROGRESS REPORT ON THE WORKFORCE EQUALITIES ACTION PLAN 41 - 52

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

Contact Officer: Liz Boswell

Tel: 01273 291307

Ward Affected: All Wards

FINANCIAL MATTERS

9 TARGETTED BUDGET MANAGEMENT (TBM) PROVISIONAL OUTTURN 2015/16 53 - 164

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

Contact Officer: Jeff Coates

Tel: 01273 292364

Ward Affected: All Wards

10 REDEPLOYMENT & PAY PROTECTION POLICIES

Report of the Executive Director for Finance & Resources (copy to follow)

Contact Officer: Sue Moorman

Tel: 01273 293629

Ward Affected: All Wards

CONTRACTUAL MATTERS

11 FAIR TRADE WITHIN OUR MINIMUM BUYING STANDARDS REPORT 165 - 180

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

Contact Officer: Debbie Reed

Tel: 01273 292372

Ward Affected: All Wards

GENERAL MATTERS

12 PROPOSED NEW GRIEVANCE AND DISPUTES PROCEDURE

Report of the Executive Director for Finance & Resources (copy to follow).

Contact Officer: Parul Chatterjee

Ward Affected: All Wards

13 UPDATE TO THE SCHEME OF DELEGATIONS TO OFFICERS 181 - 234

Report of the Executive Lead for Strategy, Governance & Law (copy attached).

Contact Officer: Elizabeth Culbert

Tel: 01273 291515

Ward Affected: All Wards

REGENERATION & PROPERTY MATTERS

14 DISPOSAL OF 28 YORK PLACE

235 - 244

Report of the Acting Executive Director for Economy, Environment & Culture (copy attached)

Contact Officer: Robert Crossan

Tel: 01273 291442

Ward Affected: St Peter's & North Laine

15 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 21 July 2016 Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, each Group may specify one further item to be included by notifying the Chief Executive no later than 10.00am on 30 May 2016 (the eighth working day before the Council meeting to which the report is to be made), or if the Committee meeting takes place after this deadline, immediately at the conclusion of the Committee meeting.

PART TWO

REGENERATION & PROPERTY MATTERS

16 DISPOSAL OF 28 YORK PLACE - EXEMPT CATEGORY 3

245 - 246

Appendix 2 to Item 14, Disposal of York Place listed on the agenda (circulated to Members only).

Contact Officer: Robert Crossan

Tel: 01273 291442

Ward Affected: St Peter's & North Laine

PROCEDURAL MATTERS

17 PART TWO PROCEEDINGS

To consider whether the items listed in Part Two of the agenda and decisions thereon should remain exempt 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 and deputations to committees and details of how questions and deputations can be raised can be found on the website and/or on agendas for the meetings.

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POLICY, RESOURCES & GROWTH COMMITTEE

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For further details and general enquiries about this meeting contact Ross Keatley, (01273 29-1064, email ross.keatley@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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Date of Publication - Wednesday, 1 June 2016

BRIGHTON & HOVE CITY COUNCIL

POLICY & RESOURCES COMMITTEE

4.00pm 17 MARCH 2016

AUDITORIUM - THE BRIGHTELM CENTRE

MINUTES

Present: Councillors Morgan (Chair), Hamilton (Deputy Chair), G Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Janio, Meadows, Mitchell, A Norman, Sykes and Wealls

PART ONE

135 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

135.1 Councillor Meadows was present in substitution for Councillor Bewick.

(b) Declarations of Interest

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

(c) Exclusion of Press and Public

135.3 The Chair noted that there were no Part Two items listed on the agenda.

136 MINUTES

136.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 11 February 2016 as a correct record.

137 CHAIR'S COMMUNICATIONS

137.1 The Chair gave the following communications:

‘This is meeting is webcast live and capable of repeated viewing.

Announcements in yesterday’s Budget will take time to analyse and digest, but I am sure members would join me in asking for clarity at the earliest possible juncture on how it is proposed that our schools will become academies, and when we will receive full compensation for the loss of business rates from small and medium sized enterprises.

It is Apprenticeship week – I look forward to the launch of the Employer Pledge and the report of the Employer Skills Task Force tomorrow morning, and yesterday was the final meeting of the Fairness Commission, and I would like to thank all those who have taken part in the public sessions.

And good luck to everyone taking part in Sport Relief this weekend particularly the Sport Relief mile in Preston Park on Sunday, which I know a number of councillors are doing for charity, and no, I won't be joining them but I will be sponsoring.'

138 CALL OVER

138.1 The following items were reserved for discussion:

- Item 141 Adoption of the Brighton & Hove City Plan Part 1
- Item 142 Agreement to Schedule of Charges for Pre-Application Planning Advice
- Item 144 Treasury Management Policy Statement 2016/17
- Item 145 Annual Investment Strategy 2016/17
- Item 146 Education Capital Resources and Capital Investment Programme 2016/2017
- Item 147 2016/17 Local Transport Plan Capital Programme
- Item 148 Permission To Tender For Home Care
- Item 150 Planned Maintenance Budget Allocation 2016/17 And Programme of Works for the Council's Operational Buildings
- Item 151 Asset Management Fund 2016/17
- Item 152 Housing Delivery Options
- Item 153 New Homes for Neighbourhoods - Final Scheme Approval - Selsfield Drive Site
- Item 154 New Homes For Neighbourhoods - Final Scheme Approval - Wellsbourne, Whitehawk
- Item 155 New England House & Longley Industrial Estate

138.2 The Democratic Services Manager confirmed that the items listed above had been reserved for discussion, and that the following reports of the agenda, with the recommendations therein had been approved and adopted.

- Item 143 East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan
- Item 149 Pay Policy Statement 2016/17

139 PUBLIC INVOLVEMENT

139.1 There were no matters listed under Public Involvement on the agenda.

140 MEMBER INVOLVEMENT

(d) Notices of Motion

140.1 The Chair noted that there was one Notice of Motion in relation to Fair Trade referred from the Council meeting on 28 January 2016. The Chair read the following update to the Committee:

‘The Notice of Motion was considered and approved at the Procurement Advisory Board on 29 February 2016; the Council’s current procurement activities align with it in the following ways:

- The Minimum Buying Standards for catering contracts, which was approved at the Policy & Resources Committee on 11 July 2014, was a target action of the One Planet Living and the Corporate Procurement strategy 2014/15.
- The Sustainable Procurement Policy has a stated commitment to the promotion, use of, and compliance with the Council’s Minimum Food Standards in all relevant contracts.
- The Corporate Procurement Team advise Council Catering contract managers to adopt the Minimum Food Standards when procuring food, drink and catering services; and include Minimum Food Standards as quality criteria in tender documents where applicable and/or the inclusion of these standards within service specifications to ultimately form part of the contractual agreement.

The Council will continue to ensure that for all current catering contracts, the high standards already set regarding Fair Trade are maintained and expanded upon wherever possible and within the confines of the current terms and conditions of these contracts; and wherever feasible, Fair Trade will be promoted by including the standard as a criteria to be met within future catering contracts.’

140.2 **RESOLVED** – That the Committee note the Notice of Motion.

141 ADOPTION OF THE BRIGHTON & HOVE CITY PLAN PART 1

141.1. The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to Adoption of the Brighton & Hove City Plan Part 1. The purpose of the report was to recommend the adoption of the Brighton & Hove City Plan Part 1, following receipt of the Inspector’s Report that concluded the City Plan was sound. Once adopted the City Plan Part 1 would replace a number of policies in the 2005 Brighton & Hove Local Plan.

141.2. Councillor Mitchell introduced the report and stated it was her pleasure to recommend to the report to Council for formal adoption after many years of work. The plan before the Committee reflected the importance of enhancing and improving the natural environment; providing jobs and homes, and serving to support residents, business and visitors. The plan would pursue local policies based on local priorities and this overarching strategy would enable and support neighbourhood plans through Part 2. Councillor Mitchell thanked the work of all Officers involved and extended special thanks to Councillor Mac Cafferty who had steered the plan during the previous administration as well Councillor C. Theobald for working with her on the cross-party working group.

- 141.3 In response to Councillor Wealls it was explained that the adoption of the plan would generally not change the emphasis on tall buildings in the western seafront area; the City Plan would continue to support buildings of 6-8 storeys in height and the urban design framework was unlikely to significantly change this.
- 141.4 Officers provided the following responses to questions from Councillor Mac Cafferty. There was a monitoring and implementation plan with the City Plan and intervention would be considered in much more detail in Part 2 of the plan, and Officers acknowledged that delivery was going to be a challenge as the proposed 660 per annum unit delivery figure was higher than the number delivered in the previous year. In relation to windfall sites there would have to be a review of delivery were the economy to fall into recession and this affect the construction market. In response to queries about permitted development for office to residential it was expected that this change would be legislated to become permanent, Officers would be undertaking work to ensure the current Article 4 was still applicable after this change.
- 141.5 In response to further questions from Councillors Mac Cafferty the following responses were given. Delivery in the 5-10 year period was likely to be the most challenging; however, to ease this, the inspector had agreed a long lead in period, but interventions would be necessary to ensure the market delivered in the 2019-2024 period. Demonstrating a five year supply of housing was critical to the delivery of plan, and part of the day to day role of the policy team would be to enable this. In relation to the density of brownfield sites it was explained that the City Plan, put a very clear framework in place that sought to protect the amenity of residents and ensure development was delivered against the policy framework.
- 141.6 In response to the final queries from Councillor Mac Cafferty the following was explained by Officers. There was a commitment in Part 1 of the City Plan to allow the authority to gathered evidence in relation to matters such as space standards, and see if there was a case to pursue this as a piece of policy work. The ambition for a district heating network in in the Eastern Road area was still part of the policy commitment and this was work that was being progressed. In relation to building standards and regulations these remained higher than the national standard generally, and closer to those of London Boroughs, water efficiency standards for residential properties were also high.
- 141.7 Councillor G. Theobald stated that the authority had done very well to progress the work to this point; he remained of the view that the city should seek to protect as much of its greenfield space as possible and focus development on brownfield sites. Whilst he still had concerns in relation to development on the urban fringe he was assured by a response from Officers that the urban fringe assessment was material for the consideration of applications on those sites, furthermore having an adopted plan strengthened the position of the authority to resist inappropriate development.
- 141.8 In response to Councillor Janio it was explained that exceptions to policy could be made where a case could be proved to do this; there were also options for flexibility, for instance in relation to viability issues. Councillor Janio congratulated Officers for the work on the plan, and asked that the Committee seek to monitor delivery of housing to ensure the Plan was not restrictive in allowing appropriate development to come forward.

141.8 The Chair thanked the work of Officers and put the recommendation to the vote.

141.9 **RESOLVED TO RECOMMEND** – That the Committee recommends to Council that:

- 1) The submitted Brighton & Hove City Plan Part One including its annexes and Policies Map, amended to include all the main modifications recommended by the planning inspector to make the plan sound, together with other minor modifications already noted by 16 October 2014 Policy and Resources Committee be adopted and published (including any consequential and other appropriate alterations for the purposes of clarification, improved accuracy of meaning or typographical corrections, being necessary) in accordance with Section 23 of the *Planning and Compulsory Purchase Act 2004* and Regulation 26 of the *Town and Country Planning (Local Planning) (England) Regulations 2012*.
- 2) It notes that on adoption of the City Plan Part 1 a number of policies in the 2005 Brighton & Hove Local Plan will be superseded. These superseded policies are listed in Annex 4 of the City Plan Part 1 (a copy is placed in the Members' Rooms and available on the council's website);
- 3) That the 'Objectively Assessed Need for Housing: Brighton & Hove, June 2015' study is approved as supporting evidence for the City Plan and further Development Plan Documents (summarised in Appendix 4).

142 AGREEMENT TO SCHEDULE OF CHARGES FOR PRE-APPLICATION PLANNING ADVICE

142.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to Agreement to Schedule of Charges for Pre-Application Planning Advice. The report sought approval for a schedule of charges for pre-application planning advice, together with a timeframe for implementation following the resolution of the Committee on 15 October 2015.

142.2 Councillor G. Theobald explained that he was supportive of the principle of the report, and was of the view that this would lead to greater certainty around the planning process. In response to his queries it was explained that Officers had also been mindful of the level to set the lower charges for householders; however, these needed to cover a number of areas and the scheme provided householders options in relation to the level of pre-application advice they could pay for. It was also added that the scheme sought only achieve full costs recovery, and those making planning applications could still use the advice line free of charge. Councillor G. Theobald expressed concern in relation to the rate of the fee for householder applicants.

142.3 Councillor Mac Cafferty welcomed the report and stated that it helped provide greater certainty for applicants.

142.4 The Chair then put the recommendations to the vote; the report was carried with 6 in support and 4 abstentions; Councillors: G. Theobald, Janio, A. Norman and Wealls asked that their abstentions be recorded.

142.5 **RESOLVED** – That the Committee agree the schedule of charges for pre-application planning advice set out in Appendix 1 and the timeframe for implementation set out in paragraphs 3.5. & 3.6.

143 EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS SITES PLAN

143.1 RESOLVED:

- 1) That the Committee notes the responses to representations on the Proposed Submission Sites Plan.
- 2) That Committee approve the draft 'main modifications' to the Sites Plan and agree that they are submitted to the Inspector for consideration through the forthcoming Public Examination process and subsequently published for public consultation.

144 TREASURY MANAGEMENT POLICY STATEMENT 2016/17

144.1 The Committee considered a report of the Acting Executive Director for Finance & Resources in relation to Treasury Management Policy Statement 2016/17. The report sought to recommend a treasury management policy statement (TMPS) and treasury management practices for the financial year commencing on 1 April 2016.

144.2 In response to Councillor Sykes it was explained that the authority had made additional borrowing this year as monitoring of the market had allowed the Council to take advantage of very favourable rates; cash flow was mapped out of future to ensure it was maintained.

144.3 Councillor A. Norman highlighted the excellent work of the team and the skill demonstrated year on year by Officers.

144.4 Councillor Hamilton noted that there was no change to the basic policy and commended the work of Officers.

144.5 In response to Councillor Janio it was explained that Full Council agreed the overall borrowing limits; any decision to exceed this agreed level would need to be a decision of Council and would only be recommended with a strong financial case.

144.6 The Chair then put the recommendations to the vote.

144.7 RESOLVED:

- 1) That Policy & Resources Committee note that there are no changes to the Treasury Management Policy Statement and Treasury Management Practices approved by Policy & Resources Committee on 19 March 2015.
- 2) That Policy & Resources approve the Borrowing Strategy as set out in Appendix 3 to this report.

145 ANNUAL INVESTMENT STRATEGY 2016/17

- 145.1 The Committee considered a report of the Executive Director for Finance & Resources in relation to Annual Investment Strategy 2016/17. Under the Local Government Act 2003 local authorities were required to approve an annual investment strategy which gave priority to security and liquidity. Officers also noted there were two contextual amendments: at paragraph 3.12 of the report in the final sentence the word 'maximum' should be added after *sector*, and at paragraph 1.3.1 in Appendix 1 the word 'maximum' should replace the word *total*.
- 145.2 In response to concern expressed by Councillor Wealls it was explained that Officers would be very clear about the risk of investment in any property funds; however, the reference was there to ensure that they were not completely ruled out. Officers suggested that were any investment in property funds proposed then this could be done in conjunction with a briefing for key Members; however, Councillor Wealls maintained his position that investment in this area should not be a potential option for the Council in its Investment Strategy. Councillor Janio also noted his concern in relation to the potential risk involved with investment in property funds.
- 145.3 Councillor Mitchell noted that she supported the report as recommended on the basis that Officers would brief any Members as had been proposed.
- 145.4 Councillor Wealls proposed an amendment that the reference to investment funds be removed from the report at paragraph 3.8; this was seconded by Councillor G. Theobald.
- 145.5 The amendment was **not carried**.
- 145.6 Councillor A. Norman commended the work of the team, and highlighted her view that the strategy was sound; she noted that the authority had continued to maintain its AAA rating.
- 145.7 It was confirmed for Councillor Sykes that the list at paragraph 3.8 was all of those that would be considered for investment.
- 145.8 The Chair then put the recommendations to the vote as set out in the report.
- 145.9 **RESOLVED TO RECOMMEND:** That the Committee recommend to Council the approval of the Annual Investment Strategy 2016/17 as set out in Appendix 1 to this report.

146 EDUCATION CAPITAL RESOURCES AND CAPITAL INVESTMENT PROGRAMME 2016/2017

- 146.1 The Committee considered a report of the Executive Director for Children's Services in relation to Education Capital Resources and Capital Investment Programme 2016/17. The report sought to inform the Committee of the level of available capital resources allocated for 2016/17 and to recommend a Capital Investment Programme for 2016/17. The Committee also noted that the report had been considered by the Children, Young

People & Skills Committee on 7 March 2016, this discussion was set out in the associated extract of that meeting.

- 146.2 In response to Councillor Sykes it was explained that Officers had considered the available technology to use photovoltaic panels to heat water in schools; however, the current model of payback did not make this feasible.
- 146.3 Councillors: Sykes, Meadows and Hamilton asked questions in relation to the recent Central Government announcement of the intention for all schools to become academies by 2020. In response Officers explained that until there was more detail it was difficult for them to comment on the impact of this in full; it was also clarified that when a school become an academy they entered into a 125 year long-lease from the Council. In response to Councillor Mac Cafferty it was agreed that Officers would brief Members as further information became available.
- 146.4 Councillor Hamilton highlighted that much of the proposed spend outlined in the report was for repair and replacement works.
- 146.5 The Chair then put the recommendations to the vote.
- 146.6 **RESOLVED:**
- 1) That the level of available capital resources totalling £30.778 million for investment relating to education buildings financed from capital grant and revenue contributions be noted.
 - 2) That Committee approve the allocation of funding as shown in Appendices 2 and 3 for inclusion within the council's Capital Investment Programme 2016/17.
 - 3) That Committee grant delegated authority to the Assistant Director of Property & Design to procure the capital maintenance and basic need works and enter into contracts within these budgets, as required, in accordance with Contract Standing Orders in respect of the entire Education Capital Programme.

147 2016/17 LOCAL TRANSPORT PLAN CAPITAL PROGRAMME

- 147.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to 2016/17 Local Transport Plan Capital Programme. The report sought approval for the allocation of funding across a number of capital renewal and integrated projects and programmes of work. The Committee also noted that the report had been considered by the Environment, Transport and Sustainability Committee on the 15 March 2016; this discussion was set out in the associated extract of that meeting.
- 147.2 Councillor Mitchell noted she was pleased to recommend the report as Chair of the Environment, Transport & Sustainability Committee, but she noted that the available funding was approximately £2m less than the authority had received the previous year. She went on to welcome the funding identified for gullies and soakaways – as well as reinstating funding for drop kerbs. Councillor Mitchell recommended the report to the Committee.

- 147.3 In response to queries from Councillor Sykes the following responses were given. It was expected that a report would be brought to a future meeting of the Committee to seek permission to develop a full business case for street lighting. Consideration was also ongoing in relation to significant schemes such as a park and ride scheme for the city. In relation to bid to the Green Investment Bank the authority was taking time to prepare a business case amongst other options.
- 147.4 Councillor Janio highlighted that, despite a reduction in the 2015/16 level of funding, the amount allocated for 2016/17 was similar to that of previous years; however, he expressed concern that there was not enough 'vision' in the programme. Councillor Mitchell noted that in terms of a vision; this report was focused around a delivery plan which sought to be sustainable and promote alternatives to the car, and cycling where appropriate; she also added that the commitment to pursue a park and ride was part of the City Plan.
- 147.5 In response to Councillor Mac Cafferty it was explained that the authority had to comply with the Department for Transport, and their view was that Puffin Crossings were safer as those using it had to look at the oncoming traffic for the 'green man' signal to cross.
- 147.6 In response to Councillor A. Norman it was explained that there was ongoing work to consider the route from Brighton Railway Station to the seafront' though improvements had been made in the past the importance of this route warranted further potential works.
- 147.7 The Chair then put the recommendations to the vote.
- 147.8 **RESOLVED** – That the Committee:
- 1) Agrees the 2016/17 Local Transport Plan capital programme budget allocation of £4.274 million to projects and programmes, as set out in Appendix 2 of this report; and
 - 2) Notes the indicative allocation of future LTP budgets to projects and programmes for 2017/18 and 2018/19 of £5.391million and £5.169 million to fund the Local Transport Plan 4-year Delivery Plan, as set out in paragraph 7.2 of this report.

148 PERMISSION TO TENDER FOR HOME CARE

- 148.1 The Committee considered a report of the Executive Director for Adults' Services in relation to Permission to Tender for Home Care. The report outlined the recommendations for the new home care (domiciliary) contract; this was a joint contract between the Council and the NHS Brighton & Hove Clinical Commissioning Group. The Committee also noted that the report had been considered by the Health & Wellbeing Board on 2 February; the content of that consideration was included in the associated extract from the meeting.
- 148.2 Councillor A. Norman welcomed the report on the basis it would create value for money and help to stimulate the local home care market; she also welcomed the

approach as a solution to the issue of 15 minute visits. The commitment to pay a living wage would also help improve continuity of the service as service users generally preferred their carer to stay the same as much as possible.

148.3 In response to Councillor Mac Cafferty it was explained that the use of an electronic care monitoring system allowed a greater understanding of who delivered the care to individuals, and there were compliance figures and targets that could be monitored through this data gathering. Monitoring on quality was also undertaken through a contracted independent assessor scheme who compiled reports for the Policy Team to consider; there was also sharing of information with the CQC and the Housing Service.

148.4 Councillor Meadows noted that the report had been considered by the Procurement Advisory Board and they had been impressed with the proposed value for money, social value and flexibility of the dynamic purchasing process. Councillor Meadows commended the report to the Committee.

148.5 The Chair then put the recommendations to the vote.

148.6 **RESOLVED:**

- 1) That the Committee agree to commence a tender process leading to the award of home care contracts to suitably qualified providers who are able to demonstrate that they can provide value for money, effective from September 2016 for a duration of five years, with provision for a further extension of up to two years, as outlined in this Paper;
- 2) That the Committee to grant delegated authority to the Executive Director of Adult Services to approve the award of contracts, following the conclusion of the procurement process.

149 PAY POLICY STATEMENT 2016/17

149.1 **RESOLVED TO RECOMMEND** – That Council adopt the pay policy statement 2016/17 attached at Appendix 1.

150 PLANNED MAINTENANCE BUDGET ALLOCATION 2016/17 AND PROGRAMME OF WORKS FOR THE COUNCIL'S OPERATIONAL BUILDINGS

150.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to Planned Maintenance Budget Allocation 2016/17 and Programme of Works for the Council's Operational Buildings. The report sought approval for the 2016/17 allocation of essential repair works to civic offices, historic, operational and commercial buildings within the Corporate Planned Maintenance Budget of £3,051,150 and the Social Care Planned Works Budget of £500,000.

150.2 In response to Councillor G. Theobald it was explained that Officers were currently working through the maintenance implications of the Royal Pavilion moving to a trust. In relation to a further query about the Volks Railway it was agreed Officers would provide a response directly to Councillor G. Theobald after the meeting.

150.3 The Chair then put the recommendations to the vote.

150.4 **RESOLVED** – That the Committee:

- 1) Approve the annual programme of planned maintenance works as detailed in Appendices 2 and 3, at a total estimated cost of £3,551,150; and
- 2) Grant delegated authority to the Assistant Director of Property & Design to procure the planned maintenance works and enter into contracts within this budget, as required, in accordance with Contract Standing Orders.

151 ASSET MANAGEMENT FUND 2016/17

151.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to Asset Management Fund 2016/17.

151.2 In response to Councillor G. Theobald it was confirmed that the proposed new microphone system for Council meetings would be portable like the current one and usable in a number of different venues.

151.3 **RESOLVED** – That the Committee approve the recommended remaining allocations of Asset Management Fund bids for 2016/17 totalling £0.275 million, as detailed in paragraph 3.4 of this report.

152 HOUSING DELIVERY OPTIONS

152.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to Housing Delivery Options. The report sought permission to fund the establishment of a joint venture and/or special purpose vehicle to delivery new homes and inform development of specific proposals to be reported back to the Housing & New Homes Committee and the Policy & Resources Committee. The Committee also noted the report had been considered by the Housing & New Homes Committee on 2 March 2016, as set out in the attached extract from the meeting.

152.2 Councillor Janio commented the proportionately high number of residents in the private rented sector had some advantages such as creating a more flexible workforce. In response to a query from Councillor Janio it was explained that much of the affordable new homes built were shared ownership, this venture would also allow the Council to better capture a supply of housing to meet the city's needs in a more affordable way.

152.3 In response to Councillor Sykes it was explained that this type of modelling could consider a range of rents options as it was not subject to the same regulatory constraints.

152.4 Councillor Meadows noted that rents were very high in the city, and the type of housing stock often meant that heating and fuel bills were also higher; the delivery vehicle proposed in the report would allow alternative models to be considered and take properties out of the right to buy scheme so they could not be lost as housing stock. Whilst the option of 60 year borrowing had been considered; a period of this length

could potentially fetter the future options of the Council. This delivery vehicle would allow the Council to build the type of homes needed and ensure were not priced out of staying in the city.

152.5 In response to Councillor Wealls it was explained that this venture could help to 'kick-start' development if the Council was purchasing units upfront; the Council could also work to increase densities, where appropriate, and fund schemes that might not be otherwise workable.

152.6 In response to Councillor Mac Cafferty it highlighted that any governance would ensure the Council's interests were protected.

152.7 The Chair then put the recommendations to the vote.

152.8 **RESOLVED:**

1) That the Committee be recommended to agree that the Executive Director Environment, Development & Housing, in consultation with Executive Director of Finance & Resources, procure specialist legal and financial advice in order to evaluate and progress the proposals for the delivery of alternative models for the supply of affordable housing as detailed in the report, for report back to Housing & New Homes and Policy and Resources Committees.

2) That the Committee be recommended to allocate £0.100m of the 2016/17 Strategic Investment Fund towards specialist legal and financial advice.

153 NEW HOMES FOR NEIGHBOURHOODS - FINAL SCHEME APPROVAL - SELSFIELD DRIVE SITE

153.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to New Homes for Neighbourhoods – Final Scheme Approval – Selsfield Drive, Brighton. The report sought permission for the financing of the scheme at Selsfield Drive. The Committee also noted that the report had been considered by the Housing & New Homes Committee on 2 March 2016 and the proceedings on that meeting were set out in the attached extract.

153.2 Councillor Meadows welcomed the report and noted her pleasure that the Council was able to build new homes for residents which were in the right location and a size that met housing need, which also were to living homes standards that would help reduce fuel poverty in the city. In response to Councillor G. Theobald it explained by Councillor Meadows that the homes would be traditionally built with energy efficiency features as part of the design and build.

153.3 The Chair then put the recommendations to the vote.

153.4 **RESOLVED** - That the Committee approve a budget of £6.875 million for Selsfield Drive in the HRA Capital Programme which will be financed through a mixture of HRA borrowing and retained Right to Buy capital receipts.

154 NEW HOMES FOR NEIGHBOURHOODS - FINAL SCHEME APPROVAL - WELLSBOURNE, WHITEHAWK

- 154.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to New Homes for Neighbourhoods – Final Scheme Approval – Wellsbourne Whitehawk, Brighton. The report sought permission for the financing of the scheme at Wellsbourne Whitehawk. The Committee also noted that the report had been considered by the Housing & New Homes Committee on 2 March 2016 and the proceedings on that meeting were set out in the attached extract. The Chair welcomed the report and the site within his Ward being brought back into use; he added that it was important the Council invest in new properties that would last.
- 154.2 Councillor Meadows highlighted that the units would be purpose built and fully wheelchair accessible.
- 154.3 The Chair then put the recommendations to the vote.
- 154.4 **RESOLVED** - That the Committee be recommended to:
- 1) Approve that the land at Wellsbourne is appropriated to the HRA for a capital receipt of £360,000 for planning purposes and the development of new housing.
 - 2) Approve a budget of £7.077m for the Wellsbourne scheme in the HRA Capital Programme which will be financed through a mixture of HRA borrowing and retained right-to-buy capital receipts.

155 NEW ENGLAND HOUSE & LONGLEY INDUSTRIAL ESTATE

- 155.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to New England House & Longley Industrial Estate. The report sought permission to rescind a decision made by the Committee on 3 December 2015.
- 155.2 In response to Councillor Mac Cafferty it was explained that if the recommendation was agreed then it would be for Officers to engage about an appropriate way forward to ensure the regeneration of the New England Quarter progressed with minimal delay. In relation to whether this situation could have been avoided at the time the Committee took the decision in December, Officers were of the view that the Committee had been advised to take the most appropriate decision at that time, with all the information they had before them.
- 155.3 The Chair then put the recommendations to the vote.
- 155.4 **RESOLVED** – That the committee agrees that the decision made on 3 December 2015 in respect of the proposed development of the New England House (“NEH”) and Longley Industrial Estate sites is rescinded and notes that a further report will be brought to committee in due course.

156 ITEMS REFERRED FOR COUNCIL

156.1 There were no items referred to Council on 24 March 2016 for information.

The meeting concluded at 6.31pm

Signed

Chair

Dated this

day of

BRIGHTON & HOVE CITY COUNCIL

POLICY & RESOURCES COMMITTEE

4.00pm 28 APRIL 2016

FRIENDS MEETING HOUSE, SHIP STREET, BRIGHTON

MINUTES

Present: Councillors Morgan (Chair), Hamilton (Deputy Chair), G Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bewick, Janio, Mitchell, A Norman, Sykes and Wealls

PART ONE

157 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

157.1 There were no declarations of substitutes.

(b) Declarations of Interest

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

(c) Exclusion of Press and Public

157.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

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

158 CHAIR'S COMMUNICATIONS

158.1. The Chair gave the following Communications:

'I'd like to take this opportunity to wish good luck to the Albion playing the last two games in their push for premier league status and I am very pleased that we have the Albion flags flying over King's House and the town halls in Brighton and Portslade.

Item 162 has been referred back to Officers for further work on preparing planning and development guidance on future cultural use for the Carnegie Building, and to provide

answers to some of the detailed financial queries raised by the Conservative Group in communications with me, and I thank them for their constructive approach.'

159 CALL OVER

159.1 The following items were reserved for discussion:

- Item 163 Tower House
- Item 164 Learning Accommodation Services
- Item 166 Senior Management Team Re-Organisation
- Item 167 Review of the Council's Constitution 2016
- Item 169 Royal Pavilion Estate Capital Project
- Item 170 Royal Pavilion & Museums
- Item 171 Brighton Waterfront Project (Brighton Centre and Black Rock Sites)
- Item 172 Former Peter Pan's Amusement Site – Sea Lanes Lease Agreement

159.2 The Democratic Services Manager confirmed that the items listed above had been reserved for discussion, and that the following reports of the agenda, with the recommendations therein had been approved and adopted.

- Item 165 ORBIS Programme Update
- Item 168 Software Licensing Procurement

159.3 The following item was withdrawn from the agenda:

Item 162 Development of Library Services in Hove and Hollingbury

160 PUBLIC INVOLVEMENT

160.1. In accordance with Procedural Rule 19.2 the Chair stated that that the two public questions concerning the Hove Carnegie Library would not be taken as that report had been withdrawn from the agenda.

160.2 The Chair noted there was one public question that related to Item 164; he called forward Ingrid Ashberry first to put her question to the Committee.

160.3 Ingrid Ashberry asked; 'The Health and Wellbeing board stated on 19 April, 'Any changes to accommodation would only be made where people wanted to move or where their existing accommodation did not meet their needs in the most effective way.' It also agreed the importance of giving residents choice and control.

Would you agree that for two residents of Ferndale Road it appears the motivation for the closure of this home is financially driven, which contradicts the aims that you will not be forcing people to move and you will be ensuring choice and control as outlined in the Learning Disability Plan?'

160.4 The Chair replied; 'The recommendations in the Learning Disability Accommodation report are based on people's preferred options, their assessed needs and whether people could be supported to move on to more appropriate accommodation, the cost of providing the existing accommodation and the need to deliver financial savings.

Whilst it would not be appropriate to discuss individual details of particular families in a public setting, the questioner can be assured that officers are in direct contact with the families and advocates concerned, are aware of their views which have been taken into account, and are confident that alternative arrangements can be made that allow them to continue to live together and responds effectively to their wishes and assessed needs.'

- 160.5 Ingrid Ashberry asked the following supplementary; 'A speaker advocate, who has known one of the resident for 35 years, states in a recent draft care assessment that "the resident is more happy and settled than he has ever been and any changes could take him years to adjust to with a significant detrimental effect on him wellbeing and an increase in challenging behaviour putting himself and others at risk". The assessment took place on the 29 February 2016 as part of Brighton and Hove's consultation process and the care plan discussions took place on the 20th April the day after the Health and Wellbeing Board meeting. Can you please tell us how the board can take a decision without a completed assessment and an up to date care plan for this individual who will be seriously affected by the proposed changes?'
- 160.6 The Chair replied; 'Obviously I can't comment on the individual case but I will ask Officers to address your points in the debate on the substantive item which follows immediately after.'
- 160.7 The Chair noted there were no other matters listed under Public Involvement.

161 MEMBER INVOLVEMENT

- 161.1. In accordance with Procedural Rule 19.2 the Chair stated that the Member petition concerning the Hove Carnegie Library would not be taken as that report had been withdrawn from the agenda.

162 DEVELOPMENT OF LIBRARY SERVICES IN HOVE AND HOLLINGBURY

- 162.1 This item was withdrawn from the agenda.

163 TOWER HOUSE

- 163.1 The Committee considered a report of the Executive Director for Adult's Services in relation to Tower House; the Chair also noted that the report had been considered at the Health & Wellbeing Board on 19 April 2016 as set out in the extract from the proceedings of that meeting in the addendum. The report provided the results of the consultation that was agreed at the special meeting of the Committee on 4 November 2015, and it asked the Committee to make recommendations regarding the future of the service.
- 163.2 Councillor Yates addressed the Committee at the Chair's discretion in his capacity as the Chair of the Health & Wellbeing Board. He stated that the Council had undertaken a thorough consultation, and he recognised that Tower House was well valued day centre with a reputation for delivering exceptional care. The duties of the Care Act entitled service users to personal budgets and the number of those that attended the

day centre that needed the complex high quality service was only thirteen. He noted that despite the excellent service at Tower House this method of service delivery was 'out of step' with how people accessed care and changes in legislation. There was a wide of range of services offered in the city that service users could be supported to access, and there was the possibility that some community use could be established at the site.

- 163.3 In response to Councillor Wealls it was explained that an event had been held to showcase some of the other services on offer both in the public and private sector, and friendships groups could be supported to undertake activities together. In relation to the supporting letters from GPs included in the Part Two consultation appendices it was clarified that Officers had responded to all letters they had received. Councillor Wealls also queried if some of the financial assumptions should be in the public domain; however, Officers explained that these were indicative and, as such, not appropriate for disclosure.
- 163.4 The Executive Director for Adults' Services explained that all the feedback had been considered and the managers working on this were very experienced.
- 163.5 It was confirmed for Councillor Janio that the additional recommendation from the Health & Wellbeing Board, would form part of the proposed resolution that the Committee would vote on.
- 163.6 Councillor Mac Cafferty stated his view that the option of maintaining the status quo had not been properly explored, and that the overwhelming majority of those that had responded wished to continue to access their services from Tower House. Comments in relation to the decline in the number of service users at the centre were considered to be misleading as people were no longer being referred there. In response Officers stated that it was important to consider delivering services in a different way as the authority had a duty to offer personal care budgets and the numbers attending Tower House had reduced since their introduction. It was highlighted that services were not being taken away, but the need for efficiency savings meant that the services did not have to be delivered at Tower House in the historic manner.
- 163.7 Councillor A. Norman thanked Officers for the thorough presentation; whilst it was disappointing that the Council were proposing to terminate the service the reasons for this were understood; were the recommendations in the report approved then it would be preferable to see some community service still offered from the site. Friendship groups were very important to the service users, and the service at Tower House was very well regarded. In response Officers explained that other potential uses of the building were difficult due to the complexities of the lease; however, a commitment to explore these was given in assurance.
- 163.8 Councillor Yates also added that the consultation reflected what had been agreed at the Special meeting of the Committee in November 2015, and it was right that representations from health professionals should form of it.
- 163.9 The Chair then put the recommendations to the vote; these were carried on a vote of 8 to 2.

163.10 RESOLVED:

- 1) That the Committee should read and consider the consultation outcome and the equalities impact assessment to inform its decision making.
- 2) That the Committee should endorse the recommendation from the Health & Wellbeing Board.
- 3) That the Committee delegate to the Executive Director, Adult Services the re-provision of services.
- 4) That the Committee delegate to the Assistant Director; Property & Design the arrangements regarding the transfer or disposal of the lease for Tower House, ensuring best value for money, and for the community.
- 5) That the Council should write to the Freeholder of the Tower House site inviting them to retain it for community use.

164 LEARNING DISABILITIES ACCOMMODATION SERVICES

- 164.1 The Committee considered a report of the Executive Director for Adult's Services in relation to Learning Disabilities Accommodation Services; the Chair also noted that the report had been considered at the Health & Wellbeing Board on 19 April 2016 as set out in the extract from the proceedings of that meeting in the addendum. The report provided the results of the consultation that was agreed at the special meeting of the Committee on 4 November 2015, and it asked the Committee to make recommendations regarding the future of the services.
- 164.2 Councillor Yates addressed the Committee, at the Chair's discretion, in his capacity as the Chair of the Health & Wellbeing Board. He stated that the consultation had evidence that most were satisfied with the service they received, and that in some cases there were alternatives that could better serve their needs. Most residents were not living in Council operated accommodation as the majority was provided through third and voluntary sector. Common themes related to the importance of friendship groups and ensuring consistency of carers.
- 164.3 In response to Councillor A. Norman it was explained by Officers that Beaconsfield Villas was one of the sites that it was proposed to not be retained and Officers were working with the services users and families around the best other options; one of the proposals was moving some of the users into Beech House as it could better meet more complex care needs.
- 164.4 In response to queries from Councillor Wealls Officers explained the following: The proposals from the consultation were for most service users to stay in their current accommodation, unless they wanted to move to an alternative. In relation to the consultation this had taken place both through questionnaires and one to one meetings taking people through the options. Where sites were being closed work would be undertaken to ensure friendship groups stayed together where this was the preferred option of the families, and single sex facilities would be retained where they currently existed. In relation to monitoring and assurance around quality all providers had to be

registered with the CQC and meet their standards. The Council had staff working in quality assurance that monitored and collected data to feed into the governance board that was chaired by the Executive Director for Adults' Services. Service users and families had also been assured, in the consultation process, when they had been able to meet representatives from the proposed new service providers.

- 164.5 In response to Councillor Sykes it clarified that where the buildings were in Council ownership they would likely be designated for different use or disposed of.
- 164.6 In response to Councillor Mac Cafferty it was clarified that the solution for the majority of services users was for them to remain in their current accommodation with their regular staff – causing minimal disruption. As a result of the assessment there would be a small number of people where there was a case for them to move and it would be necessary to work with the families around these options.
- 164.5 Councillor A. Norman stated that it had been the long standing position of the Council to support people to improve their lives; however, the uptake for day centre services had reduced in the last 20 years as more individuals were taking up training and work opportunities. Wherever possible most people with learning disabilities wanted to be more independent and the role of the local authority to support them in this would be unchanged. The provision of accommodation services would be continually monitored to ensure additional safeguards for these individuals.
- 164.6 In response to some of the points raised the Executive Director for Adult's Services explained that an independent review of the services had been undertaken with positive feedback. This work would also help to free up spaces to enable people to be placed in the city if this had not been possible, as well as those entering the service previously under the care of Children's Services. Assurance was provided in relation to the quality of work, as well as working with providers to ensure needs were met and support plans in place.
- 164.7 The Chair then put the recommendations to the vote; these were carried on a vote of 8 to 2.
- 162.8 **RESOLVED:**
- 1) That the Policy & Resources Committee members should read and consider the full consultation outcome and equalities impact assessment.
 - 2) That Policy & Resources endorse the recommendation from Health & Wellbeing Board.
 - 3) That Policy & Resources Committee should delegate to the Executive Director, Adult Services, the authority to re-provide the Council's learning disability accommodation services through a procurement process and award of the contracts for services that aim to meet individuals' needs in the most cost effective way.

165 ORBIS PROGRAMME UPDATE

165.1 **RESOLVED** – That the Committee:

- 1) Notes the progress made in carrying out due diligence for Brighton & Hove City Council as a founding partner in the Orbis partnership with East Sussex and Surrey County Councils.
- 2) Agrees to support the continuation of work for the Council to formally partner with East Sussex and Surrey County Councils within the Orbis partnership.
- 3) Supports the approach for collaboration leading to integration through a continued due diligence and business case approach.

166 SENIOR MANAGEMENT TEAM RE-ORGANISATION

166.1 The Committee considered a report of the Chief Executive in relation to the Senior Management Team Re-Organisation. This report sought agreement to changes in delegated authorities to senior officer posts and to note progress on staff consultation on a re-organisation of the senior management team by the Head of the Paid Service reflecting 4 year Council budget planning and the changing landscape of local public service management and delivery.

166.2 Councillor G. Theobald noted that the Conservative Group supported the proposals and they had been advocating reductions in management across the organisation for some years.

166.3 Councillor Janio also welcomed the report and asked that the work continue to ensure that necessary reviews of management structures across the whole organisation were completed. The Chief Executive noted Councillor Janio was part of the modernisation group of Members and thanked him for his positive feedback from that group on the proposals.

166.4 Councillor Sykes stated that the proposals in the report made good practical sense. In response to queries the Chief Executive clarified that the new Executive Director for Neighbourhoods, Communities & Housing would be focused on much closer work with communities in the city as part of how services were delivered.

