

BRIGHTON & HOVE CITY COUNCIL MEETING

4.30PM 17 DECEMBER 2015

COUNCIL CHAMBER, BRIGHTON TOWN HALL



AGENDA



**Brighton & Hove
City Council**

Council Meeting

Title:	Council
Date:	17 December 2015
Time:	4.30pm
Venue	Council Chamber, Brighton Town Hall
Members:	All Councillors You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Father John Wall
Contact:	Mark Wall Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	<p>Public Involvement The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.</p> <p>Please note that the Public Gallery is situated on the second floor of the Town Hall. We have made a number of adjustments to make the venue as accessible as reasonably possible.</p> <p>If you wish to attend a meeting but are unable to use stairs please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting to discuss your access requirements. WE can then work with you to enable your attendance and also to ensure your safe evacuation from the building, in the event of an emergency.</p>
	The Town Hall has facilities for disabled people including a lift and wheelchair accessible WCs. In the event of an emergency evacuation there is a special lift which can be used as part of a managed evacuation to assist disabled people. Please refer to the Access Notice in the agenda below.
	An infra-red hearing enhancement system is available within the council chamber to assist hard of hearing people. Headsets and neck loops are provided. If you require any further information or assistance, please contact the receptionist on arrival.

This Agenda and all accompanying reports are printed on recycled paper

AGENDA

52 DECLARATIONS OF INTEREST

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

In each case, you need to declare

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

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

53 MINUTES

1 - 44

To approve as a correct record the minutes of the last Council meeting held on the 22nd October 2015 (copy attached).

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 01273 291006

54 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

55 TO RECEIVE PETITIONS AND E-PETITIONS.

Petitions will be presented by Members and/or members of the public to the Mayor at the meeting.

56 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of 12noon on the 10th December 2015 will be circulated separately as part of an addendum at the meeting.

57 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

A list of deputations received by the due date of 12noon on the 10th December 2015 will be circulated separately as part of an addendum at the meeting.

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58 PETITIONS FOR COUNCIL DEBATE

45 - 50

Petitions to be debated at Council. Reports of the Monitoring Officer (copies attached).

- (a) **Learning Support Service.** Lead petitioner Ms. Gillett.
- (b) **Home for Syrian Refugees.** Lead petitioner Ms. Mathis.
- (c) **Follow the lead of Manchester and open up empty buildings for homeless people this winter.** Lead petitioner Ms. Rees.

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 01273 291006

6.30 - 7.00PM REFRESHMENT BREAK

Note: A refreshment break is scheduled for 6.30pm although this may alter slightly depending on how the meeting is proceeding and the view of the Mayor.

59 TO CONSIDER NOMINATIONS FOR THE DEPUTY MAYOR-ELECT

The Mayor will seek nominations for the Deputy Mayor-elect for the 2016-17 municipal year in line with the agreed process; whereby the current Deputy Mayor will become the Mayor at the Annual Meeting in May 2016.

60 WRITTEN QUESTIONS FROM COUNCILLORS.

51 - 52

A list of the written questions submitted by Members has been included in the agenda papers. This will be repeated along with the written answers received and will be taken as read as part of an addendum circulated separately at the meeting.

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 01273 291006

61 ORAL QUESTIONS FROM COUNCILLORS

53 - 54

A list of Councillors who have indicated their desire to ask an oral question at the meeting along with the subject matters has been listed in the agenda papers.

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 01273 291006

62 CALL OVER FOR REPORTS OF COMMITTEES.

- (a) Call over (items 63 - 68) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their

COUNCIL

recommendations, with the exception of those which have been reserved for discussion.

(c) Oral questions from Councillors on the Committee reports, which have not been reserved for discussion.

Contact Officer: Mark Wall

Tel: 01273 291006

63 GAMBLING ACT 2005 - REVISED POLICY

55 - 82

Extract from the proceedings of the Licensing Committee (2003 Functions) meeting held on the 19th November 2015, together with a report of the Director of Public Health (copies attached).

Contact Officer: Jean Cranford

Tel: 01273 292550

Ward Affected: All Wards

64 COUNCIL TAX REDUCTION REVIEW

83 - 150

Extract from the proceedings of the Policy & Resources Committee meeting held on the 3rd December 2015 (copy to follow), together with a report of the Interim Executive Director for Finance & Resources (copy attached).

Contact Officer: John Francis

Tel: 01273 291913

Ward Affected: All Wards

65 SUPPORT FUNCTIONS REVIEW

151 - 182

Extract from the proceedings of the Policy & Resources Committee meeting held on the 3rd December 2015 (copy to follow), together with a report of the Interim Executive Director for Finance & Resources (copy attached).

Contact Officer: Chris Carter

Tel: 01273 296499

Ward Affected: All Wards

REPORTS REFERRED FOR INFORMATION

66 RESPONSE TO SCRUTINY PANEL REPORT ON PRIVATE SECTOR HOUSING

183 - 230

Extract from the proceedings of the Housing & New Homes Committee meeting held on the 11th November 2015, together with a report of the Interim Director for Environment, Development & Housing (copies attached).

*Contact Officer: Caroline De Marco,
Martin Reid*

*Tel: 01273 291063,
Tel: 01273 93321*

Ward Affected: All Wards

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67 WELFARE REFORM, RESPONSES TO RECOMMENDATIONS MADE BY THE CENTRE FOR ECONOMIC AND SOCIAL INCLUSION 231 - 258

Extract from the proceedings of the Neighbourhoods, Communities & Equalities Committee meeting held on the 23rd November 2015, together with a report of the Assistant Chief Executive (copies attached).

Contact Officer: Penny Jennings, Tel: 01273 291065,
John Francis Tel: 01273 291913
Ward Affected: All Wards

68 EXPANSION OF GATWICK AIRPORT - NOTICE OF MOTION 259 - 262

Extract from the proceedings of the Economic Development & Culture Committee meeting held on the 26th November 2015, together with a Notice of Motion proposed by Councillor Morgan (copies attached).

Contact Officer: Ross Keatley Tel: 29-1064
Ward Affected: All Wards

NOTICES OF MOTION

69 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION: 263 - 274

- (a) **Housing & Planning Bill.** Proposed by Councillor Meadows (copy attached).
- (b) **Trade Union Bill.** Proposed by Councillor Atkinson (copy attached).
- (c) **Multiple Births.** Proposed by Councillor Taylor (copy attached).
- (d) **PaybyPhone Parking Scheme.** Proposed by Councillor Janio (copy attached).
- (e) **Boosting Alcohol Related Policing and Prevention.** Proposed by Councillor Deane (copy attached).
- (f) **Payments for High-Value Council Housing.** Proposed by Councillor Gibson (copy attached).

70 CLOSE OF MEETING

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

Note:

1. The Mayor will put the motion to the vote and if it is carried will then:-

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- (a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*
- (b) *Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.

- (c) *Following completion of the outstanding items, the Mayor will then close the meeting.*
2. *If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*
 3. *Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

Once all the remaining items have been dealt with the Mayor will close the meeting.

PUBLIC INVOLVEMENT

Provision is made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through www.moderngov.co.uk

We can provide meeting papers in alternate formats (including large print, Braille, audio tape/disc, or in different languages). Please contact us to discuss your needs.

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Mayor will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

Therefore by entering the meeting room and using the seats around the meeting tables you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

ACCESS NOTICE

The public gallery to the council chamber – which is on the second floor – is limited in size but does have 3 spaces designated for wheelchair users. There is a lift to the second floor and an automatic door and ramped access to the public gallery. There is a wheelchair accessible WC close by. The seated spaces available in the gallery can be used by disabled people who are not wheelchair users, but able to use bench style seating.

