

BRIGHTON & HOVE CITY COUNCIL
POLICY, RESOURCES & GROWTH COMMITTEE

4.00pm 6 DECEMBER 2018

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

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

PART ONE

72 PROCEDURAL BUSINESS

72(a) Declarations of Substitutes

72.1 Councillor Meadows was attending as a substitute for Councillor Daniel

72(b) Declarations of Interest

72.2 There were none.

72(c) Exclusion of Press and Public

72.3 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.

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

73 MINUTES

73.1 **RESOLVED:** That the Minutes of the meeting held on 11 October 2018 be agreed and signed as a correct record.

74 CHAIR'S COMMUNICATIONS

74.1 The Chair gave the following communication:

The Chair reminded those present that the meeting was being webcast and would be capable of repeated viewing.

The Chair said that in consultation with the other Group Leaders, it had been decided to defer Item 85 'Attendance Support Policy and Procedures' to a future meeting of this committee. Contact had been received from both Trade Unions on this matter, and it was felt appropriate that some time was allowed for the Toolkit to be developed further, so that members could have a full view of how proposals would affect staff and be implemented.

75 CALL OVER

75.1 The following items were reserved for discussion:

- Item 78 Targeted Budget Management 2018/9 – Month 7
- Item 80 Council Tax Reduction 2019
- Item 81 Draft Revenue Budget and Capital Strategy 2019/20
- Item 83 Progress Update Corporate Key Performance Indicators Q2
- Item 86 Women in Local Government
- Item 87 Waterfront
- Item 89 King Alfred Development
- Item 92 Review of Members Allowances Scheme
- Item 93 EU Withdrawal: Response to Full Council Notice of Motion
- Item 94 Review of the Constitution
- Item 97 i360 Loan Restructure

76 PUBLIC INVOLVEMENT

76(a) Petitions

76.1 There were none.

76(b) Written Questions

76.2 Four written questions were received.

76.3 (1) Ms N Brennan asked the following question:

The BHCC website refers to "Council Tax Single Person Discount Review 2015" and states that "The Council is currently conducting a review of customers in receipt of a single person discount." It would appear that this "review" is still 'live' in 2018.

Has the Committee, or Committee Chairperson been informed of the work of "Capacitygrid", a private limited company, that contacts residents in receipt of a Single Person Discount demanding proof of their status and stating if a response is not received within 14 days the SPD will be removed?

76.4 The Chair gave the following response:

The council annually reviews its Single Person Discounts to ensure the awards are being correctly applied. We need to ensure that only those customers who receive the discount are entitled to it as circumstances change over time and customers do not always inform us of changes. Last year's review resulted in 1,535 discounts being

removed, effectively resulting in an extra £580,000 Council Tax being collected by the council. Ultimately exercises of this type ensure that the council can fund the range of services that it operates

Currently around 44,000 of 130,000 domestic properties in Brighton (around one third) attract Single Person Discounts to the value of nearly £17m. Approximately 5,500 customers were sent a review letter this year. The letter offers customers the option of going online or calling a free phone number, if they are unable to go online or need assistance. In addition we now ensure that any potentially vulnerable customers identified are removed from any future review. Customers are given 21 days to respond before a reminder is sent giving a further 2 weeks.

The 2018 review of the discounts is currently in progress. It is being conducted by Capacitygrid on behalf of the Council. Many authorities use private companies to do this work because it is cost effective against a backdrop of ongoing budget reductions, including within the Revenues & Benefits service.

The value of the Capacitygrid contract is below £25,000. Only contracts to the value of £500,000 require Committee approval. Members have been made aware of the approach through briefings (dating back to October 2017) and as a result of responding to a small number of queries from residents. In addition updates have been posted by the Communications team on social media.

The current information pages of the Council's website relating to Single Person Discounts are up to date, however thanks to Ms Brennan's question, we have discovered that a search engine enquiry did produce a result that links to an outdated information statement from 2015. We have removed the link to avoid any future confusion.

76.5 Ms Brennan asked the following supplementary question:

Do Capacitygrid have the authority to withdraw benefits as that was putting fear into people? People are being asked to show their bank statements, and asked if it was right to show that to a private company as they had been linked to marketing companies.

76.6 The Executive Director Finance & Resources gave the following response:

Any decision on benefits would not be taken by the company but by the Council. The company are used to obtain information, and they will ask for proof of income etc. With regard to marketing I am 90% sure that contractually they can only use the information obtained for the purposes the Council requested from them, but I will confirm in writing.

Note – after the meeting the Executive Director provided the following information:

The Executive Director, Finance & Resources can confirm that CapacityGrid is contractually obliged to safeguard the personal data of residents, and not use it for any other purposes than contracted. In addition the company is bound by the General Data Protection Regulation (GDPR) and other legislation that covers personal data, including the Data Protection Act. As such data cannot be used for the purposes of marketing.

76.7 (2) Mr J Deans asked the following question:

Due to failure to build the supported accommodation project in Moulsecoomb (YMCA/Y-CUBE) along with other rumours of housing developments falling through (King Alfred) or removing accommodation (Windsor Court) to vulnerable Adults, would this committee consider a short term project presented by Sussex Homeless Support to build up to 200 SUPPORTED/EMERGENCY removable prefabricated units across the city this project would be started immediately with no funding requirement from council, requiring only 5 year leases and planning exemption both are sanction-able by this council. Would this committee support and take it forward to save lives.

76.8 The Chair gave the following response:

Thank you for your question and I can clarify that there are currently no plans to remove Windsor court as temporary accommodation. The Y:Cube project was delayed due to a change in the relationship with the YMCA and Y:Cube manufacturer. The project is now being delivered by the local YMCA Downslink Group - they have appointed a project manager who is now progressing modular options for the Eastergate Road site.