166.5 The Chair then put the recommendations to the vote.

166.6 **RESOLVED** – That the Committee:

- 1) Notes the proposed officer re-organisation as set out in the report;
- 2) Notes that an update will be provided to Members on the outcome of the consultation on the day of the meeting and that the proposals in this report are subject to the outcome of the consultation;
- 3) Agrees the changes to the scheme of officer delegations set out in Appendix 1 to this report;

- 4) Authorises the Chief Executive to take all steps necessary or incidental to the implementation of the proposals set out in this report including the power to make any transitional arrangements he considers necessary including outstanding matters arising from staff consultation;
- 5) Authorises the Monitoring Officer to make amendments to the relevant parts of the constitution to reflect the changes resulting from the above paragraphs and make any necessary consequential amendments;
- 6) Agrees that the delegation changes come into force on 2 May 2016, subject to any transitional arrangements and referred to in paragraph 2.4 above.

167 REVIEW OF THE COUNCIL'S CONSTITUTION 2016

- 167.1 The Committee considered a report of the Head of Legal & Democratic Services in relation to the Review of the Council's Constitution 2016. The report proposed changes to the Council's Constitution for approval by the Committee and Council.
- 167.2 The Chair made reference to the creation of a Strategic Delivery Board and noted that a number of very significant major projects were now entering advanced stages and there was recognition that they could no longer be considered in isolation to ensure the work around issues such transport was strategic and joined up. The Chair also noted that the name of the Committee would be changed to include 'growth' in recognition of the importance of the area.
- 167.3 Councillor G. Theobald proposed an amendment to the Terms of Reference of the new Health Overview & Scrutiny Committee to ensure scrutiny of adult social care also formed part of the remit of that Committee. The Chair noted that the Labour & Co-Operative would be supporting the amendment.
- 167.4 Councillor Wealls formally seconded the amendment.
- 167.5 In response to Councillor Bewick the Head of Legal & Democratic Services confirmed the changes proposed to contract standing orders reduced the financial procurement threshold to reflect current legislation.
- 167.6 In response to Councillor Sykes it was clarified that the newly created Lead Member for Planning Strategy would also be the Deputy Chair of the Economic Development & Culture Committee and therefore no additional special responsibility allowances would be created.
- 167.7 In response to further queries from Councillor Sykes it was explained that work was being undertaken to consider greater Member oversight of the work around the Prevent agenda, and any Members that required further information could be briefed.
- 167.8 In response to Councillor Mac Cafferty it was confirmed that were the authority to change its governance model to an executive system there would be a legal duty to have a full scrutiny system. The current arrangements reflected the committee system governance model and the no overall control status of the authority.

167.9 Councillor Yates was invited to address the Committee at the Chair's discretion and noted that he supported the amendment from the Conservative Group which would make the relationship between the Health & Wellbeing Board and the Health Overview & Scrutiny Committee much clearer.

167.10 In response to Councillor Janio it was confirmed that allocation of seats would not be affected by the creation of a Strategic Delivery Board as this body would not have the status of Committee or Sub-Committee.

167.11 The Chair put the Conservative Group amendment to the vote. This was **carried**.

167.12 The Chair then put the amended recommendations to the vote.

167.13 **RESOLVED:**

- 1) That the Committee approves the proposals set out at paragraph 5 and Appendix 2 (the establishment of a Strategic Investment Board) and paragraph 6 (the continued operation of the Member Procurement Advisory Board).
- 2) That the Committee agree that the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy & Resources Committee and Council and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
- 3) That the Committee agree that the changes come into force immediately following approval by Policy and Resources Committee and, for matters requiring Council approval, following approval by Council.

167.14 **RESOLVED TO RECOMMEND**

- 1) That Council agree the proposed changes to the Council's constitution as set out in paragraph 4 and Appendix 1 (the discontinuance of the Overview & Scrutiny Committee and the establishment of a Health Overview and Scrutiny Committee, including the changes agreed by the Policy & Resources Committee); paragraph 7 and Appendix 3 (review of Contract Standing Orders); paragraph 8 and Appendix 4 (review of the Council Procedure Rules); the renaming of the Policy & Resources Committee as the Policy, Resources and Growth Committee and the establishment of Lead Member roles for Planning Strategy as set out in paragraph 9 of the report.

168 SOFTWARE LICENSING PROCUREMENT

168.1 **RESOLVED** – That the Committee:

- 1) Delegates authority to the Executive Director Finance & Resources to select a suitable procurement route and to enter into Microsoft Software Licensing agreement/s with a Microsoft Licensing Partner for a three year period.

- 2) Delegates authority to the Executive Director Finance & Resources to extend the agreement/s referred to in 2.1 for up to two periods of one year following the initial three year term, should such extensions be deemed necessary.

169 ROYAL PAVILION ESTATE CAPITAL PROJECT

169.1 The Committee considered a joint report of the Executive Director for Finance & Resources and the Assistant Chief Executive in relation to Royal Pavilion Estate Capital Project. The report summarised the progress made to date on the project; sought agreement to proceed with tendering and appointment of the main contractor, and proposed options to underwrite the project expenditure while identifying the risks of not proceeding.

169.2 In response to Councillor Mac Cafferty it was explained that the process of drawing up the cost plans was currently being undertaken; it was acknowledged that there was going to be pressure on costs; however, a process of value engineering would be in place to ensure costs were kept within budget. Final costs would not be known until the tender prices were understood.

169.3 Councillor G. Theobald welcomed the report, and noted that the costs would increase with the amount of time it took to start the project. This work would be fundamental to ensure the viability and sustainability of the estate for the future.

169.4 The Chair welcomed the report as an important means to safeguard and improve the estate.

169.5 The Chair then put the recommendations to the vote.

169.6 **RESOLVED:**

- 1) That the Committee notes the progress made to date on the Royal Pavilion Estate capital project Phase 1, which has an estimated cost of £19.1 million, and the successful bids for ACE Stage 2 and HLF Round 2 match funding totalling £10.8million towards these Phase 1 capital works.
- 2) That the Committee delegates authority to the Assistant Chief Executive and Executive Director, Finance & Resources to procure and appoint the main contractor to carry out the Phase 1 capital works to the Corn Exchange and Studio Theatre where the tender price is within the project budget.
- 3) That the Committee delegates authority to the Assistant Chief Executive and Executive Director Finance & Resources to procure and appoint consultants to carry out the works required to satisfy the conditions of the HLF and ACE grant funding where these costs are identified within the project budget.
- 4) That the Committee notes the financial implications set out in paragraph 7.1 and agrees that the Executive Director Finance & Resources may implement the option of borrowing to mitigate financial risks and that if this risk does not materialise during Phase 1 the risk provision may be rolled forward to support Phase 2 of the Royal Pavilion Estate improvement works.

- 5) That the Committee resolves that the City Council appropriates the land for planning purposes identified as Phase 1 on the plan 'Phasing of Capital Works to the Royal Pavilion Estate' at Appendix 1 and on 'Royal Pavilion Estate Phase 1 Site Plan' at Appendix 2 under sections 226 and 227 of the Town and Country Planning Act 1990 (TCPA1990).

170 ROYAL PAVILION & MUSEUMS

- 170.1 The Committee considered a report of the Assistant Chief Executive in relation to Royal Pavilion & Museums. The purpose of the report was to recommend that the Council engage in a procurement process in accordance with the requirements of the Public Contracts Regulation 2015 to secure a third party organisation to manage and operate the Royal Pavilion and Museums independently of the City Council.
- 170.2 Councillor G. Theobald noted the Conservative Group supported the report; in response to a query it was clarified that the contract met the threshold to be dealt with by the public procurement regulations; any award of contract without this level of process could be unlawful.
- 170.3 In response to Councillor Sykes the Assistant Chief Executive explained that the report was seeking permission to begin the process to understand the specification that would eventually go to tender. The buildings in the portfolio would be agreed in the specification. In relation to the viability it was noted that this would also be considered by the Member Procurement Advisory Board.
- 170.4 In response to Councillor Wealls it was clarified the report sought a degree of flexibility in relation to the timescales for savings as any new trust, or other organisation, would require a period of stability. In response to further queries from Councillor Wealls it was agreed that a full financial plan would be circulated the Committee after the meeting.
- 170.5 In response to Councillor Mac Cafferty it was clarified that the tender specification could be brought to the Committee for agreement.
- 170.6 The Chair highlighted the Royal Pavilion and Museums would remain in the ownership of the Council, and this approach would seek to preserve and enhance these vital city assets for the future.
- 170.7 The Chair then put the recommendations to the vote.
170. **RESOLVED** – That the Committee:
 - 1) Approve the option to proceed with the procurement for a 25 year term contract as set out in the report.
 - 2) Authorise the Chief Executive to award a contract externalising the future management of the Royal Pavilion and Museums on completion of the procurement process.

- 3) Agree that consideration may need to be given to maintaining the council's funding level for up to 3 years to support viable bids for operating the service. This would result in changes to the current level of savings assumed in the 4-year Service & Financial Plans for 2017/18 to 2019/20.

171 BRIGHTON WATERFRONT PROJECT (BRIGHTON CENTRE AND BLACK ROCK SITES)

- 171.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to Brighton Waterfront Project (Brighton Centre and Black Rock sites). The report sought delegated authority for Council Officers, in consultation with the Waterfront Project Board, to agree terms for a conditional Development Agreement (cDA) with Standard Life Investments (SLI) to allow for a future integrated redevelopment of the Council owned Brighton Centre site (currently occupied by the Brighton Conference Centre) and the Kings West site (owned by Standard Life Investments) (and referred to jointly as Waterfront Central).
- 171.2 The Chair thanked all those that had been involved in the project up to this point, and noted the work that had already been put in. He highlighted that the scale of the project and the necessity to ensure the conference and concert offer of the city could compete nationally.
- 171.3 Councillor Mitchell welcomed the increased pace of the project, and highlighted that the end result would be the regeneration of two sites in the city. She also welcomed the depth of detail in relation to transport issues in the report and acknowledged the challenges that would be created in this area.
- 171.4 Councillor G. Theobald recognised the necessity to update the Brighton Centre, but he noted there were risks with locating the facility in the east of the city. Traffic would be a significant factor at the site, and the addition of this facility would add to the need to ensure a better rail link to London.
- 171.5 Councillor Sykes welcomed the report and asked the sustainability accreditation of the arena be pushed and explored as much as possible to ensure this was an attraction to the venue in an increasingly sustainability conscious world.
- 171.6 Councillor Mac Cafferty welcomed the report, and in response to questions it was explained that the increase in business rate contribution was to account for the increase in costs; however, it was clarified that this only applied to the business rate net increase as a result of this project.
- 171.7 Councillor Janio welcomed the report and hoped that the work could continue on a cross-party basis.
- 171.8 The Chair thanked the Committee for their positive comments in the debate.
- 171.9 The Chair then put the recommendations to the vote.
- 171.10 **RESOLVED** – That the Committee:

- 1) Agree the draft Heads of Terms as summarised in the Confidential Appendix 3 as the basis of ongoing negotiations with Standard Life Investments (SLI) on the understanding that the Head of Law is authorised to enter into the final conditional Development Agreement (cDA) and any linked documentation after the Acting Executive Director Environment Development & Housing and the Head of Law have consulted with the Waterfront Project Board regarding any further changes to the draft Heads of Terms
- 2) Note the terms of the draft Valuation Brief as referred to in the Confidential Appendix 4.
- 3) Note and agree:
 - a) The revised financial information contained in the Confidential Appendix 5.
 - b) The current conference subvention budget is retained by the council to support conferences during the closure period and attract conferences to the new venue once opened.
 - c) Construction of the new venue will be funded by the capital receipt generated from the sale of the Brighton Centre site, rent from the appointed venue operator, net savings achieved on the current Brighton Centre operational budgets and up to 50% of the forecast additional future business rates income stream (set out in the funding table in paragraph 7.4 of the financial implications) along with any relevant successful Local Growth Fund bids.
 - d) That any additional council tax revenue and any increase in New Homes Bonus will be used to support the City Council's medium term financial strategy
 - e) The Brighton Centre Redevelopment Reserve can continue to be used to fund project development costs incurred by the council on the Central and Black Rock sites as set out in paragraph 7.14.
- 4) Note and agree the overall procurement approach as summarised in paragraphs 7.15 to 7.17 and the role of Standard Life Investments as lead Development Partner for both the central (Brighton Centre and Kingswest) and east (Black Rock) sites.
- 5) Agree that a competitive procurement process to appoint a third party operator can proceed in a manner agreed by officers with the Waterfront Project Board.
- 6) Agree that the appointment of a third party operator for the new venue, following completion of the procurement process, be agreed by Policy & Resources Committee.

172 FORMER PETER PAN'S AMUSEMENTS SITE - SEA LANES LEASE AGREEMENT

- 172.1 The Committee considered a joint report of the Acting Executive Director for Environment, Development & Housing and the Executive Director for Finance & Resources in relation to Former Peter Pan's Amusements site - Sea Lanes Lease Agreement. In Autumn 2014 the Council marketed the area known as the former Peter Pan site on Madeira Drive as identified on the site plan in Appendix 1. The results of the marketing exercise were reported to Economic Development & Culture Committee

in March 2015, where Landlord's consent was granted. The Committee also agreed that Heads of Terms with the preferred bidder would be presented to Policy & Resources Committee for approval.

- 172.2 In response to Councillor Bewick it was clarified that there had been discussions between the operator and Saltdean Lido around collaborative working; the two sites were seen as complimentary - it was hoped some type of cross facility ticket could be developed in the future.
- 172.3 In response to Councillor Mac Cafferty it was noted that any ecology considerations would be picked up as part of the planning process, and the operator was already engaging the Planning Authority for pre-application advice.
- 172.4 In response to Councillor A. Norman it was clarified that the commercial units would not project onto the road.
- 172.5 The Chair then put the recommendations to the vote.
- 172.6 **RESOLVED** - That the Policy and Resources Committee agrees to authorise the Acting Executive Director Environment, Development & Housing, Executive Director Finance & Resources, and Assistant Director Property & Design to enter into an agreement to lease and grant a 150 year lease to the preferred bidder, Sea Lanes, subject to planning approval for the site shown in Appendix 1 as set out in the Heads of Terms in Appendix 2 (Part 2 confidential information).

173 ITEMS REFERRED FOR COUNCIL

- 173.1 There were no items referred to Council on 21 July 2016.

174 TOWER HOUSE DAY SERVICES: APPENDICES - EXEMPT CATEGORY 3

- 174.1 **RESOLVED** – That the Committee note the information contained in the Part Two appendices to Item 163 on the agenda.

175 LEARNING ACCOMMODATION SERVICES: APPENDICES - EXEMPT CATEGORY 3

- 175.1 **RESOLVED** – That the Committee note the information contained in the Part Two appendices to Item 164 on the agenda.

176 BRIGHTON WATERFRONT PROJECT (BRIGHTON CENTRE AND BLACK ROCK SITES) - EXEMPT CATEGORY 3

- 176.1 **RESOLVED** – That the Committee note the information contained in the Part Two appendix to Item 171 on the agenda.

177 FORMER PETER PAN SITE - SEA LANES LEASE AGREEMENT – EXEMPT CATEGORY 3

177.1 **RESOLVED** – That the Committee note the information contained in the Part Two appendix to Item 172 on the agenda.

178 PART TWO PROCEEDINGS

178.1 **RESOLVED** – That the information contained in the Part Two items listed on the agenda (Items 174, 175, 176 & 177) and the decisions thereon remain exempt from disclosure to the press and public.

The meeting concluded at 6.54pm

Signed

Chair

Dated this

day of

WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed for questions submitted by a member of the public who either lives or works in the area of the authority at each ordinary meeting of the Committee.

Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion.

The following written question has been received from a member of the public.

(a) Christopher Hawtree

“Would Councillor Morgan please tell us who owns the Hove Carnegie Library?”

Reply from Councillor Morgan, Leader of the Council

(b) Ninka Willcox

Was the option of localised repairs to the existing concrete-tiled roof of the Carnegie Library considered and costed?

Reply from Councillor Morgan, Leader of the Council

Subject:	Petitions		
Date of Meeting:	9 June 2016		
Report of:	Executive Lead for Strategy, Governance & Law (Monitoring Officer)		
Contact Officer:	Name:	Ross Keatley	Tel: 29-1064
	E-mail:	ross.keatley@brighton-hove.gcsx.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive those petitions presented to the Full Council and referred to the committee for consideration.
- 1.2 To receive any petitions to be presented or which have been submitted via the council's website or for which notice has been given directly to Democratic Services.

2. RECOMMENDATIONS:

- 2.1 That the Committee responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options, including the following:
 - taking the action requested in the petition
 - considering the petition at a council meeting
 - holding an inquiry into the matter
 - undertaking research into the matter
 - holding a public meeting
 - holding a consultation
 - holding a meeting with petitioners
 - calling a referendum

3. PETITIONS

3.1 Referred petitions:

- i) **Save Hove Library**
Petition from Councillor Mac Cafferty referred from the Council meeting held on the 24 March 2016 (3938 online signatures).

To receive the following Petition:

We the undersigned are concerned to hear that Hove Library is potentially under threat from the cuts in this year's Council budget.

We urge the City Council to reject the closure of our much loved library.

(Extract from the meeting of Council on 24 March 2016 attached as an appendix).

Subject: Save Hove Library - Extract from the proceedings of the Council Meeting held on the 24 March 2016

Date of Meeting: 9 June 2016

Report of: Executive Lead for Strategy, Governance & Law (Monitoring Officer)

Contact Officer: Name: **Ross Keatley** Tel: **29-1064**
E-mail: ross.keatley@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

Action Required of the Policy & Resources:

To receive the item referred from the Council for consideration:

Recommendation:

That the Policy, Resources & Growth Committee give consideration to the petition's request.

BRIGHTON & HOVE CITY COUNCIL**COUNCIL****4.30pm 24 MARCH 2016****COUNCIL CHAMBER, BRIGHTON TOWN HALL****MINUTES**

Present: Councillors Hyde (Chair), West (Deputy Chair), Allen, Atkinson, Barnett, Barradell, Bell, Bennett, Bewick, Brown, Cattell, Chapman, Cobb, Daniel, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Inkpin-Leissner, Janio, Knight, Lewry, Littman, Mac Cafferty, Marsh, Meadows, Mears, Miller, Mitchell, Moonan, Morris, Nemeth, A Norman, K Norman, O'Quinn, Peltzer Dunn, Penn, Robins, Simson, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls and Yates

PART ONE**98 PETITIONS FOR COUNCIL DEBATE****(a) Save Hove Library**

- 98.20 The Mayor then invited Councillor Mac Cafferty to present the petition calling on the Council to Save Hove Library.
- 98.21 Councillor Mac Cafferty thanked the Mayor and presented the petition which called on the Council to Save Hove Library. He thanked all those that had signed the petition that had now reached over 4000 signatures; he also noted the large amount of correspondence he had personally received on the matter. Previous moves to close the facility over twelve years ago had been abandoned following a local campaign from residents. In relation to the consultation there was some feeling that the wording had been 'loaded', and he was of the view that a more realistic appraisal of the building could see the costs potentially reduce in the context of the work needed to make Hove Museum a suitable relocation site for the service. He highlighted that the building was purpose built and there had been investment in recent years to ensure the building was compliant with modern access standards. He highlighted that there was considerable will in the city to retain the service in the historic building.
- 98.22 Councillor Morgan thanked Councillor Mac Cafferty for presenting petition and stated that the petition suggested the service was to be withdrawn in Hove, instead he highlighted that the service was being relocated to the nearby Hove Museum where the service would be better and have extended opening hours. He noted that the majority of responses in the consultation had been supportive of the proposals and the costs to retain the service in its current location would be significant over the next few

years – the equivalent to the running costs of seven local community libraries. The position of the administration was to retain library service across the city; increase opening hours and entrench libraries as community hubs.

- 98.23 Councillor Druitt moved an amendment to the report's recommendation to request officers to present a worked up financial plan to keep Hove Library in the purpose-built Andrew Carnegie building. He went on to add that the Brighton Society were of the view that the provision would be reduced if the service was relocated to Hove Museum, and refuted the administration's position that the service would not be reduced. He noted that the Green Group's amendment sought to provide a full financial plan to keep Hove Library operation in its current location so that Members could be in possession of all the necessary information before a final decision was taken.
- 98.24 Councillor Mac Cafferty formally seconded the amendment.
- 98.25 Councillor Meadows reiterated that the library provision and service would remain in Hove, and she stated her view that the service would flourish in its new location.
- 98.26 Councillor Peltzer Dunn noted his agreement that the petition should be referred to the Special Policy & Resources Committee on 28 April 2016 as that meeting would be considering a full report on the future provision of the library. He went on to add that it was important the Policy & Resources Committee be provided with a full business plan to ensure that they were in possession of all relevant information before a decision was taken.
- 98.27 Councillor Bewick noted that residents in his Ward would be affected by the proposed changes to Hove Library, and he highlighted some of the literature in circulation in relation to the issue and stated his view that it was misleading. Councillor Bewick went on to add that the administration were aiming to provide a cultural centre for the residents of Hove that would be open 7 days a week.
- 98.28 Councillor Sykes stated that the decision to move the library was a political decision; whilst the service would be moved he highlighted that the building itself would be closed and no longer in use as a library.
- 98.29 Councillor Littman stated that the Green Group were proud on their record in relation to libraries during their time in administration, and they had replaced the mobile library with an improved service; he noted that the Labour & Co-Operative Group had previously tried to close the library whilst in administration and noted that it had been the weight of the resident's campaign that had stopped this going forward.
- 98.30 Councillor G. Theobald noted that the view of the Conservative Group was to see a full business plan at the Special Policy & Resources Committee on 28 April 2016; for this reason they would not support the proposed amendment.
- 98.31 Councillor Barradell highlighted the reduced funding from Central Government and the necessity to take these types of difficult decisions; she went on to add that the Special Policy & Resources Committee would be able to consider a full business plan.

- 98.32 Councillor Wealls noted that the Green Group had not proposed any amendments to Library's budget at the recent Budget Council meeting in February; which would have provided an opportunity to consider alternative funding for the Library's service.
- 98.33 Councillor Mears noted that these types of decisions were political as it was the responsibility of the administration to set priorities and the budget.
- 98.34 The Mayor noted the information and called on Councillor Morgan to respond to the debate.
- 98.35 Councillor Morgan stated that the proposed amendment was unnecessary as a report was due to be considered at the special meeting in April, and that the Green Group had the opportunity to propose amendments to the Library's budget at Budget Council in February.
- 98.36 The Mayor noted that an amendment had been moved and put it to the vote as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen		X		Mac Cafferty	✓		
2	Atkinson		X		Marsh		X	
3	Barford	<i>Absent</i>			Meadows		X	
4	Barnett		X		Mears		X	
5	Barradell		X		Miller		X	
6	Bell		X		Mitchell		X	
7	Bennett		X		Moonan		X	
8	Bewick		X		Morgan		X	
9	Brown		X		Morris		X	
10	Cattell		X		Nemeth			Abs
11	Chapman		X		Norman A		X	
12	Cobb		X		Norman K		X	
13	Daniel		X		O'Quinn		X	
14	Deane	<i>Absent</i>			Page	<i>Apologies</i>		
15	Druitt	✓			Peltzer Dunn		X	
16	Gibson	✓			Penn		X	
17	Gilbey		X		Phillips			
18	Greenbaum	✓			Robins		X	

19	Hamilton		X		Simson		X	
20	Hill		X		Sykes	✓		
21	Horan		X		Taylor		X	
22	Hyde			Abs	Theobald C		X	
23	Inkpin-Leissner		X		Theobald G		X	
24	Janio		X		Wares		X	
25	Knight	✓			Wealls		X	
26	Lewry		X		West	<i>Absent</i>		
27	Littman	✓			Yates		X	
					Total	7	40	2

- 98.37 The Mayor confirmed that the amendment had been lost by 40 votes to 4 with 2 abstentions.
- 98.38 The Mayor then put the recommendation to refer the petition to the Policy & Resources Committee for consideration at its special meeting on the 28th April 2016, to the vote, which was agreed.
- 98.39 **RESOLVED:** That the petition be referred to the Policy & Resources Committee for consideration at its special meeting on the 28th April 2016.

Subject:	Progress Report on the Workforce Equalities Action Plan		
Date of Meeting:	9 June 2016		
Report of:	Executive Director for Finance & Resources		
Contact Officer:	Name:	Sue Moorman	Tel: 29-3629
	Email:	sue.moorman@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The focus of this report is to update on how the council is performing against its Workforce Equalities Action Plan.
- 1.2 Three years ago, Policy & Resources Committee members agreed a high-level Workforce Equalities Action Plan (WEAP) to address the findings from a council commissioned assessment of race equality in employment at the council carried out by the consultants, Global HPO.
- 1.3 Most findings from the Global HPO consultants can be grouped under two central themes:
 - the experiences of BME employees being closely linked to the council's workplace culture and
 - the need to improve analysis of recruitment and workforce data to identify the equality and diversity issues that needed to be addressed
- 1.4 The first two years of the WEAP therefore focussed on these.
- 1.5 The focus of Year 3 has been to develop and implement targeted actions aimed at increasing the diversity of the council's workforce.
- 1.6 The purpose of this report is to brief Members on the progress the council has made against the Year 3 Action Plan and to seek approval for the areas of focus that will inform the work programme for Year 4.

2. RECOMMENDATIONS:

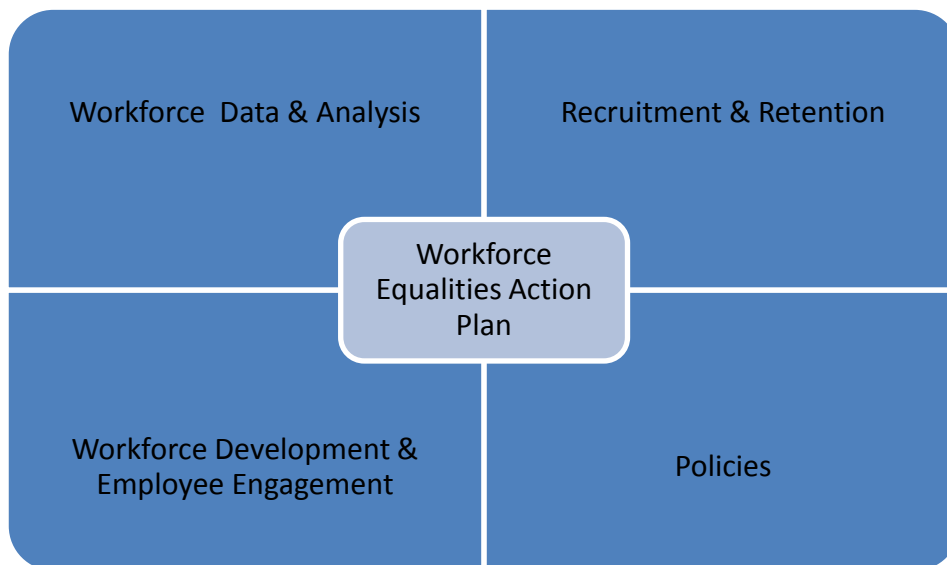
That the Committee:-

- 2.1 Note the progress made against the Year 3 Action Plan, as summarised in paragraph 3.7 and set out in more detail in Appendix 1.
- 2.2 Approve the areas of focus that will inform the Year 4 Workforce Equalities Action Plan.

2.3 Gives the Executive Director of Finance & Resources delegated authority to sign off the Action Plan once it has been developed in conjunction with the Workforce Equalities Group.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The council's WEAP is an integral to the Corporate Plan, the modernisation agenda and the associated culture change programme. .



3.2 In the last two years, the council has prioritised a set of organisational Values and improving its analysis and understanding of its workforce data. During this time :

- 900 trained managers on a values-based management development programme, the aim of which was to build a more inclusive culture by adopting consistent, respectful and fair management practices.
- The council has also identified better equality patterns and trends within the workforce in the context of the economically active population within the City.

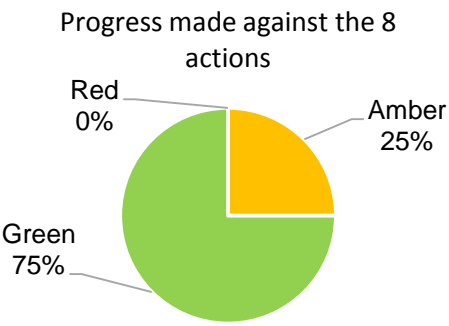
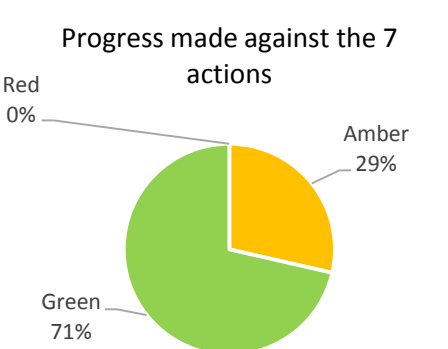
3.3 Without this ground work, the council would not have been in the position to identify specific actions in Year 3 of the WEAP.

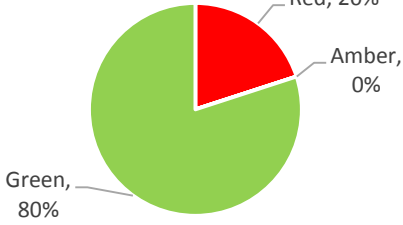
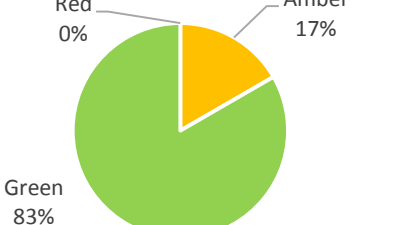
3.4 These were developed and prioritised in close collaboration with members of the Workforce Equalities Group *(WEG) and approved by Policy & Resources Committee in July 2015. At the same meeting, Members also approved an extension to the WEAP for a further period of four years in line with the life of the council's existing Corporate Plan.

** The WEG is chaired by the Head of HR&OD and comprises representatives from the four Staff Workers' Forums, Trade Unions, HR&OD and the Communities, Equality & Third Sector team.*

Progress made against the Year 3 Action Pan

- 3.5 It has been a challenge over the last year to achieve measurable and tangible outcomes in terms of the diversity of the council’s workforce, particularly for those from a BME background. Achieving real cultural change takes time and, there is still work to do to improve equality outcomes for staff.
- 3.6 As in previous years, the WEG provided a place for challenge on the council’s progress towards implementing the Action Plan.
- 3.7 A high-level overview of the progress made against this year’s work programme is shown below. A more detailed description of the work undertaken is set out in Appendix 1.

Workforce Data & Analysis	Recruitment & Retention																
<p>Overall Objective: To capture more extensive and better quality workforce and recruitment data for use by ELT, DMTs, DEGs and service areas so the council can take action to promote positive trends and tackle areas requiring improvement</p> <p>Overall RAG Rating: Green</p>	<p>Overall Objective: To work with different communities of interest/identity across the City to increase their confidence in seeking employment with the council and creating a working environment that will encourage them to stay and to enable them to fulfil their potential</p> <p>Overall RAG Rating: Green</p>																
<p>Progress made against the 8 actions</p>  <table border="1"> <caption>Progress against 8 actions</caption> <thead> <tr> <th>Rating</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Green</td> <td>75%</td> </tr> <tr> <td>Amber</td> <td>25%</td> </tr> <tr> <td>Red</td> <td>0%</td> </tr> </tbody> </table>	Rating	Percentage	Green	75%	Amber	25%	Red	0%	<p>Progress made against the 7 actions</p>  <table border="1"> <caption>Progress against 7 actions</caption> <thead> <tr> <th>Rating</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Green</td> <td>71%</td> </tr> <tr> <td>Amber</td> <td>29%</td> </tr> <tr> <td>Red</td> <td>0%</td> </tr> </tbody> </table>	Rating	Percentage	Green	71%	Amber	29%	Red	0%
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Amber	29%																
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<p>Workforce Development & Employee Engagement</p>	<p>Policies</p>																

<p>Overall Objective:</p> <p>To equip managers, staff and councillors to better understand diversity and their role in promoting equality through a comprehensive high-quality programme of learning and development that all staff have access to that is mandatory as appropriate</p> <p>Overall RAG Rating: Amber</p>	<p>Overall Objective:</p> <p>To ensure that the council has a comprehensive framework of HR&OD policies and procedures that through regular reviews including the use of EIAs continue to reflect legislation and best practice</p> <p>Overall RAG Rating: Green</p>																
<p>Progress made against the 5 actions</p>  <table border="1"> <thead> <tr> <th>Rating</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Green</td> <td>80%</td> </tr> <tr> <td>Red</td> <td>20%</td> </tr> <tr> <td>Amber</td> <td>0%</td> </tr> </tbody> </table>	Rating	Percentage	Green	80%	Red	20%	Amber	0%	<p>Progress made against the 6 actions</p>  <table border="1"> <thead> <tr> <th>Rating</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Green</td> <td>83%</td> </tr> <tr> <td>Amber</td> <td>17%</td> </tr> <tr> <td>Red</td> <td>0%</td> </tr> </tbody> </table>	Rating	Percentage	Green	83%	Amber	17%	Red	0%
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3.8 One area of concern is the slow progress towards completing the review of the equality and diversity e-learning and skills workshops offered to staff. Two new skills workshops (“Equality & Diversity in the Workplace” and “The Confidence to Challenge”) have been piloted this year and the overall feedback has been largely positive.

3.9 A significant amount of work this year has centred on identifying and removing potential barriers to employment for groups under-represented in our workforce, particularly individuals from BME communities. This work was made possible by the improvements we had made in analysing our recruitment data and the feedback we have received from our Workers’ Forums, in particular the BME Workers’ Forum, and the engagement exercise we undertook with local BME communities during the Winter of 2015.

3.10 As a result, we have made a number of changes to our recruitment and selection processes including:-

- amending our application form to make it less onerous to complete
- providing examples of completed application forms to illustrate to applicants how to complete the key knowledge, skills and experience section of the form to maximise their chances of being shortlisted
- reducing the number of criteria applicants need to compete at the application stage by indicating on person specifications at which stage of the recruitment and selection process each criterion will be assessed

- adding the council's Values and associated behaviours to person specifications
- including a standard positive action statement in all job vacancies
- undertaking positive action initiatives as part of specific recruitment campaigns – for example in the recent exercise to recruit a large number of newly-qualified social workers. Encouragingly, this positive action initiative resulted in a significant increase in the proportion of BME applicants compared with the last time these roles were advertised in 2015 (25.56% compared with 12.24%). A similar approach will also be used when we come to recruit to the new Executive Director posts
- reviewing the council's recruitment and selection training offer to improve decision-making
- reviewing our recruitment and selection policy to ensure council vacancies are advertised to as wide and diverse a pool of suitable candidates as practicable and those on recruitment panels are suitably trained. It is planned to present the proposed new policy to P&R Committee at its meeting in July 2016.

3.11 The other main area of work this year has been supporting the transition to a more inclusive workplace culture through the development of a new competency framework for council managers.

3.12 Although the results of our recent staff survey show that the council's Values are well embedded across the organisation, an effective performance management framework that places as much emphasis on how managers go about their work as on what they achieve is essential to achieve lasting change.

3.13 Being able to hold managers accountable through this competency framework should deliver a truly inclusive workplace culture in which everyone is treated with respect and can flourish to realise their full potential.

Areas of focus for Year 4 Action Plan

3.14 We are clear that we must deliver tangible equality outcomes for the organisation. In view of this, it would be more appropriate to change the structure and emphasis of the Plan away from specifying planned work activities in great detail, to one which focusses on the outcomes it aims to deliver. The success of the work undertaken would then be assessed by comparing recruitment and workforce data metrics with those at the end of next year.

3.15 The areas of focus for Year 4 have been identified from feedback via the following sources:

- Workforce Equalities Group
- Member feedback on the Annual Equalities Report
- Staff Survey
- Standards set out in the Equalities Framework for Local Government and the feedback from the Peer review.

3.16 The recommended areas of focus are:

- The use of workforce information and insight to develop areas for positive action activity and to monitor the effectiveness of this activity through established monitoring mechanisms
- Improving recruitment branding and customer experience to be more inclusive
- Strengthening collaboration with communities in Brighton and Hove
- Development of a pathway for positive action apprenticeships and placements
- Improving feedback and communication on positive role modelling within the council
- Underpinning practice with effective learning, reflection and a robust policy framework.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 There are no alternative options for the Committee to consider. The council has already given a commitment to implementing the recommendations set out in the Global HPO report via its Workforce Equalities Action Plan 2013-2019. This Action Plan is an integral part of the council's Corporate Plan for 2015-19 and forms a key part of the organisation's modernisation agenda.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The content of this report has been discussed fully with members of the Workforce Equalities Group. The representatives from the Workers' Forums and Trade Unions who sit on this group have provided the following joint statement in relation to the work carried out so far:

"The Joint Fora is committed to working with Brighton and Hove City Council to support the organisation in making real and sustainable improvements as it undertakes the necessary changes to bring about full equality in its recruitment and selection, education and service delivery. We are concerned that since the Global HPO report, the council have not delivered on the recommendations fully.

The Joint Fora believe that more robust and evidence based monitoring and reporting of performance on a quarterly basis needs to be in place and that this should be imbedded in future policies to ensure that it is implemented consistently through all levels of the Council".

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 Year 4 of the Workforce Equalities Action Plan is expected to be implemented by in-house staff and be absorbed into existing workloads. Any other costs will be met from within existing budgets.

Finance Officer Consulted: Rob Allen

Date: 23/05/16

- 6.2 The Year 4 Action Plan will be consistent with the council's Public Sector Equality Duty as set out in section 149 of the Equality Act 2010 and will facilitate

compliance with the council's specific equality duty to publish information under section 153 of the same Act.

Lawyer Consulted: Elizabeth Culbert

Date: 23/05/16

Equalities Implications:

- 6.3 This report ensures that the council meets its legal obligations under the Equality Act 2010 in regard to its workforce as well as its Corporate Plan commitments.

Sustainability Implications:

- 6.4 There are no direct sustainability implications arising from this report.

Any Other Significant Implications:

- 6.5 There are no other significant implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1: Progress Report on the Workforce Equalities Action Plan - Year 3

Documents in Members' Rooms

None.

Background Documents

None.

WORKFORCE DATA & ANALYSIS Overall Objective: To capture more extensive and better quality workforce and recruitment data for use by ELT, DMTs, DEGs and service areas so the council can take action to promote positive trends and tackle areas requiring improvement OVERALL RAG RATING: GREEN		
KEY ACTION	KEY ACHIEVEMENTS	EXCEPTIONS
Expand the scope of equalities workforce and recruitment information that is captured and analysed highlighting issues/trends for review and action	<ul style="list-style-type: none"> • Improvements in the quality and breadth of analysis of its workforce and recruitment data. • Publication of first comprehensive Annual Workforce Equalities Report, providing better insight into the equalities issues and trends that need to be addressed through this Action Plan. • Increase in workforce target for employees with a disability (8%), reflecting the progress that has been made in increasing the proportion of disabled staff within the workforce. • Commencement of positive action recruitment initiatives designed to make the workforce profile more representative, in particular those from a BME background. • Review of exit questionnaire to improve the quality of the data, incorporating key questions from the Staff Survey for better comparisons. This data will be vital in informing differences in equality outcomes and monitoring progress on culture change within the organisation. 	

RECRUITMENT & RETENTION

Overall Objective: To work with different communities of interest/identity across the City to increase their confidence in seeking employment with the council and creating a working environment that will encourage them to stay and to enable them to fulfil their potential

OVERALL RAG RATING: GREEN

KEY ACTION	KEY ACHIEVEMENTS	EXCEPTIONS
<p>Increase the recruitment of people from groups currently significantly under-represented in the workforce (particularly focussing on those who identify as BME or who are disabled)</p>	<ul style="list-style-type: none">• Reviewed the recruitment and selection policy reflecting feedback from local BME communities and staff.• BME community engagement on the changes made to its recruitment and selection policy and practices following feedback from local BME people.• Changes made to the recruitment application form to reduce barriers to applications.• Implementation of positive action initiatives with encouraging results i.e. doubling of applications from BME applicants for newly-qualified social worker posts.• Improved reporting to capture the experience of trans applicants through the recruitment and selection process.	<ul style="list-style-type: none">• Further work to develop community engagement and build trust and confidence• Build better links with local schools and colleges to encourage young people from diverse backgrounds to seek employment with the council.• Complete the refresh of recruitment and selection training offer

WORKFORCE DEVELOPMENT & EMPLOYEE ENGAGEMENT

Overall Objective: To equip managers, staff and councillors to better understand diversity and their role in promoting equality through a comprehensive high-quality programme of learning and development that all staff have access to that is mandatory as appropriate

OVERALL RAG RATING: AMBER

KEY ACTION	KEY ACHIEVEMENTS	EXCEPTIONS
Review and improve Equality and Diversity training, including e-learning, to ensure it supports the development of a culture based on inclusiveness and respect	<ul style="list-style-type: none">• Successfully launched new Learning Management System that will enable better equality monitoring of learning and development activity.• Refreshed the equality and diversity learning and development offer to ensure compliant with legislation.• Delivered two pilot equality and diversity skills workshops and feedback evaluated.• Continued supporting Workers' Forums to help them work effectively with the council.• Engagement with staff on new behavioural competency framework based on the council's Values. Feedback will inform its development.	<ul style="list-style-type: none">• Further work needed to ensure Equality & Diversity e-learning is fit for purpose.