The Town Hall has a specially designed lift that can be used in the event of an emergency evacuation. The size of the refuge areas (in the fire protected areas where people unable to use the stairs will wait to be assisted from the building via the lift), will accommodate 3 wheelchair users and several standing users.

If the public gallery is full, Committee Room 1 on the ground floor can be used. This is an inclusive space with AV links to the council chamber, automatic doors, level access, its own step-free fire escape, and nearby WC facilities including wheelchair accessible provision. From this room you can watch the meeting and listen to the proceedings.

Please inform staff on Reception if you have any access requirements so that they can either direct you to the public gallery, or to committee room 1 as appropriate.

We apologise for any inconvenience caused

FIRE / EMERGENCY EVACUATION PROCEDURE

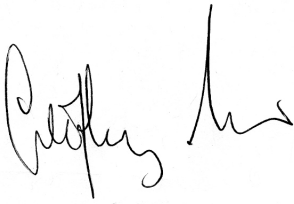
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- **You should proceed calmly; do not run and do not use the lifts;**
- **Do not stop to collect personal belongings;**
- **Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and**

Do not re-enter the building until told that it is safe to do so.

Date of Publication - Wednesday, 9 December 2015



Chief Executive
King's House
Grand Avenue
Hove
BN3 2LS

BRIGHTON & HOVE CITY COUNCIL**COUNCIL****4.30pm 22 OCTOBER 2015****THE BRIGHTON CENTRE****MINUTES**

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

PART ONE**31 DECLARATIONS OF INTEREST**

31.1 There were no declarations of interest in matters appearing on the agenda.

32 MINUTES

32.1 The minutes of the Special meeting held on the 16th July 2015 were approved and signed by the Mayor as a correct record of the proceedings;

32.2 The minutes of the last ordinary meeting held on the 16th July 2015 were approved and signed by the Mayor as a correct record of the proceedings.

33 MAYOR'S COMMUNICATIONS.

33.1 The Mayor informed the council that she had to announce the death of former Labour Councillor Gill Sweeting who served for 22 years as an elected Member, was Mayor and was appointed as an Honorary Alderman of the city in July 2007. She had also been informed of the death of Mr. John Broadley, Former Mayor of Hove (1987-88) who was also a former Leader of Hove Borough Council. She wished to convey the council's deepest sympathy to their families, friends and former colleagues. The Mayor then asked everyone present to stand for a minute's silence as a mark of respect.

33.2 The Mayor then offered the Council's congratulations to the Revenues & Benefits Teams who had again retained their Customer Service Excellence award following an

annual review which included testing on 57 individual criteria. The Revenues and Benefits teams passed on every single one. The Mayor then invited Mike Masters to come forward to accept the award on behalf of the Teams.

- 33.3 The Mayor then offered the Council's congratulations to the City Parks Projects Team for The Level who won the "Bees Needs" award for work to attract bees and other pollinating insects and plants. The award for innovation was supported by Defra and the National Pollinator Strategy and was awarded by the Tidy Britain Group as part of the annual Green Flag awards. The Mayor then invited The Level Garden Manager and members of the City Parks Project Team to come forward to collect the award.
- 33.4 The Mayor then stated that the Council's congratulations went to Francesca Iliffe, Sustainability Officer in Planning Projects Team, who had been given the Soil Association Catering Mark Champion Award. She had been recognised by the Soil Association for her excellent work in the city over many years to facilitate a more sustainable food system, working in the Planning Service with the Food Partnership to spread good practice through all council departments. The Mayor noted that in addition to this award, in October Francesca was invited to an International Climate Change Conference in Germany to share the council's good practice and track record with the Food Partnership in increasing urban food growing through effective Planning.
- 33.5 The Mayor then invited Francesca Iliffe, to come forward to collect the award.
- 33.6 The Mayor offered the Council's congratulations to the Brighton & Hove Food Partnership for winning the Silver Sustainable Food Cities Award. Brighton & Hove became the first and only place in the country to be named a Silver Sustainable Food City; setting the benchmark high for cities across the UK and recognising the city's pioneering approach to food. The award recognised the achievements of the Brighton & Hove Food Partnership and their collaborative work over the last 12 years with partners in the city including the Council, Public Health, local sustainable food business and the thousands of volunteers involved in community food projects across the city.
- 33.7 The Mayor stated that she would like to present the award this to Vic Borrill, the inspirational Director of the Brighton & Hove Food Partnership, and invited her to come forward to accept the award.
- 33.8 The Mayor stated that she understood that the Health & Wellbeing Board at its meeting on Tuesday had agreed to endorse the St Mungo's Charter for Homeless Health and for the Chair to sign the Charter on behalf of the Board. She therefore wished to invite Councillor Yates as the Chair to come forward and sign the Charter in front of the council.
- 33.9 Finally, the Mayor invited all Members to attend the Remembrance Services taking place in the city in 2015. On Remembrance Sunday 8th November in Brighton the following services would be held:
- 11 am at Old Steine War Memorial Garden, the Service will be followed by a March Past in the Old Steine and there will be a sherry reception in the Mayor's Parlour at Brighton Town Hall.

- A wreath laying ceremony will take place at 11.00 am at the Easthill Park Memorial, Portslade.
- A Parade will leave Hove Town Hall at 2.10p.m and proceed to the War Memorial, Grand Avenue, Hove, for a wreath-laying ceremony. From there the Parade will process to All Saints Church for a full Service of Remembrance beginning at 3pm.

34 REVIEW OF THE COUNCIL'S CONSTITUTION - OCTOBER 2015

34.1 The Mayor noted that the report on the review of the Council's Constitution had been referred from the Policy & Resources Committee for approval and called on Councillor Morgan to introduce the report.

34.2 Councillor Morgan formally moved the report.

34.3 The Mayor noted that there were no other speakers and that the recommendations had been formally moved and put them to the vote.

34.4 RESOLVED:

- (1) That the proposed changes to the Council's constitution set out in paragraphs 3.2 to 3.4 (Procedure for Dismissing Certain Statutory Officers), 3.5 to 3.6 (Appointment of Chief Executive to be on the recommendation of the Appointments and Remuneration Panel), 3.9 (terms of reference of the Health & Wellbeing Board), 3.12 (Sustainable Community Strategy), 3.13 (Policy & Resources Committee Terms of Reference) and 3.15 to 3.16 (Contract Standing Orders) be approved;
- (2) That the Acting Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by Policy & Resources Committee and Full Council respectively and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
- (3) That the changes come into force immediately following Council approval.

35 APPOINTMENT OF THE CHIEF EXECUTIVE

34.1 The Mayor noted that the report on the appointment of the Chief Executive had been referred from the Appointments Panel and called on Councillor Morgan as Chair of the Panel to introduce the report.

34.2 Councillor Morgan stated that it was his happy duty to move the recommendation that Mr. Geoff Raw be appointed as the Council's new Chief Executive and Head of Paid Service. He stated that Geoff needed no introduction having served as the Executive Director for Environment, Development & Housing and more recently as the Acting Chief Executive. He believed that Geoff would prove to be an outstanding Chief Executive and continue to bring benefits to the city such as City Deal and the Greater Brighton Economic Board.