In relation to your specific offer to build accommodation, we would be very interested to hear what land you have to build these homes and what discussions you have had in relation to the cost of building, provision of utilities, repairs and maintenance costs and planning. If you were looking for the council to support this proposal, we would need to consider regulatory matters, procurement, financial and legal matters and see a business case to ensure the scheme is viable. I am happy to ask officers to assist you with your report which can be considered at a future meeting of the housing and new homes committee.

76.9 Mr Deans asked the following supplementary question:

Yesterday there were media reports of the King Alfred issues costing tax payers as much as £4m. Will the committee note that £4m is the budget required to 200 of the self-contained units which would be a better use of public funds.

76.10 The Executive Director Economy Environment & Culture gave the following response:

I have not seen the reports you refer to, but I can say that the costs spent to date are significantly less than £4m.

76.11 (3) Ms V Paynter asked the following question:

Should either BHCC or the Crest Nicholson/Starr Trust developers be finally defeated by viability issues, forcing an end to the current redevelopment attempt of the King Alfred/RNR site, can the Council agree that a very serious rethink of the 15 years old (basically) Planning Brief has to inform the way forward?

76.12 The Chair gave the following response:

The Council remains committed to delivery of a new Sports Centre in Hove. Should it

prove not to be possible to continue with the current scheme in partnership with Crest Nicholson, the Council will undertake a thorough review, in light of experience, and changed economic conditions, of alternative development options, and this will of course include full consideration of the relevant planning policy framework and any associated guidance.

76.13 Ms Paynter asked the following supplementary question:

Would the Council consider selling the site?

76.14 The Chair gave the following response:

That would be a decision for either Policy Resources & Growth Committee or Full Council in the future, but it would have to be part of the delivery the requirements the Council had either currently or in the future. I can't say at the moment as the proposals are not about selling the site.

76.15 (4) Mr D Spafford asked the following question:

The retail shopping in St James' Street is identified in the Draft City Plan (Stage 2) as prime retail space, but there is nothing in the plan for developing or improvements for this district.

During the consultation for the development of the Edward Street Quarter a commitment was made to the development of the roads, George Street and Dorset Gardens, to make an attractive 'funnel' for footfall into St James Street from the new developments.

What plans do the City Council have in train to regenerate and promote growth in the St James' Street district.

76.16 The Chair gave the following response:

St James Street is identified in the City Plan Part 1 as one of the city's three District Centres. Policy CP4 Retail Provision in the adopted City Plan Part 1 seeks to maintain and enhance these identified shopping centres through encouraging a range of appropriate facilities and uses and ensuring that these shopping centres remain the focus for new retail development appropriate to their function.

Policy SA6 Sustainable Neighbourhoods in the City Plan Part One also supports a good balance and mix of uses in local shopping centres and highlights the need for development proposals to contribute to local facilities and for access and sustainable transport improvements.

City Planning regularly undertakes 'health checks' of the retail centres to monitor their vitality and viability. The draft City Plan Part 2 sets out detailed retail frontage policies in order to assist in safeguarding and managing retail uses to help ensure vitality.

The City Plan Part 1 Development Area Policy DA5 Eastern Road and Edward Street does require development proposals for key development sites such as the Edward Street Quarter strategic allocations to contribute to townscape, public realm and linkage improvements to St James Street and Dorset Gardens.

The Section 106 Agreement dated 25/10/2018 for supporting infrastructure to the former Amex Headquarters site Edward Street has secured a £176,426 Sustainable Transport developer contribution. A proportion of that contribution is to provide highways improvements to improve cycle access and cycling infrastructure between the site and the seafront. That route will cross St James's Street. That contribution will also provide a pedestrian crossing on Edward Street that will improve access to local facilities that may be found on St James's Street. That 106 Agreement has also secured a £314,091 Recreation Contribution that is to be primarily spent improving recreation facilities in Dorset Gardens park together with public realm improvements to access those facilities though the upgrade of the adjacent junction of Dorset Gardens and Edward Street. Those contributions will be paid upon commencement of that development.

Since 2006, the city centre has benefitted from a Business Improvement District and local businesses have invested nearly £3m worth of additional services to improve the trading environment and attract more shoppers and visitors to the area. Retail businesses including St James's Street were canvassed in 2016 to gauge interest in creating more Business Improvement Districts however 55.3% of responses from St James's Street businesses did not support a BID.

76.17 Mr D Spafford asked the following supplementary question:

In this year's budget the Chancellor announced the setting up of a £675 million "Future High Streets fund". Will the City Council be applying to this fund for Brighton and Hove, but particularly St James' Street and district.

76.18 The Chair gave the following response:

Brighton & Hove welcomes the Chancellor's announcement of a new 'Future High Streets fund' to support improvements to town centres. The full prospectus for the fund has not yet been published however the government has indicated that the fund will focus on three main areas. Support to local areas to prepare long-term strategies for high streets and town centres, including a High Street Taskforces to provide expertise. Co-funded (with the private sector), investment in local areas, including physical infrastructure and investment in land assembly; and, support for the regeneration of heritage high streets.

Retail in Brighton & Hove accounts for around 16,000 jobs and is an important part of our local economy serving both residents and visitors. The full prospectus for the fund is expected later this year alongside the launch of the High Streets Taskforces in early 2019 to support local leadership.

The government has indicated that the process will be competitive starting with a call for Stage One Expressions of Interest in Spring 2019 followed by Stage Two Application and local areas working up detailed business cases in Summer 2019.

We look forward to the launch of this new fund and will be making the case for investment in our local high streets, including st James Street. The fund will require co-investment with the private sector we will therefore be consulting with city businesses with a view to submitting co-financed proposals at the earliest opportunity.