POLICIES

Overall Objective: To ensure managers have a comprehensive framework of HR and OD policies and procedures that they can use to enable them to manage diversity within their services effectively and to a standard higher than that required by legislation

OVERALL RAG RATING: GREEN

KEY ACTION	ACTIVITY	EXCEPTIONS
Regularly review Human Resources & Organisational Development policies, procedures and practices to ensure compliance with legislation/best practice and support workforce equality and diversity.	<ul style="list-style-type: none">• Revised Trans toolkit in close collaboration with the LGBT Workers' Forum, Trans staff and an active member of the local Trans community ("critical friend". Feedback has been very positive.• Policy reviews also included the Domestic Violence Toolkit, Redeployment Policy, Pay Protection Policy and Grievance and Dispute Procedure.• Regular meetings taking place to ensure feedback from HR case work informs policy reviews.	<ul style="list-style-type: none">• Complete work to develop a schedule for HR policy reviews.

Subject:	Targeted Budget Management (TBM) Provisional Outturn 2015/16		
Date of Meeting:	9 June 2016		
Report of:	Executive Director of Finance & Resources		
Contact Officer:	Name:	Nigel Manvell	Tel: 29-3104
	Email:	Nigel.manvell@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1 SUMMARY AND POLICY CONTEXT:

- 1.1 The Targeted Budget Monitoring (TBM) report is a key component of the council's overall performance monitoring and control framework. This report sets out the provisional outturn position (i.e. Month 12) on the council's revenue and capital budgets for the financial year 2015/16.
- 1.2 The final outturn position is subject to the annual external audit review. The final position will be shown in the council's financial statements which must be signed by the Chief Finance Officer by 30 June 2016 and the audited set approved by the Audit & Standards Committee by 30 September 2016.
- 1.3 In summary, the council has achieved an improved resource position of £1.299m on the General Fund since month 9 (December) was reported in February 2016 at which point the forecast resource position was fixed and taken into account in assessing the one-off resources available to support the 2016/17 budget. The improvement relates primarily to additional, one-off Better Care Fund contributions of £0.868m from the Brighton & Hove Clinical Commissioning Group toward Adult Social Care pressures and reduced insurance costs of £0.324m. There were therefore only limited net movements on directorate service budgets since month 9.

2 RECOMMENDATIONS:

- 2.1 That the Committee note that the provisional outturn position for the General Fund is an improvement of £1.299m compared to the projected and planned resource position taken into account when setting next year's budget, including the Month 9 forecast position.
- 2.2 That the Committee note that in total, the General Fund underspend is therefore a £4.780m underspend, which is made up of the projected and planned resources of £3.481m reported to Budget Council in February 2016, including the Month 9 forecast position, together with the improved resource position since month 9 of £1.299m.
- 2.3 That the Committee note the provisional outturn overspend of £0.473m on the council's share of the NHS managed Section 75 services.

- 2.4 That the Committee approve the allocation and use of the additional one-off General Fund resources of £1.299m as set out in paragraph 3.4.
- 2.5 That the Committee note the provisional outturn for the Housing Revenue Account (HRA), which is an underspend of £2.037m.
- 2.6 That the Committee note the provisional outturn position for the Dedicated Schools Grant which is an underspend of £0.432m.
- 2.7 That the Committee approve carry forward requests totalling £1.322m as detailed in Appendix 3.
- 2.8 That the Committee approve the creation of the earmarked reserves as set out in paragraph 6.2.
- 2.9 That the Committee note the provisional outturn position on the capital programme.
- 2.10 That the Committee approve the following changes to the capital programme.
- i) The variations and reprofiles in Appendix 5 and the new schemes as set out in Appendix 6.

3 RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Change in resources since Month 9 (Budget Setting)

- 3.1 Although the council appears to have achieved a large underspend at year-end, the Committee are advised that when setting the 2016/17 budget in February, the following resource assumptions, including those emanating from a planned change to the council's Minimum Revenue Provision (MRP), were already assumed and taken into account in setting the 2016/17 budget:

Projected and Planned One-off Resources for Budget Setting	£'000
TBM Month 9 Forecast Position:	
TBM Council controlled overspend as at month 9	452
TBM NHS managed S75 overspend (risk share) as at month 9	489
Total TBM Month 9 Forecast Overspend	941
Planned (assumed) Additional Resources at Budget Setting:	
Assumed additional funding from the pooled Better Care Fund (CCG)	(500)
Planned use of the available 2015/16 risk provision	(1,622)
Planned one-off resources resulting from the proposed change to the Minimum Revenue Provision (MRP) policy (agreed at Budget Council)	(2,300)
Total Projected (assumed) Additional Resources	(4,422)
Net one-off resources (i.e. underspend) projected/assumed to be available to support the 2016/17 revenue budget	(3,481)

When setting the 2016/17 revenue budget, it was therefore projected/assumed that £3.481m would be available to provide one-off resources to support the 2016/17 budget. The use of this resource (and other one-off funding) in 2016/17 was set out in detail in the budget report to Full Council (paragraphs 3.24 and 3.25 of the General Fund Revenue Budget Report to Full Council, 25 February 2016). In essence therefore, when considering the provisional outturn position, **only the movement since month 9 is relevant**. To illustrate this, the table below compares the Month 12 provisional outturn position with the projected/assumed resources for budget setting including the Month 9 forecast position. This shows that the forecast/resources have improved by £1.299m since month 9.

Change in resources from Budget Setting Council (including the Month 9 forecast) to Provisional Outturn	Assumed /Forecast Position Month 9	Current Position Month 12	Movement from Budget Setting Council (Month 9) to Month 12
	£'000	£'000	£'000
Council Controlled overspend forecast	452	65	(387)
NHS managed Section 75 overspend forecast (risk share)	489	473	(16)
Sub-Total TBM overspend forecast	941	538	(403)
Better Care Funding from Health	(500)	(1,368)	(868)
Available 2015/16 Risk Provision	(1,622)	(1,622)	(0)
One-off resources assumed to be released by the change to Minimum Revenue Provision	(2,300)	(2,328)	(28)
Total One-off Resources	(3,481)	(4,780)	(1,299)

- 3.2 Therefore, while the General Fund outturn shows a £4.780m underspend (net of Section 75 overspending), the relevant underspend at outturn is the movement since Budget Setting Council (including the month 9 forecast), i.e. £1.299m. This improvement is due to a substantial additional contribution of £0.868m from the pooled Better Care Fund (held by Brighton & Hove Clinical Commissioning Group) toward Adult Social Care pressures in 2015/16. There has also been an additional £0.255m provided toward Section 75 pressures by the B&H Clinical Commissioning Group (CCG). The other main movement is a reduction of insurance costs of £0.324m. Details of these movements and all other directorate changes are provided in Appendix 1 and 2 as normal.
- 3.3 Subject to approval of the carry forward requests in this report, this means that £1.299m additional one-off resources are available for consideration by the Policy, Resources & Growth Committee. However, in the first instance £0.143m of this is required to repay sums to the Restructure & Redundancy Reserve in respect of budget amendments approved at Budget Council which required one-off resources.

Allocation of additional resources

- 3.4 The following table sets out the proposed allocation of the additional resources available at outturn of £1.229m:

Proposed Allocation	Rationale	Amount Proposed
Additional risk provision against Adult Social Care (ASC) and Children's Social Care Demand Management risks	There are nationally recognised pressures on ASC and Children's social care. The provisional outturn report shows that the underlying trends on Corporate Critical social care budgets (paragraph 3.12) are not yet abating. Although the 2016/17 budget provides significant service pressure funding, there remains a risk that demand management activities will not be able to contain or reduce demands to a sufficient degree. If not utilised, these resources would be available to support the 2017/18 budget.	£0.700m
Additional Homelessness risk provision	Brighton and Hove has well recognised issues regarding temporary accommodation and the problems are continuing to grow as the trends on local house prices and levels of private rented accommodation show no signs of immediate change. If not utilised, these resources would be available to support the 2017/18 budget.	£0.100m
Restructure & Redundancy Reserve	The number of posts being deleted has increased significantly and it appears that a higher proportion of these are resulting in severance costs than in previous years at higher average costs. This allocation would provide additional provision that would contribute to the authority's financial resilience in managing change and reducing resources. If not utilised, these resources would be held over to support restructuring in later years.	£0.200m
Restructure & Redundancy Reserve	This allocation is already approved by Budget Council. A number of approved budget amendments required one-off resources and utilised Restructure & Redundancy Reserve resources in lieu of repayment at year-end should the outturn position be favourable. These sums will therefore be repaid to the reserve from the additional resources available at outturn.	£0.143m

City Parks	Primarily to fund a pressure on the cemetery maintenance service.	£0.100m
Transport	For dropped kerbs where there is currently a long waiting list.	£0.056m
Total One-off Allocations		£1.299m

3.5 The remainder of this report is in the standard TBM format and compares the movement from Month 9 to outturn as normal.

Targeted Budget Management (TBM) Reporting Framework

3.6 The TBM framework focuses on identifying and managing financial risks on a regular basis throughout the year. This is applied at all levels of the organisation from Budget Managers through to Policy & Resources Committee. Services monitor their TBM position on a monthly or quarterly basis depending on the size, complexity or risks apparent within a budget area. TBM therefore operates on a risk-based approach, paying particular attention to mitigation of growing cost pressures, demands or overspending together with more regular monitoring of high risk 'corporate critical' areas as detailed below.

3.7 The TBM report is normally split into 8 sections as follows:

- i) General Fund Revenue Budget Performance
- ii) Housing Revenue Account (HRA) Performance
- iii) Dedicated Schools Grant (DSG) Performance
- iv) NHS Controlled S75 Partnership Performance
- v) Capital Investment Programme Performance
- vi) Capital Programme Changes
- vii) Implications for the Medium Term Financial Strategy (MTFS)
- viii) Comments of the Director of Finance (statutory S151 officer)

General Fund Revenue Budget Performance (Appendix 1)

3.8 The table below shows the provisional outturn for Council controlled revenue budgets within the General Fund. These are budgets under the direct control and management of the Executive Leadership Team. More detailed explanation of the variances can be found in Appendix 2.

Forecast Variance Month 9 £'000	Directorate	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
1,931	Children's Services	58,606	60,533	1,927	3.3%
3,111	Adult Services	69,002	70,648	1,646	2.4%
(227)	Environment, Development & Housing	24,088	23,432	(656)	-2.7%
(609)	Assistant Chief Executive	13,817	13,234	(583)	-4.2%
(348)	Public Health (incl. Community Safety & Public Protection)	4,839	4,475	(364)	-7.5%
(2,213)	Finance, Resources & Law	30,463	28,635	(1,828)	-6.0%
1,645	Sub Total	200,815	200,957	142	0.1%
(1,193)	Corporate Budgets	5,885	490	(5,395)	-91.7%
452	Total Council Controlled Budgets	206,700	201,447	(5,253)	-2.5%

3.9 The General Fund includes general council services, corporate budgets and central support services. Corporate budgets include centrally held provisions and budgets (e.g. insurance) as well as some cross-cutting value for money savings targets. Note that General Fund services are accounted for separately to the Housing Revenue Account (Council Housing). Note also that although part of the General Fund, financial information for the Dedicated Schools Grant is shown separately as this is ring-fenced to education provision (i.e. Schools).

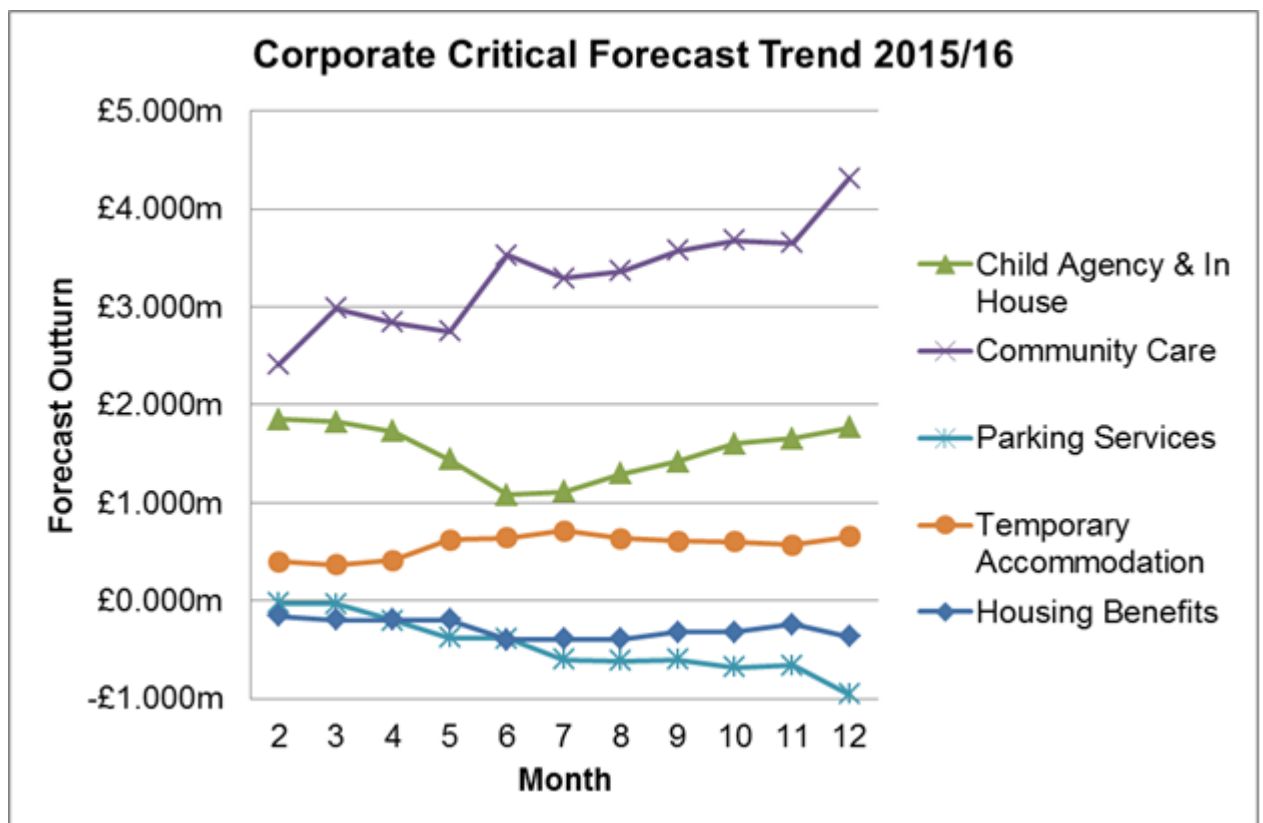
3.10 The large 'Corporate Budgets' underspend in the table above includes resources that were planned to be provided toward the 2016/17 budget as set out in the General Fund Revenue Budget report to Full Council in February. This includes £2.328m for the change to the council's Minimum Revenue Provision (MRP) policy and the release of the risk provision of £1.622m as explained in paragraph 3.1 above. These resources enabled the council to identify the necessary investment needed in 2016/17 to deliver 4-Year Integrated Service & Financial Plan savings and associated modernisation programmes, as well as provide one-off service pressure funding. Further details of the Corporate Budgets outturn are provided in Appendix 1 and 2.

Corporate Critical Budgets

3.11 There are a number of budgets that carry potentially higher financial risks and therefore could have a material impact on the council's overall financial position. These are significant budgets where demand or activity is difficult to predict and where relatively small changes in demand can have significant implications for the council's budget strategy. These therefore undergo more frequent and detailed analysis. The Community Care figures in the table below exclude one-off Care Act funding of £2.228m and one-off Better Care funding of £0.971m applied to these areas.

Forecast Variance Month 9 £'000	Corporate Critical	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
1,416	Child Agency & In House Placements	20,454	22,220	1,766	8.6%
3,570	Community Care	36,711	41,019	4,308	11.7%
(603)	Parking Services	(17,044)	(17,998)	(954)	-5.6%
606	Temporary Accommodation	792	1,448	656	82.8%
(323)	Housing Benefits	(637)	(1,004)	(367)	-57.6%
4,666	Total Council Controlled	40,276	45,685	5,409	13.4%

3.12 The forecast trend on Corporate Critical Budgets over the year-to-date is shown in the graph below. It indicates that Adult Social Care (Community Care) and Temporary Accommodation pressures have been growing over the year while Children's had improved but is now on an upward trajectory. These trends have been reflected in the increased service pressure funding provided in the 2016/17 revenue budget proposals.



Summary of the position at Outturn

The main pressures reported at outturn continue to be across Children's and Adults Social Care and Homelessness (Temporary Accommodation) as follows:

3.13 Children's Services: Nationally, there has been an increase in child protection activity and for example, data received during the year showed that there was a 12% increase in the number of Section 47 enquiries initiated last year compared with the previous year and a 10% increase in the number of initial child protection conferences carried out. Exact causes are difficult to pinpoint locally and nationally as, generally, families experience multiple difficulties. The cumulative effect of welfare reform is an added factor. Locally, the earlier interventions resulting from the creation of a Multi-agency Support Hub (MASH) will have also contributed to increased caseload, so social workers are experiencing a rise in the number of cases coming through as well as cases taking longer to resolve, which means a rise in their caseloads generally creating capacity issues. In Brighton & Hove, the number of children under a child protection plan rose significantly from 310 as at 31st March 2015 to 424 as at 31st August 2015 – an increase of 37% - dropping to 393 at 31st March 2016. As a comparison, the number of children under a CP Plan was 286 as at 31st August 2014.

The significant increase in the pressure on the social work service and a re-design of the service, which was delayed due to the Ofsted Inspection, also meant that a higher number of agency management staff were required than desired (which has since been addressed) and a greater pressure on the spend on residential placements for some of our vulnerable children and young people. In response to the latter an adolescent service has been developed and has improved performance management through the new model of practice. This will ensure that only those children who need support are placed into the care of the local authority.

Overall, this resulted in overspends of £1.218m on social services staffing and £1.516m on placement budgets (as above). Together with risks of £0.681m on savings plans, and other underspendings of £1.488m, this explains the final outturn of £1.927m.

3.14 Adults Services: The outturn position is an overspend of £1.646m which is a decrease of £1.465m from Month 9. This is primarily due to the application of one-off funding from the Better Care Fund of £1.368m toward sustained pressure on residential admissions which the Better Care programme is expected to reduce over the medium term. There are very substantial pressures on the health and social care system which are recognised nationally and resulted in significant lobbying of central government. An Adult Social Care council tax precept of 2% was provided as an option by central government to enable authorities to provide additional resources. This option was taken up by the authority providing £2.3m alongside other service pressure funding of £4.3m provided for in the 2016/17 budget.

The outturn risk includes the following main elements that are described in more detail in Appendix 1:

- Approved budget savings of £8.101m at month 12 fell short of the target by £0.821m;
- In-year spend has been reduced by £2.149m as a result of the action taken to manage demand for and cost of community care placements, improved forecasting through data quality checks, increased scrutiny and management controls and funding from health that has been agreed;

- The in year forecast includes one-off funding identified for the Care Act implementation and Better Care Fund totalling £3.199m which has been applied to support the investment required to deliver the savings plans. There is a subsequent risk in 2016/17 on the savings as a result of this investment being non-recurrent;
- There are unachieved savings from previous years of £3.184m across assessment and provider services for which mitigating recovery plans achieved £0.503m to leave a significant risk of £2.681 million against these savings (reflected in the outturn overspend);
- The main area of overspending (£3.750m) concerns service pressures identified at the beginning of the year relating to increased complexity of need, increased cost of transitions cases, pressures on the provider services budget and Deprivation of Liberty Standards (DoLS) cases. There is a financial and reputational risk to the council if the DoLS cases are not assessed and authorised in accordance with the Mental Capacity Act requirements and developing case law;
- The Better Care Fund also covered additional cost pressures against the new community equipment contract. An additional allocation has been applied to residential and nursing care placements and making use of the flexibility there to achieve agreed outcomes.

3.15 Housing Services and Temporary Accommodation: There is a £0.656m pressure mainly relating to the ongoing need to spot-purchase expensive bed and breakfast accommodation which has been made worse by the need to hand back leased properties this year. This reflects growing homelessness and the difficulty of securing affordable private rented homes in the city to meet the council's statutory housing obligations in a period of rapidly rising house and private rent prices. With the new framework in place, more cost effective leased properties are being procured but these are not keeping pace with demand. Therefore the need to spot purchase nightly temporary accommodation has not reduced as originally forecast. The review of properties with Adults and Children's services clients has not resulted in any properties being released. Although 100 new leased properties have just been procured it will take some months before these become available. Other landlords with fewer properties are also being approached with a view to expanding the leased property portfolio. Housing services (General Fund) also have a number of undeliverable savings (£0.117) which has contributed to the Housing overspend position.

Carry Forward Requests (Appendix 3)

3.16 Under the council's Financial Regulations, the Director of Finance¹ may agree carry forwards of up to £0.050m per member of the Corporate Management Team (up to a maximum of £1m in total) if it is considered that this incentivises good financial management. However, as the council's financial position is more challenging, carry forwards have only been allowed this year where there is clear evidence of a prior commitment that was not able to be completed or undertaken by the end of the financial year. Fortuitous underspends have not been allowed as carry forwards. A total of £0.218m has been agreed for 7 service areas to ensure planned commitments can be met in 2016/17.

¹ Director of Finance is a generic term used in Financial Regulations meaning the Chief Financial Officer or S151 Officer, which in this council is the Executive Director Finance & Resources

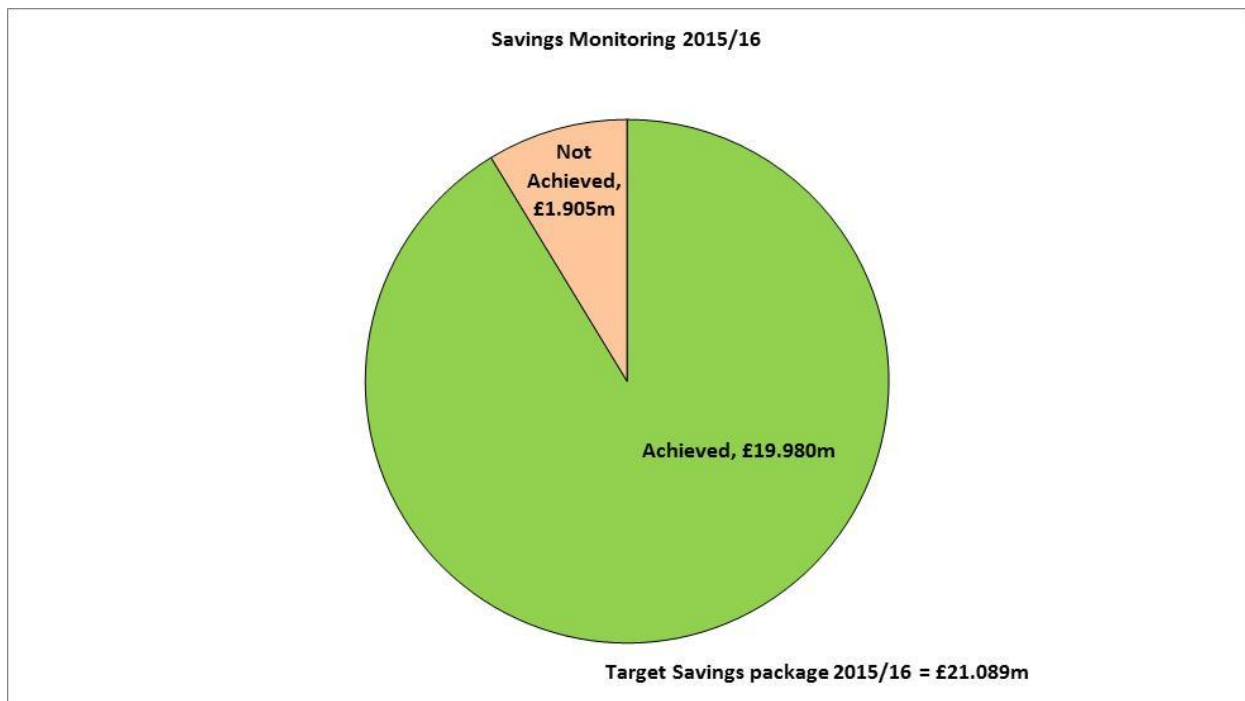
3.17 Policy, Resources & Growth Committee approval is required for carry forward requests in excess of £0.050m. These include grant funded and non-grant funded carry forwards totalling £1.322m and have been included in the outturn figures above. The principles outlined in paragraph 3.16 above also apply. An analysis of these is provided in Appendix 3 split into two categories as follows.

- i) The non-grant funded element of carry forwards totals £0.289m. These items have been proposed where funding is in place for existing projects or partnership working that crosses over financial years and it is therefore a timing issue that this money has not been spent in full before the year-end.
- ii) The grant funded element of carry forwards totals £1.033m. Under current financial reporting standards, grants received by the council that are unringfenced or do not have any conditions attached are now recognised as income in the financial year they are received rather than in the year in which they are used to support services. Prior to 2011/12 these unspent grants would have automatically rolled into the next financial year to fund the commitments against them but now they need to be agreed as part of the carry forward requests. Within the total of £1.033m, a sum of £0.432m relates to the Dedicated Schools Grant. Under the Schools Finance Regulations, the unspent part of the DSG must be carried forward to support the schools budget in future years.

Monitoring Savings

3.18 The savings package approved by full Council to support the revenue budget position in 2015/16 was £21.089m (£24.852m in a full year). This is a very large savings package and follows 4 years of substantial packages totalling nearly £77m of which around £76m was achieved by year-end. Achievement of savings programmes and actions in 2015/16 was closely monitored to ensure satisfactory progress and, so far as possible, to avoid adding to financial pressures in future years through non-achievement.

3.19 Appendix 2 provides a summary of savings in each directorate and indicates in total what has been achieved and not achieved at year-end. Appendix 4 summarises the position across all directorates and provides details of those savings that were not achieved. The graph below provides a summary of the position as at Month 12. This shows that a substantial proportion of the savings programme for 2015/16 was met with £1.905m not being achieved due to a range of factors outlined in Appendix 4. However, this was partially offset by an over-achievement of £0.796m on other savings areas resulting in overall savings of £19.980m. As savings become more complex and challenging to deliver with time there will inevitably be an element of savings that may become unachievable or delayed for which the council identifies appropriate 'risk provisions' when setting the budget each year.



Housing Revenue Account Performance (Appendix 2)

3.20 The Housing Revenue Account is a separate ring-fenced account which covers income and expenditure related to the management and operation of the council's housing stock. Expenditure is generally funded by Council Tenants' rents. The provisional outturn is an underspend of £2.037m and more details are provided in Appendix 2.

Dedicated Schools Grant Performance (Appendix 2)

3.21 The Dedicated Schools Grant (DSG) is a ring-fenced grant which can only be used to fund expenditure on the schools budget. The schools budget includes elements for a range of services provided on an authority-wide basis including early years education provided by the Private, Voluntary and Independent (PVI) sector, and the Individual Schools Budget (ISB) which is divided into a budget share for each maintained school. The provisional outturn is an underspend of £0.432m and more details are provided in Appendix 1. Under the Schools Finance Regulations any underspend must be carried forward to support the schools budget in future years.

NHS Managed S75 Partnership Performance (Appendix 1)

3.22 The NHS Trust-managed Section 75 Services represent those services for which local NHS Trusts act as the Host Provider under Section 75 Agreements. Services are managed by Sussex Partnership Foundation Trust (SPFT) and Sussex Community NHS Trust (SCT) and include health and social care services for Adult Mental Health, Older People Mental Health, Substance Misuse, AIDS/HIV, Intermediate Care and Community Equipment.

3.23 These partnerships are subject to separate annual risk-sharing arrangements and the monitoring of financial performance is the responsibility of the respective host NHS Trust provider. Risk-sharing arrangements result in financial implications for

the council where a partnership is underspent or overspent at year-end and hence the performance of the partnerships is reported as a memorandum item under TBM throughout the year. The council's contribution to the risk share at outturn for Section 75 partnerships is an overspend of £0.473m. Details are provided in Appendix 1.

Month 9 Forecast Variance £'000	Section 75	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
489	NHS Trust managed S75 Services	11,107	11,580	473	4.3%

Capital Programme Performance and Changes

3.24 The Capital programme spans more than one financial year and therefore monitoring is different to that of the annual revenue budget. Performance needs to be looked at from five different viewpoints at the end of the year as follows:

- i) Forecast Variance: The 'variance' for a scheme or project indicates whether it is expected to be break-even, underspent or overspent. Information on how forecast overspends will be mitigated is given in Appendix 5. If the project is completed, any underspend or overspend will be an outturn variance. Generally, only explanations of significant forecast variances of £0.050m or greater are given.
- ii) Budget Variations: These are changes to the project budget within year, requiring members' approval, and do not change future year projections. The main reason for budget variations is where capital grant or external income changes in year.
- iii) Slippage: This indicates whether or not a scheme or project is on schedule. Slippage of expenditure from one year into another will generally indicate overall delays to a project although some projects can 'catch up' at a later date. Some slippage is normal due to a wide variety of factors affecting capital projects, however substantial amounts of slippage across a number of projects could result in the council losing capital resources (e.g. capital grants) or being unable to manage the cashflow or timing impact of later payments or related borrowing. Wherever possible, the council aims to keep slippage below 5% of the total capital programme.
- iv) Reprofiling: Reprofiling of budget from one year into another is requested by project managers when they become aware of changes or delays to implementation timetables due to reasons outside the council's control. Reprofiling requests are checked in advance by Finance to ensure there is no impact on the council's capital resources before they are recommended to Policy & Resources.
- v) IFRS changes: These accounting changes are necessary for the council to comply with International Financial Reporting Standards (IFRS) for the Statement of Accounts. This concerns the determination of items of expenditure as either capital or revenue expenditure. Only items meeting the IFRS definition of capital expenditure can be capitalised; expenditure

not meeting this definition must be charged to the revenue account. This accounting exercise is undertaken as part of the closure of accounts process and therefore IFRS changes only appear in the outturn TBM report. Where significant changes have occurred an explanation is contained in Appendix 5.

3.25 The table below provides a summary of capital programme performance by Directorate and shows that there is an overall underspend of £1.271 m which is detailed in Appendix 5.

Month 9 Forecast Variance £'000	Capital Budgets	2015/16 Capital Budget £'000	Provisional Outturn £'000	Provisional Outturn Variance £'000	Provisional Outturn Variance %
0	Children's Services	11,433	11,420	(13)	-0.1%
0	Adult Services	404	404	0	0.0%
368	Environment, Development & Housing – General Fund	40,093	39,688	(405)	-1.0%
220	Environment, Development & Housing - HRA	32,407	31,829	(578)	-1.8%
(19)	Assistant Chief Executive	2,443	2,286	(157)	-6.4%
0	Public Health	376	376	0	0.0%
0	Finance, Resources & Law	14,714	14,596	(118)	-0.8%
0	Corporate Services	25	25	0	0.0%
569	Total Capital	101,895	100,624	(1,271)	-1.2%

(Note: Summary may include minor rounding differences to Appendix 5)

3.26 Appendix 5 shows the changes to the budget and Appendix 6 provides details of new schemes added to the Capital Programme after TBM Month 9 still to be approved and new schemes for 2016/17. Policy & Resources Committee's approval for these changes is required under the council's Financial Regulations. The following table shows the movement in the capital budget since approval in the Month 9 report.

Capital Budget Movement	2015/16 Budget £'000
Summary	
Budget approved at Month 9	111,553
Changes reported through other Committees	0
IFRS Changes (to be noted)	(2,847)
Variations to Budget (to be approved)	1,733
Reprofiling of Budget (to be approved)	(7,750)
Slippage (to be approved)	(794)
Total Capital	101,895

3.27 Appendix 5 also details any slippage into next year. In total, project managers have forecast that £0.794m of the capital budget may slip into the next financial year and this equates to 0.8% of the budget.

Implications for the Medium Term Financial Strategy (MTFS)

3.28 The council's MTFS sets out resource assumptions and projections over a longer term. It is periodically updated including a major annual update which is included in the annual revenue budget report to Policy & Resources Committee and Full Council. This section highlights any potential implications for the current MTFS arising from in-year TBM monitoring above and details any changes to financial risks together with any impact on associated risk provisions, reserves and contingencies. Details of Capital Receipts and Collection Fund performance are also given below because of their potential impact on future resources.

Capital Receipts Performance

3.29 Capital receipts are used to support the capital investment programme. For 2015/16 a total of £10.831m capital receipts (excluding 'right to buy' sales) have been received in connection with the disposal of Eastbrook Farm allotments, 76-79 and 80 Buckingham Road, 2 Boundary Road, the appropriation of the Whitehawk library site, the Community Stadium hotel lease, lease extension at Crowhurst Road, the disposal of a number of minor lease extensions at the Marina and the repayment of improvement grants.

3.30 The Government receives a proportion of the proceeds from 'right to buy' sales with a proportion required by the council to repay debt; the remainder is retained by the council and used to fund the capital investment programme. The total net usable receipts for 'right to buy' sales in 2015/16 is £5.881m including £5.431m available for replacement homes..

3.31 A total of £2.899m receipts from the housing Local Delivery Vehicle (LDV) have been received in 2015/16. A final batch will be received during early 2016/17. The net receipts are ringfenced to support investment in council owned homes.

Collection Fund Performance

3.32 The collection fund is a separate account for transactions in relation to council tax and business rates. Any deficit or surplus forecast on the collection fund relating to council tax is distributed between the council, Sussex Police and Crime Commissioner and East Sussex Fire Authority, whereas any forecast deficit or surplus relating to business rates is shared between the council, East Sussex Fire Authority and the government.

3.33 The collection fund for council tax at 31st March 2016 has a surplus of £2.676m which is an improvement of £0.376m (council share = £0.322m) from the forecast surplus of £2.300m in January. The improved surplus mainly arose from better than anticipated arrears collection.

3.34 The collection fund for business rates at 31st March 2016 has a deficit of £3.601m which is an increase of £1.378m (council share £0.676m) from the forecast deficit of £2.223m in January. Within the increase there was a Valuation Office Agency

change backdated to 1 April 2010, outside of the appeals scheme, that reduced the rateable value on 3 doctors' surgeries resulting in a refund of business rates of £0.675m. In addition to this, the year-end provision for backdated appeals needed to be increased by £0.500m and there was an increase in the provision for bad debts of £0.200m.

- 3.35 The council's share of the combined net deficit across both collection funds that has not been factored into the 2016/17 budget is £0.354m and this will therefore be included in the budget forecast for 2017/18.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The provisional outturn position on council controlled budgets is an underspend of £5.253m. The council's risk-share of the provisional overspend on NHS managed Section 75 services is £0.473m, resulting in a net underspend of £4.780m of which £3.481m was already accounted for and utilised for the 2016/17 budget as set out in the General Fund Revenue Budget report to Full Council in February 2016. The overall underspend position will not therefore require the use of reserves and will enable the council to maintain its recommended working balance of £9.000m. The improved resource position since the February Budget Council releases one off resources that can be used to aid budget management and planning for 2016/17 and beyond.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 No specific consultation has been undertaken in relation to this report.

6 CONCLUSION AND COMMENTS OF THE DIRECTOR OF FINANCE (S151 OFFICER)

- 6.1 The resource position at outturn has improved by £1.299m compared with the position projected/assumed for the purposes of the 2016/17 Revenue Budget report to Policy & Resources Committee and Budget Council in February. This indicates a favourable position for the financial year brought about primarily due to additional health contributions (Better Care Fund) toward social care pressures, reduced insurance costs and improvements in other Corporate Budgets. The graph at paragraph 3.12 above indicates however that underlying trends on corporate critical, demand-led budgets remain of concern.

Approval of New Earmarked Reserves

- 6.2 Under Financial Regulations, the committee is required to approve the creation of new earmarked reserves. The table below details proposed earmarked reserves, which will support ongoing projects that span financial years and which have already been accounted for in the outturn position:

Directorate	Description	Reason for Reserve	£'000
Environment, Development & Housing	Road Works Permit Scheme	To separately account for permit income so that any surplus can be carried forward to future years. This will enable the level of fees to	65

		be reviewed to ensure cost recovery over a number of years and reduce significant year on year revenue variances.	
Environment, Development & Housing	Homes in Multiple Occupation (HMO) Licensing Fees Reserve	Licence fees cover a 5 year period and the proposed reserve is to carry forward resources to fund the council's annual inspection and administration costs.	65
Finance & Resources	Social Fund Reserve	This relates to the unspent allocation of the former Social Fund grant to support the BHCC Local Discretionary Social Fund in future years.	271
Total			401

7 FINANCIAL AND OTHER IMPLICATIONS

Financial Implications:

- 7.1 The financial implications are covered in the main body of the report. Financial performance is kept under review on a monthly basis by the Cross-Party Budget Review Group and the management and treatment of forecast risks is considered by the Audit & Standards Committee.

Finance Officer Consulted: Jeff Coates Date: 16/05/16

Legal Implications:

- 7.2 Decisions taken in relation to the budget must enable the council to observe its legal duty to achieve best value by securing continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The council must also comply with its general fiduciary duties to its Council Tax payers by acting with financial prudence, and bear in mind the reserve powers of the Secretary of State under the Local Government Act 1999 to limit Council Tax & precepts.

Lawyer Consulted: Elizabeth Culbert Date: 23/05/16

Equalities Implications:

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

Sustainability Implications:

- 7.4 Although there are no direct sustainability implications arising from this report, the council's financial position is an important aspect of its ability to meet Corporate Plan and Medium Term Financial Strategy priorities. The achievement of a break-even position or better is therefore important in the context of ensuring that there are no adverse impacts on future financial years from performance in 2015/16.

Risk and Opportunity Management Implications:

- 7.5 In 2015/16 the council's revenue budget and Medium Term Financial Strategy contained risk provisions to accommodate emergency spending, even out cash flow movements and/or meet unexpected changes in demands. The council maintains a recommended minimum working balance of £9.000m to mitigate these risks. The council also maintains other general and earmarked reserves and contingencies to cover specific project or contractual risks and commitments.

SUPPORTING DOCUMENTATION

Appendices:

1. Revenue Budget Movements since Month 9
2. Revenue Budget Performance
3. Carry Forward Requests
4. Summary of 2015/16 Savings Progress
5. Capital Programme Performance
6. New Capital Schemes

Documents in Members' Rooms:

None.

Background Documents

None.