- 34.3 Councillor G. Theobald stated that the Conservative Group fully supported the recommendation to appoint Geoff Raw as the new Chief Executive. He had a difficult task ahead but one that he hoped Geoff would take forward.
- 34.4 Councillor Mac Cafferty stated that he wished to echo the comments of the two Group Leaders and to thank those officers including Sue Moorman involved in the appointment process. He also wished to thank the Chair of the Panel and other panel members and felt that they had worked well together and made a very good recommendation.
- 34.5 The Mayor stated that the recommendation to appoint Mr. Geoff Raw as the Chief Executive and Head of Paid Service had been moved and put it to the vote.
- 34.6 **RESOLVED:**
- (1) That Mr. Geoff Raw be appointed as the Chief Executive and Head of Paid Service;
 - (2) That the salary for the post be set at £150,000 per annum;
 - (3) That the appointment take effect from the 23rd October 2015;
 - (4) That the Interim Executive Director of Finance & Resources, after consultation with the Leader of the Council, be authorised to take all steps necessary or incidental to implementation of the appointment, including any detailed terms or administrative arrangements that may be outstanding.
- 34.7 The Mayor then offered her congratulations on his appointment and invited the Chief Executive to address the Council.
- 34.8 The Chief Executive thanked the Council and noted that it was likely to be the only occasion whereby he was able to address the meeting. He stated that he was deeply honoured to have been given the role and noted that it was a long way to come for a boy from a pit village school in the North East of England. He felt privileged to be able to serve all Members of the Council and was determined to give it his all. He had received many personal messages of congratulations and would try to respond to them over the next few days. He wanted to thank the members of the Appointment Panel and the officer team that supported the panel during a thorough and exhausting process. He offered his commiserations to the other candidates and his thanks to his ELT colleagues. He also wished to give his special thanks to his wife, Sue who had made their home in the city despite having to commute to London regularly herself and was sure she would keep his feet firmly on the ground. He was both excited and ambitious for the Council and was looking forward to meeting the challenges ahead.

Note: During consideration of the item, Mr. Raw vacated his seat as Acting Chief Executive and left the room.

36 TO RECEIVE PETITIONS AND E-PETITIONS.

- 36.1 The Mayor invited the submission of petitions from councillors and members of the public. She reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.
- 36.2 The Mayor invited Mr. R. Heale to present an e-petition requesting the council to hold the i360 developer to account. The Mayor noted that Mr. Heale was not in attendance and therefore the petition would be referred directly to the Policy & Resources Committee on the 3rd December 2015 for consideration.
- 36.3 Mr. S. Parry presented a combined paper and e-petition with 321 signatures concerning the need for Neighbourhood Policing to be maintained.
- 36.4 Councillor Cobb presented a petition with a 100 signatures requesting that the council seek to ensure that Brighton College funds the replacement of elm trees that had to be felled on its grounds.
- 36.5 The Mayor thanked the petitioners and noted that each petition would be referred to the relevant committee for consideration.

37 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

- 37.1 The Mayor reported that two written questions had been received from members of the public and invited Mr. Furness to come forward and address the council.
- 37.2 Mr. Furness asked the following question; “Regarding the loss of approximately 14 mature elm trees in the Westbourne area of Hove recently, as a result of the sheer irresponsibility of the proprietors of St. Christopher's School in storing elm logs infected with Dutch Elm Disease, for which no prosecution was pursued, could you please enlighten us, Councillor Mitchell, as to whether the aforementioned school has offered any recompense towards the removal and replacement of these trees?”
- 37.3 Councillor Mitchell replied; “Thank you very much for your question Mr Furness. It is indeed very sad that we have lost 14 elm trees in the Westbourne area and this highlights how devastating the effects of Dutch elm disease can be. The outbreak was the consequence of healthy trees on the grounds of St. Christopher's school being cut back for maintenance some two years ago. Unfortunately the cut offs were kept on the school grounds rather than removed and these became a breeding ground for the beetle that causes the spread of Dutch elm disease. When street trees became infected in the area officers carried out an investigation and quickly found the source of the outbreak, unfortunately ten of our street trees were infected and had to be cut down to contain the outbreak. The school was upset by the fact that their premises were the source of the outbreak and have cooperated fully with the council to contain the disease. We have cleared and destroyed all of the wood that has been infected and are keeping a close eye on the area. It is a credit to our specialist parks officers and those vigilant members of the public that we have managed to protect the biggest collection of elm trees in the country. In this case, although the loss of trees is very sad, it looks as if our response plan has worked to contain that outbreak. Parents from

the school have been in touch with officers about opportunities to raise funds for replacement trees. In cases like this we don't pursue individuals or organisations to recover costs because we don't want to put people off reporting outbreaks, if people are concerned they will have to pay costs then they may choose to depose of any infected wood irresponsibly and that would put our whole collection at greater risk. If Dutch elm disease or any disease is suspected in trees we want people to report it to us straight away."

- 37.4 Mr. Furness asked the following supplementary question; "And yet Councillor Mitchell I saw you on the TV the other night and you quite properly said that people who allow dogs to foul on the pavements will receive on the spot fines, I believe from a contracted out private company. Could you tell me please if this is a case of double standards because trees across this city are being needlessly destroyed at an alarming rate the council will not even defend the application by the Sussex University to appeal against the destruction of another 1500 trees including elms? Our city has the grace to be declared a United Nations biosphere, I have yet to have heard of any administration of this council that promotes that properly that would be a huge tourist boost, would bring income in to this city as would be advertising the fact that we have the world collection of elms, not the national, the world collection of English elms. Could you please tell me Councillor Mitchell when, one, do you intend to take this seriously our designation as a biosphere and two, when are you going to get a grip on the so called agricultural department?"
- 37.5 Councillor Mitchell replied; "Thank you for your supplementary question and I think you have answered your own question Mr Furness. We do have a world collection of which we are very proud of elm trees and it is because of the expertise that has built up within our arboricultural team shared with our neighbouring councils that we have managed to achieve this. These beetles are born on the winds from the west and we have done a lot of work with our neighbouring authorities to the west to help them contain outbreaks and they have jointly support us."
- 37.6 The Mayor thanked Mr. Furness for his questions and invited Mr. Hawtree to come forward and address the council.
- 37.7 Mr. Hawtree thanked the Mayor and asked the following question, "Would Councillor Morgan please tell us what plans he has to increase the art-gallery provision in Hove and Brighton so that we can match, and perhaps even eclipse, the splendid galleries which bring visitors to Chichester and Eastbourne, and indeed recently to the new Jerwood in Hastings?"
- 37.8 Councillor Morgan replied, "Thank you Mr Hawtree, we work with Hastings and other councils in a good network of art gallery provision along the coast in co-operation rather than competition. We do indeed already have excellent art gallery provision in the city including for example Fabrica and we'll work with them to continue their success."
- 37.9 Mr. Hawtree asked the following supplementary question, "My question is could we not be making more use of Hove museum upon which half a million pounds was spent not so very long ago to bring it up in standard and therefore with this in mind rather than

losing a potential museum could a cross party group explore the means of attracting outside funding for Hove Carnegie Library?"

- 37.10 Councillor Morgan replied, "As you rightly point out it was a manifesto commitment of the previous administration one that that administration failed to deliver on. Our focus will be on preserving the city's museums, libraries and the royal pavilion for future generations before we embark on anything new."
- 37.11 The Mayor thanked Mr. Hawtree for his questions and noted that this concluded the item.

38 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

- 38.1 The Mayor reported that one deputation had been received from members of the public and invited Ms. S. Betts as the spokesperson for the deputation to come forward and address the council.
- 38.2 Mr. A. Buckingham thanked the Mayor and stated that unfortunately Ms. Betts was unable to attend the meeting and that as one of the founding directors of the Real Junk Food Project he was standing in for her. He stated that the aim of the project was to have a permanent base from which to serve meals and feed those people in the city who were unable to provide themselves with at least one good meal a day. At present they were able to provide meals two days a week and it was hoped that the council could help to find suitable premises that could be used for 7 days a week throughout the year.
- 38.3 Councillor Morgan stated that he wished to pay tribute to the work of the project and that he fully supported its objectives to address inequality and ensure health and wellbeing of those in need, as well as managing sustainability. He had asked officers to contact Ms. Betts and to arrange to meet and discuss how the council might be able to help meet their aspirations and enable them to tackle poverty in the city.
- 38.4 The Mayor thanked Mr. Buckingham for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Economic Development & Culture Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 38.5 The Mayor noted that there were no other deputations and therefore concluded the item.

