

**BRIGHTON & HOVE CITY COUNCIL**

**POLICY, RESOURCES & GROWTH COMMITTEE**

**4.00pm 29 MARCH 2018**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Hamilton (Deputy Chair), Janio (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bell, Mitchell, Peltzer Dunn, Sykes, Wealls, Yates and Robins.

**PART ONE**

**107 PROCEDURAL BUSINESS**

**107 (a) Declarations of Substitutes**

107.1 Councillor Robins was present in substitution for Councillor Morgan

**107 (b) Declarations of Interest**

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

**107(c) Exclusion of Press and Public**

107.3 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.

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

**108 MINUTES**

108.1 **RESOLVED:** That the Minutes of the meeting held on 8 February 2018 be agreed and signed as a correct record.

**109 CHAIR'S COMMUNICATIONS**

109.1 The Chair gave the following communication:

I'd like to inform those present that this meeting will be webcast live and will be capable of repeated viewing.

I've been asked to provide an update on the proposals to move the Royal Pavilion & Museums into Trust in July of this year following the decision made by the January ROG Committee. The decision of the January committee remains in place until and unless a different decision is made by the Committee. However, implementation of the decision has been delayed in order to allow for a further and external review of the options. The change that has been made relates to the mechanism for implementation, to allow time for an external review. Officers will be bringing an update report to the next meeting of this Committee which will provide further information on the external review of options and seek agreement for the revised timetable which will allow for the external review of the options.

## 110 CALL OVER

110.1 The following items were reserved for discussion:

- Item 113: Treasury Management Strategy Statement 2018/19 (Incorporating Annual Investment Strategy)
- Item 115: 2018/19 Local Transport Plan Capital Programme
- Item 116: Phasing Out Single Use Plastics
- Item 117: Annual Planned Maintenance and Asset Management Fund Allocations 2018-19 for the Council's Operational Buildings
- Item 118: Orbis Hard Facilities Management Procurement
- Item 119: Education Capital Resources and Capital Investment Programme 2018/19
- Item 122: Procurement Programme for Housing Repairs, Planned Maintenance and Capital Works
- Item 128: Grant of New Leases Shoreham Airport
- Item 130: Grant of Lease Shoreham Airport (Part Two) - Exempt Category 3

110.2 The Democratic Services Officer 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 114: Pay Policy Statement 2018/19
- Item 120: Purchase of Property With Restrictive Covenant
- Item 121: A Request to Purchase A Piece of HRA Land on Mile Oak Road.
- Item 123: Briefing Report on ASE Regional Adoption Agency
- Item 124: Data Protection Officer Designation
- Item 125: Survivors Network Pledge
- Item 126: Authority to Enter into a Sublease for a Medium Supported Accommodation Service for Health & Adult Social Care Clients
- Item 127: Tender for Transport Professional Services

## 111 PUBLIC INVOLVEMENT

111.1 Referred petition:

### **Open Brighton's Homeless Shelters 365 Days a Year**

Petition from Mr J Hadman referred from the Council meeting held on 1 February 2018, (5500 signatures).

The petition stated:

*We the undersigned petition Brighton & Hove City Council to open homeless night shelters all year round (365 days).*

*In the meantime, we urge the council to conform to central government directions on opening SWEP shelters (Severe Weather Emergency Protocol). We understand this government requirement is not being met, with approximately £90,000 left unspent from previous years of SWEP budget.*

*Lead Petitioner – John Hadman*

*Additional Information:*

*Why is this important?*

*Rough sleeping has almost doubled in the last year, but, the number of supported beds for homeless people has plummeted. There is also not enough affordable accommodation for people to move on to, making matters worse. As a result, despite the goal of no second night out, rough sleepers are waiting an average of 12 weeks before some form of accommodation is provided. We therefore urge BHCC to fund resources to expand the amount of support accommodation available for homeless people all year round, not just when temperatures hit 0c and ensure that the existing budget available is spent.*

The Chair gave the following response:

Brighton & Hove City Council operates its SWEP policy in line with guidance issued by Homeless Link and is fully compliant with this. SWEP is triggered when the temperature is predicted to fall to 0 degrees or below for two consecutive nights, for Amber weather warnings and at other times of extreme weather taking into account issues such as wind chill. The Brighton & Hove SWEP provision exceeds provision in many local authority areas across the UK according to the yearly survey conducted by Homeless link.

