

BRIGHTON & HOVE CITY COUNCIL
POLICY, RESOURCES & GROWTH COMMITTEE

4.00pm 6 DECEMBER 2018

COUNCIL CHAMBER, HOVE TOWN HALL

DECISION LIST

Part One

78 TARGETED BUDGET MANAGEMENT (TBM) 2018/19: MONTH 7

Contact Officer: Nigel Manvell
Ward Affected: All Wards

Tel: 01273 293104

RESOLVED: That the Committee –

- (i) Noted the forecast risk position for the General Fund which indicates a budget pressure of £1.487m. This includes an overspend of £1.130m on the council's share of the NHS managed Section 75 services.
- (ii) Noted that the one-off financial risk safety net of £1.500m is available to mitigate the forecast risk if the risks cannot be completely eliminated by the year-end.
- (iii) Noted the forecast for the Housing Revenue Account (HRA), which is currently an underspend of £0.500m.
- (iv) Noted the forecast position for the Dedicated Schools Grant, which is an underspend of £0.235m.
- (v) Noted the forecast outturn position on the capital programme and approved the variations and slippage in Appendix 5 and the new schemes as set out in Appendix 6.
- (vi) Accepted the grant awarded for the South East Museum Development Programme as set out in paragraph 6.3.

79 TREASURY MANAGEMENT STRATEGY STATEMENT 2018/19 - MID YEAR REVIEW

Contact Officer: James Hengeveld
Ward Affected: All Wards

Tel: 01273 291242

RESOLVED: That the Committee -

- (i) Noted the key actions taken during the first half of 2018/19 to meet the TMSS and the investment strategy as set out in this report.
- (ii) Noted the reported compliance with the AIS for the period under review.
- (iii) Noted that the approved maximum indicator for investment risk of 0.05% has been adhered to and the authorised borrowing limit and operational boundary have not been exceeded.

80 COUNCIL TAX REDUCTION 2019

Contact Officer: Paul Ross-Dale
Ward Affected: All Wards

Tel: 01273 291969

RESOLVED: That the Committee –

- (i) Noted that the council undertook formal consultation as a part of this review and that as part of the formal consultation a draft scheme was published which contained possible changes.
- (ii) Noted the outcome of that consultation (**Appendix 3**) which has been summarised in paragraphs 5.1-5.4.
- (iii) Considered the proposed changes set out in paragraphs 3.8 – 3.14.
- (iv) Noted that an Equalities Impact Assessment (EIA) (**Appendix 2**) had been undertaken based on the proposed. The Committee should further note that, to meet their Public Sector Equality Duty, it must give conscientious consideration to the findings of this assessment when making a decision set out at paragraph 2.3. The actions which will be undertaken as a result of this EIA are set out in paragraphs 7.9-7.11.
- (v) Approved £150,000 funding for the discretionary fund in 2019/20; this would require additional one-off funding of £140,000.
- (vi) Noted that the Executive Director of Finance & Resources will, prior to 1st April 2019, exercise delegated powers to increase the appropriate calculative elements of the scheme to give effect to national changes.

That the Committee recommends to Council:

- (vii) That the council approves the making of a revised Council Tax Reduction Scheme incorporating the changes at paragraphs 3.8 to 3.14 of the report.
- (viii) That the Executive Director of Finance & Resources be authorised to amend the Council's Council Tax Reduction Scheme (Persons who are not Pensioners) (Brighton & Hove City Council) 2013 to reflect the changes at 3.8 to 3.14 below, and to take all

81 DRAFT REVENUE BUDGET AND CAPITAL STRATEGY 2019/20

Contact Officer: James Hengeveld *Tel:* 01273 291242
Ward Affected: All Wards

RESOLVED: That the Committee –

- (i) Noted the updated forecasts for resources and expenditure and an estimated budget gap for 2019/20 based on a 2.99% Council Tax increase.
- (ii) Noted the refreshed 4 year Integrated Service & Financial Plans (ISFPs) including draft savings proposals for 2019/20.
- (iii) Noted that the format of the 2019/20 Budget Book will replicate the revised 2018/19 Budget Book format as per paragraph 6.1 and Appendix 5.
- (iv) Directed that the draft savings proposals identified at Appendix 2 be subject to further consultation and engagement with relevant stakeholders and across the council and partners, meeting all statutory consultation requirements.
- (v) Noted the update on Schools and HRA budget setting set out in section 7.
- (vi) Noted the Capital Strategy update set out in paragraphs 4.10 to 4.13.
- (vii) Received and noted the draft Equality Impact Assessments undertaken in relation to the draft budget proposals.
- (viii) Noted that subsequent decisions and information from central government regarding the Local Government Financial Settlement (LGFS) may impact on the proposals in this report.