39 PETITIONS FOR COUNCIL DEBATE

- 39.1 The Mayor stated that the council's petition scheme provided that where a petition secured 1,250 or more signatures it could be debated at a Council meeting. She had been notified of two such petitions which had sufficient signatures to warrant a debate and therefore would call on the lead petitioner to present their petition before opening the matter up for debate.

- 39.2 The Mayor then invited Mr. Rudling as President of the Brighton & Hove Archaeological Society to come forward and present the petition.
- 39.3 Mr. Rudling thanked the Mayor and presented the petition which called on the Council to provide space and resources for a permanent display dedicated to the story of Brighton and Hove for the benefit of local residents and visitors. He confirmed that the petition had over 3,000 signatures from residents and visitors and hoped that consideration would be given to restoring the display space that had been removed in 1998 without any consultation.
- 39.4 Councillor Robins thanked Mr. Rudling for attending the meeting and presenting the petition. He also wished to thank the Archaeological Society for its active support throughout the city. He stated that the council was committed to supporting the promotion of Brighton and Hove's history and noted that it had worked with society over the last 3 years on various projects. However, there was a need to consider the cost of providing a suitable permanent display area when the council faced unprecedented financial challenges. He therefore hoped that the successful working arrangements could continue but was unsure that a permanent display area could be located at the Brighton Museum.
- 39.5 Councillor Peltzer Dunn stated that there was an important consideration to be made in that the past should be recognised and information made available to future generations. He therefore hoped that a positive response to the petition would be forthcoming at the committee meeting.
- 39.6 Councillor West stated that he was disappointed by Councillor Robins' response and believed that there was a need for such a display at the Brighton Museum. It was important to engage people's interest in the city's history and suggested that funding should be sought to enable a display to be provided.
- 39.7 Councillor Robins stated that he was very happy to explore options with officers and the Society and hoped that a way forward may be found.
- 39.8 The Mayor thanked Mr. Rudling for attending the meeting and noted that the recommendation was to refer the petition to the Economic Development & Culture Committee for consideration and put it to the council to agree.
- 39.9 **RESOLVED:** That the petition be referred to the Economic Development & Culture Committee for consideration at its next meeting.
- 39.10 The Mayor then invited Master S. Keywood to come forward to present a petition requesting the provision of an ice rink in the city.
- 39.11 Master Keywood thanked the Mayor and stated that he had a combined paper and e-petition with over 2,000 signatures calling on the council to build an ice arena in the city. He stated that Brighton and Hove was behind other leading cities such as Manchester, Nottingham and Telford all of which had their own ice arenas. He believed this had to be addressed and provision made within the city rather than leaving residents to have to travel to other arenas. He also drew attention to the council's SR21 Policy and

suggested that an arena could be included in any future major development within the city.

- 39.12 Councillor Morgan thanked Master Keywood for presenting the petition and acknowledged the campaign that he was instrumental in taking forward. He had been disappointed when the proposed development at Black Rock had not come to fruition and he was keen to learn how other cities had been able to secure ice arenas for their areas. He was aware that an ice arena was an expensive consideration for any proposed development but would happily explore that if a developer came forward. In the meantime he hoped that Master Keywood enjoy the temporary ice rink that was to be at the Royal Pavilion again during the Christmas period.
- 39.13 Councillor Druitt stated that having been able to previously enjoy ice-skating as a young person; he hoped that Master Keywood would continue with his campaign and that it would see the realisation of an ice arena in the city in the future. He fully supported the petition and hoped to discuss the matter further at the committee meeting.
- 39.14 Councillor G. Theobald stated that he wished to congratulate Master Keywood on his petition and on coming before the council. He could recall watching the Brighton Tigers at the old stadium and was sure that all the Groups supported the concept of having an ice arena in the city. They were extremely expensive to provide but he hoped that a developer would come forward with a proposal and it would see the provision of an arena in the city in time for Master Keywood to enjoy.
- 39.15 Councillor Cobb stated that she fully agreed with the petition and felt that the city was behind in regard to the provision of leisure facilities and suggested that the Working Group looking at the proposed King Alfred development should consider the provision of an ice-rink as part of the development.
- 39.16 The Mayor thanked Master Keywood for attending the meeting and noted that the recommendation was to refer the petition to the Economic Development & Culture Committee for consideration and put it to the council to agree.
- 39.17 **RESOLVED:** That the petition be referred to the Economic Development & Culture Committee for consideration at its next meeting.

40 WRITTEN QUESTIONS FROM COUNCILLORS.

- 40.1 The Mayor reminded Council that written questions from Members and the replies from the appropriate Councillor were taken as read by reference to the list included in the addendum which had been circulated as detailed below:

(a) Councillor C. Theobald

- 40.2 “Will the Chair of the Environment, Transport & Sustainability Committee please tell me why the Black Lion Street public toilets have recently been closed and, if this is a temporary measure, when they will reopen? Have any other public toilets been similarly closed this year?”

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee.

- 40.3 As part of the budget for this financial year Council agreed to reduce the funding for public conveniences by £160,000 per year. The budget report set out that the savings would be realised through reduced opening times, reduced cleansing frequencies and some site closures.

An amendment was agreed at reconvened budget council to reduce the saving for Public Conveniences in 2015/16 only from £160,000 to £40,000.

To implement this decision made by full council the toilet in Black Lion Street was permanently closed on 1st July of this year. The reasons this site was selected for closure are that:

- Maintaining this facility cost £40,000 per year
- The site had low foot fall
- There are alternative facilities in close proximity
- The site suffered from higher levels of antisocial behavior during the hours that it was not attended.

Since its closure the service has received two complaints and only a handful of queries about its closure

In order to meet the in-year saving of £40,000 other changes that have been implemented include reducing levels of attendance at the toilets in Pavilion Gardens and removing the attendant in Norton Road toilets which are open at weekends.

(b) Councillor Miller

- 40.4 “Will the Chair of the Environment, Transport & Sustainability Committee please tell me when it is planned to reopen the historic Madeira Lift?”

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee.

- 40.5 “The Madeira Lift is open from Easter to the end of September each year and is operated by the tenant of Concorde II on behalf of the council. In August this year the lift shaft and basement of Concorde II was flooded following a severe rainstorm. As a result, water got into the electrical system and the lift had to be taken out of service. Although the electrical system which directly services the lift was checked by an electrician and approved, the main supply which is owned by UK Power Networks was deemed to be non-compliant and therefore was shut down with immediate effect. This meant the lift could no longer operate as the electrical supply had been cut off. The council has now installed a new electrical supply so that the lift can operate independently. The lift will reopen to the public next season as scheduled on Good Friday 2016.”

(c) Councillor G. Theobald

- 40.6 “Will the Chair of the Environment, Transport & Sustainability Committee confirm whether or not the Council will be making a submission to the Local Government Association’s review of Trading Standards services and, if so, will there be an opportunity for Members to input into this? The review has been initiated in response to a proposal by the Chartered Trading Standards Institute for the creation of large strategic trading standards authorities funded directly from central Government.”

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee.

- 40.7 “We welcome the recognition of the significance and impact of the Trading Standards Service in protecting residents and in supporting businesses. This is a central priority for us in Brighton and Hove.

