

BRIGHTON & HOVE CITY COUNCIL

POLICY, RESOURCES & GROWTH COMMITTEE

4.00pm 4 MAY 2017

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

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

PART ONE

154 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

1541.1 There were none.

(b) Declarations of Interest

154.2 Councillors Morgan and Meadows declared non-pecuniary interests in respect of Item 158, as they both had £10 shares in the Bevy.

(c) Exclusion of Press and Public

154.3 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.

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

155 MINUTES

155.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the previous meeting held on 23 March 2017 as a correct record.

156 CHAIR'S COMMUNICATIONS

156.1 The Chair gave the following Communications:

“Welcome to the last Policy, Resources & Growth meeting of the current municipal year and I would like to thank all of you for your contributions to the committee over the

past 12 months. This will be the final meeting for Councillor Geoffrey Theobald as leader of the opposition. He has served on this committee and its predecessors for many years and has made enormous contribution to the work of this council. There will I'm sure be an opportunity to acknowledge Councillor Theobald's civic achievements in due course but I would like to take this opportunity to thank him for his unparalleled service to Brighton on this and other authorities.

This I also believe is the last committee meeting for our Democratic Services Manager, Ross Keatley, who has provided me and this Committee with professional support. I'm sure that the other members of this committee and the wider Council will join me in wishing him all the best for the future.

Finally as we are in purdah I will limit the debate and discussion today just to the immediate business at hand and would ask all members to refrain from drifting in to any party political comments. So I hope we will all respect that and leave the politics to the campaign trail for today."

157 CALL OVER

157.1 The following items were reserved for discussion:

- Item 160 – Using Empty Council Buildings for Rough Sleepers
- Item 161 – Targetted Budget Management (TBM) Provisional Outturn 2016/17
- Item 162 – Council Tax Exemption for Care Leavers
- Item 163 – Removal of Child Burial Fees
- Item 164 – Madeira Drive Regeneration Framework and Madeira Terraces
- Item 166 – Wellbeing and Attendance Support Update

157.2 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 agreed and adopted:

- Item 165 – Gigabit City – Ultrafast Broadband
- Item 167 – Concessionary Bus Travel – 3 Year Fixed Deal

158 PUBLIC INVOLVEMENT

158.1 The Chair noted there were three petitions listed on the agenda, one for presentation and two that had been referred from Council on 6 April 2017.

158.2 The first petition related to Business rates for The Bevy and Other Community Business; the Chair called forward Helen Jones on behalf of The Bevedean Community Pub to come forward and speak to the petition.

158.3 Ms Carter stated that she was appealing for a reduction in the business rates the Bevy was expected to pay, and she had a number of documents and letters of support. She highlighted some of the achievements of the Bevy, in particular the flexible use of the space for the community, and estimated that the 18 volunteers contributed approximately 100 hours a week, and this enabled up to 150 people to use the Bevy each week for community events.

158.4 In response the Chair stated:

“Thank you for your petition. It is great to hear about the work of The Bevy in enabling sections of the community to come together, but as you acknowledge in the petition, the council does have a difficult balance to strike in how it funds support to organisations in the community.

We have a limited fund to provide Business Rate Relief, and it covers a broad range of charities and not-for-profits, of varying size and type. Whilst it would be appealing to do so, we cannot apply rate relief to everybody, as there is a cost attached. Government contributes around 50% towards the cost of Rate Relief, but the council contributes the other 50%, meaning that there is a corresponding impact on local council tax payers.

Inevitably there has to be a process to decide who gets the support. This in turn means that some organisations will qualify for help, and others regrettably will not. There is an existing policy that determines how such decisions are to be made. The policy was approved in 2010 under the Cabinet system, having first been scrutinised at Overview and Scrutiny Commission. In accordance with the policy, officers take into account factors such as impact on the community, but they also take into account an organisation’s ability to cover the rates liability, their overall financial health, and their ability to raise funds and generate their own income.

There is an appeals process where officers can reconsider their decision, but my understanding is that the Bevy has not provided the full information requested of them as part of the appeals process.

In regards to the request for the policy to be reconsidered Officers are planning to review the overall policy this year and there will be a consultation about how the scheme should operate. However, we should have realistic expectations about the distribution of this very limited fund. We will need to be mindful of any financial implications beyond the Bevy on other organisations, were we to adjust the policy in the way they are suggesting.

In the meantime, the government announced in March that there would be a new £1000 reduction for pubs with a Rateable Value of less than £100,000. This will be implemented once government has confirmed further details.”