The city council is aware that some local authorities including London have, or are considering, moving to a one night at zero trigger and a couple of others have gone beyond this. SWEP provision in other areas of the UK is being examined as part of a review which is currently ongoing with a view to a tender of SWEP provision later in the year. In terms of the budget, SWEP has a budget of £40,000.00 per annum and how much of this is spent is dependent on the weather, we have spent less than the allocated budget in the last few years due to mild winters however this financial year we have exceeded the allocated budget. The budget underspend does not carry over year on year neither does the overspend. The city council is currently in the process of reviewing the winter night shelter and its operation with a view to examining what provision should be put in place for next winter.

I propose that we agree to note the petition and receive a report to a future meeting.

111.2 **RESOLVED:** That the Committee agreed to note the petition and receive a report at a future meeting.

**112 MEMBER INVOLVEMENT****112.1 International Women's Day Commemoration – Blue Plaque**

The Committee considered a Letter from Councillor Mac Cafferty asking the Committee to look at options to commemorate the movement for women's votes through a blue plaque. Councillor Mac Cafferty

**112.2 The Chair provided the following response:**

Whilst the Brighton Blue Plaque scheme is overseen by the Brighton & Hove Commemorative Plaque Panel (BHCPP), and therefore is not within our direct control, I am sure all concerned will agree that it would be appropriate to mark the centenary and am happy to propose that we ask the Chief Executive to write a letter in support of the proposal for a commemorative blue plaque at the Quadrant, next to the Clock Tower. The city archives, held at The Keep, and collections at Royal Pavilion & Museums, contain a rich seam of information concerning the suffragette and suffragist activities in Brighton & Hove, and officers will investigate and bring forward recommendations to the committee concerning possible locations and people whose contributions should be recognised as suggested. The Royal Pavilion & Museums service is already marking the centenary with a series of blogs telling the stories of the suffragette movement in Brighton. The most prominent Brighton suffragette was Minnie Turner, and her boarding house at 13-14 Victoria Road might, for example, be an appropriate site for a plaque.

Depending on the approval of the BHCPP and the practicalities, we would hope that a plaque could be installed during the centenary year, and officers will bring a report back to this committee to consider how we can further highlight and recognise these important stories.

112.3 Councillor Robins said that rather than having a plaque to commemorate a movement, that there be a number of plaques to celebrate individuals, and suggested that a group be set up to look at the options.

112.4 Councillor Janio said he supported the proposals.

112.5 Councillor Mitchell said she supported the installation of a plaque/s, and the suggestion to set up a group to look at the different options.

112.6 **RESOLVED:** That the letter be noted and a report be brought back to the Committee.

**113 TREASURY MANAGEMENT STRATEGY STATEMENT 2018/19 (INCORPORATING ANNUAL INVESTMENT STRATEGY)**

113.1 The Committee considered the report of the Executive Director Finance & Resources regarding the Treasury Management Strategy Statement and the Annual Investment Strategy for 2018/19.

113.2 Councillor Wealls thanked the Executive Director Finance & Resources for the recent training provided on the strategies. He noted that there had been changes from last

year's strategies, but only some of those had been highlighted in the report and asked if in future all changes could be noted. The Executive Director Finance & Resources agreed to do that.

113.3 Councillor Yates referred to Appendix 3 to the report, and asked if there was any update on whether the Council were able to access the Public Works Loan Board's infrastructure interest rates. Officers said it was hoped they would find out in the next few weeks, but the timescale wasn't certain.

113.4 **RESOLVED:**

- (i) That Policy, Resources & Growth Committee recommends that full Council approve the TMSS and Treasury Management Practices, which remain as approved by Policy, Resources & Growth Committee on 23 March 2017.
- (ii) That Policy, Resources & Growth Committee recommend that full Council approve the Annual Investment Strategy 2018/19 as set out in Appendix 2 to this report.
- (iii) That Policy, Resources & Growth Committee recommends that full Council approve the Borrowing Strategy as set out in Appendix 3 to this report.

**114 PAY POLICY STATEMENT 2018/19**

114.1 **RESOLVED:** That the Committee agreed to recommend to Council the adoption of the pay policy statement 2018/19 attached at Appendix 1 to the report.