We are however concerned about the number of different reviews currently running in parallel. We believe that the reviews need to work together to reach a common understanding of the issues. That way they are more likely to deliver results which will be supported by both central and local government, and which will improve the impact of the service and hence the outcomes for local residents and businesses.

We recognise the picture of significant reductions in resources over recent years, outlined in recent work from Chartered Trading Standards Institute, and the increasing postcode lottery of service provision in some parts of the country. We don’t believe that provides any reason to consider alternative delivery models outside of local government. We believe that it is vital that the Trading Standards Service remains part of local government. It makes a major contribution to delivering local priorities, in protecting residents and supporting local businesses. In doing so it achieves much more than it otherwise could by being part of the network of local government services.

Our own model, where we work closely with colleagues in East Sussex Trading Standards, by jointly authorising officers so that capacity and competency can be maintained, is one part of the solution to the current issues facing the service nationally. This helps us to ensure we can continue to provide excellent services whilst also meeting the financial challenges that face us.

Devolution may well also have a part to play in helping to shape the future of the service. It provides an opportunity to address some of the weaknesses identified whilst retaining local accountability.

In addition, in order to help address variations in service delivery or the potential for enforcement gaps, we believe that Government should build upon existing commissioning approaches. It should use both National Trading Standards and the regional Trading Standards co-ordinating groups, to channel resources to tackle any particular issues of national concern. This has already proved successful in areas such as animal feed, and in relation to tobacco control, and has scope to be developed further into other key policy areas for central government.

Abbreviations sometimes used:

BRDO = Better regulation Delivery Office (part of DBIS)
 BIS = Department of Business Innovation and Skills (DBIS normally)."

(d) Councillor Sykes

- 40.8 "What form of sensitivity analysis was undertaken to determine whether the effect of changes to the city traffic network (inc. Lewes Road, Edward Street, Station Gateway) could materially undermine the traffic modelling that informed the Oct 14 Valley Gardens business case? Following from this, what will be the total likely revenue cost to BHCC, by financial year, of the 2015 project review, new traffic surveying in Oct 2015, fresh traffic modelling and project redesign?"

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee.

- 40.9 "The independent review's concern relates not to the modelling that formed the basis of the Business Case, but to the further detailed analysis that was undertaken after submission of the Business Case to inform refinements to the Business Case scheme. (The Business Case scheme included new vehicle routes within Victoria Gardens; the current / refined scheme accommodates all vehicles within existing kerb-lines).

Due to errors discovered in the post-Business Case modelling, and the fact that modelling provided the rationale for refinements to the Business Case scheme, the independent review understandably recommends re-modelling the refined scheme. This process will either reassure that the current design proposal can accommodate vehicle demand, or identify where further refinements to the proposal are required prior to the project moving to the implementation stage.

Because the current scheme needs re-modelling, it is considered sensible to take the opportunity to update the traffic flows used in the model to reflect 2015 conditions, as recommended by the Independent Review. Since the original scheme was modelled, a number of significant changes to the surrounding network have been made, including Lewes Road, Vogue Gyratory, Edward Street and Brighton Station Gateway. Given sensitivity around the project, and the shared desire to ensure the final scheme provides the best possible outcome for Valley Gardens into the future, updating traffic flow data used in the model will provide additional reassurance that the scheme's evidence base is as strong as it possibly can be.

Beyond Valley Gardens, the updated city centre transport model (which covers an area between Seven Dials, the seafront and Lewes Rd) can also be used to test impacts of future developments, spreading the value for money achieved by the current process.

In terms of cost, gathering updated traffic data will cost approximately £30,000. Updating the city-centre model with the new data, and testing the current Valley Gardens proposal will cost a similar sum. The review has cost £12,000. It is not possible to ascertain what if any additional design work may be required as a result of the updated modelling until that process has run its course. However, given the rationale for remodelling the scheme, and the importance of getting the proposal right before it is implemented, this design work can be viewed as necessary rather than

optional. Overall for gathering traffic data and modelling for Valley Gardens it is anticipated to cost an additional £70-£80k.

It is however reasonable to assume that the extent of any additional (and so redesign) design cost will be modest, given that potential issues identified by the review are constrained to isolated locations within the wider scheme proposal, and technical design has been put on hold during the review process (to protect against undertaking abortive design work).

All costs will be funded from the project's capital budget, and so have no impact on revenue. All costs will relate to the current financial year.

It should also be noted that the original modelling that the review identifies as substandard cost less than £1,000. The re-modelling is much more expensive because it is much more detailed, and so provides a stronger evidence base for the scheme."

41 ORAL QUESTIONS FROM COUNCILLORS

41.1 The Mayor noted that notification of 10 oral questions had been received and that 30 minutes were set aside for the duration of the item. She then invited Councillor C. Theobald to put her question to Councillor Mitchell.

(a) Litter Clearance A27/A23

41.2 Councillor C. Theobald asked, "At the Council meeting last March I asked the then Chairman on the Environment, Transport & Sustainability Committee - Councillor West - what the councillor was doing to tackle the scourge of litter along the verges of the A23 and A27 in the city. The response I received was less than helpful. By contrast in July this year Mid-Sussex Serco collected half a ton of litter from the side of the A23 as a part of a new pilot scheme working in partnership with highway maintenance company Balfore Beatty. Does this council have a similar agreement to enable litter picking from the verges of the A27 and A23 in our area and if not why not?"

41.3 Councillor Mitchell replied, "Thank you Councillor Theobald for the question. Brighton and Hove City Council is responsible for the litter clearing along sections of the A27 and A23 and as those roads have a speed limit in excess of 50mph there is a requirement to provide a safe working zone for the staff carrying out the litter picking. As there is no hard shoulder the inside lane has to be closed while this work is being carried out. This traffic management must be provided by a competent contractor who is authorised to work on these roads by highways England. This work is scheduled twice a year and was last carried out at the end of April this year and is due to be completed again next month. The work has to be carried out overnight and is planned to take two nights. City Clean is talking to highways England contractors to see if they can coordinate future litter picks with any other works such as grass cutting and tunnel closures so that costs can be controlled."

41.4 Councillor C. Theobald asked the following supplementary question, "I find this response rather disappointing given the disgusting state of the roadsides on the highway visible at the gateway into our city. Will Councillor Mitchell please give me a commitment that she will ask officers to negotiate a similar joint arrangement here, if

Mid-Sussex can do it then I mean why can't we do the same thing I mean it just seems like we aren't doing the same as other authorities"

- 41.5 Councillor Mitchell replied, "I'm not 100% familiar with how Mid-Sussex does things but I must say it does sound remarkably similar to the contractual arrangements that we have with both highways England and their approved contractors"