Appendix 1 – Revenue Budget Movement Since Month 9

Service	Forecast Variance Month 9 £'000	Provisional Outturn Month 12 £'000	Movement £'000	Explanation of main movements
Children's Services				
Director of Children's Services	(7)	(15)	(8)	
Education & Inclusion	274	220	(54)	Additional income relating to fines and commitments for expenditure plans not coming to fruition.
SEN & Disability	(466)	(667)	(201)	High cost placement previously designated and funded though the disability budget was reclassified as a 'mainstream' placement.
Children's Health, Safeguarding and Care	2,680	2,925	245	Linked to above – a high cost placement previously designated and funded though the disability budget was reclassified as a 'mainstream' placement. There were also additional legal fees since month 9.
Stronger Families, Youth & Communities	(550)	(536)	14	
Total Children's Services	1,931	1,927	(4)	
Adult Services				
Adults Assessment	1,674	1,104	(570)	Increased funding from the Clinical Commissioning Group (CCG) of £0.549m, vacancy management savings of £0.306m, improved income £0.378m and review of payments of £0.036m. These improvement were offset by savings put at risk of £0.209m, increased costs due to complexity of clients' needs of £0.207m, non pay costs of £0.106m and other variances of £0.177m.
Adults Provider	1,765	1,350	(415)	The forecast improved due to higher savings than expected at Month 9 of £0.210m, non-pay costs of £0.111m, vacancy management of £0.077m and other variances of £0.017m.
Commissioning &	(328)	(808)	(480)	The forecast improved due to increased funding from the CCG

Appendix 1 – Revenue Budget Movement Since Month 9

Service	Forecast Variance Month 9 £'000	Provisional Outturn Month 12 £'000	Movement £'000	Explanation of main movements
Contracts				of £0.349m, non pay costs of £0.150m and increased income of £0.029m which was offset by an increase in staff costs of £0.048m.
Total Adult Services	3,111	1,646	(1,465)	
Environment, Development & Housing				
Transport	(613)	(1,039)	(426)	Parking Services improvement of £0.351m of which £0.209m is due to reduced Pay & Display machine maintenance costs and unforeseen stock adjustment for parts as a result of the machine removal project; other net movements of £0.142m represent approximately 0.5% of the gross parking income budget. Improvement of £0.069m in Transport Planning and Road Safety following underspends as part of continued financial controls, one-off sales income and reductions in external contributions not forecast at Month 9.
City Clean & City Parks	(101)	(74)	27	Overspend movement in the Fleet Management forecast of £0.154m from Month 9 as delays to the fleet replacement schedule resulted in reduced maintenance costs not materialising, as well as sales not being achieved as anticipated. This has been largely offset as expenditure in other areas continued to decrease due to the financial controls in place.
City Regeneration	(80)	(67)	13	Minor movement.
Planning & Building Control	(20)	(9)	11	Minor movement
Housing	587	533	(54)	Higher than expected use of spot purchase bed and breakfast

Appendix 1 – Revenue Budget Movement Since Month 9

Service	Forecast Variance Month 9 £'000	Provisional Outturn Month 12 £'000	Movement £'000	Explanation of main movements
				accommodation in February and March of £0.050m offset by, fewer unauthorised traveller encampments and lower water bills at the transit site (£0.095m).
Total Environment, Development & Housing	(227)	(656)	(429)	
Assistant Chief Executive				
Communications	(91)	(92)	(1)	Minor movement.
Royal Pavilion, Arts & Museums	(19)	(30)	(11)	Minor salaries underspend.
Tourism & Venues	0	60	60	Outstanding dispute with contractors for Brighton Centre frontage works - costs finalised in March.
Libraries	0	(14)	(14)	Income slighter better than expected.
Corporate Policy & Communities	(296)	(309)	(13)	Minor salaries underspend.
Sport & Leisure	(203)	(198)	5	Minor movement
Total Assistant Chief Executive	(609)	(583)	26	
Public Health				
Public Health	(233)	(233)	0	
Community Safety	(42)	(24)	18	Agreed additional spend on Violence Against Women & Girls (VAWG) budget.
Public Protection	(73)	(107)	(34)	Pest Control & Animal Welfare outturn position better than forecast.
Total Public Health	(348)	(364)	(16)	
Finance & Resources				
HR & Organisational	(116)	(195)	(79)	Lower spend than forecast in Training & Development and

Appendix 1 – Revenue Budget Movement Since Month 9

Service	Forecast Variance Month 9 £'000	Provisional Outturn Month 12 £'000	Movement £'000	Explanation of main movements
Development				Health & Safety.
ICT	(86)	(143)	(57)	Reduction in costs of agency staff and lower than expected data line costs.
Property & Design	(863)	(380)	483	Rent accrual adjustment of £0.440m relating to previous years adding to lower than expected commercial income receipts in final quarter.
Finance	(396)	(267)	129	Mitigation plan of vacancy control and other underspends being insufficient to cover costs of recruitment and interim replacement of Director of Finance & Resources post, as well as NAFN office closure costs.
Housing Benefit Subsidy	(323)	(367)	(44)	An improvement of £0.080m on main subsidy budgets, mostly relating to improved position on recovery of overpayments. A worsening of £0.036m relating to recovery of former Council Tax Benefit overpayments.
Performance, Improvement & Programmes	(31)	(33)	(2)	Minor underspends.
Legal & Democratic Services	(398)	(443)	(45)	Additional vacancy control savings within Legal and Democratic Services.
Total Finance & Resources	(2,213)	(1,828)	385	
Corporate Budgets				
Bulk Insurance Premia	0	(324)	(324)	Lower than anticipated settlement of insurance claims.
Concessionary Fares	(137)	(132)	5	Minor Movement.
Capital Financing Costs	(154)	(2,624)	(2,470)	£2.328m is from the Minimum Revenue Provision (MRP) policy changes as planned; £0.160m increased income as a result of higher than anticipated investment rates and balances offset by £0.020m increased interest on borrowing as a result of bringing

Appendix 1 – Revenue Budget Movement Since Month 9

Service	Forecast Variance Month 9 £'000	Provisional Outturn Month 12 £'000	Movement £'000	Explanation of main movements
				2016/17 borrowing forward to take advantage of historically low interest rates.
Levies & Precepts	0	0	0	
Unallocated Contingency & Risk Provisions	(372)	(1,847)	(1,475)	£1.622m general risk provision released as planned; partially offset by £0.148m transferred back to the Troubled Families reserve.
Unringfenced Grants	3	52	49	£0.062m reduction in S31 business rates retention compensation grants based on actual reliefs awarded in 2015/16. Partially offset by £0.013m transparency code grant received in February 2016.
Other Corporate Items	(533)	(520)	13	
Total Corporate Budgets	(1,193)	(5,395)	(4,202)	
TOTAL COUNCIL CONTROLLED	452	(5,253)	(5,705)	
Section 75				
Sussex Partnership Foundation NHS Trust (SPFT)	489	473	(16)	The forecast improved due to increased funding from the CCG of £0.255m, increased income of £0.044m and vacancy management of £0.019m. This was offset by void charges of £0.066m, increased cost due to complexity of clients of £0.065m, other variances of £0.007m and the council's risk share element of £0.164m.
Sussex Community NHS Trust (SCT)	0	0	0	
Total Section 75	489	473	(16)	
TOTAL GENERAL FUND REVENUE BUDGETS	941	(4,780)	(5,721)	

Children's Services - Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
(7)	Director of Children's Services	4,824	4,809	(15)	-0.3%
274	Education & Inclusion	1,596	1,816	220	13.8%
(466)	SEN & Disability	6,726	6,059	(667)	-9.9%
2,680	Children's Health, Safeguarding and Care	38,330	41,255	2,925	7.6%
(550)	Stronger Families, Youth & Communities	7,130	6,594	(536)	-7.5%
1,931	Total Revenue - Children	58,606	60,533	1,927	3.3%

Monitoring of Achievement of 2015/16 Savings

Service	Planned Savings £'000	2015/16 Achieved £'000	2015/16 Anticipated £'000	2015/16 At Risk £'000
Education & Inclusion	825	516	0	345
SEN and Disability (SEND)	878	1,340	0	3
Children's Health, Safeguarding & Care	928	778	0	319
Stronger Families, Youth & Communities	1,335	1,443	0	14
Children's Services	3,966	4,077	0	681

See Appendix 4 for details of "At Risk" Savings

Explanation of Other Key Variances

Key Variances £'000	Service	Description (Note: FTE/WTE = Full/Whole Time Equivalent)	Mitigation Strategy
SEN & Disability			
(217)	Child and Adolescent Mental Health Services (CAMHS)	CAMHS outturn was a £0.217m underspend as the 2016/17 savings target regarding the switch of DSG was brought forward.	
Children's Health, Safeguarding & Care			
675	Corporate Critical - Children's Agency Placements	<p>The number of residential placements (34.90 FTE) is broken down as 31.30 FTE social care residential placements (children's homes), 3.15 FTE schools placements and 0.44 FTE family assessment placements. The budget allowed for 24.10 FTE social care residential care placements, 4.60 FTE schools placements and 0.60 FTE family assessment placements. The average unit costs of these placements is also higher than the budgeted level by £296.38 per week. Overall the number of placements were 5.60 FTE above the budgeted level, and this combined with the unit cost pressure described above resulted in an overspend of £1.353m.</p> <p>The numbers of children placed in independent foster agency (IFA) placements has fluctuated in recent years. During 2013/14 there were 165.76 FTE placements and this increased to 175.56 last year. In 2015/16 there were 158.06 FTE, a reduction of 10%. The budget for IFA placements was based on the trend of the previous five years and was set at 177.80 FTE. The numbers being below the budget by 19.74 FTE results in the underspend of £0.706m.</p> <p>During 2015/16 there were 1.65 FTE secure (welfare) placements and 1.16 FTE secure (justice) placements. The budget allowed for 1.00 FTE welfare and 1.00 FTE justice</p>	£2.648m Service Pressure funding was provided in the 2016/17 budget across Children's Services, including cover for National Living Wage impacts, to help to mitigate risk in this demand-led area.

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description (Note: FTE/WTE = Full/Whole Time Equivalent)	Mitigation Strategy
		placements during the year. The higher than budgeted numbers result in an overspend of £0.278m . The gross overspend in this service area is £0.925m of which £0.250m relates to unachieved savings (see Appendix 4).	
335	Corporate Critical-In House Foster Payments	Until recently the numbers of children being placed in in-house fostering placements was declining, however, during the first nine months of this financial year that trend reversed, although there appears to be a slight decline again in the last few months. The budget was based on the trend over the previous 5 years and was set at 128.00 FTE placements. The actual number of children with in-house carers during 2015/16 was 146.73 FTE. In addition the number of family & friends carers and SGO allowances has also increased resulting in the overspend of £0.335m .	
917	Corporate Critical 16+Services	The budget for 16+ services is split across 4 client types. Care Leavers, Ex-Asylum Seekers, Looked After Children and Preventive. Across these services the budget allowed for 57.50 FTE young people and during 2015/16 there were 78.42 FTE young people in these placements. The average unit cost of accommodation was also higher than allowed in the budget. The non-accommodation costs also overspent the budget by £0.187m resulting in an overall overspend of £0.917m .	See above
94	In-house foster carer recruitment	A contract with iMPower has now been terminated. The overspend relates to the first phase (£0.082m) and costs for the work undertaken for phase 2.	
1,218	Social Work Teams	The total overspend of £1.218m across the social work teams is primarily the result of the ongoing use of Agency staff and recruitment above the budgeted establishment level. This is a result of the increase in activity levels being experienced over the last 12 months and the inherent inflexibilities built into the previous staff structures and management practices.	The 'model of practice' restructure should address these issues and reduce the over-reliance on agency staff.
44	Legal Fees	The overspend on Legal fees is predominantly the result of	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description (Note: FTE/WTE = Full/Whole Time Equivalent)	Mitigation Strategy
		increased spend on counsel fees.	
(374)	Adoption Payments	Following a number of changes to adoption regulations and a re-basing of the inter-agency budget, there was an underspend of £0.374m in 2015/16. This is due to increased income from other agencies which was considerably higher than in previous years. In addition, there was income from the new Inter Agency Adoption Fee Grant.	
405	Section 17 Preventive	This overspend of £0.405m relates to the increased costs of staff and agency in respect of supported packages being agreed to avoid increased instances of LAC. The housing recharge for homeless families also overspent by £0.122m and is due to a rise in the number of families needing accommodation.	
(375)	Unaccompanied Asylum Seeking Children Grant (UASC)	Additional grant due to the increase in UASC being placed. The number of unaccompanied asylum seeking children has risen sharply in 2015/16. During 2014/15 BHCC were able to claim grant from the Home Office for 15 UASC and this has risen to 34 as at the end of March (a rise of 127%). Of the 34 UASC, 10 are 'Kent referred' and receive higher rate grant funding.	
(135)	Family Drug & Alcohol Court (FDAC)	The delay in agreeing and implementing the process of FDAC has resulted in an underspend in the budget for 2015/16.	
(150)	Youth Offending Service	The £0.150m underspend is a result of a number of vacant posts being held in advance of 2016/17 savings allocated to the YOS.	
Stronger Families, Youth & Communities			
(264)	Early Years	Following the budget proposals to reduce the service provision, a number of vacant posts have been held and service redesign begun. The subsequent decision to defer the saving for one year has resulted in an underspend against this budget. The whole underspend in this area is £0.272m of which £0.008m is shown above as overachievement of savings.	

Appendix 2 Revenue Budget Performance

Adult Services – Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
1,674	Adults Assessment	52,903	54,007	1,104	2.1%
1,765	Adults Provider	12,377	13,727	1,350	10.9%
(328)	Commissioning & Contracts	3,722	2,914	(808)	-21.7%
3,111	Total Revenue - Adult	69,002	70,648	1,646	2.4%

Monitoring of Achievement of 2015/16 Savings

Service	Planned Savings £'000	2015/16 Achieved £'000	2015/16 Anticipated £'000	2015/16 At Risk £'000
Adults Assessment	6,041	5,143	0	898
Adults Provider	1,400	1,485	0	(85)
Commissioning & Contracts	660	650	0	10
Adult Services	8,101	7,278	0	823

See Appendix 4 for details of “At Risk” Savings

Explanation of Other Key Variances

Key Variances £'000	Service	Description (Note: FTE/WTE = Full/Whole Time Equivalent)	Mitigation Strategy
Adults Assessment			
316	Corporate Critical - Community Care Budget (Learning Disabilities)	<p>The key other variance pressures of £0.316m are due to:-</p> <ul style="list-style-type: none"> (1) Projected Ordinary Residence claims from other local authorities where formal notification has been received that clients costs will transfer to us (£0.419m); (2) Projected costs for clients in hospital who are due to leave and need a social care package (£0.700m); (3) Transitional costs which were only partly covered by service pressure funding received for 2015/16 (£0.318m); and; (4) In year pressures on this service are coming from increases in complexity, resulting in a increase in costs (£0.647m; 15.16 WTE) and unachieved savings from previous years (£0.555m). <p>The pressures are being off set by Continuing Care Funding (£0.235m), a net decrease in demand (£0.225m; 4.77 WTE), Improved income (£0.248m), other variances (£0.041m) and one-off Care Act funding (£1.028m). In addition there have been assumptions made around health funding and a review of packages of care (£0.546m) in 2015/16 to mitigate some of the increases already seen in 2015/16.</p>	Service pressure funding of £6.648m (including the Adult Social Care precept of £2.3m) has been applied across various ASC budget headings to help mitigate risks on these demand led budgets.
58	Corporate Critical - Community Care Budget (Physical & Sensory Support - Under 65's)	<p>The underspend of £0.047m across these two areas is due to:</p> <ul style="list-style-type: none"> (1) Pressures brought forward from 2014/15 (£0.684m); (2) Net full year effect of 2014/15 packages of care (£0.975m) against which funding from Brighton & Hove Clinical Commissioning Group (CCG) of £0.500m is anticipated to offset these pressures; and (3) In year pressures on this service are coming from increases in complexity, resulting in a increases in costs (£1.981m; 42.98 WTE), transfers from in-house services 	
(105)	Corporate		

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description (Note: FTE/WTE = Full/Whole Time Equivalent)	Mitigation Strategy
	Critical - Community Care Budget (Physical & Sensory Support -Over 65's)	(£0.730m; 33.19 WTE), other actions (£0.082m) and unachieved savings from previous years (£1.623m) (4) These pressure are being offset by a net decrease in demand (£1.216m; 68.01 WTE), net of self-funders (£1.264m), improved income (£0.181m), Continuing Care funding (£0.445m), one-off Care Act funding (£1.200m), one-off Helping People Home Grant funding £0.036m and one-off Better Care funding £0.971m. In addition there have been assumptions made on reviews of packages of care (£0.309m) in 2015/16 to mitigate some of the increases already seen in year.	
143	Hostel Accommodation	There are pressures from non-pay costs (£0.128m - mainly from premises related costs), income (£0.027m - mainly within the West Pier service) and unachieved efficiency savings (£0.024m) which are being offset by projected underspends on staff costs (£0.036m).	
(53)	Housing Related Support	The service is reporting an underspend of £0.053m due to vacancy management.	
(248)	Support & Intervention Teams	The underspend of £0.248m relates to vacancy management (£0.278m), income (£0.182m) and non pay costs (£0.118m) which are being offset by overspends on Deprivation of Liberty Safeguards (£0.330m).	
Adults Provider			
1,436	Adults Provider	Pressures of £1.432m have been identified due to: (1) Unachieved savings from previous years £0.722m; (2) Full year effect of 2014/15 savings £0.350m; (3) Deferred savings agreed by Budget Council £0.006m; (4) Service pressures from previous years of £0.312m; and (5) Service pressures from 2015/16 of £0.042m.	Service pressure funding of £6.648m (including the Adult Social Care precept of £2.3m) has been applied across various ASC budget headings to help mitigate risks on these demand led budgets.
Commissioning & Contracts			
(818)	Commissioning & Contracts	The underspend of £0.818m relates to one-Off Better Care funding (£0.349m), un-utilised carry forward budget (£0.337m), non pay costs (£0.124m) and income (£0.029m) offset by an	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description (Note: FTE/WTE = Full/Whole Time Equivalent)	Mitigation Strategy
		overspend on direct employee costs (£0.021m).	

Environment, Development & Housing – Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
(613)	Transport	(5,564)	(6,603)	(1,039)	18.7%
(101)	City Clean & City Parks	23,246	23,172	(74)	-0.3%
(80)	City Regeneration	581	514	(67)	-11.5%
(20)	Planning & Building Control	2,611	2,602	(9)	-0.3%
(814)	Total Non Housing Services	20,874	19,685	(1,189)	-5.7%
587	Housing	3,214	3,747	533	16.6%
(227)	Total Revenue - Environment, Development & Housing	24,088	23,432	(656)	-2.7%

Monitoring of Achievement of 2015/16 Savings

Service	Planned Savings £'000	2015/16 Achieved £'000	2015/16 Anticipated £'000	2015/16 At Risk £'000
Transport	1,214	1,179	0	35
City Clean and Parks	659	609	0	50
City Regeneration	88	88	0	0
Planning & Building Control	252	152	0	100
Housing General Fund	820	678	0	142
Environment, Development & Housing	3,033	2,706	0	327

See Appendix 4 for details of "At Risk" Savings

Explanation of Other Key Variances

Key Variances £'000	Service	Description	Mitigation Strategy
Transport			
(108)	Head of Transport	One-off credit of £0.064m received to recover previous years costs of officer time in pursuing a significant debt owed to the council, as well as controls on employee and other expenditure throughout the financial year.	
(57)	Highways	Overspend on routine highways repairs of £0.448m following exceptionally wet weather causing problems for the highway network, which resulted in required spend in response to hazards to ensure national standards were maintained. This has been offset by cost recovery of highways licensing and inspection schemes of £0.409m; underspends on traffic signal and system budgets of £0.054m due to delays in finalising a new maintenance contract; and other less significant underspends of £0.042m due to tighter financial controls during the financial year.	
(4)	Highways Engineering	Minor overall variance	
(954)	Parking	Net underachievement of £0.273m on Pay and Display (P&D) income where there has been significant change in behaviour from P&D to permit parking.	
		Permit income has over achieved by £0.658m. There has been significantly higher demand for resident, trader, visitor and suspension permits during the year compared to budgeted expectations. There are a number of contributing factors such as change in behaviour from pay-and-display to trader permits, demand from new resident schemes being greater than anticipated and increased suspension permits	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
		due to a higher level of development in the city.	
		There is a £0.006m under achievement variance relating to Penalty Charge Notices	
		Underspend of £0.209m on parking maintenance budgets due to the scheme to remove P&D machines which has also resulted in a large value of parts stock being held.	
		There is net £0.150m over achievement of off-street parking income forecasted across the various car parks, due to contractual agreement for car park use with an external company and increased demand in compared to other forms of parking. Borrowing costs associated with car park investment under spent by £0.203m due to reducing borrowing costs over the repayment period.	
8	Transport Plan and Road Safety	Controls on employee and other expenditure within the public transport budget, one-off vehicle sales income and reduced external contributions have offset under achievements of employee costs recharged to capital schemes.	Future employee recharge budgets have been realigned to accurately reflect the level of rechargeable costs to the approved capital programme.
39	Transport Policy	Overspend largely relates to one-off project costs to allow greater monitoring of traffic and other major schemes across the city	Overspend due to one-off expenditure
City Clean & Parks			
(99)	City Clean and City Parks Management	Expenditure and recruitment controls during the financial year have resulted in an outturn underspend.	
16	City Clean Operations	£0.069m overspend within City Clean Operations service largely due to additional activities during the financial year including weekend working on communal recycling rounds, city wide clean up activities and Easter bank holidays falling twice in the financial year resulting in additional overtime and	This overspend is largely due to the timing of bank holidays within the year and therefore considered to be non-recurring.

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
		Resident Service Guarantee payments. There is a net £0.042 underspend within the Projects, Strategy and Administration service budgets following the expenditure and recruitment controls in place during the financial year, as well as a £0.011m underspend on the public conveniences budgets	
(183)	City Parks Operations	Controls on recruitment and non essential expenditure across the parks operations service, such as equipment, materials and other supplies and services has resulted in a service underspend of £0.134m. Expenditure on maintenance and replacement of playground and other parks equipment was reduced to minimum regulatory standards, contributing to a £0.078m underspend within the Parks Projects service. There is a £0.029m service pressure at Rottingdean mini golf course which has been let at a peppercorn rent.	The on-going service pressure relating to Rottingdean mini golf course has been permanently funded for future financial years.
142	Fleet Management	Overspends within the service can be largely associated to a lead in time for procurement of new vehicles, requirements for one-off activities and additional cover during the Hollingdean Depot refurbishment resulting in increased maintenance, hire and other vehicle related costs.	It is anticipated that costs will reduce in future years due to one-off activities and the vehicle replacement programme reducing annual maintenance costs.
City Regeneration			
(19)	Head of City Regeneration	Controls on employee budgets following a service redesign have resulted in an underspend across the City Regeneration service	
23	Economic Development	Expenditure relating to one-off economic development schemes which have not been externally funded.	Overspend due to one-off activities.
(17)	International & Sustainability	Underspend on employee budget following financial controls and changes to initiative work plans.	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
(54)	Major Projects	Controls on recruitment resulting in an underspend.	
Planning & Building Control			
(91)	Head of Planning & Building Control	Recruitment controls following temporary acting up arrangements resulting in a service underspend.	
(24)	Business Development & Customer Services	Outturn underspend variance largely due to vacancy control.	
37	Development Management & Building Control	Underachievement of planning application income (£0.105m) in a competitive commercial environment has been partly offset following expenditure and recruitment controls.	The service is currently reviewing the type and level of fees charged to meet future income budgets.
(31)	Planning Policy and Major Projects	Planning Policy and Major Projects costs resulting from the Planning Examination for the City Plan of £0.048m is offset following vacancy management, controls on non essential expenditure and maximising one-off external funding.	
Housing General Fund			
(93)	Head of Housing	The provisional underspend of £0.050m is due to provisional underspends on employees brought about by the acting up arrangements regarding the Chief Executive's post plus an additional £0.050m income relating to Public Health funding for Intelligence functions.	
(142)	Homemove	A recent review of the work the team carries out for the HRA has led to a change in the recharge leading to a provisional underspend of £0.115m. There is also a further underspend of £0.032m due to vacancies. However, the majority of this underspend is offset by an unachieved savings of £0.117m.	
(96)	Housing Options	This relates to vacancies being held due to the recruitment freeze.	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
(46)	Housing Strategy & Development	The underspend on Housing Strategy & Development relates to a recharge of £0.025m for the Head of Housing Strategy to the HRA for the covering of the vacant Head of Property & Investment post plus additional underspends on Employee costs.	
87	Housing Support Service	This service relates to staff who are keeping clients safe while placed in temporary accommodation. During 2014/15 service pressure funding was available to fund this service, however, this has not been made available for 2015/16. Six temporary staff left the service at the end of September but this leaves an overspend for the first half of the year.	The service is currently reviewing functions in discussion with Adult Social Care.
636	Corporate Critical - Temporary Accommodation & Allocations	This overspend relates to the on-going need to spot purchase expensive bed and breakfast accommodation due to the current shortage of supply of less expensive leased accommodation and the need to handback leased properties. The Council are using competitively tendered frameworks as an alternative to spot purchase, where possible, but these prices are increasing reflecting the price of the market in Brighton & Hove as a result of current demand.	Additional Service Pressure funding of £0.843m was provided in the 2016/17 budget. With the new framework in place, more properties are being procured but these are more expensive and not keeping pace with demand. Also as properties have been handed back, this has used up the newly procured units which has led to a higher use of emergency nightly accommodation. The review of properties with Adults and Children's Services clients has not resulted in any properties being released and the current recharging methodology means that this Housing General Fund budget does not currently charge the full management cost of this service on to other departments. Although 100 new leased properties have just been ordered it will take some months before these materialise, if at all, and with further handbacks, this pressure is set to continue. Other landlords with fewer properties are also being approached with a view to expanding the leased

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
			property portfolio.
146	Private Sector Housing	<p>This variance arises from:</p> <ul style="list-style-type: none"> • Timing of approval for second discretionary licensing scheme which, with formal notice period, means implementation was November 2015 giving rise to a service pressure as employee time cannot be recharged to the new scheme. • Budget and Housing Strategy has focused Private Sector Housing on the priority area of licensing related activity with the team becoming self funding through licensing income. However some non-licensing related Housing Act duties remain which are not currently funded. <p>This is partly offset by forecast underspends on employees and supplies and services within the disabled adaptations team of £0.048m.</p>	<p>The service is currently reviewing the management of remaining non-licensing Housing Act related activity, in particular review of triage and charging models to both manage demand and recovering costs of any enforcement. Where appropriate staffing and other costs will be reviewed and adjusted to align resources to the fee income achieved from the mandatory, and two additional licensing schemes. It is anticipated that the majority of the fees will be received during the first full year of operation of the second additional licensing scheme and it is therefore intended to resource the service flexibly to accommodate demand.</p>

Assistant Chief Executive – Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
(91)	Communications	858	766	(92)	-10.7%
(19)	Royal Pavilion, Arts & Museums	3,184	3,154	(30)	-0.9%
0	Tourism & Venues	1,273	1,333	60	4.7%
0	Libraries	4,634	4,620	(14)	-0.3%
(296)	Corporate Policy & Communities	4,570	4,261	(309)	-6.8%
(203)	Sport & Leisure	(702)	(900)	(198)	28.2%
(609)	Total Revenue - Assistant Chief Executive	13,817	13,234	(583)	-4.2%

Monitoring of Achievement of 2015/16 Savings

Service	Planned Savings £'000	2015/16 Achieved £'000	2015/16 Anticipated £'000	2015/16 At Risk £'000
Communications	25	25	0	0
Royal Pavilion, Arts & Museums	170	174	0	0
Tourism & Venues	80	80	0	0
Libraries	148	148	0	0
Corporate Policy & Communities	206	206	0	0
Sport & Leisure	370	370	0	0
Assistant Chief Executive	999	1,003	0	0

See Appendix 4 for details of "At Risk" Savings

Explanation of Other Key Variances

Key Variances £'000	Service	Description	Mitigation Strategy
Communications			
(92)	Communications	The provisional underspend of £0.092m is unchanged from Month 9.	
Royal Pavilion, Arts & Museums			
(30)	Royal Pavilion, Arts & Museums	There were pressures against commercial income of approximately £0.310m (retail, admissions, catering) and increases in security system and premises repair costs of £0.060m. The service has worked extremely hard to cover these pressures by holding vacancies (£0.320m) and stopping all non-essential spend where possible. This has resulted in an overall provisional underspend now reported of £0.030m.	
Tourism & Venues			
60	Tourism & Venues	The expected outturn for Tourism & Venues was an underspend of £0.020m (Tourism £0.040m under, Venues £0.020m over). However, this changed to become a provisional overspend of £0.060m due to the negotiated settlement with a contractor over a dispute regarding the Brighton Centre Frontage Works that was only finalised during late March 2016.	
Libraries			
(14)	Libraries	The service finished the year with a provisional underspend of £0.014m.	
Corporate Policy & Communities			
(309)	Corporate Policy & Communities	The underspend is a combination of savings identified in the communities initiatives budget including the deletion of a post and reduction in funding for BME and disability projects, a delay in spend related to updating the corporate equality and inclusion policy and the new third sector investment programme both paused to take account of the Fairness Commission, uncommitted funding in the grants programme, and vacancy management and external secondment across the whole unit.	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
Sport & Leisure			
(198)	Sport & Leisure	Sport & Leisure are reporting a provisional underspend of £0.198m. The underspend largely reflects £0.100m from deferral of projects in Sports Facilities into the next financial year. In addition, increased income has been achieved from Seafront property rent reviews of £0.040m and there are underspends of £0.020m from vacancy management and £0.035m against Events.	

Appendix 2 Revenue Budget Performance

Public Health – Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
(233)	Public Health	1,444	1,211	(233)	-16.1%
(42)	Community Safety	1,370	1,346	(24)	-1.8%
(73)	Public Protection	2,025	1,918	(107)	-5.3%
(348)	Total Revenue - Public Health	4,839	4,475	(364)	-7.5%

Monitoring of Achievement of 2015/16 Savings

Service	Planned Savings £'000	2015/16 Achieved £'000	2015/16 Anticipated £'000	2015/16 At Risk £'000
Public Health	0	0	0	0
Community Safety	186	186	0	0
Public Protection	235	235	0	0
Public Health	421	421	0	0

See Appendix 4 for details of “At Risk” Savings

Explanation of Other Key Variances

Key Variances £'000	Service	Description	Mitigation Strategy
Public Health			
(233)	Public Health	The PH ring-fenced grant was £20.806m for 2015-16 (which includes the half year effect of Health Visitor commissioning transfer of £2.111m). As reported previously the service has been able to fully cover the £1.290m (6.2% reduction) of savings needed to deliver the in-year reduction against the PH ring-fenced grant. However it should be noted that the majority of this has come from carry-over planned spends (£0.850m was carried forward from 2014/15) that did not take place, and so is not all non-recurrent.	It has now been confirmed that the reduction in grant funding is recurrent, and there will also be further cuts to the ring-fenced grant in 2016/17 and beyond. In anticipation of this, additional underspends of £0.593m have been identified this year. Ordinarily this could all be carried forward as part of the Public Health reserve, in line with the grant conditions. However, given the Council's financial position £0.233m of the underspend was used to help free up funding to support other services, such as Children and Adult Services - where it could be demonstrated that this was spent on defined public health functions identified with the public health team. Therefore £0.360m has been carried forward into 2016/17 in line with the public health grant conditions.
Community Safety			
(24)	Community Safety	The provisional underspend is mainly against the staffing budget from holding vacancies and utilisation of external grant funding.	
Public Protection			
(107)	Public Protection	The provisional underspend of £0.107m is largely as a result of staff savings across the service during the financial year.	

Appendix 2 Revenue Budget Performance

Finance & Resources & Law – Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
(116)	HR & Organisational Development	3,388	3,193	(195)	-5.8%
(86)	ICT	7,351	7,208	(143)	-1.9%
(863)	Property & Design	3,560	3,180	(380)	-10.7%
(396)	Finance	11,671	11,404	(267)	-2.3%
(323)	Housing Benefit Subsidy	(637)	(1,004)	(367)	57.6%
(31)	Performance, Improvement & Programmes	1,268	1,235	(33)	-2.6%
(398)	Legal & Democratic Services	3,862	3,419	(443)	-11.5%
(2,213)	Total Revenue - Resources & Finance	30,463	28,635	(1,828)	-6.0%

Monitoring of Achievement of 2015/16 Savings

Service	Planned Savings £'000	2015/16 Achieved £'000	2015/16 Anticipated £'000	2015/16 At Risk £'000
Human Resources & Organisational Development	152	152	0	0
ICT	358	358	0	0
Property & Design	1,003	929	0	74
Internal Audit / Corporate Fraud / NAFN	50	50	0	0
Finance & Procurement	263	263	0	0
Revenues & Benefits	329	329	0	0
Legal & Democratic Services	146	146	0	0
Finance & Resources & Law	2,301	2,227	0	74

Explanation of Other Key Variances

Key Variances £'000	Service	Description	Mitigation Strategy
HR & Organisational Development			
(195)	HR & Organisational Development	The underspend reflects the requirement to meet a further in-year share of the council-wide overspend through the holding of vacant posts and the delay/postponement of planned training on Adults/Children's training programmes and non-attendance income (£0.040m) that would normally be re-invested in the training programme. Additionally, £0.025m of the planned carry forward at year-end was not taken forward.	
ICT			
(143)	ICT	There has been a reduction in agency staff costs and lower than expected data line costs, in addition to underspends in the salaries, advertising, training and staff travel budgets. These were used to offset the Business Objects settlement fee and increased Business Objects licensing costs.	
Property & Design			
(380)	Property & Design	The forecast underspend towards the end of the year (£0.863m) was reduced by an accounting correction of £0.440m in respect of rent income accruals from previous years. Ignoring this accounting entry, the commercial income portfolio was short of its target by £0.074m, though New England House income did well. There were underspends during the financial year for utility costs at Hove Town Hall, due to	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
		the Workstyles programme, improved water monitoring with automatic meter readings and other various utilities efficiency savings totalling £0.319m. Contracts and other savings within the property facilities service area saved a further £0.155m. The in-year Financial Controls led to only essential maintenance being carried out, which saved £0.300m on planned maintenance and £0.120m on other maintenance, however this reduction will impact on the maintenance backlog figure and future maintenance requirements.	
Finance			
63	Finance	Finance, Procurement & Audit overspent during the year by £0.063m. Unrecovered fees and costs from the closure of the Brighton NAFN office were offset by vacancy controls, however the main pressure related to 8 months of interim costs for the Director of Finance & Resources post offset by the post subsequently being held vacant for 4 months (net £0.023m) together with one-off recruitment costs for the permanent appointment to the post of £0.040m.	The cost pressures in 2015/16 were one-off in nature and are not expected to recur. These were more than offset by underspending in Revenues & Benefits which became part of the Finance function during 2015/16.
(331)	Revenues & Benefits	Revenues and Benefits budgets transferred from the former City Services to Finance during the year and were underspent by £0.331m. This was due to vacancy controls (18 vacancies being held by year-end) and a reduction in discretionary payment costs, along with an overachievement of income targets and a reduction in projected costs of	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
		computer maintenance.	
Housing Benefits Subsidy			
(367)	Housing Benefits Subsidy	There is a surplus of £0.204m (previously £0.241m) associated with the recovery of over payments of former Council Tax benefit. In addition a surplus of £0.163m previously (£0.082m) is forecast on the main subsidy budget. The main reason for the movement is an improved position on the collection of overpaid housing benefits.	
Performance, Improvement & Programmes			
(33)	Performance, Improvement & Programmes	During the year the service minimised the development work for Performance & Risk Management software system, managed its vacancies and reduced non staffing expenditure to an absolute minimum.	
Legal & Democratic Services			
(207)	Legal & Democratic Services	Legal and Democratic Services underspent by £0.207m in the year, due to extended vacancy controls, management of one off payments and improved income generation.	
(236)	Life Events	Life Events budgets transferred from the former City Services this year and underspent by £0.236m. The service received one-off government funding in respect of personal land charges liability costs of £0.327m, though this was offset by income shortfalls.	Income targets are being reviewed for 2016/17 to ensure a clear understanding of pressure areas together with exploring other income generation options for mitigating these.

Corporate Budgets – Revenue Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Bulk Insurance Premia	(125)	(449)	(324)	259.2%
(137)	Concessionary Fares	10,827	10,695	(132)	-1.2%
(154)	Capital Financing Costs	7,647	5,023	(2,624)	-34.3%
0	Levies & Precepts	167	167	0	0.0%
(372)	Unallocated Contingency & Risk Provisions	1,847	0	(1,847)	-100.0%
3	Unringfenced Grants	(16,683)	(16,631)	52	-0.3%
(533)	Other Corporate Items	2,205	1,685	(520)	-23.6%
(1,193)	Total Revenue - Corporate Budgets	5,885	490	(5,395)	-91.7%

Key Variances

Key Variances £'000	Service	Description	Mitigation Strategy
Bulk Insurance Premia			
(324)	Bulk Insurance Premia	There is an underspend of £0.324m. This is mainly due to an unusually low level of successful claims against the council and claims by the council against its own self insured elements of property policies. Additionally, we are beginning to see a reduction in the value of successful liability claims due to a change in legislation which has reduced the amount of third party legal costs chargeable to the council. The £0.324m underspend is after contributing £0.250m to the Insurance Reserve in recognition of the potential change in historic liability.	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
Concessionary Fares			
(132)	Concessionary Fares	There is a reduction in the fixed deal payment to B&H Buses of £0.105m to allow for the cessation of some routes and the remaining saving is mainly from lower than forecast trip numbers across other operators.	
Capital Financing Costs			
(296)	Capital Financing Costs	This budget underspent by £0.296m. This is mainly due to higher cash balances generating higher levels of income and a reduction in borrowing costs due to delays in entering into new borrowing. The Council set trigger rates for new borrowing which were not reached until December at which point £10.000m was borrowed as planned for in 2015/16. The borrowing rates continued to be historically low and after financial analysis it was decided to bring forward £5.000m borrowing from 2016/17. The overall cost of the new borrowing in 2015/16 was lower than originally budgeted.	
(2,328)	Minimum Revenue Provision (MRP)	Budget Council agreed a new MRP statement in February 2016 which involved re-profiling the repayment of debt. This change is effective in the current financial year and has released £2.328m.	These resources have been factored into the planned budget for 2016/17.
Unallocated Contingency & Risk Provisions			
(1,847)	Unallocated Contingency & Risk Provisions	There were unrequired Carry Forward allocations of £0.143m released to support the overall position. This consists of Human Resources and Organisational Development (£0.087m), Housing (£0.036m) and Communications (£0.020m). In addition to this £0.082m of unrequired risk provision was released up to Month 10. In Month 11 the remaining £1.622m of unrequired permanent risk provision was released.	The release of unrequired risk provision of £1.622m was factored into the 2016/17 budget setting plans.
Unringfenced Grants			
52	Unringfenced	There was a £0.062m reduction in S31 business rates	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
	Grants	retention compensation grants based on actual reliefs awarded in 2015/16. An unbudgeted transparency code grant of £0.013m was received in February 2016.	
Other Corporate Items			
(505)	Centrally Managed Budgets	The underspend here relates to unrequired balances in respect of historic debts (£0.267m), over-provision for the council's obligation for trust funds (£0.112m), historic balances from Revenue Support Grant (£0.048m) and out of date cheques that have not been cashed (£0.100m). These are partially offset by £0.011m debt written off due to unsuccessful external collection and £0.012m in respect of the correction of salary overpayments created in error.	
(16)	Former Employee Pension Costs	Spend on former employee pension costs is lower than anticipated by £0.017m.	

Housing Revenue Account – Revenue Budget Summary

Forecast Variance Month 9 £'000	Housing Revenue Account	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
995	Capital Financing	30,380	32,404	2,024	6.7%
(10)	Head of Housing HRA	3,492	3,378	(114)	-3.3%
(63)	Head of Regeneration	733	676	(57)	-7.8%
12	Housing Strategy	524	480	(44)	-8.4%
(918)	Income Involvement Improvement	(49,481)	(50,857)	(1,376)	2.8%
(524)	Property & Investment	12,227	10,490	(1,737)	-14.2%
(366)	Tenancy Services	2,125	1,392	(733)	-34.5%
(874)	Total	-	(2,037)	(2,037)	0.0%

Monitoring of Achievement of 2015/16 Savings

Directorate	Planned Savings £'000	2015/16 Achieved £'000	2015/16 Anticipated £'000	2015/16 At Risk £'000
Environment, Development & Housing	907	837	0	70
Total HRA Savings	907	837	0	70

See Appendix 4 for details of "At Risk" Savings

Explanation of Other Key Variances

Key Variances £'000	Service	Description	Mitigation Strategy
Housing Revenue Account			
1,991	Capital Financing	The reprofiling/slippage for the HRA Capital Programme will reduce the amount of borrowing required in 2015/16 to fund the overall programme, which will therefore result in lower interest charges of £0.105m than originally budgeted for. A further review of the funding of the capital programme, in light of the overall revenue and capital outturn position, has resulted in an increased contribution of £2.100m from the revenue account to fund the capital programme rather than undertaking borrowing.	The forecast overspend is funded from overachievement of income relating to Leaseholder Service Charges and the forecast underspend on interest payable and responsive repairs.
(115)	Head of Housing HRA	The main variances are underspends for: employees vacancy management £0.015m; redundancy provision not required £0.050m; £0.020m staff training budget; saving from carbon commitment £0.006m and various supplies and services underspends totalling £0.015m	
(57)	Head of Regeneration	The level of capitalisation of salaries was higher than originally budgeted.	
(44)	Housing Strategy	A review of the work carried out by the Housing Allocations team has meant that the amount of staff time charged to the HRA has increased to a charge of 80% of staff time compared to a budgeted split of 50/50. This is offset by a forecast underspend on transfer incentive scheme of £0.103m	
(1,344)	Income Inclusion Improvement	Leaseholder Services and Major Works overachieved income by £0.733m mainly due to the timing of capital works meaning more was rechargeable in 2015/16 than was estimated; There was increased administration fee income of £0.035m from increased Right to Buy sales. Rents overachieved income by £0.077m and employees budgets underspent by £0.368m as a result of vacancy controls and pending restructure. The provision for bad debt budget was £0.177m underspent at the year end due to a large volume of former debt write offs reducing the overall	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description	Mitigation Strategy
		provision requirement on the HRA balance sheet. The HRA contribution of £0.070m to the DHP fund forecast at Month 9 was also not required. There are further underspends relating to Mutual Exchange Support £0.050m. These underspends are partly offset by a forecast overspend on accommodation management fees of £0.147m.	
(1,735)	Property & Investment	The spend on routine repairs is forecast to underspend by £0.915m due to a reduction in the number of council dwellings and also the increased levels of capital investment over the past few years which has led to a substantial reduction in the responsive repairs to windows and roofs. The outturn also includes the recovery of £0.513m from overcharging on the Partnership contract which has previously been reported to the Audit and Standards Committee and referred for noting to the New Homes and Housing Committee in January 2016. The service and mechanical & electrical budgets underspend totalled £0.207m, with an underspend of £0.115m relating to Partnership overhead cost reductions in the revenue budget .	
(733)	Tenancy Services	Underspends include: £0.194m on staff costs in the estates services and tenancy management areas; £0.269m on gas & electricity charges; grounds and tree maintenance £0.050m; decorating vouchers £0.032m; £0.144m on supplies and services and £0.040m relating to the Community Payback Scheme where the budget is no longer required.	

Dedicated Schools Grant – Revenue Budget Summary

Forecast Variance Month 9 £'000		2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
	Dedicated Schools Grant (DSG)				
0	Individual Schools Budget (ISB) <i>(This does not include the £5.534m school balances brought forward from 2014/15)</i>	122,623	122,623	0	0.0%
70	Early Years Block (including delegated to Schools) <i>(This includes Private Voluntary & Independent (PVI) Early Years 3 & 4 year old funding for the 15 hours free entitlement to early years education)</i> <i>(This includes £0.615m brought forward from 2014/15)</i>	10,853	10,896	43	0.4%
(142)	High Needs Block (excluding delegated to Schools) <i>(This includes £0.807m underspend brought forward from 2014/15)</i>	18,257	17,901	(356)	-1.9%
(36)	Exceptions and Growth Fund <i>(This includes £0.031m underspend brought forward from 2014/15)</i>	5,989	5,870	(119)	-2.0%
0	Grant Income	(156,269)	(156,269)	0	0.0%
(108)	Net DSG Budget	1,453	1,021	(432)	-29.7%

Explanation of Key Variances

Key Variances £'000	Service	Description (Note: FTE/WTE = Full/Whole Time Equivalent)	Mitigation Strategy
Early Years Block			
268	PVI payments for 2,3 & 4 year olds	Overspend in payments for 2,3 & 4 year olds	
(228)	Early Years - Other	The Department for Education (DfE) has confirmed that it	

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description (Note: FTE/WTE = Full/Whole Time Equivalent)	Mitigation Strategy
		will not be recouping unspent Early Years Pupil Premium and this has resulted in an underspend of £0.077m. There are also underspends on staffing costs for Early Years Advisors (£0.072m), payments to providers for additional support funding (£0.063m) and other minor variances (£0.016m).	
High Needs Block			
26	Educational Agency Placements	Overspend in relation to the number and cost of places.	
(379)	Other	There are a number of underspends in the following areas: 2014/15 underspend carried forward for respite care (£0.085m); unallocated DSG not spent (£0.068m); Independent Travel training (£0.060m), High Needs top-up for Post 16 students (£0.060m); Top up for Secondary schools (£0.058m); Speech & Language, Sensory Needs and Literacy Support Service staffing (£0.057m); Autistic Spectrum Condition (ASC) service recruitment (£0.050m); Sensory Needs service (£0.036m) and other minor underspends (£0.124m). These are partially offset by overspends relating to a contribution to CAMHS (£0.169m) and Top Up for Primary Schools (£0.050m).	
Exceptions & Growth Fund			
(119)	Exceptions	There are underspends of £0.053m on the School Admissions team, £0.042m relating to the reimbursement of costs for union duties, jury service and suspension to schools, £0.034m on Schools Contingency and £0.023m in respect of increased school meals income. These are partially offset by an overspend of £0.031m in respect of schools premature retirement costs.	