158.5 **RESOLVED** – That the petition be noted.

158.6 The second petition related to Keep Our Horses in Stanmer, the Chair noted that as the petition had been referred from Council there would be no further opportunity for the petitioner to address the Committee.

158.7 The Chair provided the following response in relation to the petition:

“The stables referred to in the Petition form part of the Traditional Agricultural Buildings in Stanmer which have been identified for refurbishment and restoration since they were surrendered out of the farm tenancy in 2004. The proposed restoration of the farm buildings has been the subject of several committee reports, most recently in July

2016 when approval was granted for the proposed scheme and funding. The redevelopment and refurbishment of this site is being taken forward as a council project led by Property & Design who are currently undertaking site investigations and research prior to commencing design work. This scheme is running in parallel with, and is supporting, the HLF grant funded development of the walled garden in Stammer and improvements to access and car parking.

Although the development of the buildings approved at PR&G in July does not include the continued use of the stables for housing horses, a proposal has been put forward for the development of the modern farm buildings at the top of the village to house animals which could potentially include horses. BHCC officers have brought to the current tenants' attention the fact that their business could potentially bid for a lease of the modern farm buildings. However BHCC is unable to offer any certainty in this regard. This is for two reasons, the first of which is that proposals have yet to be determined. Secondly and in any event, the Council is required to obtain best consideration and this is best evidenced by marketing opportunities openly to ensure that all potential parties have an equal opportunity to secure what will be very desirable premises in the heart of Stanmer, post completion of the HLF funded wall garden development and council funded development of the traditional agricultural buildings.

The Council emphasises that in this matter - as always - it seeks to act in a way which is fair to all of its potential partners as well as lawful. There are currently five tenancies within the Traditional Agricultural Buildings, all of which were agreed on flexible terms which are short-term and without security. This was done to ensure that the Council is able to develop the site in accordance with the strategic priorities which have been set. That process is well underway and must be carried out in a compliant way by assessing the tenders which are received in against criteria which will reflect the strategic vision for the development.”

158.8 **RESOLVED** – That the petition be noted.

158.9 The Chair noted that the final petition related to Item 160, and proposed it be considered together with that item.

158.10 The Chair noted there were no other items listed under Public Involvement.

159 MEMBER INVOLVEMENT

159.1 The Chair noted there were no matters listed under Member Involvement.

160 USING EMPTY COUNCIL BUILDINGS FOR ROUGH SLEEPERS

160.1 The Committee considered a report of the Executive Director for Neighbourhoods, Communities & Housing in relation to Using Empty Council Buildings for Rough Sleepers. The report sought to investigate the possibility of using empty Council buildings as accommodation for rough sleepers. The Chair also noted that there was a petition in relation to Open Night Shelters for Rough Sleepers, which had been referred from Council on 6 April 2017, the petition would be considered together with the report.

- 160.2 In response to Councillor Sykes it was confirmed that the status of King's House had changed since January 2017, and it was again being marketed.
- 160.3 The Chair noted there was an amendment from the Green Group and asked Councillor Mac Cafferty to propose it. Councillor Mac Cafferty stated that the Green Group welcomed the report, and highlighted that it was important the work be progressed without delay following cross party support at Budget Council. In relation to working with partners, it was vital that the Council work closely with the third and corporate sector as they were, in some cases, ahead of the Council in this work. The amendment sought to ensure the focus was on continuous provision, not just crisis provision, and enable other players in the housing sector to contribute to the discussion through wider engagement.
- 160.4 Councillor Sykes formally seconded the amendment.
- 160.5 The Chair noted there was also an amendment from the Conservative Group and asked Councillor Wealls to propose it. Councillor Wealls noted that the amendment sought to make minor changes to one that had already been moved by the Green Group, and sought to prevent the working group becoming unwieldy.
- 160.6 Councillor Janio formally seconded the amendment.
- 160.7 Councillor Meadows stated that there was broad cross-party consensus on the issue; she highlighted some of her own recent experiences speaking to rough sleepers. She was inclined to support the Conservative Group amendment as it would allow the group to much more focused.
- 160.8 Councillor Mitchell hoped the group could be set up quickly, and noted she also supported the Conservative Group amendment.
- 160.9 Councillor Sykes highlighted the number of empty residential properties in the city, many of these he believed were bought as 'buy to sit'.
- 160.10 Councillor Mac Cafferty noted he was satisfied with the wording proposed by the Conservative amendment, and formally withdrew his amendment.
- 160.11 The Chair then put the proposed Conservative Group amendment to the vote. This was **carried**.
- 160.12 The Chair then put the amended recommendations to the vote.
- 160.13 **RESOLVED:**
- 1) That the petition be noted.
 - 2) That the provision of night shelter facilities is considered as part of the wider rough sleeper strategy and a cross party group of councillors is formed investigate continuous rough sleeper provision accommodation for the winter period.