**115 2018/19 LOCAL TRANSPORT PLAN CAPITAL PROGRAMME**

115.1 The Committee considered the report of the Executive Director Economy, Environment & Culture, which set out the Local Transport Plan (LTP) budget allocation for 2018/19 and provided indicative allocations for 2019/20 and 2020/21. The Executive Director referred to the extract from the Environment, Transport & Sustainability Committee (held on 20 March 2018), which recommended to Policy, Resources & Growth Committee that they agree the LTP capital programme budget allocation for 2018/19, but did not agree to note the indicative allocation of future LTP budgets as it was felt that officers should spend more time exploring alternative options for funding in relation to the allocations ear-marked for the Shelter Hall. The Executive Director reassured the Committee that officers would do that. The Committee were referred to paragraph 3.3 of the report, and advised that since the report had been prepared the government had announced allocations of what was now called 'Pothole & Flood Resilience Funding', and the sum which the Council would receive for 2018/19 was an additional £188,705. The Council were still awaiting confirmation of the 'Incentive Funding' sum for 2018/19, and when received would be included in the Quarterly Financial Update for the Committee.

115.2 The Chair noted the two recommendations in the report, and confirmed that as the Environment, Transport & Sustainability Committee (ETS) had not agreed to note the

indicative allocation of future LTP budgets, that this Committee would only be considering recommendation 2.1 in the report.

- 115.3 Councillor Sykes referred to paragraph 3.7 of the report and was concerned that there was a programme to treat tree root areas using flexible paving to reduce highway penetration, as he suggested that by reducing penetration the risk of flooding was increased. Officers advised that flexible paving was used rather than paving stones, as it allowed some movement from the tree roots and it did allow some moisture to penetrate through which allowed the trees to thrive.
- 115.4 Councillor Sykes noted that an additional £0.5m would be invested to maintain Hove Station Footbridge, and asked how that money would be spent and what discussions had taken place with Network Rail. Officers advised that the money would be used to support further investigations on the condition of the bridge, and the Council would work with Network Rail to look at what repairs may be needed.
- 115.5 Councillor Sykes referred to the Capital Programme Allocation, and was surprised that the allocation for Electric Vehicle Charging Points had remained the same for a number of years despite the increase in the number of electric cars and suggested there was a lack of vision for the future of transport in the city. Officers advised that the allocation reflected that the Council were hopeful that they would receive significant funding from the government, which would enable the Authority to look at how further roll out electric charging points across the city.
- 115.6 Councillor Sykes asked if the Flood Defence Grant would be used to offset the need to use the Council's own capital money. Officers advised that funding from DEFRA would be used for flood defence works.
- 115.7 Councillor Mitchell (Chair of ETS Committee) said that the allocations represented a good balance between large schemes and local smaller schemes, and a large amount of funding was being committed to maintaining the seafront.
- 115.8 Councillor Janio said that the Conservative Group had not supported the indicative allocations of future LTP budgets at the recent ETS Committee, as it was felt that it was inappropriate to take £1.5m away from the transport budget to rebuild Shelter Hall and the arches. Councillor Mitchell said that work on the seafront enabled the A259 to continue to function, as the arches held up the road.
- 115.9 **RESOLVED:** That the Committee
- (i) Agreed the 2018/19 Local Transport Plan capital programme budget allocation of £5.365 million to projects and programmes and notes the additional allocations for schemes agreed at Budget Council, as set out in Appendix 2 of the report

## 116 PHASING OUT SINGLE USE PLASTICS (SUPS)

- 116.1 The Committee considered the report of the Executive Director Economy, Environment & Culture, which provided an update on work that had begun in phasing out single use plastics (SUPs) across council buildings and services. The report was prepared in

response to two Notice of Motion passed by Council, which called for the phasing out of SUPs across council building and services.