NHS Trust Managed S75 Budgets – Revenue Budget Summary

Forecast Variance Month 9 £'000	S75 Partnership	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
489	Sussex Partnership Foundation NHS Trust (SPFT)	10,830	11,303	473	4.4%
-	Sussex Community NHS Trust (SCT)	277	277	-	0.0%
489	Total Revenue - S75	11,107	11,580	473	4.3%

Explanation of Key Variances

Key Variances £'000	Service	Description (Note WTE = Whole Time Equivalent)	Mitigation Strategy
Sussex Partnership Foundation NHS Trust (SPFT)			
567	SPFT- community care mental health & memory cognition, in house services	The key pressures of £0.567m are due to:- (1) Pressures brought forward from 2014/15 (£0.605m); (2) Net full year effect of 2014/15 packages of care (£0.516m); and; (3) In year pressures on this service are coming from increase in care packages / change in service type (£0.805m; 14.05 WTE), transfers from in-house services (£0.553m; 18.58 WTE), unachieved savings from previous years (£0.537m) and other variances (£0.503m). These pressures are being offset by net decrease in demand (£0.433m; 21.25 WTE), improved income (£0.370m), net self-funders (£0.309m), Continuing Care Funding (£0.196m) and (CCG) funding against the overall S75 risks (£0.905m). In addition there have been assumptions made on reviews of packages of care (£0.132m) in 2015/16 to mitigate some of the increases already seen in year; (4) There are underspends on the SPFT staffing budgets of £0.188m.	Risk-share arrangements for 2016/17 are currently under discussion with the Trust and the CCG.

Appendix 2 Revenue Budget Performance

Key Variances £'000	Service	Description (Note WTE = Whole Time Equivalent)	Mitigation Strategy
		In addition, overachieved savings of £0.188m are included within the savings information in Appendix 4 which gives a total net pressure of £0.798m. The SPFT risk share contribution was capped at £0.325m meaning that the total pressure falling to BHCC was £0.473m.	
Sussex Community NHS Trust (SCT)			
0	SCT- Community Equipment Services	This service is projecting a break-even position for 2015/16.	

Appendix 3 – Carry Forward Requests 2015/16

Directorate	Unit	Service Area	Details	Proposed Carry Forward £'000
Non Grant Funded Areas				
Environment, Development & Housing	City Regeneration	Economic Development - Initiatives	This budget is used to facilitate the delivery of Economic Development initiatives which are detailed in the team's Work Plan. The carry forward is requested to meet expenditure on contractually committed projects.	31
Environment, Development & Housing	City Regeneration	Economic Development - Greater Brighton Economic Board (GBEB)	This budget is used to facilitate the Greater Brighton Economic Board and delivery of its Work Plan, which includes implementation of the Greater Brighton City Deal, the Greater Brighton Investment Programme and development of the City Region's Devolution Bid. This budget includes contributions from GBEB members: Brighton & Hove City Council; Adur & Worthing Council; Lewes District Council; Mid Sussex District Council; Coast to Capital Local Enterprise Partnership; South Downs National Park Authority; University of Sussex; University of Brighton and City College Brighton & Hove. Partners would expect Brighton & Hove City Council, as the Lead Authority, to carry forward the funding to enable the continued delivery of the GBEB and its Work Plan. The year end financial position was reported to the GBEB in April 2016.	33
Environment, Development & Housing	City Regeneration	International & Sustainability	The carry forward requested forms part of the One Planet Living allocation of £0.051m, agreed at P&R in March 2013, for the Behaviour Change Programme. This programme will continue into 2016/17, and following the approval of the refreshed City Sustainability Action Plan in October 2015, is aligned to the delivery of the Biosphere initiative.	17

Appendix 3 – Carry Forward Requests 2015/16

Directorate	Unit	Service Area	Details	Proposed Carry Forward £'000
Environment, Development & Housing	Housing General Fund	Private Sector Housing	Funding for Independent research for a further licensing scheme. On 13 January 2016 Housing & New Homes Committee delegated authority to the Acting Executive Director for Environment, Development & Housing to explore the necessity or otherwise of the introduction of further discretionary licensing in all or part of the local authority area. Any decision to proceed with such a licensing scheme may require Secretary of State Approval and any new scheme may be subject to Judicial Review. Research is needed to explore the options for the introduction of any further licensing schemes in the City. There is a risk that in-house research may not be seen as impartial which would be mitigated by employing an external expert.	27
Environment, Development & Housing	Housing General Fund	Head of Housing	Carry forward requested to fund the Housing Sustainability and Affordable Warmth Manager post. This was funded 50% by Public Health and 50% by HRA during 2015/16 but Public Health can no longer fund this post leading to a £0.025m pressure in 2016/17. This post is key to delivering outcomes in relation to EDH KPIs including KPI EDH09 – "Percentage of households that experience fuel poverty based on the 'low income, high cost' methodology". It is also key to delivering our Housing Service Plan priority to "Improve the quality and energy efficiency across the council housing stock & private sector, reducing fuel poverty and carbon emissions and renewable energy schemes for our own land and property".	25
Assistant Chief Executive	Corporate Policy & Communities	Communities, Equality and Third Sector	Research commission into barriers into employment and skills development for Black & Minority Ethnic (BME) people. To be incorporated into and strengthen the City Employment and Skills action plan which is focused on individuals and communities struggling in the labour market. A tender was published in March with the contract due to be awarded in May 2016. The project was identified by, and will be delivered as a partnership project with, the city's BME needs assessment steering group.	15

Appendix 3 – Carry Forward Requests 2015/16

Directorate	Unit	Service Area	Details	Proposed Carry Forward £'000
Assistant Chief Executive	Corporate Policy & Communities	Communities, Equality and Third Sector	Research commission into barriers into employment and skills development for disabled people focusing on supply and demand. To be incorporated into and strengthen the City Employment and Skills action plan which is focused on individuals and communities struggling in the labour market. A tender was published in February and contract will be awarded in May 2016. Project was identified and will be delivered by disability sub-group of the city's equality and inclusion partnership, and includes DWP and BHCC officer lead on welfare reform.	10
Assistant Chief Executive	Corporate Policy & Communities	Partnerships and External relations	Underspend due to changes in senior management and consequently City Management Board activity. Now that there is a new CEO and Brighton and Hove Connected Chair in place, funds are required to pursue the following workstreams as agreed with partners including: HR Leads; Public Sector Property Group; Communication Leads; Finance Leads; Business Engagement; Creating social value; implementation of city wide volunteering strategy. All of these programmes involve city wide partners, most of whom contribute funds to the project.	45
Assistant Chief Executive	Corporate Policy & Communities	Partnerships and External relations	Funding for City Tracker annual survey - carried out on behalf of citywide partners, most of whom contribute funds to the project.	22
Assistant Chief Executive	Corporate Policy & Communities	Partnerships and External relations	Funds used for Brighton & Hove Connected support, including theme partnerships, one off events, meeting rooms, printing, design etc.	14
Finance, Resources & Law	Human Resources & Organisational Development	Workforce Development	Carry forward requested to provide transitional support to the savings proposals for 2016/17. This will enable the Head of HR to complete a management restructure that has been unavoidably delayed and in addition stabilise work flow and capacity within teams ahead of the service reviews that will be undertaken as part of service planning for 2017-2020. Without this transitional funding, there is a high risk of negative service impact and/or planned savings may be partly compromised.	50
Total Non Grant Funded Areas				289

Appendix 3 – Carry Forward Requests 2015/16

Directorate	Unit	Service Area	Details	Proposed Carry Forward £'000
Grant Funded Areas				
Children's Services	Education & Inclusion	Dedicated Schools Grant (DSG)	Under the Schools Finance Regulations the unspent part of the DSG must be carried forward to support the Schools Budget in future years.	432
Environment, Development & Housing	Housing General Fund	Temporary Accommodation	DCLG Grant of £0.200m received in March 2016 in relation to Tackling Temporary Accommodation Project. The grant is yet to be spent, pending recruitment of staff to carry out homeless prevention work.	200
Public Health	Public Health	Public Health Commissioning	Any funds left over at the end of the financial year can be carried forward as part of a Public Health reserve - in line with the grant conditions. An underspend of £0.233m has already been offered to help the council's overall financial position in 2015/16, so the requested carry-forward is for the additional underspend of £0.360m, which has arisen as a result of unfilled (delayed) vacancies (health trainers, smoking and licensing lead posts, intelligence and admin posts), increased funding from NHS England towards primary care alcohol reduction service and lower than anticipated cost of the NHS England oral health contract, contingency for TUPE costs on substance misuse service only required for six months, plus an intentional and sustained drive by the directorate to reduce costs wherever possible. All the conditions that apply to the use of the grant will continue to apply to the funds being carried forward and will also help offset the recurrent grant cuts that Public Health are working to meet over the next three years, but are still some way short.	360
Finance, Resources & Law	Human Resources & Organisational Development	Workforce Development	This funding has been received from Skills for Care and Department for Education to support the Assessed & Supported Year in Employment (ASYE) programmes in Adults' and Children's Services. ASYE runs on academic years (September to August) and crosses financial years.	41
Total Grant Funded Areas				1,033
Total Carry Forward Requests				1,322

Savings Monitoring 2015/16

General Fund

Directorate	2015/16 Target £'000	Full Year Effect £'000	2015/16 Achieved £'000	2015/16 Not Achieved £'000
Children's Services	3,966	4,913	4,077	681
Adult Services	8,101	8,214	7,278	823
Environment, Development & Housing	3,033	5,542	2,706	327
Assistant Chief Executive	999	1,070	1,003	0
Public Health	421	421	421	0
Finance & Resources & Law	2,301	2,424	2,227	74
Corporate Budgets	0	0	0	0
Total Savings in Directorate budgets	18,821	22,584	17,712	1,905
Tax Base Savings	2,268	2,268	2,268	0
Grand Total General Fund Savings	21,089	24,852	19,980	1,905

Housing Revenue Account

Directorate	2015/16 Target £'000	Full Year Effect £'000	2015/16 Achieved £'000	2015/16 Not Achieved £'000
Environment, Development & Housing	907	907	837	70
Total HRA Savings	907	907	837	70

Children's Services

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Education & Inclusion					
Home to School Transport	Reducing the number of children with special educational needs (SEN) requiring taxi transport through the promotion of independent travel training. Reviewing all aspects of assessed and provided services including vehicles	500	161	339	Officers are working with schools to identify children who would benefit from programmes of independent travel training and to make arrangements for these programmes. This would mean these children are no longer dependent upon taxi transport as well as achieving savings in transport costs.
Portslade Sports Centre	Removal of all council subsidy	116	114	2	
Music & Arts Study Support	Package of savings measures	57	53	4	
Achieved Savings		152	188	0	
		825	516	345	
SEN and Disability (SEND)					
Services for Children with Disabilities	Integrate and re-align services across education, health and care to reduce cost and the need for expensive out of city placement	239	236	3	
Achieved Savings		639	1,104	0	
		878	1,340	3	
Children's Health, Safeguarding & Care					
Fostering & Adoption	Deletion of 0.57 FTE Practice Manager post, 0.79 FTE Social Workers. Remaining savings to come from the recommendations of the current fostering review	263	236	27	

Appendix 4 – 2015/16 Savings Progress

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Social Work & Legal	Reviewed service staffing against demand, budget and achieved savings	42	0	42	There have been significant pressures on social work capacity and agency costs over the year.
Agency Placements	Reduction of 6.50 FTE looked after children agency placements through service design and prevention	250	0	250	After an extended period of time where the number of children in care has been high, in recent months there has been a decrease in the numbers. In addition, to address the spend on IFA's (Independent Fostering Agencies) we have been engaged in a programme to increase our market share of foster carers with anticipated saving of £1.500m.
Achieved Savings		373	542	0	
		928	778	319	
Stronger Families, Youth & Communities					
Youth Service & Advocacy	Deletion of vacant posts	177	165	12	
Early Years - Nurseries	Fee increase and removal of council subsidies.	66	64	2	
Achieved Savings		1,092	1,214	0	
		1,335	1,443	14	
TOTAL CHILDREN'S SERVICES		3,966	4,077	681	

Adult Services

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Adults Assessment					
Learning Disabilities (LD) - Residential	Review all out of city and high cost placements, consider supported living, ensure appropriate funding streams and renegotiate provider rates	1,094	56	1,038	Due to capacity issues as a result of having to meet statutory duties in relation to Deprivation of Liberty Safeguards (DoLS) completion of the 'Move On' project has been delayed. However, to date, 19 of the 45 people identified have been reviewed with resultant full year effect savings of £0.250m. The majority of these savings will not be realised until 2016/17 due to the planning and preparation required for people to move on to greater independence.
Learning Disabilities (LD) - Home Care, Day Care & Direct Payments	Increased use of Direct Payments and review high cost placements & third party spend	626	663	(37)	The savings were over-achieved by £0.037m and this is supporting Budget Strategy Savings which have been Put at Risk.
Older People - Residential/Nursing (includes Older People with Mental Health needs)	Task force to identify all appropriate funding sources. Review housing options and identify links to Better Care (especially for Older People Nursing) and potential sources of funding. Reduce waivers and scrutinise placement costs	1,000	1,433	(433)	The savings over-achieved by £0.433m and this is supporting Budget Strategy savings which have been put at risk.

Appendix 4 – 2015/16 Savings Progress

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Adults with Mental Health (MH) - Residential	Rigorous scrutiny of placements, identification of all appropriate funding sources and implementing the Resource Allocation System (RAS)	200	245	(45)	The savings over-achieved by £0.045m and this is supporting Budget Strategy savings which have been Put at Risk.
ALL COMMUNITY CARE - Across all client groups. Fees for services provided by the Independent Sector	Limit inflationary increases	750	969	(219)	New rates came into effect from 1 April 2015 and the overachievement against the target is supporting Budget Strategy savings put at risk
ICES (Integrated Community Equipment Services)	Savings of 30% on equipment	100	100	0	The new Community Equipment contract was implemented on 1 October 2015 and the cost of contract is being reviewed. The projected overspend on this service was covered by one-off Better Care Fund resources for 2015/16 only.
Learning Disabilities	Enable more people to access volunteering, employment and training	45	0	45	Savings are dependent on the LD Delivery Plan and have been put at risk for 2015/16
Learning Disabilities	Realigning accommodation and supported living including respite to enable service users to live independent lives	162	0	162	Savings are dependent on the LD Delivery Plan and have been put at risk for 2015/16
Learning Disabilities	Personalised approach through reviews to avoid high cost packages	729	493	236	The savings under-achieved by £0.236m and this is being supported by other streams that over-achieved in 2015/16.

Appendix 4 – 2015/16 Savings Progress

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Assessment Services (including joint S75 arrangements) Assessment and Review staffing	Focus on statutory duties and undertaking Business Process Improvement (BPI) reviews	376	0	376	Savings expected as a result of the BPI review are not expected until 2017/18. This saving has been mitigated by vacancy controls forecast through TBM for 2015/16 on a one-off basis.
Housing Related ('Supporting People')	Explore new service delivery models and further income growth	959	1,184	(225)	There were approximately 100 contracts with a contract end date of 31st March 2015. These have been successfully retendered or stopped to overachieve the savings target for 2015/16
		6,041	5,143	898	
Adults Provider					
Resource Centres Older People (Craven Vale, Knoll House, Ireland Lodge (MH), Wayfield Avenue (MH))	Review criteria for bed services and reduce numbers of beds funded through Social Care	1,000	1,000	0	Alternative funding identified through the CCG.
Able & Willing Supported Business	Review business plan and reduce subsidy from September 2015	100	87	13	The income received was lower than expected and did not achieve the full savings identified through the 2015/16 Budget Strategy.
Home Care. (6 services including Independence at Home)	Review staffing structure and criteria for services working with the community and independent sectors. Review funding with NHS	300	398	(98)	Part year effect of structure changes, vacancy management , and non essential spend controls.
		1,400	1,485	(85)	

Appendix 4 – 2015/16 Savings Progress

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Commissioning & Contracts					
Commissioning & Contracts Staffing Budget	Review contract management and commissioning function and scope for joint arrangements	130	120	10	The Adults Commissioning Services restructure was implemented in August 2015.
Older People's Prevention	Investment of resources to develop a Public Health approach to prevention and health improvement services for older people provided through locality hubs.	530	530	0	Contracts now funded by Public Health.
		660	650	10	
TOTAL ADULT SERVICES		8,101	7,278	823	

Environment, Development & Housing

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Transport					
Public Health Transport Programme	Investment of Public Health resources to reduce accidents and promote sustainable transport.	85	50	35	Investment limited to £0.050m. The £0.035m at risk has been permanently funded in future financial years.
Achieved Savings		1,129	1,129	0	
		1,214	1,179	35	
City Clean and Parks					
Fleet Section	A business plan is being developed to offer servicing, maintenance and MOTs to other council departments and on a commercial basis	50	0	50	This saving is dependent on refurbishment works at Hollingdean Depot which are due for completion in the 2016/17 financial year.
Achieved Savings		609	609	0	
		659	609	50	
City Regeneration					
Achieved Savings		88	88	0	
		88	88	0	
Planning & Building Control					
Development Management	Implementation of pre-application charges to secure £0.100m fee income and a reduction in staff costs through a Business Process Review of the service	145	45	100	The service is introducing a framework for pre-application charges in the 2016-17 financial year following approval at March 2016 P&R Committee.
Achieved Savings		107	107	0	
		252	152	100	

Appendix 4 – 2015/16 Savings Progress

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Housing General Fund					
Homemove	Charge Registered Providers for running cost of the Joint Housing Register and shortlisting	140	23	117	Recent discussions with Registered Providers suggest that the original savings figure was too optimistic and so there is currently a shortfall. £0.070m of service pressure funding has been allocated for 2016/17 and further income is expected.
Private Sector Housing Team	Deletion of two posts in the Sustainability Team	74	49	25	One-off funding for 2016/17 has been identified. However this remains a pressure for 2017/18 and beyond.
Achieved Savings		606	606	0	
		820	678	142	
TOTAL ENVIRONMENT, DEVELOPMENT & HOUSING		3,033	2,706	327	

Assistant Chief Executive

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Communications					
Achieved Savings		25	25	0	
		25	25	0	
Royal Pavilion, Arts & Museums					
Achieved Savings		170	174	0	
		170	174	0	
Tourism & Venues					
Achieved Savings		80	80	0	
		80	80	0	
Libraries					
Achieved Savings		148	148	0	
		148	148	0	
Corporate Policy & Communities					
Achieved Savings		206	206	0	
		206	206	0	
Sport & Leisure					
Achieved Savings		370	370	0	
		370	370	0	
TOTAL ASSISTANT CHIEF EXECUTIVE		999	1,003	0	

Public Health

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Public Health					
Achieved Savings		760	760	0	
Investment of Public Health grant against services to deliver Public Health Outcomes	Investment of Public Health grant against services to deliver Public Health Outcomes	(760)	(760)	0	
		0	0	0	
Community Safety					
Achieved Savings		186	186	0	
		186	186	0	
Public Protection					
Achieved Savings		235	235	0	
		235	235	0	
TOTAL PUBLIC HEALTH		421	421	0	

Finance, Resources and Law

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Human Resources & Organisational Development					
Achieved / Anticipated Savings		152	152	0	
		152	152	0	
ICT					
Achieved / Anticipated Savings		358	358	0	
		358	358	0	
Property & Design					
Estates Management	Increased income from the commercial urban portfolio	150	76	74	Commercial rents shortfall in 15/16 - but overall Property & Design was significantly underspent.
Achieved Savings		853	853	0	
		1,003	929	74	
Internal Audit / Corporate Fraud / NAFN					
Achieved Savings		50	50	0	
		50	50	0	
Finance & Procurement					
Achieved Savings		263	263	0	
		263	263	0	
City Services (Revenues & Benefits)					
Achieved Savings		329	329	0	
		329	329	0	

Appendix 4 – 2015/16 Savings Progress

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Legal & Democratic Services					
Achieved Savings		146	146	0	
		146	146	0	
TOTAL FINANCE, RESOURCES & LAW		2,301	2,227	74	

Housing Revenue Account

Service	Description of Saving Opportunity	Planned Savings 2015/16 (£'000)	Achieved (£'000)	Not Achieved (£'000)	Progress / Mitigation
Housing Revenue Account					
Housing Management & Maintenance	Service redesign of Housing Management & Maintenance	251	181	70	Service redesign is ongoing however £0.070m of this saving will now be found from deleting the budget for extra legal costs no longer required.
Achieved Savings		656	656	0	
TOTAL HOUSING REVENUE ACCOUNT		907	837	70	

Children’s Services – Capital Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 9 £'000	Reported at other Committees £'000	IFRS changes £'000	Variation, Slippage/ reprofile £'000	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Child Health Safeguard and Care	40	0	0	(40)	0	0	0	0.0%
0	Education and Inclusion	12,484	0	(940)	(704)	10,840	10,848	8	0.1%
0	Disability & SEN	170	0	0	(146)	24	7	(17)	-70.8%
0	Schools	804	0	(129)	(106)	569	565	(4)	-0.7%
0	Stronger Families Youth & Communities	0	0	0	0	0	0	0	0.0%
0	Total Children’s Services	13,498	0	(1,069)	(996)	11,433	11,420	(13)	-0.1%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	£'000	Project	Description	Mitigation Strategy
Child Health Safeguard and Care				
Reprofile	(40)	Contact Supervision Centres	Reprofile of budget of less than £0.050m.	
Education and Inclusion				
IFRS Changes	(940)	Various	Please see paragraph 3.24 (v) of the main report for a general explanation of IFRS changes. For the refurbishments within school buildings some of the costs are of a day-to-day servicing nature and are	

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Detail Type	£'000	Project	Description	Mitigation Strategy
			not capital expenditure. It would be impractical for an authority to assess every item of expenditure when it is incurred as to whether or not it has enhanced an asset. The practical situation is instead that at the year-end an assessment is made by programme managers and finance to make sure that expenditure is correctly classified as capital or revenue. The capital budgets are reduced by the same amount as the items that are subsequently charged to revenue.	
Budget Reprofile	(677)	Devolved Formula Capital	Devolved Formula Capital is a financial resource that is devolved to schools by the Local Authority. Schools have the option to accrue the money for a maximum of 3 years. However, accrued funds are normally retained by the Local Authority, but schools are able to request their allocation at any time.	
Budget Reprofile	(27)	New Pupil Places	Reprofile of budget of less than £0.050m.	
Variance	8	Various	Net overspend from various schemes under £0.050m.	
Disability & SEN				
Budget Reprofile	(36)	Short Breaks for Disabled Children	Reprofile of budget of less than £0.050m.	
Variation	(110)	55 Drove Road Adaptations	The project to adapt the ground floor of 55 Drove Road provided a suitable living space for young people in the care of the Local Authority. Due to an incident at the establishment with safeguarding and health and safety implications it was essential to undertake work straight away. This solution would prove the most economic to the Local Authority both in the short and long term. However,	

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Detail Type	£'000	Project	Description	Mitigation Strategy
			the project was not included in any capital reports submitted by Children Services up to this point and as a result was reported 'in year' at TBM Month 7. It was agreed to fund the work from existing budgets in the Capital Programme, however a separate scheme name and budget had been set up as well, which is now no longer required.	
Variance	(17)	55 Drove Road – New Vehicle	Underspend from scheme under £0.050m.	
Schools				
IFRS changes	(129)	PACA Sustainable Transport	Please see paragraph 3.24 (v) of the main report for a general explanation of IFRS changes. The IFRS Accounting adjustment relates to the s106 contributions for this scheme, as this is required to be shown as revenue expenditure in the accounts.	
Budget Reprofile	(106)	Various	Reprofile of budget for various schemes under £0.050m: Fairlight Primary School Solar Panels (£0.042m), Portslade Community Academy (£0.036m), Hillside School Extension (£0.028m)	
Variance	(4)	Various	Net underspend from various schemes under £0.050m.	

Adult Services – Capital Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 9 £'000	Reported at other Committees £'000	IFRS changes £'000	Variation, Slippage/ reprofile £'000	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Adults Assessment	394	0	0	(52)	342	342	0	0.0%
0	Adults Provider	27	0	0	(27)	0	0	0	0.0%
0	Commissioning and Contracts	53	0	0	9	62	62	0	0.0%
0	Total Adult Services	474	0	0	(70)	404	404	0	0.0%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	£'000	Project	Description	Mitigation Strategy
Adults Assessment				
Budget Reprofile	(52)	Various	Reprofile of budget for various schemes under £0.050m: Adaptations for the Disabled (£0.023m), Telecare (£0.029m).	
Adults Provider				
Variation	(27)	Learning Disability Accommodation	Budget reallocated to Commissioning and Contracts (see below).	
Commissioning and Contracts				
Budget Reprofile	(18)	Various	Reprofile of budget for various schemes under £0.050m: Adult Social Care Reform Grant (£0.016m), Autism Innovation (£0.002m).	
Variation	27	Various	Reallocation of budget from Adults Provider (see above).	

Environment, Development & Housing (General Fund) – Capital Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 9 £'000	Reported at other Committees £'000	IFRS changes £'000	Variation, Slippage/ reprofile £'000	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	City Infrastructure	3,006	0	0	(1,855)	1,151	1,151	0	0.0%
0	City Regeneration	26,754	0	0	(1,622)	25,132	25,110	(22)	-0.1%
0	Planning & Building Control	310	0	0	(28)	282	282	0	0.0%
0	Transport	9,952	0	0	(263)	9,689	9,695	6	0.1%
368	Housing GF	4,297	0	0	(458)	3,839	3,450	(389)	-10.1%
368	Total ED&H	44,319	0	0	(4,226)	40,093	39,688	(405)	-1.0%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	£'000	Project	Description	Mitigation Strategy
City Infrastructure				
Budget Reprofile	(1,478)	Procurement of Vehicles	Due to the redesign of the City Clean service, some vehicles are yet to be decided. In addition, the purchase of two smaller Refuse Collection Vehicles were at reduced costs.	
Budget Reprofile	(150)	Eastbrook Allotments	The Eastbrook Farm Allotment Society will need to be consulted on this spend. It is anticipated that discussions will conclude with the Society in June which should allow spend for the majority of the scheme in this financial year.	
Budget Reprofile	(77)	Hove Rec Rugby Pitch Improvements	Work started later than hoped due to delays with final legal agreements between parties and then then due to rain. Work was therefore postponed to the spring.	

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Detail Type	£'000	Project	Description	Mitigation Strategy
Budget Reprofile	(72)	Stanmer Park Restoration Project	Funding is mainly from external Heritage Lottery Fund source and is identified for consultants delivering BHCC bid which will be submitted during August 2016.	
Budget Reprofile	(68)	Various	Reprofile of budget for various schemes under than £0.050m: Preston Park Cycle Track (£0.041m), Turner Park S106 (£0.012m), Downland Initiative (£0.009m), The Level (£0.004m), East Brighton Park Parking Control (£0.001m), Hove Lagoon Play Area S106 (£0.001m).	
Budget Slippage	(82)	Garden Waste Collection Trial	The garden waste collection scheme was approved at October 2015 committee to launch in approximately May 2016. Bins were purchased and therefore committed to a value of £0.080m. The remainder of the funds will be used in 2016/2017 to fully implement the garden waste trial.	
Budget Variation	72	Various	Variations to budget for various schemes under £0.050m: Hollingdean Skatepark £0.035m, Hove Lagoon Play Area S106 £0.020m, Aldrington/Wish Park S106 £0.010m, Dyke Road S106 £0.004m, Rottingdean Field S106 £0.002m, Knoll Recreation Ground £0.001m.	
City Regeneration				
Budget Reprofile	(1,324)	Super Connected Cities Programme Voucher Scheme	The Broadband Voucher scheme has had a lower uptake from local business than originally budgeted. Project extension and budget re-profile has been agreed with the grant award body and it is anticipated that there will be further demand in the 2016/17 financial year.	

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Detail Type	£'000	Project	Description	Mitigation Strategy
Budget Reprofile	(244)	i360 Project	The variance represents only 1% of the budget and the project is on track to be completed in the summer in line with the agreed council funding package.	
Budget Reprofile	(95)	Waterfront Redevelopment	The 2015/16 budget for this project was to fund legal fees and scheme viability assessments. It is difficult to predict timescales and annual costs at the scoping stage of major projects, and re-profile of budget is required to continue this development work in the 2016/17 financial year	
Budget Reprofile	(48)	Various	Reprofile of budget for various schemes under than £0.050m: Seafront Infrastructure (£0.019m), King Alfred Swimming Pool Redevelopment (£0.009m), Open Market (£0.007m), Preston Barracks Site (£0.006m), Falmer Released Land (£0.004m), Improvements to New England House (£0.003m).	
Budget Slippage	(51)	Affordable Housing Delivery Options	Legal consultants have now been procured in 2016/17 following approval at Housing and New Homes Committee and P&R Committee in March, to progress affordable Housing Delivery options.	
Budget Variation	140	Various	Variations to budget for Strategic Investment Fund (SIF) projects: King Alfred Swimming Pool Redevelopment £0.052m, Waterfront Development £0.051m, Improvement to NEH £0.009m, Preston Barracks Site £0.009m, Circus St Development £0.009m, Open Market £0.003m, Falmer Released Land £0.001m, The Keep £0.001m, Falmer Community Stadium £0.003m, i360 Project and Landscaping £0.002m.	
Variance	(22)	Various	Net underspend from various schemes under £0.050m: SCCP Brighton Digital Exchange (£0.031m),	

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Detail Type	£'000	Project	Description	Mitigation Strategy
			SCCP Wireless Hotspots £0.005m, i360 Project and Landscaping £0.004m.	
Planning & Building Control				
Budget Reprofile	(28)	Ann Street / Providence Place Improvements	Reprofile of budget under £0.050m.	
Transport				
Budget Reprofile	304	A259West Street Shelter Hall - BS5618	The project is currently running ahead of schedule due to the ground work being 60% complete which has resulted in an early spend in the original project spend profile. The project overall is not anticipating an overspend over the three year funding period.	
Budget Reprofile	(299)	Controlled Parking Schemes	It is not possible to be accurate with regards to the costs and timescales of parking schemes until they have been designed and consulted upon through different stages. The unspent funds are to be made available in future years to fund expected new schemes.	
Budget Reprofile	(145)	Local Transport Plan (LTP)	A number of scheme reprofiles, including improvements to Lewes Road/Elm Grove, primarily due to city wide traffic management co-ordination to ensure that there were a limited number of schemes being constructed on the strategic network at a given time. For example North Street was under construction and there was a need to prioritise work on the West Street junction as part of the Shelter Hall project. The Real Time Bus Information project has also been reprofiled because the supplier is over a year late in delivering the upgrade contract.	

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Detail Type	£'000	Project	Description	Mitigation Strategy
Budget Reprofile	(105)	North Street Environmental Improvement	The project is funded by the Royal Bank of Scotland through a S278 agreement and is project-managed externally. In 2014/15, the works took longer to start than originally estimated, necessitating re-profiling the overall spend forecast into the following years.	The majority of the project is now completed with the exception of some highway works/CCTV which have been delayed due to a number of factors, including the refurbishment of premises at a designated location, cabling requiring external supplier works and supply of equipment.
Budget Reprofile	(59)	Bike Share / Hire Scheme (LTP)	The Brighton & Hove Bike Share scheme is to receive total funding from the Local Growth Fund of £1.160 from 2016/17 to 2017/18 with total match funding of £0.290m from the Local transport Fund. The Funding Agreement is due to be signed in 2016/17 and therefore the match funding set aside for 2015/16 will be reprofiled into 2016/17 when the scheme commences.	
Budget Reprofile	(53)	Intelligent Transport Systems (LTP)	The Intelligent Transport System is to receive total funding from the Local Growth Fund of £1.830m from 2015/16 to 2017/18 with match funding of £0.322m from the Local Transport Fund. The scheme commenced in 2015/16 with 7 crossings completed instead of the anticipated 9. This is due to complex traffic management issues with other works taking place within the city, necessitating a postponement of the permit to work on the 2 crossings on the A259.	Works have commenced on a further 4 crossings and will be completed in 2016/17.
Budget Reprofile	(27)	Various	Reprofile of budget for various schemes under than £0.050m: Repair and Renew Flood Scheme (£0.020m), Pilot Rain Gardens – Portslade (£0.007m).	

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Detail Type	£'000	Project	Description	Mitigation Strategy
Budget Variation	61	Valley Gardens	The Valley Gardens scheme is to receive total funding from the Local Growth Fund of £8.0m from 2015/16 to 2017/18 with match funding to be met from the Local Transport Fund. Initial match funding was estimated at £0.200m in 2015/16 with implementation costs of £0.261m actually incurred requiring a variation of £0.061m in 2015/16.	
Budget Variation	60	Various	Variations to budget for various schemes under £0.050m: Pilot Rain Gardens £0.030m, Access to SDNP £0.013m, Strategic Assessment of Groundwater Flooding £0.017m.	
Variance	6	Various	Net overspend from various schemes under £0.050m: CCTV Bus Lane Enforcement £0.015m, Brighton Marina to River Adur Study £0.003m, Multi Operator Bus Ticketing (£0.009m), Ex-leased Car Parks (£0.003m).	
Housing GF				
Budget Reprofile	305	Disabled Facilities Grant	This is the resulting net overspend for the Adaptations budget, after additional funding for 2015/16, and relates to high level of spend during 2014/15 which had first call on the grant funding for 2015/16. The overspend has reduced from £0.367m in 2014/15 to £0.305m for 2015/16. This will be reprofiled by temporarily funding through capital reserves which will have first call on new grant monies in 2016/17.	The service has an on-going financial recovery plan to reduce this overspend to zero by end of 2017/18.
Budget Reprofile	(478)	Permanent Travellers Site	Project start date was delayed due to planning issues and need for P&R sign-off to approve the increase in budget. This had a knock-on effect on the earlier-anticipated completion date, putting completion into 2016/17. There has been no slippage in timetable since commencement on site	Work is anticipated to be completed during June 2016.

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Detail Type	£'000	Project	Description	Mitigation Strategy
			last September.	
Budget Reprofile	(337)	LDV - Post Lease Refurbishment	This budget is for the refurbishment of the properties leased to Brighton & Hove Community Seaside Homes and includes the works programmed in the 10 th batch which was not let until March 2016 so works have not yet been completed. A budget has been agreed for the remaining properties in 2016/17.	
Budget Reprofile	(170)	Horsdean Travellers Transit Site	This scheme is in conjunction with the Permanent Travellers Site scheme above. The project start date was delayed due to planning issues and the need for P&R sign-off to approve an increase in budget. This had a knock-on effect on the earlier-anticipated completion date, putting completion into 2016/17. There has been no slippage in timetable since commencement on site last September.	Work is anticipated to be completed during June 2016.
Budget Reprofile	(21)	Various	Reprofile of budget for various schemes under £0.050m: Renovation Grants (£0.016m), HAOT – Major Adaptations (£0.005m).	
Budget Variation	330	Disabled Facilities Grant	Additional funding has been forthcoming from the Better Care Fund, Adult Social Care and contributions from Registered Providers to acknowledge the preventative effect of adaptations and the high levels of demand for adaptations in 2014/15 and 2015/16.	
Budget Variation	(87)	HAOT – Major Adaptations	The spend on major adaptations has reduced substantially this year due in-part to a revised Adult Social Care policy ensuring all other financial means are explored including equity release, personal loans etc. before any discretionary assistance is approved. This budget is being used to contribute towards the overspend on the	

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Detail Type	£'000	Project	Description	Mitigation Strategy
			Disabled Facilities budget above.	
Variance	(389)	LDV – On Going Costs	This capital scheme relates to capital works on Brighton & Hove Community Seaside Homes properties, subsequent to development works and under the management of Temporary Accommodation. This scheme is funded by a management fee paid to the council from Seaside Homes and managed within the funding limits. Costs of major works will be subject to service charges in future years and will be funded from within the management fees.	

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Environment, Development & Housing (Housing Revenue Account) – Capital Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 9 £'000	Reported at other Committees £'000	IFRS changes £'000	Variation, Slippage/ reprofile £'000	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
494	City Regeneration	8,368	0	(1,778)	1,145	7,735	8,032	297	3.8%
(274)	Housing HRA	24,523	0	0	149	24,672	23,797	(875)	-3.5%
220	Total Environment, Development and Housing HRA	32,891	0	(1,778)	1,294	32,407	31,829	(578)	-1.8%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	£'000	Project	Description	Mitigation Strategy
City Regeneration				
IFRS Changes	(1,321)	Whitehawk (Findon Road) Development	Please see paragraph 3.24 (v) of the main report for a general explanation of IFRS changes. The IFRS accounting adjustment is to pay for the s106 contribution from the scheme and the land transfer from GF to HRA, which required to be shown as revenue expenditure in the accounts.	
IFRS Changes	(360)	Wellsbourne	Please see paragraph 3.24 (v) of the main report for a general explanation of IFRS changes. The IFRS accounting adjustment is to pay for the land transfer, which required to be shown as revenue expenditure in the accounts.	
IFRS Changes	(97)	Various	Please see paragraph 3.24 (v) of the main report for a general explanation of IFRS changes. The IFRS Accounting adjustment relates to the s106 contributions from various schemes, as this is	

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Detail Type	£'000	Project	Description	Mitigation Strategy
			required to be shown as revenue expenditure in the accounts: Brookmead Site Development (£0.036m), Manor Place (£0.061m).	
Budget Reprofile	(652)	Redevelopment of HRA Vacant Garage Sites	Delay on Foredown Rd project due to access issues.	
Budget Reprofile	1,022	Whitehawk (Findon Road) Development	Works exceeded the original budget of £1m as progress on site was quicker than anticipated.	No budget variation on the £14.1m overall budget is expected.
Budget Reprofile	360	Wellsbourne	The transfer of land occurred in 2015/16 after approval was given at Housing and New Homes Committee and P&R Committee; therefore this element of the approved 2016/17 capital programme budget has been brought forward to fund this land transaction.	No budget variation on the £7.07m overall budget is expected.
Budget Reprofile	226	Ardingly Street (New Build)	Project delivery differs from anticipated cash-flow timings which had been used to set the original budget.	Project on target to deliver to original target date
Budget Reprofile	149	Brookmead Site Development	Works on site were completed sooner than originally anticipated.	Project is four weeks behind schedule, but the contractor is working to catch up and the project should be delivered comfortably within required Homes & Communities Agency timetable.
Budget Reprofile	40	Feasibility and Design - Housing Investment	Additional opportunities identified and investigated.	No budget variation on the agreed budget for 2016/17 is expected.
Variance	283	Manor Place	Overspend relates to unforeseen works on site including contamination, an increase in cost inflation and specific site requirements.	Increased costs have been met from underspends identified in the 2015/16 HRA Capital Programme.
Variance	14	Various	Net overspend from various schemes under £0.050m: Preston Road Refurbishments £0.013m, various	

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Detail Type	£'000	Project	Description	Mitigation Strategy
			other overspends £0.001m.	
Housing HRA				
Budget Reprofile	(150)	Converting Spaces in Existing Buildings	The remaining funding is required in 2016/17 to complete the works at St James House. These works were delayed following the review of plans following health and safety concerns.	
Budget Reprofile	(100)	Mears Communal Boilers	A reprofile of £0.100m for Evelyn court communal boiler replacement is required due to the delay of works at Evelyn Court Sheltered conversions.	
Budget Reprofile	(52)	Main Entrance Doors	The lead-in time for manufacture of new multi-steel doors has changed due to the current issues surrounding the steel industry. This is due to a delay with obtaining the required grade of steel (after the factory in China closed). That steel is now sourced in the UK but actually increases the timeframe to 16 weeks.	Impact on residents is minimal (delay only) as programme will continue in 2016/17.
Budget Reprofile	(120)	Various	Reprofile of budget for various schemes under £0.050m: BHCC Projects (£0.041m), Ventilation (£0.044m), Future Proofing Assets (£0.025m), Solar PV City-Wide (£0.010m).	
Budget Variation	(456)	Estates Development Budget	The estates development budget is included within the capital programme and the funding split between capital and revenue is adjusted at year end depending on the types of works carried out. In 2015/16 the works were mainly revenue and the revenue budget has been adjusted accordingly.	
Budget Variation	666	Various	Budget increase to allow for the capitalisation of salaries to support the delivery of the capital programme in 2015/16. These figures were included as part of budget setting for the 2015/16	

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Detail Type	£'000	Project	Description	Mitigation Strategy
			programme.	
Budget Variation	275	Establishment Costs	To reflect the change in the proportion of capital works to revenue works being delivered, the establishment costs budget in Capital needs to be increased.	This has been offset by a reduction to the revenue budget.
Budget Variation	86	Prelease Conversions	Increased costs over original estimates that were calculated prior to properties being identified. All these costs are funded by BHSCCH through the management agreement with BHCC.	
Variance	594	Structural Repairs	Large overspend due to earlier than expected completion of works at Clarendon Road Phase I Project.	Positive impact on residents. Overspend offset by other capital underspends.
Variance	444	Kitchens	Overspend due to tenant preference for Decent Homes kitchens over bathrooms and an increase in the number of empty properties requiring kitchen refurbishment.	Positive impact on Tenants.
Variance	(105)	Bathrooms	Underspend due to tenant preference for Decent Homes kitchens over bathrooms	Minimal impact on Tenants Overspend offset by other capital underspends.
Variance	234	Domestic Rewire	Number of void properties requiring domestic rewires increased above expectation.	The communal rewire programme was slowed down to offset this overspend.
Variance	(350)	Communal Rewire	The communal rewire programme was delayed to fund expected overspend on the Domestic Rewires and other areas of the capital programme.	
Variance	205	PH Jones Domestic Boilers & Systems	Management of programme delivery between the two contractors on domestic and communal boilers resulted in a break even position over the three budgets.	
Variance	(162)	Mears Domestic Boilers & System	Management of programme delivery between the two contractors on domestic and communal boilers resulted in a break even position over the three budgets.	