76(c) **Deputations**

76.19 Ms McNamara presented the following deputation:

1. Save Whitehawk Hill Local Nature Reserve –

“Joint Venture Project” for a high rise estate in the middle of the Whitehawk Hill Local Nature Reserve and the Race Ground recreational common. Whitehawk Hill is Brighton's senior and most important public Downland site. It is a statutory Local Nature Reserve, and was voted for inclusion in the new South Downs National Park by full council in 2002. Its status as a common, now known as 'The Race Ground', is perhaps a thousand years old. It is mostly statutory Access Land. It has the earliest statutory Scheduled Ancient Monument in Sussex protecting one of the ten best Neolithic Causewayed Camps in Britain. Its wildlife includes many rare or scarce animals and plants and rare ecosystems such as species-rich chalk grassland and furze field. The Joint Venture proposal for a new high-rise estate of 217 properties in five blocks with 110 parking spaces on the Hill will smash our Local Nature Reserve and this treasured landscape in two. It comes in addition to 103 recent new homes in the Valley and a planned 38 more on Swanborough Drive playground, and will hugely cram the already crowded north end of the Whitehawk Valley. The site is a sacrosanct public space, the local infrastructure and amenities are already at breaking point, and the needs of local residents have not been properly considered. The Council is not even attempting to use the resources that are available to build houses for Social Rent.

We call upon Brighton and Hove City Council to put an end to this development and find other sites for much needed social housing, preferably council housing at social rents. The signatories to this deputation represent communities from throughout the City and in particular Whitehawk and East Brighton. We include community groups working for a better quality of life for the people of our City, for the conservation of the natural environment, for benefit to the health and wellbeing of all and for housing that is truly affordable and secure.

76.20 The Chair gave the following response:

Homes for Brighton & Hove is a partnership between Brighton & Hove City Council and a Housing Association (the Hyde Group) aiming to build 1000 new low cost homes across the city for local working households on low incomes. Half of the new homes will be available for rent to people on the council's joint housing register, with the other half available to buy as shared ownership homes for local households. This will include people working in essential public services who are struggling to afford to stay within the city.

The Whitehawk site is one of the first three council-owned sites the partnership is considering for development. The city is urgently in need of more low cost homes. Brighton & Hove is a growing city with high housing prices, low incomes, an ageing population and a significant proportion of households with support needs. There are currently nearly 12,500 households on the city's joint housing register, over 1,800 households in temporary accommodation and rising homelessness. Social housing

makes up a small proportion of the overall housing in the city with 9.8% of homes owned by the council and 5.1% by housing associations.

The Homes for Brighton & Hove partnership is one of a number of ways the council is looking increase the supply of lower cost homes in the city including the New Homes for Neighbourhoods, Hidden Homes and Buy-Back programmes which are focused on increasing the supply of council homes.

The council and Hyde have entered in to this agreement with the aim of developing 100% affordable housing with rents linked to the minimum wage. These are well below the 80% market rents generally associated with affordable rented housing developments.

When the council was developing the City Plan, the national Planning Inspectorate instructed us to identify more sites for residential development to ensure that the need for additional housing was met. It included a specific instruction to carry out a more rigorous assessment of the city's urban fringe sites. In response, the council assessed a number of urban fringe sites and, following detailed ecological landscape, and heritage studies, this site (along with a number of others in the city) was identified as suitable for residential development.

Whilst the proposed development site is not within a site of special scientific interest or within the Whitehawk Camp archaeological notification area, we are conscious of the environmental sensitivities around the site, and Homes for Brighton & Hove has commissioned ecological studies to inform the proposal. Homes for Brighton & Hove is currently reviewing the feedback received from the first round of consultation in October, as well as looking further at technical and viability issues on the site, and will provide further updates on the proposals next year.

77 MEMBER INVOLVEMENT

77(a) Petitions

77.1 There were none

77(b) Written Questions

77.2 Councillor Sykes had submitted a question on residential and nursing bed spaces. Unfortunately it was not possible to provide a response at the meeting, and it was later agreed that it would be more appropriate for the question to be put to the Health & Wellbeing Board. The question will now be asked at the Health & Wellbeing Board at its meeting on 29 January 2019.

77 (c) Letters

77.3 There were none

77 (d) Notices of Motion

77.4 A Notice of Motion on 'Brighton and Hove Brexit Update' was referred to the Policy Resources & Growth Committee from Council held on 18 October 2018. The Chair referred the Committee to Item 93 on the agenda, which had been written in response to the Notice of Motion.

77.5 **RESOLVED:** That the Notice of Motion be noted.

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

78.1 The Committee considered the report of the Executive Director Finance & Resources which set out an indication of forecast risks as at Month 7 on the Council's revenue and capital budgets for the financial year 2018/19.

78.2 Councillor Sykes referred to temporary accommodation and community care. He noted that the cost of temporary accommodation in December 2014 was £1.4m, but was now £3.4m, and the cost of community care in December 2015 was £41m and it was now £61m. He said that there was both demand and unit cost pressure, and accepted that demand couldn't be controlled but cost could and asked for comments on that. He referred to housing services and temporary accommodation, and said that with the measures in place the impression given was that costs should be coming down, but there was a continued increase. He referred to Section 75 overspend, and asked if we were getting a good deal. He said that waste disposal costs had increased, and asked how that could happen when there was a fixed contract. He referred to fostering and adoption, and asked about the possibility of golden handshakes to agency suppliers. He said that there had been a 55% increase in unit costs for community care and asked if that was the reason for the overspend.

78.3 The Executive Director Finance & Resources said that the level of demand for temporary accommodation within community care was difficult to influence. With regard to the unit costs, the markets were changing but the council had set up the Sustainable Social Care Project, and a number of measures had been suggested particularly with the Social Care Budget. The 55% increase in costs was something the Council were looking at and something we needed to understand better. The Executive Director Economy Environment & Culture said that the waste disposal costs were known and fixed, but the cost was higher than projected as the tonnage collected was higher than expected. The costs of the service have been reviewed, and that was reported to ETS Committee in October 2018. That committee agreed to introduce a focused dedicated service, which was now being implemented. The Executive Director Families Children & Learning referred to foster carers and confirmed that the Council did not offer golden handshakes. He said 61% of placements were within in-house foster carers, and it was hoped that that would increase to 65% by April 2019. There was no evidence locally of agencies using golden handshakes to attract some of our foster carers, and there was actually an increase of carers coming to the Council from agencies. From speaking to those carers, they moved to the Council because of the level of support offered, rather than for financial reasons. The Executive Director Health & Adult Social Care said that demand for adult social care was increasing and that was due to an ageing population and the complexity of people who needed more care. With regard to S75 overspend, was due to people with complex issues who needed additional care.