- 3) That the Membership of the cross-party working group calls for evidence from volunteers, homeless groups and agencies, to be agreed with the Executive Director for Health & Adult Social Care in consultation with the relevant Group Spokespersons.
- 4) That the Committee notes that a property review, assessment and business case will need to be undertaken to assess any specific building/site property requirements, risks and financial implications of any buildings identified to be used for crisis accommodation.

161 TARGETED BUDGET MANAGEMENT (TBM) PROVISIONAL OUTTURN 2016/17

- 161.1 The Committee considered a report of the Executive Director for Finance & Resources in relation to Targeted Budget Management (TBM) Provisional Outturn 2016/17. The report set out the provisional outturn position (i.e. Month 12) on the Council's revenue and capital budgets for the financial year 2016/17.
- 161.2 In response to a series of questions from Councillor G. Theobald the following responses were provided. Temporary accommodation budgets had been put together which provided greater freedom to enter into more long-term agreements, the change identified in the report was largely administrative to formalise this arrangement. At the previous meeting the Committee had agreed to pool a series of community funds; however, those for the Royal Pavilion and Museums would be held separately, to be better used for their specific purpose. The large underspends in the HRA related to a significant redesign, that would not be fully realised until the follow financial year, and underspends on capital works – the latter were currently being reviewed. The transport service redesign was now in its final stage near completion, but had taken longer due to changes to the proposed new structure during the process. The agreed reductions in Members' SRAs were currently being worked through at Officer level before concrete proposals were taken to the Constitutional Working Group and Independent Remuneration Panel for consideration, any agreed changes would have to be approved at Full Council. The increased number of DOLs cases related to a series of moves that had been undertaken, and a further review was needed for each move.
- 161.3 In response to questions from Councillor Sykes the following responses were provided. The contribution to some of the underspends had been in part down to managers holding vacancies open, but it was acknowledged that this could leads to delivery issues. There was also been instances where vacancies had not been filled due to lack of competitiveness. Greater work was being undertaken to understand workflows and assess where service pressures would be - it was hoped this would prevent emergency measures to address budget measures.
- 161.4 Councillor Hamilton highlighted that the accounts were still interim at this stage, and that the final accounts would be signed off by the Director, after formal consideration by the Audit & Standards Committee.
- 161.5 The Chair then put the recommendations to the vote.

161.6 RESOLVED:

- 1) That the Committee note that the provisional General Fund outturn position is an underspend of £1.350m and that this represents an improvement in resources of £0.812m compared to the projected and planned resource position at Month 9 taken into account when setting the 2017/18 budget.
- 2) That the Committee note the provisional outturn includes an overspend of £0.600m on the council's share of the NHS managed Section 75 services.
- 3) That the Committee note the provisional outturn for the separate Housing Revenue Account (HRA), which is an underspend of £2.206m.
- 4) That the Committee note the provisional outturn position for the ring-fenced Dedicated Schools Grant, which is an underspend of £0.585m.
- 5) That the Committee approve carry forward requests totalling £2.689m as detailed in Appendix 3 and included in the provisional outturn.
- 6) That the Committee approve the transfer of Temporary accommodation budgets from Families, Children & Learning and Health & Adult Social Care to Neighbourhoods, Communities & Housing (paragraph 6.2) in accordance with Financial Regulations.
- 7) That the Committee agree that the Thompson Bequest, Royal Pavilion Renewals Fund and Brighton & Hove Natural History Society Reserve are transferred to the Royal Pavilion and Museums Foundation 'Restricted Funds' (paragraph 6.3) in accordance with Financial Regulations.
- 8) That the Committee note the provisional outturn position on the capital programme.
- 9) That the Committee approve changes to the capital programme including the variations and re-profiles requested in Appendix 5 and new schemes detailed in Appendix 6.