(b) Hove Library

- 41.6 Councillor Mac Cafferty asked, "The closure of Hove library has been proposed again by the Labour party 12 years after it last proposed the closure using sadly some of the same specious arguments. Hove library is part of the identity of Hove; it's loved by the residents of my ward and through-out the city. As one user has written 'Hove library is a pivotal part of our local community and an invaluable resource'. As a testament to the love that people have for a library nearly 3000 people have now signed the petition to save Hove library and stop the completely inappropriate move of Hove library to the museum. Are the Government's completely unjust cuts providing a convenient cover for Labour to finally close Hove library which has been in their sites for 12 years?"
- 41.7 Councillor Morgan replied, "Any changes to Hove library will form part of the library service review and needs analysis that is coming to the economic development and culture committee in November. Not for decision but to open consultation. Both opposition groups have been briefed on this on the financial reasons behind the proposed changes, on the opportunities to provide a better service closer to the users of Hove library and the fact that this is that what is proposed is a move not a closure. Madam Mayor, none of this prevented the Greens from pre-empting the publication of proposals and running a stall outside the library claiming that the service is being cut and Hove library being closed, not moved. This is wrong and it is damaging to the thorough and detailed work being done by officers to re-provide the service. Many of those who signed the petition last week- having been made aware of the facts- have now withdrawn their support. What will be consulted on is a new library combined with a museum and café with seven day a week access as part of a new community hub and cultural centre. One that costs less to run than the current building and one which will be sustainable for the future. Madam Mayor we will put people and services before building and I hope colleagues from across the council will do the same too."
- 41.8 Councillor Mac Cafferty asked the following supplementary question, "It's interesting to look at other Councils being run by the Labour party for example Labour run London borough of Lambeth where there has been a series of library closures in the last few weeks including a library opened by Andrew Carnegie the same man who set up Hove library for the advancement of working people. My supplementary question is the following; would the Leader of the council agree that the historic and ongoing private finance initiative payments on Jubilee library being paid up to 2028 agreed when Labour last ran the council have hamstrung our ability to pay for library facilities today?"
- 41.9 Councillor Morgan replied, "It's good that Councillor Mac Cafferty recognises our award winning Jubilee Library which has won prizes over the last decade since it has opened and I pay tribute to the library service that runs it. Madam Mayor it's astonishing that the green group are campaigning to save an environmentally inefficient 19th century

building. Rather than back a sustainable modern library service for the 21st century. It's a building that will cost nearly three quarters of a million pounds to run over the next four years money that could otherwise be invested in services for residents, that's what I want to do. Along with other issues that they have put on the agenda this proves to me that there is no bandwagon they won't climb on, no issue too sensitive, no opportunity too desperate that they won't take in order to score party political points against this Labour administration. In case they haven't noticed we are in a funding crisis, our house is on fire. They spent four years ignoring the smoke now they should stop looking for fuel to pour on the flames and help fetch some water alongside anyone who has a real and sensible intent to keep our city services going."

(c) Dog Fouling

- 41.10 Councillor Janio asked, "I'm sure that all of us here today have received complaints about the increase in dog fouling across our city and public parks. Indeed it is now becoming so serious that sports and social events are often threatened with cancelation. Madam Mayor, some members may find the subject of dog poo amusing but for many residents it's far from a joke. Madam Mayor my question to the Chairman of the Environment, Transport and Sustainability Committee is; can she please let me know how many prosecutions for dog fouling within Brighton and Hove there have been over the last year?"
- 41.11 Councillor Mitchell replied, "The Council's animal welfare team is a proactive one in relation to the very real nuisance of dog fouling. Figures for 2014 show 220 fouling complaint investigations and warnings from 448 individual patrols of known problem areas these include Kemp Town, Hangleton, Waterhall, Ladies Mile Nature Reserve and Woodingdean, however dog control offence are difficult to prove and enforce and reliance on animal welfare officers alone will never be enough. We have to continue working with communities. For 2015 in relation to your question there has been one prosecution resulting in a £1400 fine and one PCN £80. The new enforcement services agreed through ETS committee will include enforcement in relation to waste disposal, fly tipping, littering, fly posting and graffiti and subject to the success of this work it can be extended and I hope that it will address issues of dog fouling. Finally officers are always pleased to help communities address this problem by supplying materials and warning notices. Recently a residence's group in the round hill area are trialling pavement stencils encouraging people to pick up after their pets and idea imported from the Shetland isles."
- 41.12 Councillor Janio asked the following supplementary question, "So what you're trying to say is a very, very long way of saying hundreds and hundreds of complaints and one prosecution. This shocking situation can't continue but I do have hope. In several European cities implementation of DNA profiling and subsequent testing of fouling has reduced incidents by over 80% in just a few months. It's also, Madam Mayor, reduced numbers of abandoned dogs and has even identified animals responsible for vicious attacks. Madam Mayor, I have a simple request today, no politics in this. Will the Chairman of the ETS Committee meet with both myself and the organisation that has achieved these remarkable results with both an open mind and a view to introducing similar measures across Brighton and Hove?"
- 41.13 Councillor Mitchell replied, "I will certainly be interested in hearing more about it."

(d) Budget Development

- 41.14 Councillor Sykes asked, "I wrote to members of the Budget Review Group in August explaining our proposals for public engagement and budget development in this critical time and this follows on from a proposal at July Policy & Resources. I got a hold of a response from Councillor Norman which was rejection- fair enough- but no response from Councillor Hamilton and I wonder if Councillor Hamilton could tell me what he understands by working together on budget development?"
- 41.15 Councillor Hamilton replied, "I must admit I don't remember this email and if I have ignored it then I would never do that on purpose and I apologise for it. In regards to the consultation I think we know what's happened about the consultation certainly I'm not sure whether Councillor Sykes is just referring to the CTR consultation or whether he's referring to the consultation on the council tax itself so maybe he can clarify that. With regards to the first one the consultation on the first one where there was in fact a request for spending more money. We have in fact consulted everybody who is in receipt of CTR and there were paper copies available as well, it finished earlier this week and I'm very disappointed that in fact the response rate was about 2% and that was despite the Independent contacting people asking people to hurry up and get your replies in because they are needed.
- 41.16 With regards to the consultation that's going to take place with regard to council tax it is rather more people so although it won't be in fact this time be a genuine cross section we are intending to do this online this year so that anybody in the city who wants to respond can do so and there will in fact still be paper copies but before we do that as Councillor Sykes said there has been no consultation with the Budget Review Group about this yet and I have been promised by Finance Officers they will be contacting everybody who's a member of BRG asking them how they think the consultation on council tax should proceed before any final decision on that is made.
- 41.17 So I apologise if I didn't respond to something there as Councillor Sykes knows I always said we should be trying to work together, we have a massive problem to face in front and I think it's important that we deal with it together and if I did miss an email then I apologise but never the less I hope I've put it right and if Councillor Sykes wants to come back and ask me something more detailed now I will be pleased to do my best to answer.
- 41.18 Councillor Sykes asked the following supplementary question, "I mean when I said working together on the budget I meant political parties and how Councillor Hamilton understands that. There are two left of centre parties in this chamber, they form a majority of councillors and will Councillor Hamilton work with the Greens on budget communication and engagement that challenges the ideology of austerity?"
- 41.19 Councillor Hamilton replied, "I think we're always -with the Budget Review Group that is- a cross-party organisation, we're always happy to consider any suggestions that are put forward that are going to help us in trying to meet our deadline. With regards to what I've just said I'm told that an email has been sent about consultations for the budget so I'm very pleased to report that. With regard to the budget papers as I'm sure you are aware the Chairs of the committees have met their team members and have

actually tried to draw up a four-year plan for their own departments and those are going to ELT next week on Wednesday I believe and on Friday the pink papers will be sent out for the six discussion groups which are taking place in the following ten or eleven days, so by this time next week hopefully the documents for the budget will be ready. As I say, there are six panels who deal with each committee at a time two members from each party so that is I think working together and they will be taking place very, very soon and obviously people who are there will see what's going on and start to make their suggestions and so on and then by the end of November we hope we will then be starting to go out to consultation on the basis of whatever the comeback is from the Members of the Budget Review Group deciding how they think the consolation should take place but as I said with regards to CTR we sent out about 1600 copies and we got about a 2% response and that's a tremendous amount of money for a very small input. Therefore we think online may well be the answer but it's up to Councillor Sykes and the Councillors from the Conservative Group as well to decide how they would like the budget consultation in regards to the residents carried out."