78.3 Councillor Wealls said that Cityclean had overspent by £973k which was more than expected. The Executive Director Economy Environment & Culture said that the budget was being closely looked at, but a lot of work had been done on as part of the city environment modernisation programme, and that had been reported to both this and the ETS Committee. A lot of work had been undertaken with the new Assistant Director, and was confident that were manage the budget more accurately in the future.

78.4 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

79.1 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

80.1 The Committee considered the report of the Executive Director Finance & Resources regarding the Council Tax Reduction Scheme for 2019.

80.2 Councillor Sykes noted that the report would also be considered at Full Council on 13 December 2018, and asked for confirmation that it would be possible to debate the report and bring an amendment to that meeting. The Revenues and Benefits Manager

said that a general discussion could be had on the issues which were part of the consultation, but any amendment could only be on what had actually been consulted on. The Chair added that there had been discussion with Group Leaders on what technical parts of the scheme should be consulted on and so there was a restriction on what could be amended, if not it would be necessary to undertake the consultation again. The Executive Director Finance & Resources said that there were technical implementation issues with the software the Council used, and if there were radical changes it would be difficult to implement them before the Council Tax bills were due to be despatched.

80.3 Councillor Janio said the reason the Council Tax Reduction Scheme was being reviewed was that Universal Credit (UC) was being introduced, and asked if officers could bring a report on how the impact of UC could be softened for new claimants. The Revenues and Benefits Manager said that within the bounds of the consultation that may be possible, but officers would need more information about what that could entail. He said that only around 15-18% of changes to council tax would be affected by the proposals. The Executive Director Finance & Resources said that there wasn't much time before the meeting of Full Council, and suggested that officers could put together a briefing for Leaders that would set out the parameters of changes which could be achievable in the technical sense, and the number of people who would be affected by the changes and what that impact may be. Councillor Janio agreed that that would be useful.

80.4 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 steps necessary and incidental to the introduction of the revised scheme.

81 DRAFT REVENUE BUDGET AND CAPITAL STRATEGY 2019/20

- 81.1 The Committee considered the report of the Executive Director Finance & Resources which presented the draft revenue budget and capital budget proposals for the final year of the four-year planning framework introduced in 2016/17, which was aligned with the current central government spending review period and four-year funding deal.
- 81.2 Councillor Wealls referred to 'residential, respite and short breaks' and asked how the saving proposal of £140k would be achieved, and asked for confirmation that that would not negatively impact on the quantity or quality of respite provision. The Executive Director Families Children & Learning said the savings were not in relation to provision for children, but were about managing things in different ways, for example some contracts had been reviewed and it had been able to reduce costs, there had been changing staffing levels etc. Overall the budget was going up not down.
- 81.3 Councillor Sykes asked if there had been stress testing for critical areas of the budget? He was concerned about one off use of contingency funds to cover the budget gap, and asked what the risks of doing that were. He referred to the 60% reduction in funding for initiatives, and asked for an explanation of what those initiatives were. He noted that year on year there were cuts to services such as Environmental Health and Environment Protection etc, and asked how they were able to continue to provide the relevant services, and was concerned about the cuts to community safety. The Executive Director Finance & Resources said the budgets were managed on a risk basis. He said that next year the Finance Team would look at a new four year plan, and look at all variables which could affect the budget and that would be a form of stress testing. With regard to the one-off use of contingency funds, it could be used to ensure that there weren't cuts to services whilst waiting to know of changes to local government funding. The Executive Director Neighbourhoods, Communities & Housing said that there had been cuts to Environmental Health and Environmental Protection last year, but that was to reduce management and officers were now looking at working more efficiently and ensuring that staff were at the right level doing the right job. With regard to community safety, Field Officers had been appointed and there had been changes to the way that anti-social behaviour was dealt with. With regard to the Initiatives Budgets, the Director said that she didn't have examples with her but would provide them after the meeting. The following examples were later provided:
- Social value training for procurement, commissioners and CVS
 - Signlive – BSL video relay trial at Barts customer service centre
 - Grantfinder license
 - Evaluation of third sector commission
 - Taking account 4 – social and economic audit of the CVS
 - Additional networking sessions in the community hub areas

- Red Box set up
- Neighbourhood action plan development in areas outside of the community hubs
- Research into barriers into employment for disabled people
- Research on race equality in employment and skills in B&H – this was citywide and all sectors – not to be confused with GHPO