- 116.2 Councillor Mac Cafferty accepted that it was a preliminary report, but did not feel that it went far enough and that it had been five months since the Notice of Motions relating to SUPs had been agreed, and if anything the situation had got worse. He referred to the Programme Board being set up, and asked that members could be involved. He said that the Council needed to be stronger with procurement, and asked if members could see the outcome of the consultation with service providers on reducing or finding alternatives to SUPs. China had recently announced that it would no longer be accepting recyclable plastic, and he suggested that this could be a good opportunity to show innovation with regard to levels of recycling. The Council's waste contractor Veolia had said they were not able to adapt the contract to recycle more plastic, so the Council would need to look at reducing the amount of waste at source. The Executive Director Economy, Environment & Culture said that a lot of work had been undertaken by officers, who now had to look at the resourcing implications of trying to reduce SUPs, and agreed that the current situation with recycling plastic presented opportunities for innovation. With regard to the Programme Board, he said that members would not be excluded, and would be provided with regular updates.
- 116.3 Councillor Mitchell said that the report sought to capture the main points in both of the Notices of Motion, looking at both what the Council could do to reduce the use of plastic whilst also acknowledging the work of our partners in particular the Biosphere Board. In order to get real change it would be necessary to work with external partners and harness the enthusiasm of the public. With regard to the contract with Veolia, Councillor Mac Cafferty may have been referring to letter from them in August 2017. However since then the Council have been in discussions with them to look at recycling other types of plastic.
- 116.4 Councillor Bell asked if the next report could provide more information about the consultation and examples of the engagement with external providers. The Executive Director Economy, Environment & Culture agreed.
- 116.5 Councillor Peltzer Dunn asked if there could not be a condition in the lease for Council controlled properties that SUPs would not be sold. The Executive Lead for Strategy Governance and Law said that additional clauses to a lease would impact on the rent, and there would be an issue on enforceability, but there would be no automatic legal restriction on such a clause so it could be considered.
- 116.6 RESOLVED: That the Committee noted
- (i) The report and work progress detailed in section 4 of the report.
  - (ii) That it would receive a more detailed report on progress in July 2018
  - (iii) The conclusions and next steps provided in section 6 of the report.

**117 ANNUAL PLANNED MAINTENANCE AND ASSET MANAGEMENT FUND ALLOCATIONS 2018-19 FOR THE COUNCIL'S OPERATIONAL BUILDINGS**

- 117.1 The Committee considered the report of the Executive Director Economy, Environment & Culture, which sought approval for the annual Property Revenue and Capital Budget allocations.
- 117.2 Councillor Sykes said he was unclear what the allocation was for Brighton Town Hall; the report said it was £750k over the next few years, but there had been an allocation of £1.5m from elsewhere. The Executive Director Economy, Environment & Culture said there were two allocations of money to Brighton Town Hall, £1.5m from the Capital Programme, and £750k from this fund as part of the Workstyles 4 programme. An outline report on Brighton Town Hall proposals had come to this committee previously, and it was agreed that a business case would be brought back. That business case was still being prepared and a further report would be brought back to this committee in due course. The Executive Director Economy, Environment & Culture said that future reports would include information on other capital funds available for the project.
- 117.3 **RESOLVED:** That the Committee
- (i) Approved the annual programme of planned maintenance works as detailed in Appendices 2 and 3 of the report, at a total estimated cost of £3,300,650;
  - (ii) Approved the Asset Management Fund allocation for 2018/19 totalling £1,000,000, as detailed in paragraph 3.4.1 of the report.
  - (iii) Granted delegated authority to the Assistant Director of Property & Design to procure the planned maintenance budget and asset management fund improvement works and award contracts within these budgets, as required, in accordance with the council's Contract Standing Orders.

**118 ORBIS HARD FACILITIES MANAGEMENT PROCUREMENT**

- 118.1 The Committee considered the report of the Executive Director for Economy, Environment & Culture, which informed the Committee of the recent activities conducted by Orbis Property Services and Orbis Procurement regarding hard facilities management services.
- 118.2 Councillor Sykes noted that there were similarities between the work being procured by Orbis and that being procured by Housing for responsive repairs (outlined in Item 117). However, Orbis had rejected the possibility of using in-house staff for the works, and asked for clarification as to why. The Assistant Director Property & Design said that this report related to very specific trade contractors which were not available in-house. There would also better value for money through economy of scale, whilst making sure that local agendas were taken into consideration. The Chair said that he hoped that local contractors would be used where possible.
- 118.3 Councillor Janio referred to paragraph 3.5.4.1 of the report and noted that there would be five core work streams which would be split into groups of £100k, and that any

spend over £500k would need to be agreed by the relevant committee. However, if every contract were split into £100k sections there would never be a need for committee agreement. The Assistant Director Property & Design said that that paragraph referred to work under £100k and over £100k, so any cost would be split that way rather than dividing the full cost into £100k segments.

118.4 **RESOLVED:** That the Committee

- (i) Authorise the commencement of the procurement of contracts for the delivery of hard facilities management services where the council is the contracting authority, and note that Appendix 2 to the report gives an indication of the contracts which will be procured and who the contracting party for each contract will be.
- (ii) Delegate authority to Assistant Director Property & Design to agree changes to the proposals in Appendix 2 and note that further report(s) to convey the outcome of the Orbis hard facilities management procurement activity and obtain authority for the award of any contracts for hard facilities management services will be brought to future meeting(s) of this Committee.