(e) Housing Assets

- 41.20 Councillor Mears asked, "I do appreciate that the closure of Oxford street housing office in November 2014 was under the previous Administration, but nearly a year following on from the email Members received regarding the immediate closure of Oxford street as a matter of urgency I have been asking for reports at committee to understand why a housing asset paid for by tenants had been allowed to fall into such a state of disrepair that the only option was immediate closure. After two interim Heads of Housing we now have a permanent director in place. I understand a report is now being written for Housing Committee with regards to Oxford Street. Can the Chair of Housing confirm that this report will be on the agenda for the next Housing meeting?"
- 41.21 Councillor Meadows replied, "The council as a landlord is obliged to review all its stock to ensure it is fit for purpose now and in the future. In order to continue to make best use of housing investment and assets we have an asset management strategy and a regular stock review process. We are finalising a comprehensive housing revenue account asset management strategy to cover the period 2016-2020. The asset management will support our overall housing strategy agreed at full council earlier this year in March. This asset management strategy will also help us ensure we have the right mix of homes and other assets in the future by setting out stock viability criteria and identifying if further detailed work with communities is needed. Our outline asset management strategy priorities are investing in homes and neighbourhoods, supporting new housing supply and ensuring financial viability however there are challenges to meeting these priorities which include the age, nature and ongoing investment requirement of our housing revenue stock, the long term demographic trends and changing customer expectations, the implications of the government's summer budget and the housing and planning bill. Residents will help shape this asset management strategy and it is currently planned to bring that strategy to a future housing and new homes committee. Oxford will form part of that and it will be coming to the next Housing and New Homes Committee for consideration."
- 41.22 Councillor Mears asked the following supplementary question, "Given three options, one to invest and keep the offices open until 2023 can the Chair of Housing confirm that these two reports will be at the next Housing meeting and also the cost the Oxford

street while empty, the cost of moving staff, impact on other offices, business rates, security, basic maintenance cost and cost of independent surveys and facilities design reports so that Members at Housing Committee can have a proper informed debate?"

41.23 Councillor Meadows replied, "Yes, I can confirm that all that information can be made available at the next Housing and New Homes Committee."

(f) Children's Centres

41.24 Councillor Phillips asked, "Does Councillor Bewick recognise that it is now almost universally accepted that what happens in childhood right from conception onwards to the age of two but also for under-fives can have a significant and lasting impact on someone's chances of success in adulthood? Children growing up in home environments where they're exposed to risk factors are more likely to demonstrate poor outcomes in adulthood such as propensity to commit crime, to abuse drugs or alcohol or to borrow and remain unemployed. In particular children who grow up in poverty are much more likely to experience these risk factors. So becoming impoverished adults and continuing the cycle. Does Cllr Bewick therefore agree that children's centres are a proven method of prevention because amongst other things they use targeted evidence based effective early intervention programs?"

41.25 Councillor Bewick replied, "Can I thank Councillor Phillips for her question and yes can I associate myself with her remarks about early intervention? Madam Mayor with your permission however I'd like to take this opportunity to update all Members on where we are currently with the important review of children's centres. For several months now a review board including parents chaired by the Director of Children's Services has been looking at the options of how we deal with a funding shortfall in the children's service of £846,000. That's about 35% of the total budget for children's centres. Now I'd like to believe that no one comes into public service to cut the number of children's centres but I do think it's time to level with the public that the decisions taken last year to save the children's centre were simply kicking the can down the road. It is this Administration that now has to pick up the pieces and deal with the challenge.

41.26 There are currently 12 statutory children's centres across the city they do fantastic work serving a population of nearly 15,000 children. An on behalf of us all I think it's important we recognise the hard work of staff and support workers in our children's centres they do a great job to improve outcomes for young children and reduce inequality in our city but the huge hole in the budget is real and we need imaginative solutions to ensure the most vulnerable children in our city do not lose out. In a short while a statutory consultation will open up to the community and I can inform Members that this consultation is likely to propose the closure or re-designation of five centres with seven remaining open as designated centres. This includes centres staying open in Moulsecomb, Whitehawk, Hangleton, Hollingdean, the Turner Children's Centre and Portslade.

41.27 I want to assure Members however this is a genuine consultation. As I've said else where I welcome ideas from families, from communities including our trade unions about how we address the budget shortfall and at the same time protect the most vulnerable children in our city. Madam Mayor a full report is due to my committee on the 16th of November of which Councillor Phillips is a member."

- 41.28 Councillor Phillips asked the following supplementary question, “How can Councillor Bewick justify short sighted proposals to cut the funding for children’s centres given the increasing service costs this will cause in the future? This is damaging for parents, families, children and our communities both in poverty and those who are not in poverty. How can this be cost effective in the long-term?”
- 41.29 Councillor Bewick replied, “I think we need to remember the local elections five months ago. The residents of this city, 30,000 more of them voted for this party than the Green party because they wanted Labour to come in and sort the mess out of the incompetent Green administration who were playing politics literally with children’s lives this time last year. From a failed referendum and as a result £690,000 of a pig and a poke budget was passed in order to get through the elections. We’re now having to pick up the mess. I think Councillor Phillips needs to recognise instead of joining the placard wielding protest which is what her party is in existence to achieve she sits down with parents and their children and she comes up with solutions so that we can meet the needs of our children in this city.”

(g) University Technical Colleges

- 41.30 Councillor Taylor asked, “Since 2010 fifty university technical colleges have either or have been approved nationwide offering an expected 30,000 young people the chance to choose a technical pathway. These schools are demand led with the school, university and employers co-operating to develop a technical specialism alongside traditional academic subjects. I believe that the chair of the children’s committee shares this sentiment of co-operation between employers and education providers in order to plug Brighton’s skills gap. Therefore does the Chair of the Children’s committee agree with me that not only would a UTC in Brighton and Hove be beneficial to potential students but would also compliment his skills agenda?”
- 41.31 Councillor Bewick replied, “I agree we should look not only at a potential UTC for the city but importantly at a new vision around 14-19 and indeed beyond vocational and technical training we need to make the city a world class centre of vocational and technical training.”

(h) Fairness Commission

- 41.32 Councillor Littman asked, “My initial question is very straight forward. I’d like to reiterate my support for the Administration’s decision to set up a Fairness Commission. To what extent is the Administration committed to implementing the Commission’s recommendations?”
- 41.33 Councillor Daniel replied, “Thank you very much for your support and yes you have been incredibly hard working in terms of supporting the Fairness Commission so thank you for that. The Fairness Commission really provides a plank for further policy work in inequalities in the city and rising inequalities. We clearly brief the fairness commission in papers to our committee around making sure that they are practical policies and in the first two meetings of the Fairness Commission they’ve had presentations which give them a scale of the budget crisis that we face as well as the scale of inequalities. So I’m confident that the commissioners will digest that information and come back

with practical realistic solutions that we can work on. Not only as a city council but as a wider city partnership with our statutory partners and the community.”

- 41.34 Councillor Littman asked the following supplementary question, “I am very reassured by that and I agree that the commissioners we have are an excellent group of people and I have every hope that they will come up with recommendations that will help the situation but on a very specific point; last year the Labour party voted with the Conservative party to increase the council tax burden on the city’s poorest households over three times as much as the city’s other households. At that time the now Leader of the Council described this as the responsible option. My question is if the Fairness Commission disagrees that this is responsible and recognises for what it is which is utterly unfair can we be assured that the Council’s Administration will undo it?”
- 41.35 Councillor Daniel replied, “I don’t really think it’s fair to pre-empt any recommendations from a politically neutral Commission. However, one of the underpinning themes throughout every area that they will look out as well for reform what I hope they will come up with are practical ways we can address the cost of poverty because there is a penalty for being poor: where it comes to utilities, where it comes to bus travel, where it comes to all sorts of things. I think those are the areas that I’d expect to see some practical suggestions in certainly areas that we’re already working on behind the scenes to try and address. We can’t throw our hands in the air and not set a budget because the people in poverty are relying on us to do the right thing.”