- 81.4 Councillor Janio noted that the net expenditure had increased this year, and said it would be useful if next year the report could set out what the actual total expenditure was, and also asked if all the grants received could be listed. He referred to paragraph 5.1 of the report which showed the breakdown of the current budget, and asked for clarity on how those figures were arrived at as it wasn't clear. He said that last year the Conservative Group had had a deal with the Labour Group on aspects of the budget, but this year that would not happen as this budget showed no imagination to take the city forward, and said that when austerity ended he wanted the other parties to spend wisely and liaise with each other.
- 81.5 The Chair referred to Councillor Janio's comments that the budget showed 'no imagination', and said that officers and councillors had been incredibly imaginative in delivering £30m of investment to deliver £70m of recurrent savings. He said that the budget book, which was an innovation to bring to life the budget for people, listed the grants received. The Executive Director Finance & Resources accepted that the budget papers could be hard to understand, but the budget book was provided to address that. He referred to paragraph 5.1, and said that officers would try and provide the information in a different format for the papers being considered at Budget Council.
- 81.6 Councillor Mac Cafferty said that budgets for Adult Social Care and Young People were not adhered to last year, and asked if this year savings would cost us more than they would save us or if there had been a temptation to just get things off the books as quickly as possible. He referred to the Capital Strategy and said that there was the opportunity-costs for capital and then the real cost, and asked if that had been captured. He referred to Housing Options saving, and understood that that was an area under stress due to the new Housing Regulations, and asked as that was a 'red' risk what would happen. With regard to children and young people asked if a gateway process was being used for assessing referrals, and asked about the cost of using agency staff. With regard to adult social care asked if the Council were using home carers to try to bring down the costs and whether there was concern over consultant's fees.
- 81.7 The Director Finance & Resources referred to the savings in Adult Social Care and Young People and said that the modernisation fund was designed to ensure that savings were really challenged. The Capital Strategy was still under construction and said that the authority had been able to invest using capital receipts to make ongoing savings, but decisions would have to be made going forward and be selective in future investments. The Executive Director Neighbourhoods Communities & Housing said that Housing Options saving was a 'red' risk, but this saving had been put forward a number a years ago, before the changes to legislation and it would be wrong to take it out and not show that it was a saving that was expected to be achieved. The Executive Director Families Children & Learning said the number of young people being looked after had reduced and the savings identified last year had been achieved. A gateway process was used for assessing asylum seekers. No agency social workers had been used for around a year, and there was no spend on agency workers within the Directorate. The

Executive Director Health & Adult Social Care referred to the Social Care Programme and said that departments were working together to look at opportunities to make additional savings, and home carers was something being looked at closely. He confirmed that at present consultant's fees were not a concern.

81.8 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

82.1 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

- 83.1 The Committee considered the report of the Executive Lead Officer, Strategy Governance & Law, which set out the performance progress for the period 1 April 2018 to 30 September 2018 in relation to Corporate Key Performance Indicators. The report was introduced by the Chief Executive.
- 83.2 Councillor Sykes said that recycling rates had increased and asked how much of that was dry recycling. He noted that some waste went to anaerobic digestion, and asked for more information on that. He noted that there had been some issues with missed collections and one of the reasons given was that the fleet was too large to access some narrow streets, and felt that the Council should know the width of the city's streets. He referred to Purchase Orders and was concerned that the performance was declining, and that the Council was taking longer to pay suppliers and asked if that was a concern. The Executive Director Economy Environment & Culture responded to the issues of refuse collection and said that there had been some problems with access to some roads, and that was being addressed with the use of smaller vehicles. He added that since September 2018 the collection rates had improved. With regard to the increase in residual waste, dry recycling and anaerobic digestion he said that he didn't have that information and would need to get back to Councillor Sykes after the meeting. The Executive Director Finance & Resources responded to the issue of Purchase Orders and said that prompt payment had dipped slightly but that it was still at 92.61%, and so was not a concern.
- 83.3 Councillor Wealls referred to the performance of the Planning Department and noted that the speed of determining applications for non-major developments had reduced, which was a result of a number of factors one of which was that two Principal Planning Officer posts were vacant and said that the issues with staff recruitment seemed to be on-going. The Chief Executive said that there was an issue of pay and retaining staff, and as budgets had reduced so had the number of people working within Planning. He said the Council did pay a market supplement, but it was now necessary to review pay across the board and a decision would need to be made on that and discussions had with trade unions. If salaries were increased it would have a knock on impact on the number of staff overall. The Executive Director Economy Environment & Culture said that although the rate for determining applications for non-major developments had reduced, it was currently at 77.01% which was above the Government target of 70%.
- 83.4 Councillor Janio referred to the level of missed refuse collections, and noted that a new Assistant Director was in place and hoped that the level would improve. He referred to the reduction of the number of children in care, and thanked the Director for Families, Children & Learning and his team for their work.
- 83.5 Councillor Mitchell said that recycling levels had gone above 30%, which was the highest percentage in the Council's history. With regard to missed collections, the Committee were reminded that Cityclean undertook 45,000 collections per week, and only 94 were missed.

83.6 Councillor Meadows said that there was a small team working on empty properties, and was pleased to note that 150 houses had been brought back into use.

83.7 **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

84.1 **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.

85 ATTENDANCE SUPPORT POLICY AND PROCEDURE

85.1 This item was withdrawn, and would be considered at a future meeting of the Committee.

86 WOMEN IN LOCAL GOVERNMENT

86.1 The Committee considered the report of the Executive Lead Strategy Governance & Law, in response to the Notice of Motion. The report set out the actions that had already been taken, and provided further details on matters which required further discussion.

86.2 Councillor Mitchell thanked officers for the report and was pleased with the recommendations and with the commitment to take the matters forward, and was proud of Brighton & Hove City Council for the percentage of women councillors. Councillor Mitchell said that when she first became a councillor her children were aged 9 and 11, and it had been difficult to balance their needs and that of being a councillor but both officers and fellow councillors had been great and had supported her.

86.3 Councillor Mac Cafferty agreed that the report was very interesting, and including the report from the LGIU and the Fawcett Society was useful. He said noted that the papers provided for the pre-meet included the full table of proposals and actions, and said it would have been useful if it had been kept in this report. The Executive Lead Strategy Governance & Law said that it had been omitted as many of those issues related to central government, and officers had wanted to focus on areas which the council had control over. Anything outstanding from this paper would be referred to the Member Groups.

86.4 Councillor Mac Cafferty said that members with young children were always concerned about the timing of meetings, and suggested that that should be looked at.

86.5 Councillor Meadows said that when she first became a councillor she was pregnant and had another young child, and had to take her children to some meetings. At that time officers had not thought that that was appropriate, but thankfully attitudes had now changed. Childcare had been available, but it had been challenging and the allowance provided had not covered the cost of the care and that should be taken into consideration during the review.

86.6 Councillor Janio said the councillors represented the residents of the city and it would be good to have 50/50 split of male and female councillors. He referred to Councillor Mac Cafferty's comments on the time of meetings, and said that it was important to balance the needs of councillors with that of residents, and if meetings were held for example in the early afternoon it may impact on their ability to observe or attend meetings.