**119 EDUCATION CAPITAL RESOURCES AND CAPITAL INVESTMENT PROGRAMME 2018/2019**

- 119.1 The Committee considered the report of the Executive Director Families, Children & Learning on Education Capital Resources and Capital Investment Programme 2018/2019. The report informed the Committee of the level of available capital resources allocated to this service for 2018/19 and to recommend a Capital Investment Programme for 2018/19.
- 119.2 The Chair said that two amendments had been received, one from the Conservative Group and one from the Labour and Co-operative Group. The Chair noted that the Labour amendment had been received after the deadline, but would use his discretion to accept it.
- 119.3 The Chair asked that the Labour Group move their amendment. Councillor Mitchell moved the Labour Group amendment to the recommendations, which read:

*Insert an additional recommendation after recommendation (1) as follows:*

*(2) That the Committee approves the funding necessary to enable all necessary building, adaptation and other associated works undertaken at Dorothy Stringer School to accommodate the “misplaced 38” children for September 2018 subject to the agreement of the Head Teacher and the Governing Body of the school.*

*(3) Authorise the Executive Director, Families, Children & Learning to take all steps necessary or incidental to the above.*

*The amended recommendations to read:*

- (1) *That the agreed allocation of funding as shown in Appendices 3 and 4 be approved for inclusion within the council's Capital Investment Programme 2018/19;*
- (2) *"That the Committee approves the funding necessary to enable all necessary building, adaptation and other associated works to be undertaken at or Dorothy Stringer School to accommodate the "misplaced 38" children for September 2018 subject to the agreement of the Head Teacher and the Governing Body of the school*
- (3) *That the Executive Director, Families, Children & Learning be authorised to take all steps necessary or incidental to the above.*
- (4) *That the Assistant Director of Property & Design be granted delegated authority to procure the capital maintenance and basic needs works and enter into contracts with these budgets, as required, in accordance with Contract Standing Orders in respect of the entire Education Capital Programme.*

Councillor Mitchell noted that both amendments were trying to achieve the same thing. The Labour Group had only had sight of the Conservative Group amendment on the morning of the meeting, and were concerned that the proposals would delay the process of accommodating the 'misplaced 38' children at Dorothy Stringer. The Group had therefore put forward an amendment which instructed officers to progress the work which would be needed to accommodate the additional children, with the agreement of the head teacher and governing body. Councillor Yates seconded the motion and reserved his right to speak.

119.4 The Chair asked that the Conservative Group move their amendment and the Committee would then discuss all the proposals.

119.5 Councillor Janio moved the Conservative Group amendment to the recommendations, which read:

*To add additional recommendations 2 and 3 as shown in **bold** below.*

1. *That the agreed allocation of funding as shown in Appendices 3 and 4 be approved for inclusion within the council's Capital Investment Programme 2018/19;*
2. ***That Committee requests an urgent report be submitted to Children, Young People & Skills Committee to provide the necessary funds from the Government's £15m "additional secondary provision" for Dorothy Stringer & Varndean Schools to immediately accommodate the "misplaced 38" children for September 2018;***
3. ***That Committee requests an urgent report be submitted to Children, Young People & Skills Committee to allocate the balance of the Government funded £15m in 2 (above) on the remainder of the qualifying school estates; and***

4. *That the Assistant Director of Property & Design be granted delegated authority to procure the capital maintenance and basic needs works and enter into contracts with these budgets, as required, in accordance with Contract Standing Orders in respect of the entire Education Capital Programme.*

Councillor Janio said that the Leader of the Council had said that there was £15m, which had been allocated to building the new secondary school that was no longer needed, which would now be spent on other schools on the city. Councillor Janio said that that money should be used to increase the capacity at Dorothy Stringer Secondary School to enable the 38 children who were not allocated a place at their catchment school to attend. Councillor Bell seconded the motion and reserved his right to speak.