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Detail Type	£'000	Project	Description	Mitigation Strategy
Variance	111	Windows	Overspend due to additional fire safety works being identified during the Bates Estate & Craven Vale Projects.	Positive impact on residents, and meeting legal Fire Safety notice requirements.
Variance	74	Doors	Overspend due to a large number of adhoc referrals in the later part of the year.	Positive impact on residents. Overspend offset by other capital underspends.
Variance	91	Various	Overspend from various schemes under £0.050m: Fire Safety £0.033m, Roofing £0.024m, Capital Works Assessment £0.018m, Cladding £0.013m, Major Voids £0.002m, others £0.001m.	
Variance	(395)	Internal Decorations & Repairs	Underspend due to ongoing costing, value engineering and Value For Money considerations delaying the programme.	Minimal impact on residents – all necessary repairs being funded through the responsive repairs budget. Underspend partly offset with Kitchens overspend.
Variance	(119)	External Decorations & Repairs	Underspend due to review of ongoing costing, value engineering and Value For Money considerations delaying some of the programme	Minimal impact on residents – all necessary repairs being funded through the responsive repairs budget.
Variance	(287)	Block Conversion project (Seniors Housing Studios)	The main reasons for this variance are: A. The need to convert show flats first in order to consult tenants properly, so they can exercise genuine choice on the layout of their flat, has had an impact on progress. B. The availability of voids to work on is a big factor, because this determines the rate at which progress can be made through the scheme. Funding for this scheme in 2017/18 has been set and future years budgets will be reviewed as part of the 2017/18 budget setting.	Extend the programme term from 3 to 4 years to allow a more realistic rate of conversion to proceed. Tenants affected by the revised programme will be written to after the meeting, with reassurance provided on a one to one basis. An additional project manager has now been deployed.
Variance	(168)	Asbestos	Underspend due to a lack of reactive asbestos works required and the number of contracts funding asbestos removal, such as Decent	Minimal impact on residents – all in-situ asbestos is monitored on an annual basis.

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Detail Type	£'000	Project	Description	Mitigation Strategy
			Homes kitchens & bathrooms.	
Variance	(146)	Empty Properties	Underspend due to lack of properties being identified requiring major works. This will be reviewed going forward.	All necessary works to empty properties have been funded through the revenue budget
Variance	(135)	City-Wide: Loft Conversions & Extensions Project	Extension projects have been reprogrammed to 2016/17 due to procurement and resourcing delays.	There is no impact on residents as Conversions and Extensions are now carried out exclusively on empty properties.
Variance	(100)	ICT	To enable a joined up approach across the council in delivering various corporate initiatives the HRA projects have been delayed until 2016/17 to align with initiative timescales.	
Variance	(93)	Solar PV	Due to the changes to the Feed-in tariff the installation of solar panel arrays on dwellings was no longer financially viable so it was decided to stop the programme.	
Variance	(83)	HRA Adaptations	This underspend has occurred due to: a) forecast spend on minor adaptations recharged to HRA adaptations, based on previous year spend, was significantly less as a result of new contract with NRS wef 1/10/16, and b) efficiencies delivered as a result of greater scrutiny of all recommendations, applications for major adaptations likely to cost less than £0.010m at Major Adaptations Panel.	
Variance	(76)	Lifts	Two projects are carrying forward from the 2015/16 programme into 2016/17. There are sufficient funds in 2016/17 to complete so a reprofile has not been requested.	
Variance	(53)	Car Parks & Garages	Underspend due to the delay of the St James's House car park project whilst the scope of the project is being reviewed.	Impact on residents is minimal (delay only) programme to be reviewed 2016/17.
Variance	(51)	Minor Capital	Underspend due to a low level of demand for	Minimal impact on residents – all

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Detail Type	£'000	Project	Description	Mitigation Strategy
		Works	works appropriate for this budget. This will be reviewed going forward.	necessary repairs being funded through the responsive repairs budget.
Variance	(31)	Other Energy Efficiency	Underspend on the Cladding programme at Staplefield Drive.	
Variance	(25)	Water Tanks	Health & Safety Executive Approved Code of Practice L8 (HSG274) legionella compliance programme is ongoing. Until the assessment is completed at the property, actual remedial works required are unknown. An initial estimate is put within the budget at the start of the financial year to allow for L8 remedial works across the housing stock and this year an underspend is expected.	Impact on residents is minimal (delay only) as programme will continue in 2016/17.
Variance	(249)	Various	Underspend from various schemes under £0.050m: Mears Communal Boilers (£0.043m), City College Partnership (£0.042m), Condensation & Damp Works (£0.036m), Cycling Facilities (£0.031m), Future Proofing Assets (£0.027m), Door Entry Systems & CCTV (£0.023m), Communal Fire Alarms (£0.018m), Ventilation (£0.013m), Sheltered Services Systems (£0.008m), Balchin Court Redevelopment (£0.004m), Insulation (£0.002m), others (£0.002m).	

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Assistant Chief Executive - Capital Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 9 £'000	Reported at other Committees £'000	IFRS changes £'000	Variation, Slippage/ reprofile £'000	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Corporate Policy Performance & Communities	278	0	0	(278)	0	0	0	0.0%
0	Royal Pavilion Arts & Museums	1,311	0	0	71	1,382	1,258	(124)	-9.0%
(19)	Sports & Leisure	1,352	0	0	(356)	996	982	(14)	-1.4%
0	Libraries	162	0	0	(97)	65	46	(19)	-29.2%
0	Tourism & Venues	0	0	0	0	0	0	0	0.0%
(19)	Total Assistant Chief Executive	3,103	0	0	(660)	2,443	2,286	(157)	-6.4%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	£'000	Project	Description	Mitigation Strategy
Corporate Policy Performance & Communities				
Budget Reprofile	(278)	East Sussex Credit Union loan	Reprofile of budget due to delay in legal agreement being drawn up.	
Royal Pavilion Arts & Museums				
Budget Reprofile	174	Royal Pavilion Estate (Phase 1)	Capital scheme spans several financial years and the profile has changed slightly from original forecast.	

Appendix 5 – Capital Programme Performance

Detail Type	£'000	Project	Description	Mitigation Strategy
Budget Reprofile	(40)	New Historical Records Office (The Keep)	Reprofile of budget under £0.050m. Budget set aside for retention.	
Budget Reprofile	(63)	Museum Resilience - Arts Council Grant	Grant cannot be awarded until ACE funding received. £0.063m to be received on May 10th 2016.	
Variance	(121)	New Historical Records Office (The Keep)	The New Historical records Office has been completed and an underspend for the council proportion of the budget reported of £0.121m. The project was costed at circa £19.2m with B&HCC contributing £5.6m. The council's contribution was funded from borrowing and will result in a lower financing costs associated with this borrowing. The remaining budget was set aside for final ICT, furniture, fittings & equipment and a contingency all of which are lower than anticipated.	
Variance	(3)	Museum Van Replacement	Small underspend as scheme has finished.	
Sports & Leisure				
Budget Reprofile	(200)	Seafront Investment - Landscaping	A revised profiling for the scheme has been completed and the works are now to be undertaken early in 2016/17.	
Budget Reprofile	(80)	Saltdean Lido - CIC	The budget was reprofiled at Month 9, based on the estimate of spend by Saltdean Lido CIC. Spend was slightly less than expected, but the remaining budget will be drawn down in full during 2016/17.	
Budget Reprofile	(76)	Volks Railway HLF - Delivery Stage	The capital scheme spans several financial years and the profile has changed slightly from original forecast.	
Variance	(31)	Various	Underspend from various schemes under £0.050m: West Pier Arches fit out (£0.019m), Withdean	

Appendix 5 – Capital Programme Performance

Detail Type	£'000	Project	Description	Mitigation Strategy
			Capital Scheme (£0.012m).	
Variance	17	Various	Overspend from various schemes under £0.050m: Volks Railway Project £0.016m, ICT System for Sports Development £0.001m.	
Libraries				
Budget Reprofile	(97)	Libraries Extra	Linked to staffing restructure, which will not be completed until the end of June 2016. There will be additional ICT costs incurred during 2016/17.	
Variance	(19)	Woodingdean Library	Underspend due to scheme completed.	

Public Health – Capital Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 9 £'000	Reported at other Committees £'000	IFRS changes £'000	Variation, Slippage/ reprofile £'000	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Public Health	345	0	0	0	345	345	0	0.0%
0	Public Protection	31	0	0	0	31	31	0	0.0%
0	Total Public Health	376	0	0	0	376	376	0	0.0%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	£'000	Project	Description	Mitigation Strategy
Public Health				
No Changes				

Finance, Resources and Law - Capital Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 9 £'000	Reported at other Committees £'000	IFRS changes £'000	Variation, Slippage/ reprofile £'000	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Head of Law	59	0	0	0	59	59	0	0.0%
0	Finance	0	0	0	0	0	0	0	0.0%
0	HR Organisational Development	0	0	0	0	0	0	0	0.0%
0	ICT	2,487	0	0	(816)	1,671	1,671	0	0.0%
0	Performance Improvement & Programmes	0	0	0	0	0	0	0	0.0%
0	Property & Design	14,321	0	0	(1,337)	12,984	12,866	(118)	-0.9%
0	Total Finance, Resources and Law	16,867	0	0	(2,153)	14,714	14,596	(118)	-0.8%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	£'000	Project	Description	Mitigation Strategy
ICT				
Budget Slippage	(388)	ICT Core Infrastructure	The continuation of some delivery projects currently within the Infrastructure programme into 2016/17, such as completion of the Datacentre migration and Compliance projects and a review of approach to the IP telephony migration and Exchange upgrade projects, resulting in delays to implementation.	

Appendix 5 – Capital Programme Performance

Detail Type	£'000	Project	Description	Mitigation Strategy
Budget Slippage	(214)	Internal Customer Access to Information	Project delays with the delivery of some elements of the original Information Management programme, in particular an Enterprise Content Management, Mobile Device Management and Customer Index solutions.	
Budget Slippage	(58)	Information Management	These funds support the City Planning migration project which has been replanned and is now due to complete in August 2016.	
Budget Reprofile	(148)	Workstyles Phase 2 - ICT Resources	To support corporate ICT and EDRM (Electronic Document)/ backscanning associated with moves that were undertaken in Workstyles Phase 2. Although the building works and staff moves have been completed for phase 2 there has been a backlog of EDRM development and document scanning that is required for teams within Children's Services. The reprofile of £0.148m will allow the final completion of this work.	
Budget Reprofile	(8)	ICT Governance & Security	Reprofile of budget under £0.050m.	
Property and Design				
Budget Reprofile	(838)	Hollingdean Depot Capital Costs	The service has now worked up a refurbishment option of the existing workshop and work commenced in 2015/16 after some lengthy delays pending site evaluations, design and options review and contamination testing. Additional funding was identified in 2015/16 to support further investment into the offices. A reprofile is required to complete the works in 2016/17.	
Budget Reprofile	(394)	Workstyles Phase 3 – Building Works	The Workstyles Phase 3 project is being implemented over four years and commenced in 2014/15 with the majority of building works and accommodation costs being incurred in 2015/16. The delay to the project in 2014/15 has resulted in the full	

Appendix 5 – Capital Programme Performance

Detail Type	£'000	Project	Description	Mitigation Strategy
			spend not being incurred to date in 2015/16. This will be reprofiled into 2016/17 when the schemes will be completed.	
Budget Reprofile	(294)	Workstyles Phase 3 – Project Resources	The Workstyles Phase 3 project is being implemented over four years with a total of £1.482m set aside for project resourcing. This phase commenced in 2014/15 and is being run in conjunction with the building works associated with the project as well as a number of other modernisation programmes. There was a delay to the programme commencing in 2014/15 and a review of the business case for Phase 3 was undertaken as well. Whilst the assumptions around the whole of Workstyles has changed there has been a number of posts not filled within the project team during 2015/16 but there will be a requirement to use resources during 2016/17 and therefore a reprofile is requested into 2016/17 which will assist continued office moves, ICT support and potential EDRM requirements which have yet to commence	
Budget Reprofile	(132)	Madeira Terrace Structural Repair & Resurface	The funding and management of various protective safety measures to Madeira Terrace is ongoing and further investigation works to the structure, including Concorde 2, will necessitate a rolling programme of works, propping, etc. A more permanent anti-climb fence has now been erected along the length of the terrace. Initially it was anticipated that works would be completed in 2015/16 and arrangements were made to claw a possible shortfall in funding of £0.150m back from 2016/17. Delays to the more permanent fencing contract installation were caused by the fence post line being above a water main in part which involved careful resurveying and negotiating agreement to move the fence line to	

Appendix 5 – Capital Programme Performance

Detail Type	£'000	Project	Description	Mitigation Strategy
			avoid damage. Furthermore, amended fixing of the fencing to the staircase openings along Marine Parade has required variations in manufacture of the fencing panels. This work will be completed in early 2016/17 and funds are required for this year and beyond.	
Budget Reprofile	(79)	Workstyles Phase 3 – ICT Costs	There was a delay in the programme during 2014/15 before the works at Hove Town Hall commenced and at the same time a review of the business case for Workstyles Phase 3 was undertaken to ensure that the programme provides the best fit with the council's current structure. Whilst the assumptions around the whole of Workstyles has changed there have been a number of posts not filled within the Project team during 2015/16 but there will be a requirement to use resources during 2016/17 and therefore a reprofile is requested into 2016/17 which will assist with the remaining office moves, ICT support and potential EDRM requirements that have yet to be finalised. A review of the project resources will be undertaken in 2016/17 as the project nears completion and the use of resources will be reported back to Policy, Resources & Growth Committee at that time.	
Budget Reprofile	(54)	Solar Panel Implementation Plan	This budget is required to provide replacement solar panels at Hove Town Hall and is being implemented alongside the Workstyles Phase 3 timetable. The budget will be required in 2016/17 to purchase and install the panels and has been delayed due to the fire associated with the old panels at Hove Town Hall.	
Budget Reprofile	(188)	Various	Reprofile of budget for various schemes under £0.050m: Asbestos Surveys (£0.008m), Corporate Fire Risk	

Appendix 5 – Capital Programme Performance

Detail Type	£'000	Project	Description	Mitigation Strategy
			Assessments (£0.021m), Legionella Works (£0.049m), Stanmer Park Agricultural Buildings (£0.020m), Brighton Town Hall Basement Improvement (£0.003m), Barts Cladding & Window Replacement Phase 1 (£0.038m), Hove Town Hall BMS (£0.030m), Bartholomew House Lift Refurb (£0.003m), Brighton Museum Replacement Fire System (£0.008m), Misc. Internal Refurbishments (£0.003m), Fire Safety Improvements (£0.007m), Mechanical Boiler Replacements (£0.016m), External Improvement Works (£0.002m). Passenger Lift H&S Works £0.009m, Brighton Centre- Replacement of Chiller Units £0.004m, Preston Manor External Repairs & Redecoration Phase 2 £0.004m, Statutory DDA Access Works Fund £0.003m.	
Budget Variation	431	Hove Town Hall - South End Office Refurbishment	This investment is undertaken in conjunction with the work at Hove Town Hall as part of the modernisation programme and will provide funding for the fit out of the Great Hall in Hove Town Hall to allow a co-location of the public services. The work has progressed quickly during 2015/16 and a variation form the 2016/17 budget is required in 2015/16. The remainder of the work will be finalised during 2016/17.	
Budget Variation	116	Carbon Reduction Commitment (CRC)	The CRC Energy Efficiency Scheme is a UK government scheme. It is designed to improve energy efficiency and cut carbon dioxide (CO2) emissions in the private and public sector. Under the CRC Energy Efficiency Scheme the authority has and obligation to purchase and surrender allowances in relation to carbon dioxide emissions for the year. Any unused allowances are held as intangible assets and may be used in future years of this phase of the	

Appendix 5 – Capital Programme Performance

Detail Type	£'000	Project	Description	Mitigation Strategy
			scheme which runs from 1 April 2014 to 31 March 2019.	
Budget Variation	77	Hollingdean Depot Capital Costs	An additional contribution of revenue funding was made by the service to support further investment into new offices at the Hollingdean Depot.	
Budget Variation	18	Workstyles Phase 3 - Backscanning Equipment	All of the budget was reprofiled at TBM9 into 2016/17. Some spend incurred for 2015/16 is associated with EDRM (electronic document) setup.	
Variance	(118)	Workstyles Phase 2 - Accommodation Strategy	The works for Phase 2 have been completed. This underspend related to funding set aside within reserves to meet any dilapidation claims that may have been incurred against buildings associated with the Phase 2 moves. All works associated with these buildings have now been finalised.	This funding has been released back to general reserves.

Corporate Services - Capital Budget Summary

Forecast Variance Month 9 £'000	Service	2015/16 Budget Month 9 £'000	Reported at other Committees £'000	IFRS changes £'000	Variation, Slippage/ reprofile £'000	2015/16 Budget Month 12 £'000	Provisional Outturn Month 12 £'000	Provisional Variance Month 12 £'000	Provisional Variance Month 12 %
0	Corporate Services	25	0	0	0	25	25	0	0.0%
0	Total Corporate Services	25	0	0	0	25	25	0	0.0%

Details of Variation requests and explanations of significant Forecast Variances, Slippage or Reprofiles are given below:

Detail Type	£'000	Project	Description	Mitigation Strategy
Corporate Services				
No changes				

New Schemes added to the Capital Programme after TBM Month 9, requiring approval:

New Capital Project Approval Request				
Unit:	Revenues & Benefits			
Project title:	Replacement of Northgate uap-iworld2 Server			
Total Project Cost (All Years):	£53,000			
Purpose, benefits and risks:				
The server is near its end of life and needs replacing urgently. The RBTech team will run a project over the summer to migrate the data and work with ICT and our supplier Northgate to ensure minimum impact on around 200 Revenues and Benefits staff collecting around £300m on behalf of the Council. The applications which resides on the hardware is Council Tax, Council Tax Reduction, Business Rates and Housing Benefits, alongside 100 Housing users having view only access.				
Capital expenditure profile (£'000):				
Year	This Year	Next Year	Year After	TOTAL
Revenue Contributions	53			53
Total estimated costs and fees	53			53
Financial implications:				
Resources have been earmarked within existing 2015/16 revenue budget to pay for this expenditure.				

New Capital Project Approval Request				
Unit:	Transport			
Project title:	Pilot Rain Gardens- Portslade			
Total Project Cost (All Years):	£30,000			
Purpose, benefits and risks:				
<p>The Environment Agency have given BHCC a grant of £0.020m to help construct two pilot rain gardens in Portslade. One will be off Locks Hill in the village green and the second on Victoria Recreation Ground off Beaconsfield Road. These rain gardens will help to manage the risk of surface water flooding in two area where there are issues historically. Ongoing maintenance of the rain gardens will be carried out by City Parks, with support from Friends of Victoria recreation Ground. We are currently engaging with local schools to ascertain their interest and potential support. Part of the rain garden includes some piped infrastructure, such as gullies and lead pipes which will be maintained under the existing gully cleansing contract.</p>				
Capital expenditure profile (£'000):				
Year	This Year	Next Year	Year After	TOTAL
Grant (please state)	20			20
Revenue Contributions	10			10
Total estimated costs and fees	30			30
Financial implications:				
<p>The construction of the rain gardens will be funded by the £0.020m grant plus a £0.010m contribution from revenue.</p>				

New Capital Project Approval Request				
Unit:	Transport			
Project title:	Strategic Assessment of Groundwater Flooding			
Total Project Cost (All Years):	£17,300			
Purpose, benefits and risks:				
<p>Brighton and Hove has historically suffered from groundwater flooding. The most significant events being during the winter of 2000/01 when severe groundwater flooding occurred in Patcham, Mile Oak and Moulsecomb causing damage to properties as well as significant disruption to transport networks. More recently during the winter of 2013/14 after a prolonged period of rainfall, further groundwater flooding occurred in Patcham and Withdean. Brighton & Hove City Council are working in partnership with the University of Brighton to install telemetry, rain gauges, weather stations and loggers to help improve the data collection in the city in order to help understand the movement of water in the aquifer. The study will carry out a strategic assessment to identify the optimal locations for new telemetry throughout the city, which will then be installed at the preferred locations. This study will devise a clear method for recording the data collected by the new telemetry. This study will help improve the groundwater flooding alert for the city. This study will inform learning materials to raise awareness of groundwater flooding.</p>				
Capital expenditure profile (£'000):				
Year	This Year	Next Year	Year After	TOTAL
Grant - Environment Agency	17			17
Total estimated costs and fees	17			17
Financial implications:				
<p>The scheme will be funded by a grant from the Environment Agency for the Strategic Assessment of Groundwater Flooding and Awareness in Brighton and Hove.</p>				

New schemes to be added to the Capital Programme in 2016/17 to be approved

New Capital Project Approval Request				
Unit:	Cityclean			
Project title:	City Clean Modernisation Scheme			
Total Project Cost (All Years):	£647,000			
Purpose, benefits and risks:				
Funding is required for the purchase of 100 Solar powered litter-compacting bins, 4 Mechanical Sweepers and a bespoke pavement cleaner. It is anticipated that the modernisation scheme will contribute towards achieving approved efficiency savings, improve customer satisfaction with the service, reduce CO2 emissions and increase efficiency of the service.				
Capital expenditure profile (£'000):				
Year	This Year	Next Year	Year After	TOTAL
Other (please state)	647			647
Total estimated costs and fees	647			647
Financial implications:				
The capital investment will generate efficiency savings which will contribute towards the overall City Clean savings identified in the approved 4 year service budget strategy. The capital expenditure will be funded from a reserve held to support the 4-Year Service & Financial Plans approved by Budget Council. The Corporate Modernisation Delivery Board has approved to release this funding following a review of a proven business case.				

New Capital Project Approval Request				
Unit:	Transport			
Project title:	Brighton Marina to River Adur coast defence strategy implementation			
Total Project Cost (All Years):	£98,000			
Purpose, benefits and risks:				
<p><u>Purpose of the project</u> - to complete an Outline Business Case (OBC) in line with Environment Agency guidance to secure grant aid from Agency for the improvement of the coast defences west of Brighton Marina. In 2014 Committee approved the flood and coastal erosion risk management strategy study that set out how the coast could be defended for the next 100 years and detailed what improvements were necessary and how they could be implemented. The OBC takes this a step further by confirming the preferred approach and beginning the detailed design and costings. The OBC is part of the capital grant application and approval process developed by the Environment Agency on behalf of Defra. The OBC will be followed by the FBC or full business case (which will also be also grant aided) just prior to the commencement of works on site currently programmed for 2020/21. This process began in 1998. The council takes its powers to defend the coast from the Coast Protection Act 1949 which gives local authorities permissive powers to defend the coast against erosion and encroachment by the sea and the power to apply to the secretary of state for grant aid towards the cost. <u>Benefits</u> - the completed OBC will go to committee for approval then to the Agency for approval. Once the work it recommends is actually built the City will have a better standard of defence and a programme in place to maintain that standard in the face of current climate change predictions for the next 100 years. <u>Risks</u> - for the OBC the risks are low, it is fully grant aided, the accepted tender for the work is approx. £0.090m so we have a contingency in grant of £0.008m against any unforeseen or additional costs. Apart from the cost there is the risk that the Agency's procedures will change before the OBC is completed, if this happens then they would bear the cost in additional grant for any extra work.</p>				
Capital expenditure profile (£'000):				
Year	This Year	Next Year	Year After	TOTAL
Grant (please state) - Government grant from the Environment Agency	98			98
Total estimated costs and fees	98			98
Financial implications:				
This project is for the completion of a report which is part of the Environment Agency's capital grant application process. It's cost is fully met by grant aid from the Agency including a contingency sum.				

Subject:	Fair Trade within our Minimum Buying Standards		
Date of Meeting:	9 June 2016		
Report of:	Executive Director for Finance & Resources		
Contact Officer:	Name:	Tom Bayley	Tel: 29-0543
	Email:	tom.bayley@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 At Council on 28 January 2016 and Policy & Resources Committee on 17 March 2016 Members received a Notice of Motion regarding Fair Trade and resolved:

- To support Fairtrade Fortnight 29th February to 13th March and encourage its suppliers, partners and staff to celebrate the event, which is themed "Sit down for breakfast, stand up for farmers".
- To request that Officers draw attention to the educational benefits of fair trade and raise awareness of Fairtrade Fortnight by highlighting it in the Schools Bulletin and suggesting ways in which schools might participate.
- To request the Policy & Resources Committee to maintain the Council's commitment to fair trade as part of the Minimum Buying Standards for food and catering contracts, and to look for opportunities to increase its commitment to buying fair trade as much as current budget constraints allow.

This report provides the committee with further information and updates in support of the Council's resolution.

1.2 Minimum Buying Standards (MBS) for food and catering contracts have been developed to deliver the Corporate Procurement Strategy aim 'to ensure value for money is achieved whilst the council operates as a "responsible procurer" taking account of social, economic and environmental impacts'. This report recommends that the Policy & Resources Committee notes the Council's continued commitment to Fair Trade as part of the Minimum Buying Standards for food and catering contracts.

2. RECOMMENDATIONS:

That Policy and Resources Committee:

2.1 Notes the Council's continued commitment to Fair Trade as part of the Minimum Buying Standards for food and catering contracts (Appendix 1).

- 2.2 Notes that opportunities to increase the Council's commitment to buying Fair Trade for food and catering contracts continue to be sought and taken wherever possible within the current budgetary constraints.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Brighton & Hove City Council's Sustainability Action Plan has Equity and Local Economy as one of its driving principles, with a stated commitment to Fair Trade.
- 3.2 Fair Trade is a more sustainable way of trading internationally by offering producers in developing countries better trading conditions that can provide them with the financial security they need to plan their lives, educate their children and invest properly in their businesses. This in turn gives them greater resilience and stability, potentially improving global security and in the long term reducing the need for migration.
- 3.3 When buying products with the Fair Trade Mark the council is supporting farmers and workers in developing countries as they work to improve their lives and communities. The Mark means that the Fair Trade ingredients in the product have been produced by small-scale farmer organisations or plantations that meet Fairtrade social, economic and environmental [standards](#). The standards include protection of workers' rights and the environment, payment of the Fairtrade Minimum Price, and an additional Fair Trade Premium to invest in business or community projects
- 3.4 The Fair Trade movement focuses specifically on commodities that are typically exported from developing countries to developed countries – most notably commodities such as coffee, cocoa, sugar, tea, bananas, honey, coffee, wine, chocolate, flowers, gold and handicrafts.
- 3.5 Brighton & Hove was first awarded Fair Trade City status in 2004. It was recently renewed in 2015. Brighton & Hove's commitment to Fair Trade fits with the city's high levels of interest in ethical business.
- 3.6 Being a Fair Trade City is a continuing process of promoting and supporting the Fair Trade movement, and making considered purchasing choices to stop exploitation.

Policy Background

- 3.7 The Minimum Buying Standards for catering contracts (a target action of the Sustainability Action Plan and the Corporate Procurement strategy 2014/15) was approved at the Policy & Resources Committee on 11 July 2014. The standards require contracts over £75,000 per year to be delivered to Bronze FFL (Food for Life) Standards as a minimum and contracts under £75,000 to be delivered to equivalent standards, though certification would not be a requirement. The Standards include Fair Trade tea, coffee, bananas and cocoa products.
- 3.8 Four out of six catering contracts worth over £75,000 a year are now achieving this standard including the recently awarded Bronze to the Brighton Centre.

- 3.9 The Sustainable Procurement Policy (Appendix 2) has a stated commitment to the promotion, use of, and compliance with the Council's Minimum Food Standards in all relevant contracts.
- 3.10 The Corporate Procurement Team advise Council Catering contract managers to adopt the Minimum Food Standards when procuring food, drink and catering services and include Minimum Food Standards as quality criteria in tender documents where applicable and/or include these standards within service specifications to ultimately form part of the contractual agreement.
- 3.11 Through the adoption of the Minimum Food Standards, Brighton & Hove City Council uses its buying power and influence to drive healthy and sustainable food production and consumption, and local economic development.

What the council will do?

- 3.12 Wherever feasible, Fair Trade will be promoted by specifically evaluating and scoring tenders for this aspect as part of any future catering tenders.
- 3.13 The council will also ensure that for all current catering contracts, the high standards already set regarding Fair Trade are maintained and expanded upon wherever possible and within the confines of the current terms of these contracts.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 If the Council's commitment to Fair Trade as part of the Minimum Buying Standards for catering contracts traded internationally is not maintained, there is the possibility it will be able to purchase similar goods for a slightly reduced cost, but it will no longer trade internationally in a sustainable way and support producers to achieve the financial security they need to plan their lives, educate their children and invest properly in their businesses. This in turn will give producers less resilience and stability, which will have a direct impact on their livelihoods and communities as well as global food security. The city's Fair Trade status would be revoked and the Council's policy towards sustainability and increasing equality would be contradicted by withdrawing the promotion of Fairly Traded products.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Fairtrade Steering Group promotes Fair Trade to businesses, buyers and consumers and is building a partnership which includes members from Brighton University (the flagship employer), local Fair Trade retailers and business owners, the Brighton and Hove Food Partnership, faith groups, schools, councillor representatives and council staff. The Council endorses the help being given to the Steering Group by the Economic Development Team in continuing to promote Fair Trade to local businesses.
- 5.2 Community consultation undertaken for the City Food Strategy 2006 and 2012 and the Sustainability Action Plan 2013 demonstrated that local people expect public organisations and the council in particular, to have healthy, ethical, and environmentally responsible food procurement policies and practices.

6. CONCLUSION

- 6.1 Continuing to adopt / maintain the Council's commitment to Fair Trade as part of the Minimum Buying Standards for catering contracts will deliver the Corporate Procurement Strategy aim of ensuring that value for money is achieved whilst the council operates as a "responsible procurer", taking account of social, economic and environmental impacts.
- 6.2 By seeking and taking opportunities to increase its commitment to buying Fair Trade for food and catering contracts, wherever possible within the current budgetary constraints, the Council will contribute to a healthier and more sustainable food system, and provide healthier food for residents, workers and visitors to the city.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The Minimum Buying Standards for food and catering contracts will be adopted as part of the Corporate Procurement Strategy which includes an expectation to deliver value for money in all procurement exercises. Contracts will be awarded through the Council's Contract Standing Orders and will be based on the continued delivery of value for money; price will be a major factor in the awarding of contracts. Food and catering contracts will be met from existing revenue budgets and will seek to deliver efficiencies in regard to price and quality.

Finance Officer Consulted: Rob Allen

Date: 10/03/15

Legal Implications:

- 7.2 The Public Services (Social Value) Act 2012 places a requirement on contracting authorities to consider the economic, social and environmental benefits of their approaches to procurement before the process starts. Although this Act applies to higher value contracts governed by the Public Contracts Regulations 2015, the overall ethos of considering these benefits is encouraged by the Government as part of good practice, and in conjunction with the duty to provide best value. The approach taken by the Council for Minimum Buying Standards for food and catering contracts therefore supports this good practice approach.

Lawyer Consulted: Elizabeth Culbert

Date: 10/03/16

Equalities Implications:

- 7.3 The city council's Fair Trade status will remain and the Council's policy towards sustainability and increasing equality will be upheld by continuing the promotion of Fairly Traded products.
- 7.4 An equality impact assessment has not been undertaken on these recommendations. The Minimum Buying Standards for catering contracts require contracts over £75,000 per year are to be delivered to Bronze FFL (Food for Life) Standards as a minimum; and contracts under £75,000 to be delivered to

equivalent standards. The Standards include Fair Trade tea, coffee, bananas and cocoa products and nutritional standards and upholds any national standards for community and school meals. FFL Catering Mark requires investment, training and upskilling of school meals staff, many of whom are on minimum wage.

Sustainability Implications:

- 7.5 The council will continue to trade internationally in a sustainable way and give producers in developing countries the financial security they need to improve their lives and communities.

Any Other Significant Implications:

- 7.6 These are listed in appendix 1.

SUPPORTING DOCUMENTATION

Appendices:

1. Other implications
2. Minimum Buying Standards for Catering Contracts
2. Sustainable Procurement Policy

Documents in Members' Rooms

1. None

Background Documents

1. [Corporate Procurement Strategy 2014-2017](#)
2. [The Council's Sustainability Action Plan](#)

Risk and Opportunity Management Implications:

- 1.2 There is a reputational risk if the Council does not continue to adopt/maintain the Council's commitment to Fair Trade as a part of the Minimum Buying Standards for food and catering contracts as related standards and policy objectives will not be upheld and the city council's Fair Trade status will be revoked.

Public Health Implications:

- 1.3 Recommendations are intended to contribute to delivering Health & Wellbeing Strategy objectives: to ensure healthy standard of living for all; to create and develop healthy and sustainable places and communities; and to strengthen the role and impact of ill health prevention.

Corporate / Citywide Implications:

- 1.4 Continuing to adopt/maintain the Council's commitment to Fair Trade as a part of the Minimum Buying Standards for food and catering contracts contributes to the wider objective of delivering a healthy sustainable food system which is the overarching aim that the Minimum Buying Standards is progressing towards.

Minimum Buying Standards for Catering Contracts

Adopted July 2014



These Minimum Buying Standards were consulted on and drafted by Brighton & Hove Food Partnership supported by Esmée Fairbairn, in cooperation with Brighton & Hove City Council.



Brighton & Hove City Council Minimum Buying Standards for purchasing food

Brighton & Hove City Council recognises its responsibility to carry out its procurement activities in an environmentally and socially responsible manner. In 2012 Brighton & Hove City Council (BHCC) adopted a city-wide food strategy Spade to Spoon: Digging Deeper: a food strategy and action plan. The strategy sets out how the city works towards a healthier more sustainable food system, one which reduces food poverty, supports local food businesses and reduces the environmental impact of the way in which we produce, consume and dispose of our food. BHCC is a key partner in helping to deliver the strategy and has signed up to a number of commitments that seek to improve the food it serves every day to thousands of school children, clients, visitors and employees. Through the development and adoption of Minimum Buying Standards, BHCC can use its significant buying power and influence to encourage healthy and sustainable food production and consumption and drive local economic development.

The following Minimum Buying Standards are based on the Bronze Food for Life Catering Mark Standards, developed by the Soil Association. Meeting them should be seen as the initial stage of a progressive journey to improve the food served, therefore working through from Bronze, to Silver and Gold is encouraged.

Caterers securing contracts must be able to demonstrate they support the principles of these standards and for those contracts worth over £75,000 per annum, will need to be working towards and achieve the Catering Mark standard during the first year of the contract. Use of the Catering Mark logo demonstrates the independent endorsement from the Soil Association that meals are fresh, seasonal and better for animal welfare.

Minimum Buying Standards for purchasing food

Additives	All products or ingredients must not contain the following additives: E102 tartrazine E104 quinoline yellow E107 yellow 2G E110 sunset yellow E120 cochineal E122 carmoisine E123 amaranth E124 ponceau 4R E129 allura red E131 patent blue V E132 indigo carmine E133 brilliant blue FCF E151 black PN E210 benzoic acid E211 sodium benzoate E621 monosodium glutamate E635 sodium 5 – ribonucleotide E950 acesulfame K E951 aspartame E954 sodium saccharine
Trans fats	All products and ingredients must not contain trans fats
GM	All products must not be genetically modified (GM) or contain genetically modified ingredients
Freshly prepared	At least 75% of dishes must be freshly prepared from unprocessed ingredients on site or at a local hub
Eggs	All eggs (including liquid eggs) must be from free-range hens

Meat	<p>All meat and meat within products on the menu must be accredited by one of the following welfare schemes:</p> <ul style="list-style-type: none"> • Assured Food Standards (Red Tractor Assurance) • Farm Assured Welsh Livestock (FAWL) • Quality Meat Scotland (QMS) • Farm Quality Assurance Scheme (FQAS) Northern Ireland • EBLEX Quality Standard Mark (English Beef and Lamb Executive) <p>Of these the higher standards are:</p> <ul style="list-style-type: none"> • Organic • Freedom Food
Fish	<p>All fish served must NOT be on the Marine Conservation Society (MCS) 'fish to avoid' list, available at www.fishonline.org/fish-advice/avoid.</p> <p>This list is updated regularly according to the latest research. You must refer to the list when ordering fish</p>
Seasonality	<p>All menus are seasonal and in-season produce is highlighted.</p> <p>Menus need not be exclusively seasonal, but must show seasonal variation and ideally include seasonal meats and fish too. 'Seasonal' produce is fresh produce that can be produced outdoors in the UK at that time of year</p>
Training	<p>Catering staff are supported with skills training in fresh food preparation and where applicable, the Food for Life Catering Mark.</p>
Water	<p>Free drinking water must be prominently available</p>
Provenance information	<p>Information must be on display about where food comes from. For example, the names of farms and/or local food businesses supplying locally produced ingredients could be displayed on menus, blackboards, posters, or communicated to your customers through flyers, websites or newsletters</p>

Food safety	All suppliers must be verified to ensure they apply appropriate food safety standards, based on HACCP (Hazard Analysis and Critical Control Points) principles
Nutritional standards	<p>Caterers in schools and academies, early years and residential care settings and hospitals must demonstrate their compliance with national standards or guidelines on food and nutrition.</p> <p>School and academy catering http://www.childrensfoodtrust.org.uk/schools/the-standards</p> <p>Early years settings http://www.childrensfoodtrust.org.uk/pre-school/resources/guidelines</p> <p>Residential care homes (adults 18-65 years of age) http://www.thenacc.co.uk/shop/Goodpracticeguides</p> <p>Residential care (older people) and community meals http://www.cwt.org.uk/publications.html#older</p> <p>Hospitals http://sd.defra.gov.uk/advice/public/buying/products/food/standards/</p>
Diet and cultural needs	Menus must provide for all dietary and cultural needs
Waste	There must be a clear plan in place to reduce food waste and packaging and this should be communicated to the public and reviewed on an annual basis
Fairtrade	All tea, coffee, cocoa and bananas are to be certified as fairly traded
Health	A range of healthy options must be provided for main meal, dessert and snacks
Training	All catering staff are encouraged to complete the NCASS Sustainability Training for Caterers online course.

Additional criteria for Fairtrade, Health, Waste and Training that are outside the **Bronze FFL Catering Mark standards** have been included in the list for MBS as these fit with current council policy.

Encouragement is given to always champion local, sustainable and higher welfare (e.g. Freedom Food or Organic) where available, affordable and appropriate.

Additional resources

Soil Association's Food for Life: [Catering Mark Standards Manual](#)

Government Buying Standards: [Food and catering services](#)

EU GPP criteria: [Food](#)

Healthy Choice Award: [For care homes, nurseries and breakfast clubs](#)

Brighton & Hove Food Partnership: [Brighton & Hove Food Strategy](#) or [help with suppliers](#)

Sustainable Procurement Policy

Brighton & Hove City Council is committed to taking responsibility of its own impact on the environment and society, both within the local area and across the globe. We recognise that our purchasing of goods and services has sustainable implications and we are actively working towards reducing the negative effects these purchases may cause.

The council will embed the principles of sustainability throughout its procurement activities to ensure that only value for money products and services are selected. In all cases a balanced consideration of the social, ethical, environmental and economic impacts will be undertaken.

Working with our suppliers is key to delivering the aims of this policy. As such we will monitor and measure their performance, encourage them to conduct their operations in line with the council's commitments and embrace continuous improvement.

Procurement operations

We will:

- Embed the principles of One Planet Living into our purchasing practices.
- Apply a whole life costing approach to major purchases to give a clear understanding of the full impact of purchasing decisions.
- Develop and maintain a suite of procurement documents, including sustainability based selection criteria.
- Develop and maintain guidance, protocols and training to support and embed the practices of sustainable procurement across the organisation.
- Ensure cooperation between Corporate Procurement and council officers in other service areas to ensure consistent application of sustainability related practices.
- Establish and embed a corporate approach to contract management and contract monitoring to ensure that sustainability-related promises made by suppliers are delivered upon through the lifetime of a contract.
- Where appropriate, design specifications and procurement documents in a manner which allows greater access to opportunities for SMEs.
- Promote the use of E-Procurement throughout the organisation to reduce the use of paper in procurement projects.

Sustainable Procurement Policy

Environmental impact

We will:

- Encourage suppliers to take action to reduce waste and promote reuse throughout the supply chain by requesting information on processes during procurements where appropriate.
- Consider the potential transport requirements associated with any contract and how these may be minimised, whilst encouraging suppliers to minimise the negative impact of their transport operations.
- Commission and procure energy-efficient products and services and encourage suppliers to improve their processes in this area.
- Build a requirement for CO₂ reduction into the specification of contracts, where appropriate.
- Consider the risk of negative water impact in specific contracts, with particular focus on waste use, waste water and discharges into the water system.
- Encourage suppliers to seek sustainable alternatives to materials which are scarce or at risk of becoming so.
- Promote the use of, and compliance with, the council's Minimum Food Standards in all relevant contracts.
- Ensure all relevant suppliers are compliant with our Sustainable Timber Policy.