86.7 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

87.1 The Committee considered the report of the Executive Director Economy Environment & Culture which sought Members agreement to enter into a Conditional Land Acquisition Agreement (CLAA), between Brighton & Hove City Council and a trust owned by Aberdeen Standard Investment (ASI).

87.2 Councillor Janio thanked officers for the briefings he had had, and said that this was a complicated matter and was therefore pleased that there would be a cross-party Member Working Group established to oversee the next stages of the project. He was excited with the prospect of there being a ten thousand seat venue, but was concerned that the development of Valley Gardens (Phase 3) would impact on people being able to travel to and from the new venue, and therefore the proposals for Valley Gardens should be reviewed. The Executive Director Economy Environment & Culture said the transport strategy for the Waterfront project would follow the agreement of the CLAA, and a professional team would be appointed and they would work with all departments to ensure any strategy would join up with all projects the Council was progressing.

87.3 Councillor Sykes was pleased that the project was coming together. He said he had had some concerns over transport, but the Executive Director Economy Environment &

Culture had already addressed that issue. However, his group also had some concerns over sustainability, and in a flagship development of this nature the Council should be at the forefront of building sustainability both in construction and operation. He referred to paragraph 7.11 in the report and noted that the Council would be entering into a 'design and build' contract which would give value for money and cost certainty, and said that whilst some money may be saved that could be at the cost of sustainability.

- 87.4 Councillor Sykes proposed the following Green Group amendment to the recommendations:

*To amend recommendation 2.8 in **bold italics** as shown below:*

*2.8 Note 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).*

He noted that retail businesses were currently suffering and given the long period of time before the project would be completed, it was not known what the situation would be with retail then and how it may impact on this project, and so it would be sensible to have some flexibility to include some housing in the development. The proposed amendment raised the profile of the balance between retail and housing.

- 87.5 Councillor Mac Cafferty formally seconded the amendment. He said that when the project was first considered the retail sector was much stronger, and by including housing as an option it would be a way of getting additional value from the land.
- 87.6 Councillor Wealls noted that Housing was one of the options for the development and therefore asked whether the amendment was necessary. Councillor Mac Cafferty said that the original scheme was much heavier on retail, and the amendment was a way of underlining the fact that housing could be incorporated into the scheme.
- 87.7 The Executive Director Economy Environment & Culture said that sustainability would be considered in the construction and operation of the project through the agreed development strategy at Condition 4, and that would come back to committee in due course. With regard to the amendment he said the project could include both retail and housing. There were significant retail challenges nationally, but Brighton had been trading well, and the best retail destinations were those that had received investment.
- 87.8 Councillor Bell asked if the amendment were agreed whether it would constrain the project. The Executive Director Economy Environment & Culture said that it would mean that all options for housing development would be included, but added that it was always going to be part of the project.
- 87.9 The Chair noted that Mr Daykin, a representative from Aberdeen Standard Investment was in the public gallery and asked if he wanted to comment on the proposed amendment. Mr Daykin said he had not seen a written copy of the amendment, but from what he had heard it would not materially affect the commercial nature of the agreement or the legal obligations, and so was comfortable with the proposed amendment.

87.10 Councillor Sykes thanked the Executive Director Economy Environment & Culture for his assurances re sustainability. However, he said that in the papers there was a presumption that 'design and build' would focus on cost and value over time and quality. The Head of Commercial Law said that in a 'design and build' contract it was still possible to achieve time and quality, but it would need to be a carefully worded contract.

87.11 The Committee then voted on the amendment, and it was agreed.

87.12 Councillor Mac Cafferty asked how the income from the sale of the Brighton Centre and the income from business rates had been assessed. The Executive Director Economy Environment & Culture said that a valuation brief had been developed with our specialist advisers GVA and both parties. The Head of Finance said that business rates was based on the business space, and the assumption was that 50% of those rates would be used to fund borrowing of up to £77m over twenty years.

87.13 Councillor Peltzer Dunn referred to Risk 22, and asked when the impact of any known transport strategy would take effect on the potential viability of the scheme. The Executive Director Economy Environment & Culture said that the transport strategy was a risk, and the key was to look at the whole city and not just the two sites, and that would done at the start of the process.

87.14 The Chair said that a new arena and extended shopping centre would reinvigorate the city, and so it was important that to ensure that it could be delivered.

87.15 **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

88.1 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

- 89.1 The Committee considered the report of the Executive Director Economy Environment & Culture which advised the Committee on the developments made since the appointment

of Crest Nicholson in partnership with the Starr Trust as the preferred developer of the King Alfred site.

89.2 The Chair noted that an amendment had been submitted from the Green Group and asked Councillor Mac Cafferty to propose the amendment.

89.3 Councillor Mac Cafferty proposed the following amendment to Recommendation 2.2:

*2.2 Notes the draft Affordable Housing Provisions included at Appendix 1, and that these are subject to ongoing negotiations, and notes **with grave concern** that this is an amendment to Crest's Final Tender;*

Councillor Mac Cafferty said that the original amendment had additional elements, but they had been withdrawn on legal advice. He said that he was very concerned with delay, and with the comment from Crest that the viability of the scheme was challenging because of the high cost of meeting the Council's requirement to build the leisure centre on the site, due to the cost of having to provide basement parking and the requirement for 20% affordable housing on the site.

89.4 Councillor Wealls said that the Conservative Group shared the Green Groups anger, and given the length of time which asked if Crest had been serious about the development, and was frustrated that the matter had not been pushed along.

89.5 The Chair agreed that the matter was incredibly frustrating, and there always one more thing which was raised to delay the process, which was why the final Recommendation was to explore alternatives if the development agreement was not agreed by the end of January 2019.

89.6 The Executive Director Economy Environment & Culture said that officers were pushing things along as much as they could. He accepted that the Council were asking a lot from the site, and noted the slowdown in the residential sales market, and increase in construction costs were factors, and the Council would look closely at Crest's latest proposals.