- 119.6 Councillor Sykes referred to the substantive report and was concerned in particular with the information in Appendix 3, which he felt was rather confusing and provided in a slap dash manner. He was concerned that when it was decided not to proceed with the new secondary school, that the administration had not made provision to prevent children having to travel across the city to attend school, and had now at the last minute put forward proposals to address the situation. He said he was minded to support the Conservative amendment, but it was also important to get funding approved as soon as possible. He said that temporary accommodation could be put in place within three months, and would not need planning permission.
- 119.7 Councillor Peltzer Dunn referred to the Labour Group amendment and asked if it was known when the governors at Dorothy Stringer School had last met. The Executive Director Families Children & Learning said he didn't know, but a member of the public said that they had met in December 2017, and March 2018. Councillor Peltzer Dunn said that he understood that at the December meeting, the governors had said they could accommodate 30 additional children in two mobile classrooms, but the amended recommendations now related to an additional 38 children. The Executive Director Families, Children & Learning said that Varndean had agreed to take an additional 30 children in September 2018, and would not require additional investment then, but would need it from 2019 and discussions were being held with the school. Dorothy Stringer had not said that they could take additional children in 2018, but could form September 2019. The Chair said that he understood that the school's view had changed and they could now take an extra 30 pupils from September 2018, and the Council would do what it could to enable that to happen.
- 119.8 Councillor Bell said that the Labour administration should not have put the parents of the 'misplaced 38' through the stress of not being allocated a catchment school, and the matter should have been dealt with before this meeting.
- 119.9 Councillor Yates said that the Authority could not tell schools what to do, and noted that the Conservative Group were instructing the school governors to take extra pupils. He referred to the Conservative Group amendment and said that there would be delay in taking a report to the Children Young People & Skills (CYPS) Committee and then to the Policy Resources & Growth (PR&G) Committee, so there would be no possible resolution until July 2018.

- 119.10 Councillor Mac Cafferty said that the Administration had failed to provide certainty for parents, and the city had a school catchment area which didn't provide places for everyone in that area and the matter needed to be resolved now.
- 119.11 Councillor Janio suggested that the Labour Group amendment was proposed only to cause trouble. He said that the Conservative Group amendment asked for a report to go to the CYPS Committee so they could decide how to spend the £15m.
- 119.12 Councillor Mitchell said that the Labour Group amendment had been written in response to the Conservative Group one, and had been designed to speed up the process as the provision of additional places at Dorothy Stringer needed to be done now rather than wait until July.
- 119.13 The Chair noted that the next CYPS Committee was due to be held on 18 June 2018, and the next PR&G Committee after that was 12 July 2018. Therefore there would be no resolution until seven weeks before the start of the new school year. The school had said that it could take extra children and everyone wanted to work to do the best for the children.
- 119.14 Councillor Bell said that the Labour Administration had not listened to the parents of the '38' before, and had only submitted an amendment in response to the Conservative Group one.
- 119.16 The Chair suggested that there be a short adjournment for the three parties to discuss the possibility of proposing a joint amendment to the recommendations of the report. The Committee agreed.
- 119.17 Following a discussion between the three parties the following amendment was proposed by Councillor Janio and seconded by Councillor Mitchell and Councillor Sykes:

*RECOMMENDATIONS:*

1. *That the agreed allocation of funding as shown in Appendices 3 and 4 be approved for inclusion within the council's Capital Investment Programme 2018/19;*
2. *That the Committee approves the funding necessary to enable all necessary building, adaptation and other associated works undertaken at Dorothy Stringer School to accommodate the "misplaced 38" children for September 2018*
3. *That an urgency meeting of the Children, Young People & Skills Committee be convened to consider the allocation the balance of the Government funded £15m in 2 (above) on the remainder of the qualifying school estates;*
4. *That Officers Convene an urgent meeting of relevant parties required to agree the parameters for swift implementation of the works required to accommodate the 'Misplaced 38.' This meeting is likely to include the Head Teacher, the Chair of Governors, appropriate BHCC property officers among others;*

5. *Authorise the Executive Director, Families, Children & Learning to consider the conclusions of this urgent meeting in the expectation that facilities will be in place for September 2018; and*
6. *That the Assistant Director of Property & Design be granted delegated authority to procure the capital maintenance and basic needs works and enter into contracts with these budgets, as required, in accordance with Contract Standing Orders in respect of the entire Education Capital Programme.*

119.18 The Chair said that he would take a vote on the proposed amendment without further discussion. The amendment was agreed.