Social Value

We will:

- Consider social value as part of all procurement projects.
- Consult with service users and other client-side stakeholders to clearly define needs and design methods to meet these needs in a sustainable manner.
- Assess suppliers' awareness and policies in relation to equalities as part of procurement processes.
- Encourage suppliers to consider how they can look after the health and well-being of their workforce.
- Encourage suppliers to support regeneration projects or initiatives in the communities in which they operate.
- Encourage suppliers to take steps to make supply chain opportunities accessible to local SMEs and third sector organisations.
- Encourage suppliers to support employment opportunities for people who may otherwise have difficulty finding employment.

Subject:	Update to Scheme of Officer Delegations		
Date of Meeting:	9 June 2016		
Report of:	Executive Lead for Strategy, Governance & Law		
Contact Officer:	Name:	Elizabeth Culbert	Tel: 29-1515
	Email:	elizabeth.culbert@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The Scheme of Officer Delegations has been updated to reflect the arrangements approved by Policy & Resources Committee on 28th April 2016 relating to the Senior Officer Restructure.
- 1.2 As part of the process of reviewing and updating the officer delegations, further amendments have been identified that require Committee approval and these are set out in this report.
- 1.3 The report also sets out proposed transitional arrangements for approval.

2. RECOMMENDATIONS:

That the Committee

- 2.1 Approves the changes to the scheme of officer delegations set out at paragraphs 3.1 to 3.6 below and Appendix 1 of the report;
- 2.2 Authorises the Chief Executive to take all steps necessary or incidental to the implementation of the proposals set out in this report;
- 2.3 Authorises the Monitoring Officer to make amendments to the relevant parts of the constitution to reflect the changes resulting from the above paragraphs and to make any necessary consequential amendments;
- 2.4 Approves the transitional arrangements as set out at Appendix 2;
- 2.5 Agrees that the changes to the scheme of delegations and transitional arrangements come into force with immediate effect.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The proposals for the Senior Officer Restructure have required a review of the officer scheme of delegations. As part of this work, a number of additional proposed changes have been identified. These are set out below:-

Supported Employment

- 3.2 It is proposed that the function of Supported Employment is moved to Children, Families and Learning. The Children, Families and Learning Directorate has a clear focus on learning and skills and the work of the supported employment team will align well within this Directorate.

Senior Information Risk Owner (SIRO) and Information Governance

- 3.3 It is proposed that the role of SIRO be moved from the Monitoring Officer to the Chief Executive. It is considered that this role should sit with the Head of Paid Service due to its importance and relevance to all council business.
- 3.4 It is also proposed to amend the delegations to the Executive Director Finance & Resources to reflect the functions of Freedom of Information and Data Protection which are currently discharged by the directorate but not reflected in the scheme of delegations.

Commissioning function - Health and Adult Social Care

- 3.4 A new commissioning function covering Health and Adult Social Care and Families, Children and Learning is established under the Health and Adult Social Care directorate. This formed part of the original senior officer restructure proposals and is now reflected for clarity as a new delegation to the Executive Director Health, Wellbeing and Adults.
- 3.5 Throughout the Scheme, where there is an overlap between the functions of the Executive Directors with responsibility for adults and children, a protocol will be developed to ensure the statutory responsibilities of the Director of Adult Services and the Director of Children's Services are discharged by the proper officer, whilst avoiding duplication.

Updating list of proper officers, legislation and clarifications

- 3.6 A number of updates to legislation and terminology have also been made to the Scheme in order to ensure that it is up to date, in particular in relation to the Executive Director Children, Families and Learning. Further minor changes have been made to ensure that there is clarity. For example, in the Economy, Environment and Culture Directorate the specific inclusion of the Estate Regeneration Team has been inserted. Management of Collections has been added to the Museum's Service. These changes are not substantive amendments but are bringing the Scheme up to date and, in some cases, being more explicit about services covered. All proposed changes are shown in Appendix 1 as tracked changes.

Transitional Arrangements

- 3.7 The recruitment process for the following Executive Director posts is now being planned:-
- Executive Director, Health and Adult Social Care

- Executive Director, Economy, Environment & Culture
- Executive Director, Neighbourhood, Communities & Housing

Posts will be advertised externally and therefore it is unlikely that permanent appointments will be in place until the autumn. A summary of the interim arrangements pending permanent appointments is set out at Appendix 2.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The proposals set out in the report give effect to the Senior Officer Restructure as agreed by Policy and Resources on 28th April 2016 and set out the interim arrangements. Committee approval is required to make further changes to the officer delegations which tidy up the scheme. Transitional arrangements are required in order to ensure that there continues to be effective leadership, performance and accountability at senior officer level pending permanent appointments.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The proposals and outcome of consultation has been shared with key public sector partners, staff and Unions.

6. CONCLUSION

- 6.1 The proposals presented in this report reflect the ambitions of the senior officer restructure proposals agreed by Policy and Resources on 28th April and set out transitional arrangements which are required in order to ensure effective leadership, performance and accountability pending permanent appointments.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications arising from the recommendations in this report

Finance Officer Consulted: Name Peter Francis Date: 17/05/16

Legal Implications:

- 7.2 Under the council's constitution, Policy, Resources & Growth Committee approval is required to make changes to the Scheme of Officer Delegations.

Lawyer Consulted: Elizabeth Culbert Date: 19/05/16

Equalities Implications:

- 7.3 The council's statutory duties with regard to equalities legislation have been considered through the deliberations of the CEO and ELT. The formation of the Neighbourhood, Communities and Housing directorate affords a specific opportunity to strengthen how the council may better meet the diversity of local

needs through its public service provision working with local communities and through partner agencies. The CEO and ELT will continue to seek to ensure, in recruiting suitably skilled and qualified managers, that the composition of the senior management team positively reflects the diversity of the local community.

Sustainability Implications:

- 7.4 There are no sustainability implications arising from this report.

Any Other Significant Implications:

- 7.5 There are no other significant implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1 – Amended Scheme of Delegations to Officers – extract of amended delegations
2. Appendix 2 – Transitional arrangements

PART 6 SCHEME OF DELEGATION TO OFFICERS

PART 6.1 INTRODUCTION

PART 6.2 PART A. GENERAL DELEGATIONS

1. Administrative
2. Financial
3. Land Management
4. Human Resources
5. Surplus Property
6. Appointment of Authorised Officers
7. Urgency Powers
8. Miscellaneous Matters

PART 6.3 PART B. SPECIFIC DELEGATIONS

I DELEGATIONS TO CHIEF EXECUTIVE

1. General
2. Interpretation of Delegation Schemes
3. Members
4. Returning Officer
5. Senior Information Risk Owner (SIRO)

II DELEGATIONS TO EXECUTIVE DIRECTOR FINANCE & RESOURCES

1. General
2. Strategic Finance, Financial Services, and Audit and Business Risk
3. Procurement
4. Revenues and Benefits Service
5. ICT
6. Information Management
7. Human Resources and Organisational Development

III DELEGATIONS TO EXECUTIVE LEAD FOR STRATEGY, GOVERNANCE & LAW (AND MONITORING OFFICER)

1. Legal Services
2. Democratic Services
3. Health Overview & Scrutiny
4. Ethical Standards
5. ~~Senior Information Risk Officer~~
- 6.5. Electoral Registration and Elections
- 7.6. Local Land Charges
- 8.7. Registration Service

- ~~9.8.~~ **Coroners Service**
- ~~10.9.~~ **Bereavement Services**
- ~~11.10.~~ **Policy**
- ~~12.11.~~ **Performance Improvement and Programmes**
- ~~13.12.~~ **Corporate Communications**
- ~~14.13.~~ **Leadership Support Office**

IV DELEGATIONS TO EXECUTIVE DIRECTOR ECONOMY, ENVIRONMENT AND CULTURE

- 1 Tourism**
 - 2. Arts and Creative Industries**
 - 3. Management of Museum and Leisure Establishments**
 - 4. Venues**
 - 5. Archives**
 - 6. Seafront**
 - 7. Parks and Green Spaces**
 - 8. Events**
 - 9. Leisure**
 - 10. Highways**
 - 11. Traffic Management**
 - 12. Parking Management**
 - 13. Transport**
 - 14. Land Use Planning**
 - 15. Town and Country Planning**
 - 16. Assets of Community Value**
 - 17. Conservation and Design**
 - 18. Building Control and Sports Grounds**
 - 19. Waste Management**
 - 20. Economic Development and [Regeneration](#)European**
- Union**
- 21. Property**
 - 22. Environmental Awareness**
 - 23. National Parks**
 - 24. Markets**
 - 25. Sustainability**
 - 26. Major Projects**
 - 27. Miscellaneous**
 - (1) Coastal protection.
 - (2) Allotments and smallholdings.
 - (3) Numbering of housing and naming of streets.

V DELEGATIONS TO EXECUTIVE DIRECTOR FAMILIES, CHILDREN & LEARNING

1. Introduction
2. Director of Children's Services
3. Section 75 Arrangements
4. Education
5. Children and Young People's Social Services
6. Assistance to Pupils/Students
7. [Adult Learning and Supported Employment](#)
8. Adult Learning Disability
9. Human Resources Functions
10. Buildings/Premises
11. Guardians ad Litem
12. Miscellaneous

VI DELEGATIONS TO EXECUTIVE DIRECTOR HEALTH AND ADULT SOCIAL CARE

1. Director of Adult Services
2. General Adult Social Services
3. Section 75 arrangements
4. Supported Employment
5. Housing Related Support
6. Public Health
7. [Adult Disability](#)
- 7-8. [Integrated Commissioning](#)

VII DELEGATIONS TO EXECUTIVE DIRECTOR NEIGHBOURHOODS, COMMUNITIES AND HOUSING

1. Gypsies, Roma and Travellers
2. Neighbourhood Renewal
3. Housing Related Support Services
4. Housing
5. Emergency Planning
6. Community Safety and Drug Action Team
7. Environmental Health
8. Licensing and Registration
9. Trading Standards
10. Communities
11. Libraries

PART 6.4 PART C. REFERRED FUNCTIONS

PART 6.5 SCHEDULES

SCHEDULE 1

Part I

Environmental Health Functions delegated to the Executive Director
Neighbourhoods, Communities and Housing

Part II

Legislative provisions under which notices may be served

SCHEDULE 2

Licensing and Registration Functions delegated to the Executive Director
Neighbourhoods, Communities and Housing

SCHEDULE 3

Trading Standards Functions delegated to the Executive Director
Neighbourhoods, Communities and Housing

SCHEDULE 4, Parts 1 & II

Planning Functions delegated to the Executive Director Environment,
Development & Housing

SCHEDULE 5

Functions delegated to the Executive Director Neighbourhoods, Communities
and Housing in relation to HRA properties

SCHEDULE 6

Functions delegated to the Executive Director Finance & Resources in
relation to Local Taxation

SCHEDULE 7

Highways functions delegated to the Executive Director Economy,
Environment and Culture

II DELEGATIONS TO EXECUTIVE DIRECTOR FINANCE & RESOURCES

1. General

To manage the following Council services:-

- (a) Strategic Finance
- (b) Financial Services
- (c) Audit and Business Risk
- (d) Procurement
- (e) Revenues and Benefits Services
- (f) ICT
- (g) Human Resources and Organisational Development

2. Strategic Finance, Financial Services, and Audit and Business Risk

- (1) To be the officer responsible for the administration of the Council's financial affairs for the purposes of Section 151 of the Local Government Act 1972; to be the responsible financial officer under the Accounts and Audit Regulations 2015 and, subject to any guidance or limitations imposed by the Policy, Resources & Growth Committee, to take such steps as are necessary for the proper administration of the financial affairs of the Council. The other finance functions listed below are not to prejudice the generality of this function.
- (2) To exercise the Council's functions where required or empowered to do so under the Council's Financial Regulations and enter into contracts in relation to the Council's banking arrangements.
- (3) To make premature repayment of mortgages and bonds.
- (4) Subject to reporting on the actions taken on major awards to the next meeting of the Policy, Resources & Growth Committee, to implement decisions of National Negotiating Bodies affecting employees except insofar as such decisions give discretionary powers to employing authorities.
- (5) To make arrangements for the borrowing of such monies as the Council has decided shall be borrowed in accordance with such policy as may be laid down from time to time and subject to the receipt of the necessary Government sanctions and consents.
- (6) To issue bonds in accordance with the provisions of the Local Government and Housing Act 1989 and to deal with allied detailed matters in accordance with the approved policies.
- (7) To issue bills in accordance with the provision of the Local Government and Housing Act 1989 and approved conditions.

- (8) To pay statutory benefits under the Local Government Superannuation Scheme.
- (9) Following consultation with the Chair of Policy, Resources & Growth Committee, to vary the interest rate chargeable for staff housing advances.
- (10) To take such steps as are necessary to give effect to any decision of the Council regarding its investments.
- (11) To approve increases in accountant and mechanical/technical adviser fees relating to services provided in connection with any track betting licence.
- (12) To pay Members' allowances in accordance with the scheme approved by the Council.
- (13) To exercise the Council's functions regarding arrangements for internal audit, including risk management.
- (14) To discharge the Council's functions regarding arrangements for insurance and deal with claims against the Council in accordance with the practice and procedure agreed from time to time with the Council's insurers.
- (15) To make amendments to the Financial Regulations and Standard Financial Procedures to reflect best value, new legislation, and any changes to the Council's Standing Orders and Scheme of Delegation.
- (16) To enter into agreements and authorise payments in respect of car loans, provided that these functions may also be exercised by the Assistant Director Finance.
- (17) To develop and review the Council's Anti-Fraud and Corruption Strategy and to monitor its implementation.
- (18) To take action for the provision of a treasury management service to supplement the skills of in-house staff.
- (19) Within the general framework set by the Council from time to time, to exercise the functions of the Council in relation to:-
 - (i) Revenue and capital budgetary control and financial services to departments.
 - (ii) The co-ordination and facilitation of project programmes.
 - (iii) Supplying departments with service review and specific performance improvement support, including support for best value and value for money reviews.

- (20) To determine applications for assistance under the council's general indemnity for Members and officers appointed or nominated by the council to serve on outside bodies.
- (21) To be the 'Senior Responsible Officer' for the purposes of the Home Office Codes of Practice on the Regulation of Investigatory Powers Act 2000.

3. Procurement

To co-ordinate the Council's procurement strategy; to promote best value and good practice in the Council's procurement activity.

4. Revenues and Benefits Services

To exercise the following Council functions:-

(1) Local Taxation Services

To exercise the Council's functions regarding the Council Tax, Non-Domestic Rates, General Rates and the Community Charge as are more particularly set out in **Schedule 6** to this Scheme of Delegations.

(2) Housing Benefit, Council Tax Reduction Schemes, and Local Welfare Provision

Subject to any general guidance or limitation imposed by the relevant Committee or Sub-Committee, to exercise the Council's functions regarding:-

- (a) Housing Benefit under the Housing Benefit (General) Regulations 1987 and relevant legislation;
- (b) Council Tax Reduction Schemes; and
- (c) Local Welfare Provision, including any local scheme or arrangements intended to replace the assistance or funding previously provided by Community Care grants and/or Crisis Loans

In addition to the Assistant Director Finance, the Head of Revenues and Benefits and the Benefits Managers are authorised to exercise the above functions.

(3) Travel Concessions

To exercise the Council's functions regarding travel concessions.

(4) Appointment of Authorised Officers

In connection with any functions administered by the Assistant Director Finance to:-

- (a) act as and to appoint persons to act as authorised officers or inspectors (or in other similar capacity); and
- (b) enter or authorise persons to enter land or premises.

5. ICT

(1) Information and Communication Technology

To exercise the Council's functions in respect of:-

- (a) The implementation of e-government: a strategic framework for public services in the Information Age;
- (b) The provision of information technology services to Council departments and responsibility for the Council's overall IT strategy

(2) Information Management

To exercise the Council's functions in respect of:-

- (a) Freedom of Information, Environmental Information and Data Protection;
- (b) Modern records management;

6. Human Resources and Organisational Development

To exercise the Council's functions in relation to Human Resources and in particular:-

- (1) To develop a people strategy that supports the corporate strategy and priorities, and the visions and values of the Council.
- (2) To develop people policies, procedures and codes of practice that meet the Council's changing needs and are in accordance with the people strategy, including employee training and development, providing the desired behaviours, skills and competencies, employee culture and management ethics; and ensure that resources are focussed where they will provide best value.

- (3) To develop corporate policies relating to equality of opportunity for staff in their employment, training, development and promotion, and with regard to employee responsibilities for ensuring equality of access and fair treatment of customers.
- (4) To develop a corporate strategy and policies for the management of the Council's Health and Safety and well being responsibilities.
- (5) To provide a strategic focus for organisational development matters across the Council, maintaining an overview of current and future needs, and ensuring that strategic objectives and priorities are met.
- (6) To develop a corporate employee communication and consultative strategy. To design, maintain and review the council's formal consultative mechanisms. To promote consultative systems and approaches that develop sound partnership working with the recognised trade unions.
- (7) To develop a "terms and conditions of employment" framework for all staff (excluding teaching staff) and to act as the Council's "chief negotiator" in discussions with the Council's trade unions, in respect of terms and conditions, pay and reward and people policies.
- (8) To ensure a Brighton & Hove City Council input into the national negotiating machinery.
- (9) In liaison with the relevant Executive Director, to determine:- entitlement to the occupational sick pay scheme, the application of the Council's early retirement and redundancy provisions, relocation scheme, and the settlement of legal/employment tribunal claims; in accordance with the agreed policies of the Council.
- (10) To administer the appointment procedures and to direct the Assistant Director Human Resources to act as "Human Resources Manager" to the Council's JNC staff, in accordance with Council policies.
- (11) To ensure that the implementation and effectiveness of all human resources policies and practices are monitored, reviewed and revised when necessary.
- (12) To provide the full range of human resources services to Council departments including advice and support regarding appointments, promotion and disciplining of staff.
- (13) To lead on a range of organisational improvement and development activities, analysing needs and devising appropriate solutions, including but not limited to value for money work, learning and development across the Council, and internal cultural change activity.

- (14) To make decisions in accordance with the Employment Policies, Practices and Procedures of the Council.

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III EXECUTIVE LEAD FOR STRATEGY, GOVERNANCE AND LAW (AND MONITORING OFFICER)

1. Legal Services

(1) Monitoring Officer

- (a) To be the Monitoring Officer of the Council for the purposes of Section 5 of the Local Government and Housing Act 1989 and discharge the functions of that officer under the Local Government Act 2000;
- (b) To determine fees for the Returning Officer and election clerks in respect of local elections, after consultation with the Executive Director Finance & Resources.

(2) Solicitor Role

As Executive Lead for Law, to be the Solicitor and the proper officer for the legal affairs of the Council and as such take all steps necessary to protect or secure the protection of the Council's interest from a legal point of view as he/she considers appropriate.

(3) Proceedings

- (a) To institute, defend and carry on or settle legal proceedings to protect the Council's interest or to implement a decision made by the Council, its Committees, Sub-Committees or officers or for the recovery of any debt or sum due to the Council;
- (b) To exercise the Council's functions under Section 222 of the Local Government Act 1972 to institute or defend proceedings in the interests of the inhabitants of the Council's area etc.
- (c) To determine appeals in relation to the Community Right to Bid under the Localism Act 2011 jointly with the Executive Director Finance & Resources.

(4) Conveyances, Agreements and other documents

- (a) To prepare and execute any contract, agreement, conveyance or other document necessary to give effect to a decision of the Council, a Committee, Sub-Committee or officer acting under delegated functions;
- (b) In connection with the disposal of any interest in land or any other purpose, to enter into supplemental or replacement leases, deeds of variation, or other appropriate documents for

the purposes of correcting any errors, resolving any ambiguities or facilitating the exercise of any of the Council's functions.

Provided that the Deputy Head of Law, a Principal Solicitor, a Managing Principal Solicitor or the Senior Lawyer (Property) of the Council, or any other solicitor authorised by the Executive Lead for Strategy, Governance and Law (and Monitoring Officer) may also exercise any of the functions delegated under sub-paragraphs (4) (a) and (b) above.

(5) Review of constitution

To review and update the Council's constitution from time to time and ensure the Council's decision making processes are robust.

(6) Authorisation of officers

- (a) To authorise any officer of the authority to prosecute or defend or otherwise appear in proceedings before a Magistrates' Court under Section 223 of the Local Government Act 1972;
- (b) To authorise any officer to represent the Council in the County Court under Section 64 of the County Courts Act 1984;
- (c) To authorise any officer to appear on behalf of the Council in any court, tribunal, arbitration hearing, meeting or any other forums where the Council has the power to grant such authority.
- (d) To authorise any officer or person representing the Council to sign statements of truth in court proceedings.

(7) Insolvency

To serve statutory demands, sign or present petitions in bankruptcy or corporate insolvency, and take such other action or steps under the Insolvency laws as is necessary to protect or promote the Council's interest.

(8) Guardians ad Litem

Where the Executive Lead for Strategy, Governance and Law (and Monitoring Officer), after consultation with the relevant officer, considers it necessary to exercise the following functions:-

- (a) From time to time to recruit, to make appointments to, and remove from the Panel of Guardians ad Litem and Reporting Officers in accordance with the Guardians ad Litem and Reporting Officers (Panels) Regulations 1991;

- (b) To administer the Panel and monitor the work of the Guardians ad Litem on behalf of the Council;
- (c) To agree the payment of expenses to persons appointed to the Panel and to agree other terms and conditions of appointment to the Panel;
- (d) To constitute complaints boards:-
 - (i) to investigate complaints about the operation of the Panel; and
 - (ii) to make recommendations concerning proposed termination of an appointment of a Guardian ad Litem or Reporting Officer.

(9) Authentication of Documents

To be the proper officer for the purposes of certifying the authenticity of Council reports, minutes and resolutions, providing that this function may also be exercised by the Chief Executive or the Head of Democratic Services, who will also be proper officers for this purpose.

2. Democratic Services and Civic Office

- (a) To ensure proactive support to the democratic process and elected Members in accordance with the constitution.
- (b) To manage the Council's services for Members and in connection therewith to take all necessary steps to secure compliance with Part VA of the Local Government Act 1972 (Access to Meetings and Documents of the Council, its Committees and Sub-Committees), and all subsequent related legislation.
- (c) To manage the Council's Civic Office.

3. Health Overview and Scrutiny

- (a) To manage the Council's Health Overview and Scrutiny function, and to take all necessary steps to ensure compliance with any legal requirements relating to scrutiny of local health services..

4. Ethical Standards

- (a) After consultation with the Chair or Vice Chair, to require meetings of the Audit and Standards Committee or Standards Panel to be held and to exercise any function of the Committee or the Panel (to the extent that such functions are exercisable by an officer) if it appears to be appropriate to do so in lieu of referring the matter to a meeting.

- (b) To establish and maintain registers of interests of Members and Co-opted Members of the Council and Rottingdean Parish Council in accordance with Chapter 7 of the Localism Act 2011.

~~5. Senior Information Risk Officer~~

~~———— To be the Council's Senior Information Risk Officer (SIRO).~~

~~*(note: moved to Chief Executive)*~~

6. Electoral Registration and Elections

- (a) To be the electoral registration officer under the Representation of the People Acts.
- (b) To carry out the day-to-day management of the Council's electoral registration service and to make arrangements for the holding of elections.

7. Local Land Charges

To exercise the Council's functions in relation to local land charges including:-

- (a) the functions under the Local Land Charges Act 1975 and the Local Government (Miscellaneous Provisions) Act 1982, Section 34; and
- (b) the fixing of fees under the Local Authorities (Charges for Property Searches) (England) Regulations 2008.

8. Registration Service

- (a) To exercise the Council's functions under the Registration Service Act 1953 regarding the registration of births, deaths and marriages;
- (b) To exercise the Council's functions under the Marriage Acts of 1949 and 1994, the Civil Partnerships Act 2004 and the Marriages (Approved Premises) Regulations 1995 save where a review has been sought;
- (c) To be the proper officer for the purposes of the Registration Service Act 1953 and carry out functions in accordance with Brighton & Hove Registration Scheme 2007.

9. Coroners Service

To exercise the Council's functions regarding the Coroners Service under the Coroners Act 1988 and other relevant legislation.

10. Bereavement Services

To exercise the Council's functions in relation to bereavement services including functions under the Public Health (Control of Disease) Act 1984.

11. Policy

To provide a wide range of policy development and partnership support functions to the Council and the City including, but not limited to:-

- Ensuring an effective Local Strategic Partnership and Public Service Board;
- Ensuring that decision making is supported by timely and robust evidence/research data where required;
- Ensuring the effective coordination of corporate and other policy (e.g. corporate planning.);
- Leading the Council's sustainability approaches;
- Researching and developing policy proposals

12. Performance Improvement and Programmes

- (1) To manage the Council's Programme Management Office; to promote best value and good practice in relation to project and programme management.
- (2) To monitor and develop the Council's performance management frameworks and systems, and to build good working relationships with a range of audit and inspection bodies and other regulators.
- (3) In conjunction as necessary with the Chief Executive, to deal with complaints to the Commission for Local Administration in England and Wales (the local Ombudsman) and complaints from the public under the Council's internal complaints and statutory procedures, providing that arrangements can be made for initial stages of complaints to be dealt with by the relevant service department.
- (4) To manage risks and opportunities to ensure effective and timely implementation of mitigating actions.
- (5) To lead on the development of Customer Insight reports to ensure understanding of Customer needs and for the learning of the organisation.

13. Corporate Communications

- (1) To manage the Council's corporate communications service.
- (2) To develop and implement the internal and external communications strategies for the Council.
- (3) To provide strategic communications advice to the Council in support of its priorities, vision, values and services.
- (4) To provide a 24 hour Council wide press service and contingency plans for crisis press management.
- (5) To ensure that the content and the design of Council publications, leaflets, internet, intranet and all other published materials maintain the Council's corporate identity and are of an appropriate standard in terms of design quality and accessibility.
- (6) To prepare and distribute such newspapers, information leaflets and other periodical publications as the Council may approve from time to time.

14. Leadership Support Office

- 14.1 To manage the Council's Leadership Support Office.

IV DELEGATIONS TO THE EXECUTIVE DIRECTOR ECONOMY, ENVIRONMENT AND CULTURE

1. Tourism

- (1) To exercise the Council's functions regarding tourism.
- (2) To provide publicity and information services for the promotion of Brighton and Hove as a major tourist, conference, exhibition and holiday centre including the planning and execution of publicity and advertising schemes, the preparation and dissemination of guides and similar publications, and co-operation with national, regional and local bodies in all these matters.

2. Arts and Creative Industries

- (1) To exercise the Council's functions regarding arts, entertainments and creative industries.
- (2) To make arrangements for the sale or issue of tickets for concerts, plays and similar events.
- (3) To manage the relationship with the [Brighton Dome Brighton Festival Trust](#).

3. Management of [Museum and Leisure](#) Establishments

To manage the following establishments/sites:-

- (a) The Royal Pavilion and grounds
- (b) All museums and art galleries [and collections](#) belonging to the Council;
- (c) [The Grange, Rottingdean](#); *(note:moved to Libraries)*
- (d) Preston Manor;
- (e) West Blatchington Windmill and Foredown Countryside Centre;
- (f) Portslade Old Manor House, Portslade;
- (g) all leisure facilities, including the King Alfred Leisure Centre, the Prince Regent Swimming Pool, Stanley Deason Sports Centre and Moulsecoomb Community Leisure Centre, in conjunction with the facility management company, where applicable.

- (h) Subject to consultation with and the consent of the Assistant Director Property over matters relating to disposal, lettings etc, to manage the following establishments/sites:-
 - (i) the Raceground (subject to the rights of The Brighton Racecourse Company Limited);
 - (ii) Volks Railway

4. Venues

- (1) To manage the following establishments/sites:-
 - (a) the Brighton Centre, subject to consultation with and the consent of the Head of Property & Design on disposal and letting issues and planned maintenance;
 - (b) Hove Town Hall (excluding office accommodation and Mayoral Suite);
- (2) To manage the relationship with ~~the Dome Development Company (Deveco)~~ and matters in relation to the Dome complex.

5. Archives

To exercise the Council's functions regarding the custody and maintenance of the Council's historical documents and records.

6. Seafront

- (1) To exercise the Council's functions regarding the seafront.
- (2) Without prejudice to above, to deal with:-
 - (a) applications for permission to hold competitions, regattas, barbecues and similar events on or from the esplanade, beach or foreshore (including the power to impose conditions in relation thereto);
 - (b) the grant, renewal, transfer, variation, refusal, suspension or revocation of licences, permits, consents or registrations, as the case may be, in relation to trading on the esplanade beach and foreshore;
 - (c) the storage of boats on the beach, the letting of the beach station, the licensing of boats and boatmen, the granting of rights appertaining to beach lockers and winches and similar matters (including the granting of licences and entering into agreements and the termination of such licences and agreements);

- (d) the granting of site licences for beach huts, entering into agreements for the letting or hiring of the Council's beach chalets and the termination of such licences and agreements;
- (e) the exercise of the Council's functions under the East Sussex Act 1981 Section 12 (removal of boats);
- (f) the temporary closure of part of Madeira Drive Brighton for special events.

7. Parks and Green Spaces

- (1) To manage and control the Council's parks and open spaces.
- (2) To exercise the Council's functions regarding the management of the countryside, grounds maintenance and planned maintenance.
- (3) To manage the Council's leisure facilities in parks and open spaces.
- (4) To exercise the Council's functions as commons registration authority and act as the proper officer for those purposes.

8. Events

To organise and manage recreational activities and events on Council owned land including parks and open spaces.

9. Leisure

- (1) To exercise the Council's functions regarding leisure.
- (2) To manage the esplanade, beach and foreshore, the seafront lawns and lagoon
- (3) To organise and manage programmes of public entertainment on land and buildings under the Executive Director Economy, Environment and Transport's management or by arrangement with third parties.

10. Highways

To exercise the Council's functions regarding highways, including those set out in **Schedule 7** to this Scheme of Delegations.

11. Traffic Management

- (1) To make provision for the regulation of traffic, pursuant to the Council's statutory functions, where formal orders are not required.

- (2) To authorise the Executive Lead for Strategy, Governance and Law (and Monitoring Officer) to make temporary traffic orders without recourse to the consultation procedure.
- (3) To make provision for road safety schemes.
- (4) After consultation with Executive Lead for Strategy, Governance and Law (and Monitoring Officer) and local Members (save in the case of temporary traffic restrictions) to make, give consent to or object to the making of, apply for or confirm any order under the provisions of the Highways Act 1980, the Wildlife and Countryside Act 1981, the Road Traffic Regulation Act 1984, the Town and Country Planning Act 1990, the Traffic Management Act 2004, the Town Police Clauses Act 1847 and the Rights of Way Act 1990.

12. Parking Management

- (1) To determine the need for on-street parking bays for blue badge holders and for residents' parking bays and make or authorise the making or revocation of appropriate orders for the purpose.
- (2) To manage the car, coach and lorry parks owned by the Council, subject to consultation with and consent of the Assistant Director Property over matters relating to building maintenance and capital expenditure plans.
- (3) To exercise the Council's functions regarding Civil Parking Enforcement.

13. Transport

- (1) To prepare and implement the Council's Local Transport Plan (following approval by the Council).
- (2) To prepare and implement the Council's Transport Policy.
- (3) To arrange such consultations as appear to him/her to be appropriate following the notification by an operator of an intention to change a local bus service.
- (4) To take steps for the provision at short notice of temporary gap filling journeys where an operator withdraws from a route.
- (5) To award public transport contracts within established guidelines and policy.
- (6) (a) On behalf of the Council, to enter into a 'de minimis' arrangement with an operator, subject to being satisfied that the particular arrangement is both appropriate and the most cost effective means of securing the provision of a journey;

- (b) to authorise short term contracts for vehicle operators and to authorise vehicle leases in both cases not exceeding the sum of £12,000 per contract.
- (7) To approve requests for fares increases on supported services which are broadly in line with the general level of inflation.
- (8) To manage the provision of transport services for client departments including home-school transport and transport for social services.

[NOTE:- The assessment of eligibility for home to school transport and any appeal relating to the determination on eligibility is a function delegated to the Executive Director Families, Learning and Children.

14. Land Use Planning

- (1) To prepare and keep under review the Authority's Plan and Local Plan (subject to the adoption of the Plans by resolution of the Council).
- (2) To assume overall responsibility for planning policy and practice.
- (3) To advise the Planning Committee on planning policy, conservation and the traffic impacts of any proposed development.

15. Town and Country Planning

- (1) To determine applications in relation to matters listed under Part I of **Schedule 4** to this Scheme of Delegation having regard to the Council's relevant planning policies and published guidelines.

PROVIDED THAT the powers delegated under the above shall NOT apply where:-

- (a) 5 or more individual written objections relating to material planning considerations pertinent to the application in question have been received within the public consultation period from separate persons or bodies in relation to applications that officers are minded to approve, or where 5 or more individual written expressions of support from separate bodies or persons have been received within the public consultation period in relation to applications that officers are minded to refuse. Only written objections or expressions of support received from persons who live in the immediate vicinity of the application site or who otherwise may reasonably be considered to be potentially directly affected by the proposed development will be taken into account in determining the relevant number of representations required by this paragraph ; or

- (b) Conservation Advisory Group (CAG) or Disabled Access Advisory Group (DAAG) requests, within the public consultation period, that an application is determined by the Planning Committee. In making the request CAG or DAAG shall state whether it would be seeking an approval or refusal of the application. If officers' determination of the application under delegated powers would be in accordance with that request then the request shall be deemed to have been withdrawn; or
 - (c) a Ward Councillor requests, within the public consultation period, that an application within his or her ward is determined by the Planning Committee. In making that request the Councillor shall state whether he/she would be seeking an approval or refusal of the application. If officers' determination of the application under delegated powers would be in accordance with that request then the request shall be deemed to have been withdrawn. (NB In any case where the Ward Councillor is also a member of the Planning Committee and the application is referred to the Committee for determination, he/she will, if present, having exercised his/her right to make an oral representation to the Committee, need to leave the meeting during the consideration of the application); or
 - (d) Rottingdean Parish Council requests, within the public consultation period, that an application within the Parish Council area is determined by the Planning Committee. In making the request the Parish Council shall state whether it would be seeking an approval or refusal of the application. If officers' determination of the application under delegated powers would be in accordance with that request then the request shall be deemed to have been withdrawn.
- (2) To exercise the Council's functions in respect of certificates of lawful use, tree preservation orders, enforcement action etc as more particularly set out in Part II of **Schedule 4** to this Scheme of Delegation.

16. Assets of Community Value

To exercise the council's functions in relation to Assets of Community Value, pursuant to the Localism Act 2011.

17. Conservation and Design

- (1) To exercise the Council's functions with regard to Conservation matters under the Town and Country Planning Acts.
- (2) (a) On completion of the relevant works and within approved budget the approval of all payments of Historic Building Grants under the provisions of the Planning (Listed Buildings and

Conservation Areas) Act 1990 up to the percentage of grant specified in the adopted Action Plan for the specific grant scheme;

(b) Under Historic Building Grant Schemes:-

- (i) to determine applications for discretionary historic building grants not exceeding £20,000 in the case of 40% repair grants and £7,500 in the case of 75% reinstatement grants, i.e. a maximum of £27,500 in total per property, doubled in the case of applications affecting two or more properties or properties with two street frontages;
- (ii) to determine applications for requests for additional grants towards extra eligible costs incurred, so long as the overall grant does not exceed the limits stated above;
- (iii) to make interim payments on grants exceeding £6,000;
- (iv) to seek to recover grants only where it is evident that the grant assisted works have added value to the property, or where the applicant has directly benefited from the grant.

- (3) To undertake all consultations, notifications and publication of advertisements on behalf of the Council in relation to any of the matters listed above.

18. Building Control and Sports Grounds

To exercise the Council's functions regarding building control and Sports Grounds.

19. Waste Management and Control

- (1) To exercise the Council's functions regarding waste, litter and fouling by dogs including:-
- (a) collection and disposal;
 - (b) reduction and recycling;
 - (c) removal of abandoned vehicles;
 - (d) taking enforcement action in respect of the above.

20. Economic Development and [Regeneration](#)~~European Union~~

(1) Economic Development and Regeneration

To co-ordinate and arrange for the discharge of the Council's functions under Part III of the Local Government and Housing Act 1989 and all

other functions relating to economic development and regeneration, [including Housing Estate Regeneration.](#)

(2) **European Union**

To be the proper officer for authorising submissions under the European Commission programmes on behalf of the Council as a whole, as opposed to individual services.

21. Assistant Director Property

[NOTE: References in this paragraph to “land”, “property”, or “buildings” exclude Housing land.]

- (1) To exercise the Corporate Landlord role for all council property with the exception of (i) Housing land and (ii) specific property related functions as delegated to nominated officers under Part B of this Scheme of Delegations
- (2) To provide and maintain the Council’s land records and other corporate property information.
- (3) To undertake corporate property reviews (including all operational and non operational property), develop policies and set up and monitor corporate standards to achieve the policies.
- (4) To manage the Council’s commercial property portfolio.
- (5) To undertake client functions under various contracts with third parties including those related to property management.
- (6) To set up, review and maintain the Council’s corporate lists of approved contractors including adding or removing contractors from lists in accordance with the requirements of Contract Standing Orders.

[NOTE:- Under the Contract Standing Orders responsibility for monitoring lists of approved contractors is shared between the Assistant Director Property and the Procurement Strategy Manager.]

- (7)
 - (i) To manage corporate buildings;
 - (ii) To grant a lease, licence or other property agreement and interests lasting 3 months or more to occupy or use land held by the council;
 - (iii) To approve the change of use of land let by the council;
 - (iv) To approve capital expenditure in respect of corporate buildings, subject to compliance with the council’s financial regulations and, where applicable, Contract Standing Orders;

- (v) To approve the grant of a sub-lease in land where the head lease is held by the council.
- (8) After consultation where necessary with the relevant Chief Officer, to exercise the Council's functions in respect of the acquisition and disposal of land in the following circumstances:-
- (a) To approve the detailed terms of any disposal or acquisition authorised in principle by the Council where the terms are certified by the Valuer to be the best consideration reasonably obtainable;
 - (b) To acquire or dispose of the freehold or leasehold of land for a consideration of £25,000 or less provided that the terms are certified by the Valuer to be the best consideration reasonably obtainable and after consulting the chair of the relevant Committee or Sub-Committee;
 - (c) To acquire or dispose of land on a lease for 25 years or less provided that the terms are certified by the Valuer to be the best consideration reasonably obtainable;
 - (d) After consulting the Chair of Policy, Resources & Growth Committee, to acquire or dispose of land for a consideration of up to £250,000 provided that (i) the terms are certified by the Valuer to be the best consideration reasonably obtainable and (ii) the property is, or is to be, held for the purposes of the functions of the Executive Director Finance & Resources or has been declared by the relevant Chief Officer to be surplus to requirements under paragraph 3.2 sub-paragraph (c) of Part A General Delegations above.
- (9) To approve rent reviews and lease renewals where the Valuer certifies the terms to be the best consideration reasonably obtainable;
- (10) To apply for planning consent or Building Regulation Approval in respect of a proposed change of use or alterations to a council property.
- (11) To assess and give consent to improvements and change of use proposed by tenants of council buildings where appropriate.
- (12) In consultation with the Executive Lead for Strategy, Governance and Law (and Monitoring Officer), to assess and pursue issues involving enforcement action either by, or against, the council under the terms of a lease, other land agreement or disposal
- (13) To authorise planned and reactive maintenance to be carried out on the council's corporate buildings;

In relation to the paragraphs above:-

- (1) The disposal or acquisition of any interest in property or the creation, extension or variation of any interest therein shall be in such form as shall receive the approval of the Executive Lead for Strategy, Governance and Law (and Monitoring Officer).
- (2) The term “land” includes buildings or parts of buildings and any estate or interest in land.
- (3) The term “Valuer” means the valuer appointed or approved by the Executive Director of Finance & Resources.
- (4) “Corporate buildings” or “corporate property” means all buildings owned or leased by the council for the purpose of delivering or administering the council’s functions and for generating income and capital receipts, except for educational establishments in respect of which the council is the local education authority
- (5) “Planned maintenance” means planned, preventative maintenance work –
 - (i) undertaken to preserve the asset and to ensure relevant statutory compliance; and
 - (ii) carried out in anticipation of future failure
- (6) “Reactive maintenance” means response maintenance in respect of routine, day to day repairs which were unforeseen and unplanned.
- (7) “Operational” property comprises the land and buildings owned or leased by the council for delivering or administering the Council’s functions; and “non-operational” property comprises all land and buildings owned or leased by the council not involved in the delivery of services, an example of which is the council’s property investment portfolios.

[NOTE:- See also the general Land Management delegations under paragraph 3 of Part A General Delegations above.]

(14) Access Services

To manage the receptions, switchboard and related services at the Council’s main buildings (including Brighton Town Hall, King’s House and Hove Town Hall).

22. Environmental Awareness

To exercise all the functions of the Council regarding the promotion of environmental awareness.

23. National Parks

To exercise the Council's functions regarding National Parks so far as they relate to or affect Brighton & Hove.

24. Markets

To exercise the Council's functions in respect of markets other than those owned by the Council.

25. Sustainability

To exercise the Council's role and response in relation to sustainability issues, such as reducing carbon emissions, projections of a changing climate locally, improving resource efficiency and developing sustainable energy.

26. Major Projects

To exercise the Council functions regarding major projects (including major building, infrastructure or other projects involving the erection or significant alteration of major permanent structures or landmarks).

27. Miscellaneous

To exercise the Council's functions in respect of:-

- (1) Coastal protection.
- (2) Allotments and smallholdings.
- (3) Numbering of housing and naming of streets.

V DELEGATIONS TO EXECUTIVE DIRECTOR FAMILIES, CHILDREN AND LEARNING

1. Introduction

For the purposes of this Scheme of Delegations, the term “young people” means young people up to the age of 19.