89.7 Councillor Janio said the city needed a new sports centre and additional housing, and said the current administration had not dealt with this seriously, and said that if the Conservatives were in administration after the elections and nothing happened in three years he would resign.

89.8 The Chair said he hoped that this would not turn into a political football, and the important thing was to get the right development for the city.

89.9 Councillor Bell referred to the Development Agreement in the agenda, and was concerned that paragraph 4.39 said that affordable housing would be 20% of the total number of residential units, unless that was modified by the planning authority. He said the Council were the planning authority, and therefore were they asking for a reduction of the 20% before they continue with the development? The lawyer advised that the Council were going into the development as land owner rather than the planning authority.

89.10 The Chair said that for the public record, any members on this Committee who were also on the Planning Committee weren't taking any decisions made here in prejudice of their independence on the Planning Committee. Councillor Mac Cafferty said that the Planning Committee would make decision based on the information before them.

89.11 Councillor Peltzer Dunn referred to paragraph 2.1 and asked if there was sufficient time for officers to negotiate a Development Agreement with Crest Nicholson before the end of January 2019. He noted that the recommendations only said with a 'view' to entering into an agreement rather than signing an agreement, and they were therefore rather feeble. The Chair said they were conditional rather than feeble, and would allow us to get to a point where an agreement could be made by this committee.

89.12 The committee voted on the amendment and they were agreed.

89.13 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 noted 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

90.1 **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

91.1 **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

- 92.1 The Committee considered the report of the Executive Lead for Strategy Governance & Law, regarding the review of Members Allowances Scheme 2019-23. Mr K Childerhouse (Chair of the Independent Remuneration Panel) attended the meeting to speak on the report.
- 92.2 The Chair thanked Mr Childerhouse and the Independent Remuneration Panel (IRP) for their work in preparing the report.
- 92.3 The Chair noted that an amendment had been submitted by the Conservative Group, and asked Councillor Bell to propose the amendment.
- 92.3 Councillor Bell thanked everyone for the report and the work undertaken by the IRP. He said that whilst he accepted the comments about the Chairs of the Planning and Licensing Committees, it was felt that it didn't take account of the amount of work which went into chairing the policy committees, and therefore it would be appropriate to treat all chairs the same. He said the Mayor was the first citizen of the city, who undertook many duties and dedicated most of the year to the mayoralty, and it was therefore felt that the reduction in their allowance was too much. He proposed the following amendment:

That the recommendations of the Independent Remuneration Panel be amended to reflect a change in the Special Responsibility Allowances listed in the Panel's report at paragraph 5.3 (including the table of SRA's) and paragraphs 6.35 and 13.3 and in the table listed in appendix 2 as detailed below:

- (1) By reducing the percentage qualification of the Leader's SRA for the Chairs of the Planning and Licensing Committees down to 30% rather than 35%; thereby equating them to the Chairs of Policy Committees and an SRA of £9,752; and*
- (2) By increasing the Mayor's and Deputy Mayor's allowances to £12,352 and £2,600 respectively; these equating to 38% and 8% of the Leader's SRA.*

Note: The saving of £3,250 by reducing the SRA's for the Chairs of Planning and Licensing Committees is then redistributed to the Mayor's and Deputy Mayor's Allowances; thereby being cost neutral for the overall Scheme of Allowances.

- 92.4 Councillor Wealls seconded the proposed amendment.
- 92.5 Councillor Peltzer Dunn said that the formal title of the Mayor was The Right Worshipful The Mayor of the City of Brighton and Hove. The Mayor had an ambassadorial role for the city, represented the public face of the city, and was the figurehead of the Council. The mayoral influence was incalculable and to say it was worth a percentage of the Leader's Allowance was not appropriate. The proposed allowance covered all the mayor's personal expenses, which for a female mayor would be more costly. As the IRP

accepted, the allowance for the Mayor was not part of their remit, and he did not agree with their suggestion to reduce their allowance.

92.6 Councillor Sykes noted that the IRP's decision had been unanimous, and agreed that the workload of the Chair of the Planning and Licensing Committees was heavy, and so the Green Group would not support the amendment.

92.7 Councillor Mitchell thanked the IRP for their work, and said that it was an important principle that an independent body review the allowances. The IRP had looked at all aspects of councillors roles, and their recommendations should be abided by, and therefore the Labour Group would not support the amendment.

92.8 The Chair said that rather than proposing an amendment it may have been more appropriate to have referred the matter back to the IRP.

92.9 The Committee voted on the amendment, and it was not agreed.

92.10 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 WITHDRAWAL: RESPONSE TO FULL COUNCIL NOTICE OF MOTION

93.1 The Committee considered the report of the Executive Lead Strategy Governance & Law which provided an oversight of the potential risks attached to the UK's withdrawal from the EU for Brighton & Hove City Council. The report had been prepared in response to a Notice of Motion at the October 2019 Full Council meeting.

93.2 Councillor Sykes thanked officers for the useful report.

93.3 Councillor Mac Cafferty said he disagreed with the Monitoring Officer as there could not be another election for members of the European Parliament, as the UK's seats had already been reallocated.

93.4 **RESOLVED:** That the Committee -

(i) Noted the contents of this report and appendices.

(ii) Requested that the Executive Director, Finance & Resources investigate 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

94.1 The Committee considered the report of the Executive Lead for Strategy Governance & Law which proposed changes to the Council's Constitution.

94.2 The Executive Lead for Strategy Governance & Law advised the Committee that there were three minor changes to the published report. Recommendation 2.5, should refer to recommendation 2.3 rather than 2.2, Recommendation 2.7 should refer to recommendation 2.3 rather than 2.2 and Recommendation 2.8 should refer to recommendation to 2.4 rather than 2.3.