119.19 **RESOLVED:** That the Committee agreed:

- (i) That the agreed allocation of funding as shown in Appendices 3 and 4 to the report be approved for inclusion within the Council's Capital Investment Programme 2018/19;
- (ii) That the Committee approved the funding necessary to enable all necessary building, adaptation and other associated works undertaken at Dorothy Stringer School to accommodate the "misplaced 38" children for September 2018;
- (iii) That an urgency meeting of the Children, Young People & Skills Committee be convened to consider the allocation the balance of the Government funded £15m in (ii) (above) on the remainder of the qualifying school estates;
- (iv) That Officers convene an urgent meeting of relevant parties required to agree the parameters for swift implementation of the works required to accommodate the 'Misplaced 38.' This meeting is likely to include the Head Teacher, the Chair of Governors, appropriate BHCC property officers among others;
- (v) That the Committee authorise the Executive Director, Families, Children & Learning to consider the conclusions of this urgent meeting in the expectation that facilities will be in place for September 2018;
- (vi) That the Assistant Director of Property & Design be granted delegated authority to procure the capital maintenance and basic needs works and enter into contracts with these budgets, as required, in accordance with Contract Standing Orders in respect of the entire Education Capital Programme.

## **120 PURCHASE OF PROPERTY WITH RESTRICTIVE COVENANT**

120.1 **RESOLVED:** That it be agreed that -

- (i) The council purchase and refurbish the two properties at in Queens Park ward, Brighton to provide 15 units of accommodation for future use by the council as temporary accommodation;
- (ii) A budget of £2.040m for the purchase and refurbishment of these two properties be approved, which included a purchase price of £1.200m.

**121 A REQUEST TO PURCHASE A PIECE OF HRA LAND ON MILE OAK ROAD****121.1 RESOLVED:** That the Committee

- (i) Approved the disposal of the freehold of the land adjacent to 336 Mile Oak Road, as indicated in the report, for £27,000.
- (ii) Agree that the capital receipt arising from the sale of the freehold of the land adjacent to 336 Mile Oak Road be used to support the HRA Capital Programme.

**122 PROCUREMENT PROGRAMME FOR HOUSING REPAIRS, PLANNED MAINTENANCE AND CAPITAL WORKS**

122.1 The Committee considered the report of the Executive Director Economy Neighbourhoods, Communities & Housing, which updated members on the commencement of an options programme in relation to the future delivery of repairs, planned maintenance and capital works for the Council's housing stock.

122.2 Councillor Bell asked that once the procurement stage was reached that there would be something solid which could be taken to the leaseholders. The Executive Director Economy Neighbourhoods, Communities & Housing said the Council were liaising with leaseholders, and a report would come to the Housing & New Homes Committee in June 2018 setting out the role of leaseholders.

122.3 Councillor Yates asked how certain officers were that the proposed timetable could be adhered to. The Executive Director Economy Neighbourhoods, Communities & Housing said officers were confident with the timetable. There would be two key decisions, one in June 2018 when Councillors would give permission to move the matter forward, and one in October 2018 when the decision to move forward with the preferred option, which could be one of a number of options such as a single contract, multiple contracts or in-house provision etc, would be made by Councillors.

122.4 Councillor Janio said that listening to residents was important, and without their input the authority would not know if things were not going well. Councillor Janio asked if resident's comment during any consultant could be provided to Councillors. The Executive Director Economy Neighbourhoods, Communities & Housing said she would speak to every councillor, and listen to all residents to ensure that the next contract is as good as it should be. The Executive Director Finance & Resources said that the Procurement Advisory Board does give members an opportunity to have oversight of the contract.

122.5 Councillor Wealls informed the Committee that the Procurement Advisory Board, when considering the different contractors, would be balancing such things as social value, cost, quality of work etc and so there would be member input.

122.6 **RESOLVED:** That the Committee noted the commencement of an options programme in relation to the future delivery of repairs, planned maintenance and capital works for the Council's housing stock, as detailed in the report.

**123 BRIEFING REPORT ON ASE REGIONAL ADOPTION AGENCY****123.1 RESOLVED:** That the Committee -

- (i) Noted the report and in particular background information;
- (ii) Agreed in principle to the development of 'Adoption South East' Regional Adoption Agency in order to comply with Department for Education 'Adoption – A Vision for Change' agenda;
- (iii) Agreed in principle to aligned budgets for the formation of Adoption South East;
- (iv) Agreed for a more detailed report to be presented following approval on government funding.