2. Director of Children’s Services

- (1) To be the Council’s Director of Children’s Services pursuant to section 18 of the Children Act 2004.
- (2) To discharge the education, children’s social services and other functions conferred by section 18(2) of the Children Act 2004 and any additional functions for which the Director of Children’s Services may subsequently become the statutory officer.
- (3) Without prejudice to the generality of the functions delegated at paragraphs (1) and (2) above, to exercise the specific functions set out below.

3. Section 75 Arrangements

To exercise the Council’s functions under or in connection with children and young people’s partnership arrangements [and adult learning disability partnership arrangements](#) made with health bodies pursuant to section 75 of the National Health Service Act 2006 ~~and section 10 of the Children Act 2004~~, to the extent that the arrangements permit an officer to exercise the functions.

4. Education

- (1) To exercise the Council’s functions in relation to education including in respect of the management of education services and securing the provision of quality education in schools.
- (2) In consultation with a standing panel of teacher representatives, to fix school terms and holidays.
- (3) To carry out consultations on proposed annual admission limits for all schools for which the Council is the admissions authority and to report thereon to the Children, Young People and Skills Committee and to allocate to pupils the school at which education is to be provided in accordance with the Council’s school admissions policies and related criteria.
- (4) To make arrangements for the assessment of the special educational needs of children; where appropriate, to make statements of the

special educational needs of children; to arrange for the special educational provision specified in those statements; to prepare for defence or amendment of statements contested at SEN Tribunals in consultation with the Monitoring Officer.

- (5) To make school attendance orders and where appropriate in consultation with the Executive Lead for Strategy, Governance and Law (and Monitoring Officer), to exercise the powers of the Council to institute proceedings if a child of compulsory school age is not receiving efficient full time education suitable to his age and ability.
- (6) To respond on behalf of the local authority when consulted by a governing body before the making or varying of curriculum statements.
- (7) To exercise the Council's functions in respect of pupils excluded from schools and to give directions to head teachers as to reinstatement of pupils.
- (8) In conjunction with the Executive Lead for Strategy, Governance and Law (and Monitoring Officer), to make Orders, or to amend existing Orders, to provide for Instruments and Articles of Government for new Council, controlled, aided and special schools based on Orders previously approved for existing schools in the appropriate size and category.
- (9) To act as the Council's main representative in consultation with other bodies concerned with the provision of education, including the Learning and Skills Council and Higher Education Bodies.
- (10) To exercise the Council's functions in relation to inter-agency partnerships established to deliver aspects of educational provision or provision for children and young people.

5. Children and Young People's Social Services

- (1) To exercise the Council's functions in respect of social services to children and young people and, without prejudice to the generality of this paragraph 5(1), to exercise the functions listed below in 5(2) to (18).
- (2) To exercise the functions conferred on the Council to give and refuse consents and to impose and cancel requirements and prohibitions in respect of the private fostering of children under the Children Act 1989; to remove a child under the Adoption Act [2002](#) and to make exemptions to the usual fostering limits under the Children Act 1989.
- (3) To provide individuals or families with family placements and residential and day care accommodation within the agreed policy of the Council and the estimates provisions.

- (4) To make variations to the number of places at any Social Services establishment, in response to changes in demand or resource availability.
- (5) After consultation with the Executive Lead for Strategy, Governance and Law (and Monitoring Officer), to exercise the functions of the Council to enforce, make application and representations to a Court or Magistrate, and authorise, institute and defend proceedings under any enactment which stands referred to the Council or its Committees and Sub-committees in respect of children and young people.
- (6) To waive assessed contributions for adaptations to homes or provision of equipment in exceptional circumstances, subject to the contribution not exceeding £1000 or such other sum as may from time to time be fixed by the Council.
- (7) To approve expenditure under Section 17 and 24 of the Children Act 1989, [or other expenditure related to children](#), provided that any expenditure remains within the approved annual budget for expenditure on Child Care.
- (8) To exercise the functions of the Council in respect of children and young persons in their care or being looked after by them, including the power to place children and young persons in accommodation to meet their special needs and to appoint independent persons as visitors.
- (9)
 - (a) To authorise in exceptional individual cases variations from the approved scale of charges for a particular service and to operate the scale of boarding out allowances for foster parents, allowances to children boarded out or in residential establishments and allowances under Section 24 of the Children Act 1989;
 - (b) To vary any of the limits in the approved scale of allowances for foster care, adoption and residence orders in exceptional circumstances, provided the resulting additional expenditure is within the approved childcare expenditure.
- (10) To agree to the payment of up to 75% of the travelling expenses of employees to and from work at residential and day-care establishments where recruitment is difficult.
- (11) To purchase groceries, meat and other domestic provisions locally for residential and day-care establishments ~~under the control of the Children, Young People and Skills Committee:-~~
 - (a) if satisfactory tenders are unlikely to be obtained; and
 - (b) where client training is involved.
- (12) To undertake statutory visits to children's homes.

- (13) To exercise all the functions of the Council as an adoption agency under the Adoption Agencies Regulations [2011](#), having regard to the recommendations of the Adoption Panel.
- (14)
 - (a) To increase the charge for a home-study assessment for inter-country adoptions as appropriate;
 - (b) To reduce the charge for a home-study assessment for inter-country adoptions in cases where there has been a previous assessment by another local authority or voluntary agency;
 - (c) To establish and review periodically the fee to be charged for undertaking assessments for inter-country adoptions.
- (15) In respect of children in care, to consent to applications for Residence Orders where the Director considers it to be in the best interests of the child concerned, and to withhold consent in other cases.
- (16) To provide information, advice and training in relation to early years and childcare providers in Brighton and Hove, and to provide a children's information service.
- (17) To exercise the Council's functions under the Data Protection Act 1998 regarding personal files/information.
- (18) To exercise the Council's functions under the Crime and Disorder Act 1998 as appears necessary in the interests of children, young persons, their families and local communities and in accordance with the Council's community safety and youth crime strategies.
- (19) Subject to any advice given by the Chief Executive from time to time, to exercise the council's functions in relation to housing-related support services in so far as those services relate to children.

6. Assistance to Pupils/Students

- (1) To determine applications for boarding and tuition allowances for pupils and applications for awards and grants to students, including the power to determine where an applicant's circumstances are such that an exception to the normal policy of the Council ought to be made.
- (2) To determine whether an applicant's circumstances are such that an exception to the policy on excluding courses from the discretionary awards scheme ought to be considered and made.
- (3) In appropriate cases, to authorise students to receive education at an institution of further or higher education maintained by another local education authority and to make to that local education authority the appropriate payment.

- (4) In the case of a Brighton & Hove pupil of compulsory school age with special educational needs or “looked after” by another local education authority, to meet claims for recoument by that local education authority in respect of its provision of primary or secondary education for that pupil.
- (5) To make determinations on eligibility for home to school transport and deal with any appeals against such a determination as provided for under sub-paragraph (8) below.
- (6) To make arrangements, through the Executive Director Economy, Environment & Culture, for the transport of pupils and students to school or college where there is a statutory duty or it is the policy of the Council to provide such transport.

[NOTE:- The management of the provision of the transport service (as opposed to eligibility and appeals) is a function delegated to the Executive Director Economy, Environment & Culture.

- (7) To set charges for transport conditional permits following consultation with the Chair of the Children, Young People and Skills Committee.
- (8) To appoint three officers not previously involved in the matters concerned to act as an Appeals Panel to determine student award appeals and transport appeals referred to the Panel by the Executive Director Economy Environment & Culture.

7. Adult Learning and Supported Employment

- (1) To discharge the Council’s functions under the arrangements with the Learning and Skills Council for the provision of adult education.
- (2) To exercise the Council’s functions regarding the employment of physically disabled people

8. Adult Learning Disability

- (1) To exercise the council’s functions regarding adult learning disability.

- (2) To exercise the Council's functions in relation to the Council's Learning Disability residential units.

[Note: the powers referred to in paragraph 8 above are delegated concurrently to the Executive Director Health and Adult Social Care. The Director of Adult Services (DAS) will discharge such powers as are required by law or rules of professional practice to be exercised by the DAS.]

9. Human Resources Functions

- (1) In respect of employees whose employment is delegated to school governing bodies under the Local Management of Schools Schemes
 - (a) to attend any relevant proceedings of a governing body or relevant selection panel for the purpose of offering advice relating to the appointment of a head teacher, deputy head or other teacher;
 - (b) to respond on behalf of the local education authority when consulted about selecting an applicant for a non-teaching post where the post is for 16 hours or more per week;
 - (c) to attend any hearing for the purpose of giving advice prior to a decision to dismiss any person employed to work at any school.
- (2) To exercise any other human resources functions in relation to schools maintained by the local education authority which are not delegated to school governing bodies under the Local Management of Schools Schemes.
- (3) To exercise the functions of the Council in relation to the nursery service for employees.

10. Buildings/Premises

- (1) Except in the case of buildings or projects involving a major change in design policy, to approve plans prepared by or on behalf of the Council for capital projects which have been agreed by the Council and in the case of existing educational establishments with the head or principal and governors concerned.
- (2) To exercise the Council's functions in respect of maintenance of premises owned by the Council and used for education and children's social care, and to ensure that such premises are fit and adequate for that purpose.
- (3) After consultation with the Assistant Director Property, to authorise the exercise of the local education authority's statutory duty to transfer sites to the trustees of voluntary schools.
- (4) To authorise the payment of such sums as may be approved by the Department for Education in respect of the Council's contribution to aided school projects, subject to the Executive Director Finance & Resources being satisfied that sufficient provision has been made for the expenditure in the revenue or capital budget and that, where required, borrowing authorisation will be available.

- (5) To authorise members of staff at educational establishments to exercise the powers of removal conferred by Section 547 of the Education Act 1996.

[NOTE - the Executive Lead for Strategy, Governance and Law (and Monitoring Officer) is separately authorised to institute proceedings for alleged offences].

- (6) To cancel, without notice, lettings of any nature where the intended use of school premises has been misrepresented by an applicant or when it is not possible to proceed with a letting for any reason beyond the Council's control.
- (7) After consultation with the Chair of the Children, Young People and Skills Committee, to agree variations in the approved scale of letting charges for schools.

11. Miscellaneous

- (1) To grant licences and to approve bodies of persons to enable children to take part in public performances under Section 37 of the Children and Young Persons Act 1963.
- (2) In relation to the Council's education functions, to approve adjustments to the specification for the cleaning of Council buildings and the provision of catering services and grounds maintenance services subject, in the case of buildings and catering services and grounds maintenance services not the responsibility of the Executive Director, to prior consultation with the appropriate Chief Officer.
- (3) To set prices for school meals under the school meals contract.
- (4) To set fees and charges for music tuition and instrument hire (following consultation with the management Committee of Brighton and Hove Music Trust).
- (5) To designate premises as premises to which children and young persons of compulsory school age may be removed under section 16 of the Crime and Disorder Act 1998, in accordance with the Council's community safety and youth crime strategies.
- (6) To exercise the functions of the Council in relation to educational charitable trusts and proposals for such trusts.

VI DELEGATIONS TO EXECUTIVE DIRECTOR HEALTH AND ADULT SOCIAL CARE

(1) Director of Adult Social Services

- (i) To be the Council's Director of Adult Social Services pursuant to Section 6(A1) of the Local Authority Social Services Act 1970 and discharge the Council's adult social care and health functions within the Care Act 2014 and associated Guidance.
- (ii) Authority to discharge the Council's functions in accordance with the Mental Health Act 1983 and the Mental Capacity Act 2005.

(2) General Adult Social Services

- (i) To meet the needs of individuals or families in accordance with the provisions of sections 18, 19 and 20 of the Care Act 2014 to include residential and day care accommodation within the agreed policy of the Council and the estimates provisions.
- (ii) To make variations to the number of places at any Social Services establishment, in response to changes in demand or resource availability.
- (iii) After consultation with the Executive Lead for Strategy, Governance and Law (and Monitoring Officer, to exercise the powers of the Council to enforce, make application and representations to a Court or Magistrate, and authorise, institute and defend proceedings under any enactment in respect of adults.
- (iv) In accordance with the general policies from time to time laid down by the Council, to administer arrangements made in accordance with the provisions of the Care Act 2014 and associated Care and Support Regulations and to authorise expenditure within overall budget provision.
- (v) After consultation with the Executive Director of Finance & Resources, to set future inter-authority and standard charges for residential and day-care accommodation, in accordance with the provisions of the Care Act 2014 and associated Care and Support Regulations.
- (vi) To waive assessed contributions for adaptations to homes or provision of equipment in exceptional circumstances, subject to the contribution not exceeding £1000 or such other sum as may from time to time be fixed by the Council.
- (vii) To authorise officers to be the Council's nominee for the purpose of obtaining Grants of Probate and to deal with related matters and to

seek appointment as Deputy pursuant to the Mental Capacity Act 2005 where it is appropriate for an officer of the Council to act.

- (viii) To appoint Approved Mental Health Practitioners for the purposes of the Mental Health Act 1983.
- (ix) To accept guardianship applications and to make orders for Guardianship under the Mental Health Act 1983.
- (x) To authorise in exceptional individual cases variations from the approved scale of charges for a particular service and to operate the scale of allowances to disabled people attending day centres.
- (xi) To exercise the Council's functions regarding residential homes and nursing homes.
- (xii) To exercise the Council's functions under the Data Protection Act 1998 regarding access to personal files or information held by the department.

(3) **Section 75 Arrangements**

To exercise the Council's functions under or in connection with the adult social care and health partnership arrangements with health bodies made pursuant to Section 75 of the National Health Service Act 2006, to the extent that the arrangements permit an officer to exercise the functions.

~~(4) **Supported Employment**~~

~~To exercise the Council's functions regarding the employment of physically disabled people.~~

(5) **Housing Related Support**

Subject to any instructions of the Chief Executive given from time to time,

- (i) to be the lead director responsible for the co-ordinated commissioning and management of associated funds in relation to housing related support services;
- (ii) to exercise the council's function in relation to housing related support services for adults generally.

[Note: the power referred to in paragraph (5)(ii) above is delegated concurrently to the Executive Director Neighbourhoods, Communities and Housing.]

(7) Public Health

To exercise the Council's functions in respect of Public Health, including the Council's public health functions under the NHS Act 2006, the Health and Social Care Act 2012 and related functions.

[Note: where the Director of Public Health (DPH) appointment is made to an officer other than the Executive Director of Health and Adult Social Care, and to the extent that the Council's functions are required by law to be exercised by the DPH, the DPH will have delegated to him/ her the powers to discharge the functions of the Council relating to Public Health.]

(8) Adult Disability

To exercise the council's functions regarding adult disability.

[Note: to the extent that it relates to Adult Learning Disability, the power referred to in paragraph 8 above is delegated concurrently to the Executive Director Families, Children & Learning. The Director of Adult Services (DAS) will discharge such powers as are required by law or rules of professional practice to be exercised by the DAS.]

(9) Integrated Commissioning

To manage and co-ordinate an integrated commissioning function on behalf of Health and Adult Social Care and Families, Children and Learning.

VII DELEGATIONS TO EXECUTIVE DIRECTOR NEIGHBOURHOODS, COMMUNITIES AND HOUSING

1.. Gypsies, Roma and Travellers

To exercise the Council's functions regarding all issues relating to Gypsies, Roma and Travellers including management of authorised sites.

2. Neighbourhood Renewal

To exercise the Council's functions in respect of neighbourhood renewal, which include:-

- (a) Developing and implementing the neighbourhood renewal strategy for the City in order to narrow the gap between the most deprived neighbourhoods and the rest of the City, under the themes set by national Government of: housing, health, liveability, crime, education and employment and
- (b) acting as the accountable body for the neighbourhood renewal fund on behalf of the Local Strategic Partnership.

3. Housing Related Support Services

Subject to any instructions of the Chief Executive given from time to time, to exercise the Council's functions in relation to housing related support services for adults generally.

Note: this power is delegated concurrently to the Executive Director Health and Adult Social Care.

4. Housing

(1) General

To manage the Council's housing services.

(2) Housing Revenue Account (H.R.A.) Properties

- (a) To manage property within the Housing Revenue Account and associated property;
- (b) Without prejudice to (a) above, exercise the housing functions listed in **Schedule 5** to this Scheme of Delegation.

(3) Right to Buy

To administer the right to buy scheme.

(4) Housing Strategy

- (a) To exercise the Council's functions as a local housing authority.
- (b) Without prejudice to (a) above, to exercise the Council's functions in respect of the preparation and development of the Council's housing strategy including the housing investment programme.

(4A) Housing Related Property Transactions

Without prejudice to the generality of the housing related powers granted under this part of the constitution, and for the avoidance of doubt, the delegations to the Executive Director shall include the powers described in paragraphs 7(7) to (13) of the delegations to the Head of Property and Design in so far as they relate to land or property held by the Council for housing purposes.

(5) Homelessness and Allocations

(i) Subject to sub-paragraph (5)(ii) below, to discharge the Council's functions regarding homeless persons under the Homelessness legislation, and exercise the Council's functions regarding the allocation of dwellings generally, including the Council's functions under Part VI of the Housing Act 1996.

(ii) Sub-paragraph 5(i) above shall not apply in relation to the management of hostels for vulnerable adults.

(6) Housing Grants

To carry out the Council's functions in relation to grants for the improvement and repair of housing under Part 1 of the Housing Grants, Construction and Regeneration Act 1996 and earlier and any later grants legislation.

(7) Standards of Housing

- (a) To exercise the Council's functions regarding standards of housing in its area.
- (b) Without prejudice to the generality of (a) above, the Executive Director shall have the power to deal with the enforcement of housing standards additional control measures in residential accommodation and licensing of houses in multiple occupation, selective licensing of other residential accommodation and overcrowding under the Housing Act 2004 and all other relevant legislative provisions, provided that any decision involving the making of demolition orders and prohibition orders, but not

Emergency Prohibition Orders under sections 43 and 44, shall not be taken unless the Chair of the Housing and New Homes Committee and the Executive Lead for Strategy, Governance and Law (and Monitoring Officer) have been consulted and have no objections.

- (c) Without prejudice to the generality of (a) above, to serve enforcement notices or take other appropriate action under statutory provisions for the abatement of nuisances or requiring works to be done to remedy nuisances, hazards to health or other matters in residential premises.

(8) Tenancy Relations

To exercise the Council's functions regarding tenancy relations and in particular the Council's functions under the Protection from Eviction Act 1977 and the Landlord and Tenant Act 1985.

(9) Housing Advice

To discharge the Council's functions regarding the provision of advice on housing matters and the publication of information.

(10) Access to Personal Files

To exercise the Council's functions regarding access to personal files or information under the Data Protection Act 1998.

(11) Licensing and Registration of HMOs

To exercise the Council's functions regarding the licensing of Houses in Multiple Occupation under the Housing Act 2004 and any other relevant legislation and the maintenance of all registers required in respect of licensing, Housing Notices and Orders and Interim and Final Management Orders and Empty Dwelling Management Orders.

(12) Power to issue Notices

- (a) To issue and sign Notices of Seeking Possession and Notices to Quit in relation to any secure or non-secure housing tenancies.
- (b) To issue and sign statutory notices that relate to private sector residential properties and to exercise the Council's functions under the following Acts:-

Anti Social Behaviour Crime and Policing Act 2014 Parts 1, 4, 5 and 6
Housing Act 1985 Parts VI, VIII, IX, X, XI, XVI;
Housing Act 1996 Part II;
Housing Grants, Construction and Regeneration Act 1996 Parts 1 and V;
Local Government (Miscellaneous Provisions) Act 1976 ss. 16 and 33;
Local Government (Miscellaneous Provisions) Act 1982 s.29;
Public Health Act 1936 ss.45,48,49,83,84 and 275;
Public Health Act 1961 ss. 17 and 22;
Building Act 1984 ss. 59, 64,66,67,70,72,76,84 and 97;
Environmental Protection Act 1990 Parts III and IX;
Prevention of Damage by Pests Act 1949 s.4;
Health and Safety at Work, etc. Act 1974 s.4;
Housing Act 2004 Parts 1, 2, 3, 4, Part 6 section 216 only, Part 7.

5. Emergency Planning

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

6. Community Safety and Drug Action Team

- (1) To exercise the functions of the Council in relation to Community Safety and in particular the power to:-
 - (a) co-ordinate the Council's functions regarding the police and public safety and to take such corporate action as is necessary, including:-
 - (i) making the 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.
 - (b) To take any action or steps under the Crime and Disorder Act 1998, the Criminal Justice and Police Act 2001, the Anti-Social Behaviour Act 2003 and such other legislation as appears necessary in the interests of the Council and in accordance with

the Council's community safety, youth crime and other safer streets strategies.

- (2) To exercise the Council's functions regarding drug and substance misuse.
- (3) To exercise the Council's functions under the Counter Terrorism and Security Act 2015.

7. Environmental Health

- (1) To exercise the Council's functions in respect of environmental health matters including the functions listed under Part 1 of **Schedule 1** to this Scheme of Delegations.
- (2) To exercise the power to issue notices in respect of environmental health matters, including, but not limited to, those listed under Part II of **Schedule 1** to this Scheme of Delegations.
- (3) To exercise the Council's functions under the Acts listed in Part II of **Schedule 1** to this Scheme of Delegations

8. Licensing and Registration

- (1) To exercise the functions of the Council in relation to licensing and registration, including but not limited to functions under the Licensing Act 2003 and the Gambling Act 2005 to the extent that such functions may be delegated to an officer under those Acts.
- (2) To exercise the power to grant licences, permits, consents or registrations, as the case may be, in relation to the Council's licensing and registration functions including those listed in **Schedule 2** to this Scheme of Delegations.
- (3) The power to grant licences etc. under (1) and (2) above shall not apply:-
 - (i) where the granting of the licence would be contrary to any existing policy of the Council, provided that the above qualification shall not apply where the Council has no power to refuse applications.
 - (ii) in relation to the following matters under the Licensing Act 2003:-
 - (a) the determination of an application for a premises licence where representations have been made;
 - (b) the determination of an application for a provisional statement where representations have been made;

- (c) the determination of an application for variation of a premises licence where representations have been made;
 - (d) the determination of an application to vary the designated premises supervisor following Police objections;
 - (e) the determination of an application for the transfer of a premises licence following Police objections;
 - (f) consideration of a Police objection made to an interim authority notice;
 - (g) the determination of an application for a club premises certificate where representations have been made;
 - (h) the decision to give counter notice following Police objections to a temporary event order;
 - (i) the determination of an application for the grant of a personal licence following Police objections.
- (iii) In relation to the following matters under the Gambling Act 2005:-
- (a) the determination of an application for a premises licence where representations have been made and not withdrawn;
 - (b) the determination of an application for a variation of a premises licence where representations have been made and not withdrawn;
 - (c) the determination of an application for the transfer of a premises licence where representations have been received from the Commission;
 - (d) the determination of an application for a provisional statement where representations have been received and not withdrawn;
 - (e) the determination of an application for a review of a premises licence;
 - (f) the determination of an application for club gaming / club machine permits where objections have been made;
 - (g) the cancellation of club gaming / club machine permits;
 - (h) the decision to give a counter notice to a temporary use notice.
- (4) Where, in the opinion of the Director, after consultation with the Chair of the Licensing Committee, the application is considered to be a major application, having regard to licensing objectives, the matter may be referred to the full Licensing Committee. Major applications which are unopposed may be dealt with under officer delegated powers.
- (5) The power to grant licences under sub-paragraphs (1) and (2) above shall include the power to renew, transfer, vary, refuse, suspend or revoke such licence, registration etc. and the power to impose conditions.

9. Trading Standards

- (1) To exercise the Council's functions with regard to trading standards.
- (2) Without prejudice to the generality of (1) above, to discharge the Council's functions under the legislative provisions listed under **Schedule 3** to this Scheme of Delegations.

10. Communities

- (1) To manage community and voluntary sector discretionary grants, as follows:-
 - (a) In relation to the Three Year Corporate Grant Programme
 - (i) to process applications for grants from communities and non-profit making bodies in the area of the Council and make recommendations to the Policy, Resources & Growth Committee for approval; and
 - (ii) following approval of grants pursuant to sub-paragraph (i) above, to amend any or all such grants in response to budget changes, after consultation with the Members Advisory Group.
 - (b) In relation to all other grants administered by the Executive Director Neighbourhoods, Communities and Housing (including grants to smaller organisations, specialist programme grants and, community grants), to receive, commission and process grant applications and to approve grants after consultation with either (i) the Chair of the Members' Advisory Group for grants of £3,000 or less, or (ii) the Members' Advisory Group for grants in excess of £3,000.
- (2) To develop the Council's approaches to tackling inequality and discrimination both within the Council as an employer and across the City.

11. Libraries

- (1) To exercise the functions of the Council in relation to libraries and in particular the power to:-
 - (a) fix the opening and closing hours of libraries;
 - (b) set the fees and charges made by the Business Information Services;
 - (c) take such other steps as appear to the Executive Director Neighbourhoods, Communities and Housing to be necessary or

conducive to the effective and efficient running of the library service.

(2) To manage the Grange, Rottingdean

PART 6.5 LIST OF STATUTORY AND PROPER OFFICERS

1. Statutory Officers

Legislation requires local authorities to appoint certain officers with statutory responsibilities. These appointments and the officer to whom the Council has allocated responsibility are listed below.

Title / Description (and statutory derivation)	Officer Appointed
1. Head of Paid Service (S4 Local Government & Housing Act 1989)	Chief Executive
2. Monitoring Officer (S5 Local Government & Housing Act 1989)	Executive Lead for Strategy, Governance and Law (and Monitoring Officer)
3. Officer responsible for financial administration (S151 Local Government Act 1972)	Executive Director Finance & Resources
4. Electoral Registration Officer and Returning Officer (Sections 8, 28 and 35 Representation of the People Act 1983)	<u>Chief Executive Executive Lead for Strategy, Governance and Law</u>
<u>5. Returning Officer</u> <u>(Sections 8, 28 and 35 Representation of the People Act 1983)</u>	<u>Chief Executive</u>
65. Chief Education Officer (Section 532 Education Act 1996)	Executive Director Families, Children and Learning
76. Director of Children's Services (Section 18 Children Act 2004)	Executive Director Families, Children and Learning
87. Director of Adult Social Services (Section 6 Local Authority Social Services Act 1970)	Executive Director Health and Adult Social Care
<u>9. Director of Public Health</u> <u>(NHS Act 2006 as amended)</u>	<u>Executive Director Health and Adult Social Care or such other officer appointed by the Chief Executive to undertake this role.</u>

APPENDIX 2

The interim line management arrangements required pending permanent appointments at Executive Director level are set out below.

Function	Proposed interim delegation
Strategic Lead Neighbourhoods, Communities and Housing and Chair of the Neighbourhood and Communities Modernisation Board	Chief Executive*
Corporate Communications	Chief Executive (pending appointment of Lead for Strategy Governance and Law)
Executive Office	Chief Executive (pending appointment of Lead for Strategy Governance and Law)
Policy and Partnerships	Chief Executive (pending appointment of Lead for Strategy Governance and Law)
Executive Director, Economy, Environment & Culture	Nick Hibberd 50% Richard Bradley 50%
Housing; Gypsies, Roma and Travellers; Neighbourhood Renewal; Housing Related Support Services	Nick Hibberd *
Libraries	Pinaki Ghoshal *
Emergency Planning; Community Safety and Drug Action Team; Environmental Health; Licensing and Registration; Trading Standards;	Dave Kuenssberg *
Performance, Improvement and Programmes	Dave Kuenssberg (pending appointment of Lead for Strategy Governance and Law)
Director Public Health	Peter Wilkinson
Communities, Equalities and third Sector	Peter Wilkinson *

*Those functions marked with an asterisk are being exercised on behalf of the directorate of Neighbourhoods, Communities and Housing.

Subject:	Disposal of 28 York Place		
Date of Meeting:	9 June 2016		
Report of:	Acting Executive for Director Economy, Environment & Culture		
Contact Officer:	Name:	Angela Dymott	Tel: 291450
	Email:	Angela.dymott@brighton-hove.gov.uk	
	Name:	Robert Crossan	Tel: 291442
	Email:	Robert.crossan@brighton-hove.gov.uk	
Ward(s) affected:	St Peter's & North Laine		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To seek agreement for the disposal of 28 York Place to provide capital funding for reinvestment to generate additional revenue funding streams to support the council's Corporate Property Strategy & Asset Management Plan 2014-18, Corporate Plan and Medium Term Financial Strategy.

2. RECOMMENDATIONS:

- 2.1 That Committee authorises the Acting Executive Director for Environment, Development & Housing, Assistant Director Property & Design and Head of Legal Services to approve terms for the freehold disposal of 28 York Place by Informal Tender on the open market at best consideration to be recommended by the agents appointed.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Brighton & Hove City Council has a substantial investment portfolio producing a rental income in the region of £10m per annum, which helps fund the provision of services. The Council's Corporate Property Strategy & Asset Management Plan 2014-18 sets out the property context for the city and the council's property holdings and functions linking these to the corporate plan, priorities and strategic goals. It outlines the agreed rebalancing strategy for the council's urban portfolio as only a small proportion of the portfolio is primary investment stock with most of it consisting of ageing secondary and tertiary properties with a limited ability to continue to achieve increasing rents and income for the council.
- 3.2 The strategy aims to rebalance the portfolio by identifying under-performing assets for disposal and ring fencing receipts for reinvestment, focusing on the disposal of secondary and tertiary properties to improve returns medium and long term and reduce liabilities and risk for the council.

- 3.3 Owing to current market conditions, the council is in the process of accumulating a fund for re-investment to enable the council to act in time with the market when investment opportunities present themselves. The council is working to identify further assets that are underperforming to contribute towards this fund and working on an investment strategy for the identification and reinvestment of funds.
- 3.4 The Council has already disposed of 18 Market Street, Brighton, and ring-fenced the receipt for investment in higher grade investment properties.
- 3.5 The Capital Investment Strategy detailed within the Medium Term Financial Strategy states that all capital resources, including capital receipts, are available to the council for investment in assets. Capital receipts play an important role in helping to achieve the council's Corporate Plan priorities. The council's Capital Strategy outlines the process for the prioritisation and evaluation of capital investment projects.

The strategy aims to generate capital receipts from the disposal of surplus or under-performing assets and to deploy the proceeds from the sale of capital assets:

- i) for reinvestment in the capital investment programme, or;
 - ii) for repayment of debt or for investment, for example, to offset any loss of rental income in the revenue budget, or;
 - iii) for reinvestment from under-performing assets back into more commercially viable assets as part of the rationalisation of the property portfolio.
- 3.6 28 York Place comprises of three storey commercial property to the south of London Road and has been identified as an under-performing asset. The property is currently used as an artist studio and workshops and is edged red on the plan in Appendix 1. The site is considered tertiary and the property is in need of ongoing maintenance. There is little prospect for future rental or capital growth without significant investment.
- 3.7 The property was originally acquired under the Highways Act 1980 for road improvements schemes, and was purchased from Trinity College Cambridge for £77,500 in September 1983. The property was acquired under the threat of Compulsory Purchase, for a London Road traffic improvement scheme. Because the property was acquired more than 25 years ago, it is considered that Crichel Down Rules do not apply. This means that the Council does not have to offer the property back to the original owner from whom it was purchased because of the amount of time that has passed.
- Due to its possible likelihood of demolition pending road widening schemes historically there has been little investment in the property and short term leases granted, supressing rent levels. Prior to the current tenancy, the property was vulnerable to squatters and owing to the general dereliction of the site and adjoining properties, it suffered badly from damp and numerous break-ins. The current tenant has occupied under a justifiably low rent owing to the amount of work required just to make the site habitable and the lack of security offered under the lease which contains a rolling break clause. The site was originally

leased to this tenant in a dilapidated state for a peppercorn rent in 1997 who then undertook various improvements to the site over the years.

- 3.8 Consideration was given to selling the site in 2002 when adjoining properties were developed, however this was not progressed due to the Traffic Management Scheme and London Road Relief Plan Stage 3 being considered at this time.
- 3.9 The Highways' band of interest which affected this property was rescinded by committee report in 2014 and the scheme aborted. Consequently the property is no longer required for highway purposes. This was the trigger for the Property Estates Team to assess the property and complete options appraisals for the site.
- 3.10 Under the Council's Corporate Property Strategy & Asset Management Plan 2014-18, the property has been identified as forming part of the portfolio that is not fit for purpose. The current condition of the property has been identified in the property Performance Review as underperforming and surplus as it does not meet the investment portfolios core aims. The council's Property Estates Team has undertaken a review of the property in accordance with Appendix 4 of the AMP 2014-18 and confirm the building is surplus by virtue of the three criteria – it is in poor condition, is not required for future service delivery and it is an ageing tertiary property. The quality of the building is in decline and there is little prospect for growth without significant capital investment. Disposal will achieve a capital receipt and avoid escalating expenditure on inadequate buildings.
- 3.11 To the south of the site is a row of similar terraced properties which have recently been renovated and extended to provide improved ground floor commercial space and self-contained residential upper parts. Access to the site is from the A23 which is a busy dual lane one way road, eventually leading to the main London Road.
- 3.12 The site is currently tenanted with a lease in place until July 2017 however this lease can be brought to an end by 6 months' written notice at any time. Its upper floors are non-self-contained and as such the full income potential is not currently being achieved from the site. Works to the property would require a full planning permission and the associated cost of the works are unlikely to be considered cost effective for the Council to undertake. 3.13 It is recommended that the property is disposed for best consideration reasonably obtainable and the capital receipt used for reinvestment from under- into more commercially viable assets as part of the rationalisation of the property portfolio in support of the MTFs.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Option 1 Do nothing

Retaining the property will leave the Council with a continued income stream; however the income currently being achieved is low and eroded by inflation. The site will continue to be a maintenance liability as the tenant is only obligated to keep the property 'Wind and Water Tight'.

4.2 Option 2 Council to refurbish the property

The council looked at developing the site itself and sought advice from Architecture, Regeneration and Housing colleagues as to potential retention of the site to meet corporate goals. High level feasibilities have also been undertaken to look at increasing the return on the council's investment, however this site does not meet the current objectives in terms of deliverability and outcomes. Retaining the property for the council to extend and refurbish will require significant investment to provide a separate commercial unit on the ground floor and 4/5 bed maisonette on the upper floors. Return on investment would be less than for a private developer as rental income on the maisonette would be below market rents. If the council was to seek to dispose of the property, post refurbishment, the council is unlikely to see any return over the capital invested. If the council retained the property post-refurbishment, the council would have to manage the 2 separate tenancies and retain responsibility for the structural and external repairs which would be managed through a service charge. In addition any residential tenancy would obtain security. Because the property is tertiary in location and isolated from other landholdings, there are few economies of scale in management and development costs and would erode any investment. Such responsibilities would be more onerous for the council to manage than for a local property developer who may self-finance the development and let out the residential unit on an Assured Shorthold Tenancy, producing a greater return.

4.3 Option 3 Joint Venture

If the council was to seek to partner with an RSL or other development partner it is unlikely that the project would be financially viable owing to the capital requirements and likely returns. The size of the project is also unlikely to make the site attractive to partners who are likely to be put off by the risks associated with such a small site.

4.4 Option 4 Council to dispose of the property in current form

This is the recommended option, likely to give a modest receipt for reinvestment whilst removing a tertiary asset from the current investment portfolio, where the cost to realise more income from a stronger covenant is not beneficial. This will enable the council to realise capital in a timely manner and is recommended by officers in the pro-active management of an investment portfolio. Marketing this property on the open market may well garner interest and ensure a capital receipt representing market value and therefore best consideration is achieved from the disposal.

5 COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The current tenant is aware that the council is reviewing its options for the property and that should the property be made available for purchase, the tenant could submit an offer through the councils appointed agents along with other interested parties.

5.2 Once a decision has been made to dispose of the property, further engagement with the tenant will be undertaken to ensure that they are fully appraised of any disposal process and to give them ample time to consider purchase, or relocation.

5.3 Any sale will be subject to the existing lease remaining in place with the current terms unaffected.

6. CONCLUSION

6.1 The recommendation is to dispose of the freehold interest in the site by informal tender, exposing the property widely to the market to ensure best consideration.

6.2 The capital receipt of the disposal to be used for reinvestment in line with the council's rebalancing strategy providing an ongoing income stream to support the council's Corporate Plan and Medium Term Financial Strategy investing in new income streams with better growth potential.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 28 York Place is currently occupied but generates a low return of rental income and is therefore considered to be underperforming financially. The disposal of the site will generate a capital receipt less any disposal costs. The net receipt is proposed to be reinvested back into the property portfolio pending the outcome of the property review. The disposal may result in reduced income for the Council's property portfolio but this will be a negligible amount for the remainder of the financial year.

7.2 The disposal will remove the need for investment in ongoing maintenance or one off capital maintenance investment.

7.3 Further details of the disposal of the property are shown in appendix 2 to the report which are exempt from disclosure under paragraph 3 of Schedule 12(A) of the Local Government Act 1972.

Finance Officer Consulted: Rob Allen

Date: 04/05/16

7.4 Legal Implications:

Section 123 of the Local Government Act 1972 enables the Council to dispose of this property provided that the best consideration reasonably obtainable is achieved. There is currently a two year lease in place in respect of the property, if the sale were to take place before 8th July 2017 then the Council does have the option to exercise the break clause in its favour contained in clause 5.9 of the lease. As mentioned earlier on in the report, the property was originally acquired in 1983 using compulsory purchase powers under the Highways Act 1980. The Crichel Down rules (Rules) are non- statutory rules that relate to land acquired compulsorily and its future disposal. Rule 10 provides that if a property becomes surplus to requirements and is to be disposed of it should first be offered to the former owners at the current market value. The obligation to offer the property back to the former owners does not however apply to land, which becomes surplus and available for disposal more than 25 years after the date of the conveyance, transfer or vesting declaration (Rule 14(3)). It is not considered that any individual Human Rights Act rights would be adversely affected by the recommendations in this report.

Lawyer Consulted:

Joanne Dougnaglo

Date: 05/05/16

Equalities Implications:

There are none

Sustainability Implications:

There are none

Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

Appendices:

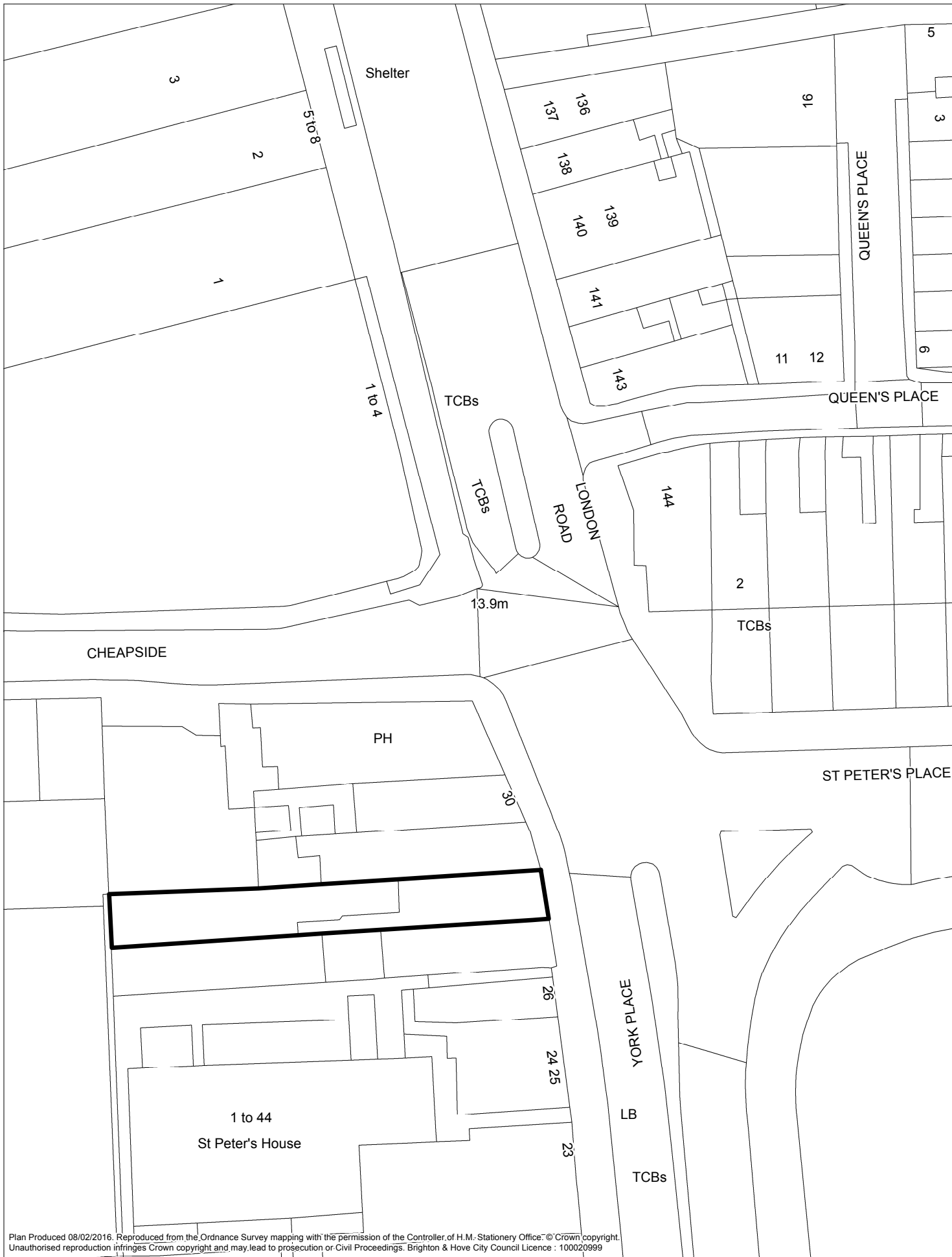
1. Plan of the site

Documents in Members' Rooms

None

Background Documents

None



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