82 EMPTY HOMES COUNCIL TAX PREMIUM

Contact Officer: Heather Bentley *Tel:* 01273 291244
Ward Affected: All Wards

RESOLVED: That the Committee recommends that Council –

- (i) Approves that the Empty Home Premium is increased to the maximum levels as set out in table 1 at paragraph 3.2 after two years of the dwelling remaining empty.
- (ii) Makes the formal determinations for the financial year commencing on 1 April 2019 and subsequent financial years as set out in Appendix 3.
- (iii) Grants delegated authority to the Executive Director of Finance & Resources to take all appropriate steps to implement and administer the recommendations in (i) and (ii), including the publishing of any related data or information in accordance with statutory requirements.

83 PROGRESS UPDATE CORPORATE KEY PERFORMANCE INDICATORS Q2 2018-19

Contact Officer: Richard Miles
Ward Affected: All Wards

Tel: 01273 292344

RESOLVED: That the Committee reviewed progress in relation to Corporate KPIs, particularly the corrective measures outlined for ‘red’ and ‘amber’ indicators and provide ongoing support and challenge to lead officers to bring performance back on track.

84 A NEW ECONOMIC STRATEGY FOR BRIGHTON & HOVE

Contact Officer: Cheryl Finella, Elizabeth Cadman
Ward Affected: All Wards

Tel: 01273 291095, Tel: 01273 291094

RESOLVED: That the Committee -

- (i) Recommends the Economic Strategy to Full Council for adoption, with the additional pillar as follows: A sustainable City: A City which looks to the future, focusing its economy on sustainable solutions to future challenges in order to protect and enhance the health and wellbeing of its’ residents and act as a leader in developing a robust response to climate change.

86 WOMEN IN LOCAL GOVERNMENT

Ward Affected: All Wards

RESOLVED: That the Committee –

- (i) Noted the action that has been taken by the Chief Executive in writing to the Secretary of State for Housing, Communities and

Local Government (as set out in paragraphs 3.5-3.7 of this report).

- (ii) Noted that a report will be taken to the Audit & Standards Committee regarding suggested changes to the Code of Conduct for Members (as set out in paragraphs 3.8-3.9 of the report).
- (iii) Resolved for the matters set out in paragraphs 3.10-3.29 to be discussed by a Working Group consisting of Whips and for recommendations to be brought back to this Committee for approval.
- (iv) Noted the achievements and progress that has already taken place as set out in paragraphs 3.30-3.46 of this report.

87 WATERFRONT

Contact Officer: Katharine Pearce
Ward Affected: All Wards

Tel: 01273 292553

RESOLVED: That the Committee -

- (i) Authorised the Executive Director for Economy Environment & Culture, in consultation with the Executive Lead – Strategy, Governance & Law and the Director of Finance, to enter into the Conditional Land Acquisition Agreement with JTC Fund Solutions (Jersey) Ltd and SG Kleinwort Hambros Trust Company (CI) Ltd¹ as summarised in Appendix 1.
- (ii) Authorised the Executive Director for Economy Environment and Culture and the Executive Lead Strategy, Governance & Law, following consultation with the Group Leaders, to make any final minor amendments to the CLAA.
- (iii) As previously agreed by P&R committee in April 2016, to confirm ongoing authorisation for officers to retain the current conference subvention budget of £1m per annum in order to ensure necessary support for conferencing in the city during any future closure period *and* to attract conferences to the new venue once opened.
- (iv) Agreed that 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 the financial implications of this report.
- (v) Agreed that the successful Local Growth Fund bid (Round 3) of £12.1m be utilised to begin a package of Early Works to prepare the Black Rock site for development.

- (vi) Agreed that the Brighton Centre Redevelopment Reserve, currently at a value of £2.8m, will continue to be used to fund internal project development costs incurred by the council on the Central and Black Rock sites as set out in paragraph 4.13 for a period of up to 8 years.
- (vii) Agreed that the Venue Operator Procurement Strategy be considered by a future meeting of PR&G at the 3rd Condition date, with a view to selection of a Venue Operator by the 4th Condition date.
- (viii) Noted that PR&G Committee will be asked to confirm project proposals including the options for housing development on both the Black Rock site and Brighton Central site at a future meeting (at the stage referred to as Condition 4).
- (ix) Noted that a future PR&G Committee will be asked to confirm arrangements to enter into the terms of the building contract (as per Condition 6) and also the Venue Operator Agreement (at the stage referred to as Condition 3).
- (x) Agreed that a future PR&G committee will make any decisions in relation to land assembly on either of the two sites, in relation to Condition 6.
- (xi) Agreed to establish a cross-party Member Working Group, consisting of 1 Member from each Group, to oversee the next stages of the project and that the Executive Director of Economy, Environment & Culture and the Executive Lead Strategy, Governance & Law be granted delegated authority to agree the terms of reference for the Working Group following consultation with Group Leaders.