**124 DATA PROTECTION OFFICER DESIGNATION****124.1 RESOLVED:**

- (i) That in response to the requirements of the General Data Protection Regulation, the Committee approved in principle this Council's designation of a statutory Data Protection Officer which Brighton & Hove City Council shares with its fellow founding Orbis partner authorities: East Sussex County Council and Surrey County Council.
- (ii) That the Committee approved that the Executive Director – Finance & Resources be given delegated authority to take all steps necessary or incidental to appoint to the above role.
- (iii) That the Committee granted to the Monitoring Officer delegated authority to amend the Council's Constitution so as to include provision in the Scheme of Delegations to Officers for the new statutory Data Protection Officer role.
- (iv) That the Committee approved that responsibility for acting as the Council's Senior Information Risk Owner be delegated to the Executive Director – Finance & Resources and that this be reflected in the Scheme of Delegations to Officers.

**125 SURVIVORS NETWORK PLEDGE**

**125.1 RESOLVED:** That the Committee agreed that Brighton & Hove City Council sign the Survivors Network Pledge and signs up for the Over to You Kite mark.

**126 AUTHORITY TO ENTER INTO A SUBLEASE FOR A MEDIUM SUPPORTED ACCOMMODATION SERVICE FOR HEALTH & ADULT SOCIAL CARE CLIENTS**

**126.1 RESOLVED:** That authority be granted for a sub-lease between Brighton & Hove City Council and BYMCA in accordance with the Heads of Terms attached to the report.

**127 TENDER FOR TRANSPORT PROFESSIONAL SERVICES**

127.1 **RESOLVED:** That the Committee grant delegated authority to the Assistant Director City Transport, to award a framework contract for a four year term to successful suppliers following the OJEU tendering process.

**128 GRANT OF NEW LEASES SHOREHAM AIRPORT**

128.1 The Committee considered the report of the Executive Director Economy, Environment & Culture regarding the grant of new leases at Shoreham Airport.

128.2 Councillor Mac Cafferty noted recommendation 2.2, and asked if any further amendments to the Heads of Terms could come back to the this committee rather than to Leaders Group. The Executive Director Economy, Environment & Culture said that the Leaders Group would only look at minor changes, and any major changes would come back to this committee. The Executive Lead Strategy Governance & Law said that any changes would be referred to the Leaders Group, and they would have the option of referring the matter back to the committee if they felt it was appropriate. Councillor Peltzer Dunn suggested that if the Leaders Group were not unanimous in their decision that it would automatically come back to this committee. The Chief Executive said he understood the concerns, but if the changes were urgent it would preferable for the matter to be referred to an urgency sub-committee.

128.3 Councillor Yates welcomed the report and said it was one of the good things which were happening as part of the City Deal, and it was good that the Council were looking at issues which were outside of the city and that it supported the regeneration of the local area.

128.4 Councillor Sykes noted that an agreement needed to be made in March or April 2018 to ensure that the Tidal Walls Scheme could commence this year, and asked if there was assurance from officers that the Council was close to agreeing the lease and that the matter would not need to come back to either this Committee or the Leaders Group. The Executive Director Economy, Environment & Culture hoped that agreement could be reached on any outstanding issues, and a positive decision from this Committee would give the administrator assurance that we were moving forward which would allow them to enter into the necessary agreements to that they wish to do so to allow access for the flood defence wall works to commence.

128.5 Councillor Janio congratulated officers on the work undertaken, and agreed that any minor changes to the Heads of Terms could be considered by the Leaders Group.

128.6 **RESOLVED:** That the Committee -

- (i) Authorised the grant of four new leases across the airport estate in line with draft Heads of Terms in Part II and subject to the delegation set out in recommendation (ii) below;
- (ii) Granted delegated authority to the Executive Director for Economy, Environment and Culture and Executive Lead Officer, Strategy Governance and Law to negotiate any further amendments to the Heads of Terms in order to secure the

best position for the councils. Any proposed amendments to the Heads of Terms to be reported to Leaders Group prior to the granting of the four new leases;

- (iii) Granted delegated authority to the Executive Director for Economy, Environment and Culture and the Executive Lead Officer, Strategy Governance and Law to finalise the legal documents and to take any other necessary steps to give effect to the agreement described in the Heads of Terms.

**129 ITEMS REFERRED FOR COUNCIL**

129.1 **RESOLVED:** That no items be referred to Council

**PART TWO SUMMARY**

**130 GRANT OF NEW LEASES SHOREHAM AIRPORT (EXEMPT CATEGORY 3)**

130.1 **RESOLVED:** That the information in the report be noted.

**131 PART TWO PROCEEDINGS**

131.1 **RESOLVED:** That the information contained Part Two, Item 130 remain exempt from disclosure to the press and public

The meeting concluded at 7.25pm

Signed

Chair

Dated this

day of

2018