162 COUNCIL TAX EXEMPTION FOR CARE LEAVERS

- 162.2 The Committee considered a report of the Executive Director for Finance & Resources in relation to Council Tax Exemption for Care Leavers. The report asked the Committee to consider and approve a new Council Tax exemption that would ensure that Care Leavers within the City did not have to pay Council Tax up to the age of 25.
- 162.3 In response to Councillor Wealls it was clarified that those leaving care were supported by the Council until the age of 25 and would be advised of their rights; were the report to be agreed it would be retrospectively actioned.
- 162.4 Councillor Hamilton welcomed the report and highlighted the corporate parenting role shared by all Members; he noted that the costs were relatively low and hoped the Committee would be able to support the proposals.

162.5 The Chair noted other local authorities were also doing this in response to a campaign from the Children's Society. The Chair then put the report the vote.

162.6 **RESOLVED** - That the Committee approves the creation of a new Council Tax exemption for Care Leavers to be applied until the age of 25.

163 REMOVAL OF CHILD BURIAL FEES

163.1 The Committee considered a report of the Executive Lead Officer for Strategy, Governance & Law in relation to Removal of Child Burial Fees. The report proposed the removal of some remaining fees associated with child burials.

163.2 Councillor A. Norman stated that the Council should take action within its power to ease the financial burden on families in what would likely be devastating and unexpected circumstances. She noted her full agreement with the report and the recommendations.

163.3 Councillor Mitchell welcomed the provision that this report would provide and minimise the impact on parents at such a difficult time; it was also noted the Council would retain discretionary application of the scheme.

163.4 The Chair noted that there had been a national campaign in Parliament. The Chair then put the recommendations to the vote.

163.5 RESOLVED:

- 1) That Members agree to remove permit fee for headstones and the fee for exclusive rights of burial for children aged 17 or younger.
- 2) That the changes come into force with immediate effect.

164 MADEIRA DRIVE REGENERATION FRAMEWORK AND MADEIRA TERRACES

164.1 The Committee considered a report of the Executive Director for Economy, Environment & Culture in relation to Madeira Drive Regeneration Framework and Madeira Terraces. The report sought approval of the draft Madeira Drive Regeneration Framework, attached as Appendix 1. The report also provided an update on the 4 point plan for securing funding for the restoration and refurbishment of Madeira Terraces.

164.2 The Chair thanked Officers for the work that had been undertaken, as well as that of the Volks volunteers.

164.3 Councillor Sykes stressed the importance of Stakeholder input to address the heritage and conservation merits of the site. In response to a question it was confirmed that meeting the costs through the Public Loans Board was an option, but to repay any loan the scheme would need aspects of income generation.

164.4 In response to Councillor Mac Cafferty it was explained that the report referenced that any potential solution would likely require private investment, and this had been

communicated to potential investors. The Chair noted he had set up an email account to specifically invite comments and interest, and the design principle was to use the arches as commercial space to build a financial base for the scheme.

164.5 In response to Councillor G. Theobald it was confirmed that the scheme would be in three regeneration phases, and the success of the regeneration around the i360 was proof of this workable model. Historic England would look very closely at any scheme, but it was also expected they would be pragmatic in their considerations based on the risk of not redeveloping the site.

164.6 Councillor Mitchell highlighted that the regenerated arches near the i360 had been undertaken with transport funds and were income generating. The seafront scrutiny work had identified the Madeira Drive Arches as being problematic in terms of there being no immediate income generation possibilities, instead requiring some degree of public money for any overall development scheme.

164.7 The Chair highlighted the necessity of making as much progress as quickly as possible in the context of all the other seafront projects that were being delivered. The Chair then put the recommendations to the vote.

164.8 **RESOLVED:**

- 1) That the Committee agrees the Madeira Drive Regeneration Framework, attached at Appendix 1.
- 2) That Committee note that the framework will be used as the basis for further engagement with key stakeholders through a stakeholder group '*The Seafront Investment Team*', with further reports on the regeneration of Madeira Drive brought back to this Committee.
- 3) That the Committee note the 4-point plan for seeking funding for the restoration and refurbishment of the Madeira Terraces.

165 GIGABIT CITY - ULTRAFAST BROADBAND

165.1 **RESOLVED:**

- 1) That the Committee agrees that the City Council joins the West Sussex County Council (WSCC) Digital Infrastructure procurement framework;
- 2) That the Committee notes that should it be considered desirable pursue the delivery of an ultrafast broadband digital infrastructure, and to utilise the framework, a full business case incorporating options for a preferred model would be brought to this committee for approval.