88 NEW HOMES FOR NEIGHBOURHOODS - SCHEME APPROVAL VICTORIA ROAD

Contact Officer: Jo Thompson
Ward Affected: South Portslade

Tel: 01273 291466

RESOLVED: That the Committee –

- (i) Approved the site within the redline boundary (see Appendix 1) to be appropriated to the HRA from the General Fund for a capital receipt of £1.454m for planning purposes;
- (ii) Delegated authority to the Executive Director of Environment, Economy and Culture to appropriate for housing purposes once the development is complete;
- (iii) Approved a budget of £12.914m financed by HRA borrowing, right to buy receipts and Government Land Release funding to form part

of the HRA capital programme for 2019/20 – 2021/22.

89 KING ALFRED DEVELOPMENT

Contact Officer: Mark Wall
Ward Affected: Central Hove

Tel: 01273 291006

RESOLVED: That the Committee –

- (i) Agreed that officers should continue to negotiate a final Development Agreement with Crest Nicholson with a view to entering into the Development Agreement before the end of January 2019;
- (ii) Noted the draft Affordable Housing Provisions included at Appendix 1, and that these are subject to ongoing negotiations, and notes with grave concern that this was an amendment to Crest's Final Tender;
- (iii) Noted the intention for officers to prepare and issue a 'standstill letter' advising Bouygeus Development of the change, in line with procurement regulations;
- (iv) Noted that there would be a further report brought to the Committee in January 2019 to agree the final Development Agreement;
- (v) Agreed to explore alternative options for the delivery of the redevelopment of the King Alfred site, including delivery of a Sport & Leisure complex for Hove, if the development agreement is not agreed by the end of January 2019.

90 NEW HOMES FOR NEIGHBOURHOODS: BUCKLEY CLOSE

Ward Affected: Hangleton & Knoll

RESOLVED: That the Committee agreed to appropriate the Buckley Close former garages site (Buckley Close, Hangleton, Hove BN3 8EU) for planning purposes and delegate authority to the Executive Director of Environment, Economy and Culture to appropriate for housing once the development was complete.

91 CORPORATE PROCUREMENT OF THE COUNCIL'S NON HALF-HOURLY ELECTRICITY SUPPLIES

Contact Officer: Kelvin Newman
Ward Affected: All Wards

Tel: 01273 290599

RESOLVED: That the Committee granted delegated authority to the Assistant Director of Property to procure and award a contract for a

maximum period of 18 months for the Council's Non-Half- Hourly (sub 50,000kWh per annum) electricity supplies through a framework agreement with fixed pricing. This would enable the Council to align its contract dates for all metered energy supplies across the council and with our Orbis partners.

92 REVIEW OF THE MEMBERS ALLOWANCES SCHEME

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 01273 291006

RESOLVED: That the Committee –

- (i) That the Independent Remuneration Panel's report as detailed in appendix 1 be received and endorsed;
- (ii) That the allowance payable to each of the members of the Independent Remuneration Panel be increased by 2% in line with the public sector pay award with effect from the date of the Annual Council meeting in May 2019, in recognition of the time commitment and the role of the Panel;
- (iii) That the recommendations in the report of the IRP be recommended to the full Council for approval;

Full Council

- (iv) That the full Council be recommended to adopt the new Members Allowances Scheme for the payment of allowances in 2019/20 with effect from the Annual Council Meeting in May 2019; subject to the implementation of the Basic Allowance from the 6th May 2019 as detailed in the IRP's report and the Scheme in appendix 7 to the report;
- (v) That the Chief Executive be authorised to issue the Brighton & Hove Members' Allowances Scheme for 2019-23 in accordance with the regulations following Council approval and subject to any additional recommendations of the Panel approved by the Council prior to the 2019 May elections;
- (vi) That the Monitoring Officer be authorised to amend the Constitution to reflect the new Members Allowances Scheme accordingly;
- (vii) That where there are any changes to any role listed as attracting a Special Responsibility Allowance under the Scheme, and the revised role is substantially the same as the previous role in terms of the nature or level of responsibility; the Special Responsibility Allowance shall continue to apply to the new role. This is subject to the Independent Remuneration Panel being consulted and agreeing that it is substantially the same role.

93 EU WITHDAWAL: RESPONSE TO FULL COUNCIL NOTICE OF MOTION

Contact Officer: *Dee Humphreys*
Ward Affected: *All Wards*

Tel: 01273 290555

RESOLVED: That the Committee -

- (i) Noted the contents of this report and appendices.
- (ii) Requested that the Executive Director, Finance & Resources investigates the advantages, disadvantages, and associated costs and benefits, in advance of any potential impact of the UK's withdrawal from the European Union on council finances, of accepting income from fees, charges and council tax denominated in Euros to protect this city's income stream and services, and reports his findings back to the January 2019 PR&G meeting.
- (iii) Agreed to the formation of a Member Working Group (with one Member from Each Group) to maintain Member oversight of the potential impacts of Brexit on Brighton & Hove and coordinate relations with city stakeholders and communities where potential impact has been identified.
- (iv) Noted that an Officer Group with representatives from relevant departments would monitor potential impacts of legislative change linked to the UK's withdrawal from the EU and co-ordinate the council's planning and report.