- 94.3 Councillor Mac Cafferty was concerned that members of the public could not ask the same question multiple times within a six month period, particularly as residents did not always know the right forum to put a question. The Executive Lead for Strategy Governance & Law said that if a member of the public submitted a question to wrong committee they would be directed to the correct one, rather than it being flatly refused. With regard to the same question being asked a number of times, he said that some people were flooding committees with numerous questions and the amendments were being proposed to address that. Councillor Meadows said that Housing & New Homes Committee regularly received twenty plus questions for each meeting, and when they related to the work of another committee they would be forwarded on to ensure that they received a correct response both to the substantive and the supplementary question.
- 94.4 Councillor Sykes said he was concerned that if a number of different people wanted to ask questions on the same matter but from a different angle, that the Chair could decide to only allow one of those to be asked at a committee.
- 94.5 Councillor Janio said that some of the changes could be taken as eroding democracy, but said that he had attended a Housing & New Homes Committee and it wasn't democracy to flood a meeting with a series of questions on the same matter. He suggested that the matter be reviewed, but asked that it be done after the PR&G Committee in June 2019 as there would then be a new council in place. The Executive Lead for Strategy Governance & Law said that the Cross Party Working Group met every two to three months, and would continue to review. The Chair agreed that it would be sensible to review after the new council was in place next year.
- 94.6 The Chair noted the amendments to the recommendations as outlined by the Executive Lead for Strategy Governance & Law.
- 94.7 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. 3 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 2.3 come into force immediately following their adoption at full Council.
- (viii) That proposed changes set out in paragraph 2.4 come into force immediately

95 PARTIAL REVIEW OF POLLING DISTRICT AND POLLING PLACES 2018**95.1 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

- 96.1 **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

- 97.1 The Committee considered the report of the Executive Director Economy, Environment & Culture which set out the professional advice the Council had received regarding the restructure of the Council's loan to the i360, and sought agreement for a preferred way ahead.
- 97.2 Councillor Bell said he was disappointed that there was no representative from the i360 present at the meeting. The Chair said that that had been his decision rather than theirs, as he didn't feel it was appropriate for them as a debtor to the Council to sit through the meeting waiting to hear the Committee's decision. Councillor Bell asked what assurances the Council had that the i360 would adopt recommendations made by the Committee. The Executive Director Economy, Environment & Culture said that officers had been engaging with the directors and they had agreed to accept and embrace the recommendations, and said that the Board would be happy to meet with Councillors.
- 97.3 Councillor Wealls said the Council were relying heavily on Mr Sharp to get the i360 to work. He asked if officers had had sight of employment contracts of him and other staff, and whether there were incentives linked to the performance of the attraction. The Executive Director Economy, Environment & Culture said that officers had not had sight of the contracts, but worth clarifying that some staff were board members and therefore did not have a contract. With regard to the content of any contracts, that could be subject to GDPR and therefore could not be shared.
- 97.4 Councillor Mac Cafferty noted the proposed steps the i360 were taking and complimented them on some things such as Pride, but was also concerned that other ideas such as working with other tourist attractions had not been done before.
- 97.5 Councillor Hamilton said that twice a year the Council should receive two payments, £922k towards the Public Loans Board debt and £570k as a 'bonus'. In June 2018 the £922k was paid, but in December 2018 they were only expecting to pay £612K, and asked if the 'bonus' money had been put into a separate account and if it would be used to make up the difference in the loan payment. The Head of Finance said the money paid to the Council had gone into a reserve, and some has been spent on works on the seafront etc. The shortfall will impact on the Council's shortfall, but the money would be received in the future.
- 97.6 The Chair noted that the Conservative Group had an amendment, and asked Councillor Janio to propose the amendment.
- 97.7 Councillor Janio said that the Conservative Group wanted the i360 to succeed, and in general terms supported the recommendations in the report. He proposed the following amendments to the report:
- 2.1 *That the Committee notes the advice of GVA contained in Appendix 1. ~~and~~*
- 2.2 *The Committee agrees to defer the consideration of a formal restructure of the loan to the i360 until its meeting in October 2019.*

- 2.3 *That, during the period of the deferral of the restructure, the Committee agrees 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.*
- 2.4 *That the Committee agrees, 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.*
- 2.5 *That the Committee agrees to defer £880,304.25 of the total payment due on 31 December 2018 (£1,492,304.25).*
- 2.6 *That the Committee ~~delegates authority to~~ requests 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 ~~in consultation with Group Leaders to determine the amount of the deferral in June 2019 and take all of the steps necessary to determine the amount of deferral at the end of June 2019.~~*
- 2.7 *That the Committee agrees to officers monitoring key performance indicators, and that if these fall 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.*
- 2.8 *That a comprehensive marketing strategy is developed and published prior to the June 2019 urgency meeting of the PR&G committee*

The amendment to Recommendation 2.1 had been separated to make it clear that it was the administration, rather than the GVA, who were suggesting a deferral of the formal restructure of the loan until October 2019. Recommendation 2.6 (was 2.5) was proposed as it was not felt that it was fair to put the onus on one officer, and that it needed to come to this Committee. With regard to Recommendation 2.8, the word 'urgency' could be removed as it was a typo, and the matter would be considered by the Committee. He asked that the marketing strategy be reviewed by this Committee at its meeting in June 2019.

97.8 Councillor Wealls seconded the proposed amendment.

97.9 The Chair accepted that the proposed amendments were designed help.

97.10 The Committee voted on the proposed amendment and they were agreed.

97.11 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 31 December 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 meeting of the PR&G committee.

98 ITEMS REFERRED FOR COUNCIL

98.1 No items were referred to the 13 December 2018 Council meeting.

99 PART TWO MINUTES

99.1 The Part Two Minutes of the meeting held on 11 October 2018 be agreed and signed as a correct record.

100 PART TWO PROCEEDINGS

100.1 RESOLVED- That the information contained in Part Two remain exempt from disclosure to the press and public.

The meeting concluded at 9.00pm

Signed

Chair

Dated this

day of