166 WELLBEING AND ATTENDANCE SUPPORT UPDATE

166.1 The Committee considered a report of the Executive Director for Finance & Resources in relation to Wellbeing and Attendance Support Update. The purpose of the report was to brief the Committee on FirstCare, a Wellbeing and Attendance Support

intervention comprising an occupational health (OH) nurse led sickness service and system, and to seek authority to proceed with its implementation across the whole Council. The report also detailed how the Council currently supported its staff during absence from work, what other wellbeing provision was available, and a general attendance support update.

- 166.2 In response to a series of questions from Councillor Sykes the following responses were given. Much of the advice would be signposting, and there was evidence to prove that this approach helped staff to get back to work quicker. This system was already in use at other authorities in the Orbis partnership, and their unions had not raised significant objections, instead there was a view that removing this responsibility from line managers gave staff better access to care from the beginning of any period of absence. The contract could be terminated with 6 months' notice, and Officers were committed to reviewing and looking at other options if it did not prove effective. Councillor Sykes expressed concerns in relation to the emphasis on support to staff; in response the Chief Executive stated his duty of care as head of paid service, and his view that the Council's current arrangements were not robust enough; he noted there was disappointment with the position of the trade unions as engagement had been sought. He went on to say that this area required a significant step change, and there was evidence from neighbouring authorities that this had been effective.
- 166.3 Councillor Mac Cafferty highlighted the duty of care that all Members also had to staff employed in the organisation; he highlighted that staff were increasingly asked to do more, suggested a pilot could be undertaken and that greater assurances in relation to confidentiality needed to be provided. Officers stated that confidentiality was a key aspect of this work, and monitoring would take place, as well as further work through the Joint Staff Consultation Forum.
- 166.4 In response to a further question from Councillor Mac Cafferty it was explained that East Sussex County Council was considered an appropriate comparison as the workforce was from drawn from the same area.
- 166.5 Councillor Wealls highlighted his support of the report, and also noted the impact that long-term sickness had on other members of staff still at work who had to manage increased workloads as a result. He also noted that staff sickness had historically been high in the authority for a number of years, and could not necessarily be attributed to increased workloads on the last few years.
- 166.6 Councillor A. Norman noted her support for the report, and she hoped the proposals would offer a new reasonable way forward.
- 166.7 Councillor Janio highlighted his concern with the use of targets in the report, and argued this could skew outcomes; however, he was largely in support and highlighted the importance of a content workforce.
- 166.8 Councillor Mitchell noted that her own employer used this system, and she hoped the proof of success would be in the implementation.

166.9 Councillor Hamilton noted the number of days lost through staff sickness had remained largely consistent the last few years; he felt a third party would help better manage this process, and that discussions with the unions would continue.

166.10 The Chair then put the recommendations to the vote.

166.11 **RESOLVED** – That the Committee:

- 1) Approves the procurement and award of a contract to FirstCare Ltd for a term of two years with the option to extend for a further period of 1 year to be implemented by the end of August 2017. This contract will be called off from the Surrey County Council Framework Agreement for the Provision of Employee Health and Wellbeing Services for the implementation of an OH nurse-led sickness service together with a new attendance management system.
- 2) Notes the content of the report in terms of the council's approach to attendance support and the measures taken to improve the wellbeing of staff.

167 CONCESSIONARY BUS TRAVEL - 3 YEAR FIXED DEAL

167.1 **RESOLVED** - That the Committee:

- 1) Notes the forecast comparisons between the current fixed deal payments and the estimated level of reimbursement through the DfT model and the progress made to date on the negotiations for new fixed deals set out in the part 2 report of the agenda as this data is commercially sensitive;
- 2) Authorises the Executive Director of Finance & Resources, after consultation with the Chair of Policy, Resources and Growth Committee, to finalise terms for concessionary fares fixed reimbursement deals with both Brighton & Hove Bus and Coach Company and Stagecoach South.

168 ITEMS REFERRED FOR COUNCIL

168.1 There were no items referred to Council on 20 July 2017.

169 CONCESSIONARY BUS TRAVEL – FIXED DEAL REIMBURSEMENT - EXEMPT CATEGORY 3

169.1 **RESOLVED** – That the Committee note the information contained in the Part Two appendix.

170 PART TWO MINUTES

170.1 **RESOLVED** – That the Chair be authorised to sign the Part Two minutes of the previous meeting held on 23 March 2017 as a correct record.

171 PART TWO PROCEEDINGS

171.1 **RESOLVED** – That the information contained in Part Two remain exempt from disclosure to the press and public.

The meeting concluded at 6.04pm

Signed

Chair

Dated this

day of

2017