94 REVIEW OF THE CONSTITUTION - DECEMBER 2018

Contact Officer: *Elizabeth Culbert*
Ward Affected: *All Wards*

Tel: 01273 291515

RESOLVED: That the Committee –

- (i) Noted the proposals set out in paragraphs 4.1-4.3 of the report for officers to undertake a review of Committee delegations in relation to homelessness and housing matters and report back to a future PR&G Committee;
- (ii) Noted the proposals set out in paragraph 4.4 and Appendix 1 of the report for officers to undertake a review of Member Working Groups and agree to discontinue those task and finish Groups that have completed their work and to report back to a future PR&G Committee to seek agreement to the continuance of specific Member Working Groups;
- (iii) Recommends to full Council the proposed changes to the

Council's Constitution set out at paragraphs 4.5-4.8 (Council Procedure Rules – Public Questions) and 4.9-4.10 (Scheme of Delegations to Committees – corporate policy and budgetary implications);

- (iv) Approved the recommendation set out at paragraph 4.11- 4.12 (Scheme of Officer Delegations - litigated claims handling).

Full Council

- (v) That the proposed changes to the Council's Constitution recommended in paragraph 2. 2 above be approved and adopted.

Both Policy, Resources & Growth Committee and Full Council

- (vi) 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 & Growth Committee and by Council, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
- (vii) That the changes proposed in paragraph 2.2 come into force immediately following their adoption at full Council.
- (viii) That proposed changes set out in paragraph 2.3 come into force immediately

95 PARTIAL REVIEW OF POLLING DISTRICT AND POLLING PLACES 2018

Contact Officer: Michael Appleford Tel: 01273 291997
Ward Affected: All Wards

RESOLVED: That the Committee -

- (i) Agreed that St Mary Magdalen Church Hall be used as a polling place for GU district in Hollingdean & Stanmer ward.
- (ii) Agreed that a temporary polling place at the junction of Carden Hill and Lyminster Avenue be used as a polling place for HZ district in Patcham ward – if Hollingbury Library is unavailable.
- (iii) Agreed that the OX polling district in Hove Park is split into two new smaller polling districts across Hove Park and the junction of Nevill Road and Nevill Avenue – named OX and OW.
- (iv) Agreed that Brighton & Hove Cricket Pavilion, Nevill Sport Ground is used as the polling place for the new OW district in Hove Park ward.
- (v) Agreed that Bishop Hannington Youth & Community Hall is used as the polling place for the revised OX district in Hove Park ward.

- (vi) Agreed that Hove Town Hall be used as a polling place for UY district in Central Hove ward.

96 TIME TABLE OF MEETINGS 2019/20

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 01273 291006

RESOLVED: That the Committee agreed that the proposed timetable of meetings for the 2019-20 municipal year be agreed; subject to any necessary amendments following changes to the Constitution and/or committees' requirements.

97 I360 LOAN RESTRUCTURE

Ward Affected: All Wards

RESOLVED: It was agreed -

- (i) That the Committee noted the advice of GVA contained in Appendix 1.
- (ii) That the Committee agreed to defer the consideration of a formal restructure of the loan to the i360 until its meeting in October 2019.
- (iii) That, during the period of the deferral of the restructure, the Committee agreed to the City Council also deferring interest and repayment instalments necessary to ensure the sustainable operation of the i360, whilst ensuring that all available cash-flow after operating expenses is available to the service the Council's loan.
- (iv) That the Committee agreed, subject to the performance tests referred to in recommendation 2.5, not to take default action at this stage in relation to the failure to hit the financial ratios set out in the loan agreement.
- (v) That the Committee agrees to defer £880,304.25 of the total payment due on 31December 2018 (£1,492,304.25).
- (vi) That the Committee requested the Executive Director, Economy, Environment and Culture and the Executive Director Finance and Resources to bring this matter to a PR&G Committee meeting in June 2019 to determine the amount of deferral at the end of June 2019.
- (vii) That the Committee agreed to officers monitoring key performance indicators, and that if these fell below the levels set out at section 3.17 then officers may, in consultation with the leaders of the party

groups, opt to bring a report to an urgency PR&G Sub Committee, to consider further action including (but not limited to) any of the options set-out by GVA in their work to date.

- (viii) That a comprehensive marketing strategy is developed and published prior to the June 2019 urgency meeting of the PR&G committee.