(i) NHS Pressures

- 41.36 Councillor Page asked, “I hope that this is a cross party agreement that there are lots of pressures on our NHS at the moment, the hospital, doctors up in arms, nurses saying they want to leave the profession, trusts in deficit. I will put my question together so it’s one question. In these circumstances looking particularly at doctors surgeries we’ve had a series of concerns not least one surgery being immediately closed -an unprecedented situation- and there is a lot of concern in this city and I hope this isn’t jumping on one of those bandwagons that the Councillor Morgan talked about. When the Health and Wellbeing Board on Tuesday received a report from NHS England about GP’s surgeries why did the health and wellbeing board simply pass the buck to overview and scrutiny and not do its job and interrogate the lady from NHS England who was at the Health and Wellbeing Board?”
- 41.37 Councillor Yates replied, “Because we don’t steal jobs from other people. We have an Overview and Scrutiny Committee and an overview and scrutiny process as I made very clear. Councillor Page was there at the meeting; in fact he could have asked the question at that meeting instead of taking our time up here. It would have been very easy for us to have interrogated NHS England but we don’t interrogate people who are partners and statutory members of our own boards. I think we treat people with a little bit more respect than that in the same way that I wouldn’t ever dream to interrogate somebody coming from the Clinical Commissioning Group because they also are partners and members of the board.
- 41.38 It’s not a council committee there to beat people over the head it’s actually a committee there to get people to engage and join to together to deliver the sorts of engagements and the sorts of partnership working that we need to deliver a safe and effective

system for delivering health and wellbeing for everyone in the council. So the reason we didn't do it is for exactly the reason that I made clear right at the start of that meeting because I fully intended that paper to go to the Overview and Scrutiny Committee where it may be slightly more appropriate for there to be greater scrutiny and greater questioning and more in depth questioning but where they will have the time and the ability and the skills and the opportunity to do so with the consideration of the entire population.

41.39 The Health and Wellbeing Board isn't there to attack parts of the NHS that aren't functioning but we are concerned about it and as I made very clear there we won't allow the loss of valuable NHS services and the threat to individuals within this city to be caused by underfunding and restriction of funding and loss of training posts. I don't consider that to be acceptable but I also don't consider beating somebody up when you've invited them to your party to be acceptable."

41.40 Councillor Page asked the following supplementary question, "I'm sorry if Councillor Yates has misunderstood Madam Mayor. Interrogation is not an aggressive term to me it's part of the job of a policy committee. I think the Health and Wellbeing Board is a partnership where you have doctors there so why not try and find out more on behalf of all those people worrying about the doctor's surgeries in the city?"

41.41 Councillor Yates replied, "That's why at the previous meeting of the Health and Wellbeing Board when the issue around the loss of GP's surgeries and primary care facilities across the city was raised that I made a specific request that we should get NHS England and the CCG to come together and produce a report; exactly what they did. That's why I was in communications with NHS England and the CCG outlining very specifically the information that I expected to be in the report which actually is what they provided and once they'd done that in the spirit of co-operation coming together as equal partners at that point I hand that work over and ask the Overview and Scrutiny Committee to take that on as a serious piece of work. I consider the threat to primary care to be a threat to the health of individuals across this city. The NHS is in crisis and if we lose control of primary care it won't just affect primary care it will affect mental health services, community health services and most importantly our acute hospital services. We must be most concerned especially at the moment about the safety of our acute hospital services."

(j) Re-use Depot

41.42 Councillor Druitt asked, "Brighton and Hove is incredibly lucky to have an award winning champion of waste and re-use, Cat Fletcher in the city. She's one of those people that makes the city what it is and I'm very proud of this city because of that. The reuse centre diverted 250 tonnes of unwanted goods last year to families who really need those goods and got them for either nothing or a small contribution. We almost had the reuse centre in Preston barracks but that fell through. My question to Councillor Mitchell; what is the city council now doing to support Cat Fletcher and the reuse depot to find a sustainable future for the reuse depot before the time runs out which is very yeah in the next couple of weeks?"

41.43 Councillor Mitchell replied, "I am aware of this issue and that Cat Fletcher who campaigns so hard on waste and reuse issue has purchased eight shipping containers

via crowd funding that she would use as a reuse centre but currently has no suitable site on which to put them. I understand she was hoping to put them on the Preston Barracks site but cathedral group who lease the site have concluded that they cannot be accommodated there. Since this situation came to light the council- only having been formally approached in July- officers have been trying to assist in finding an alternative location but this is not easy due to the size of the site required and the access requirements. This search is ongoing and if a suitable site is found then it would be subject to the usual planning permission. Unfortunately our Hollingdean depot would not be a suitable site due to the lack of room, the construction work on the new workshop and access requirements. However I do understand that Cat Fletcher is currently looking at private land where there may be an opportunity.”

- 41.44 Councillor Druitt asked the following supplementary question, “Thank you for your response Cllr Mitchell. I understand that Cat Fletcher does actually have an offer from the city council for unused council land however that’s subject to agreement on rent and permission and various other loopholes. I would ask that the City Council administration offer the reuse depot that site which she’s provisionally been offered with twelve months free rent, free rates and the support to take the proposal through the planning process. So my question is, is that possible?”
- 41.45 Councillor Mitchell replied, “I’m not aware of any offer that has been made. I think this would probably be for my colleagues in property services who maybe have been working with Cat Fletcher on this and therefore I will make some enquires, thank you.”

42 CALL OVER FOR REPORTS OF COMMITTEES.

(a) Callover

- 42.1 The Head of Democratic Services confirmed that the following items on the agenda had been reserved for discussion:

- Item 44 - Scrutiny Panel Report on Short-term Lets
- Item 45 - Children’s Services Ofsted Inspection and Review of LSCB 2015
- Item 46 - Ernst & Young Audit Results Report 2014/15
- Item 47 - Living Rent
- Item 48 - Housing Related Support Budget & Commissioning Report
- Item 49 - Prevent – New Statutory Duty

(b) Receipt and/or Approval of Reports

- 42.2 The Head of Democratic Services confirmed that the following reports on the agenda with the recommendations therein had been approved and adopted:

- Item 43 - Proposed Submission East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan.

(c) Oral Questions from Members

- 42.3 The Mayor noted that there were no oral questions in relation to items that had not been reserved for discussion.

43 PROPOSED SUBMISSION EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS SITES PLAN**43.1 RESOLVED:**

- (1) That the responses to the consultation on the Consultation Draft Waste & Minerals Sites Plan (an extract of comments is included in Appendix 1, with a full schedule on the City Council's website, placed in the Members' Rooms, and in main libraries and Customer Service Centres) be noted;
- (2) That the publication of the Proposed Submission Waste & Minerals Sites Plan for statutory public consultation for an eight week period commencing on 28 October 2015 (along with supporting documents) be agreed;
- (3) That the document subsequently be submitted to the Secretary of State subject to no material changes being necessary, other than alterations for the purposes of clarification, improved accuracy of meaning or typographical corrections;
- (4) That the Head of City Planning & Development be authorised to agree any draft 'main modifications' to the Sites Plan necessary to make it sound and to authorise the publication of such draft modifications for public consultation, save that should any draft modification involve a major shift in the policy approach of the Sites Plan, the draft modification shall be referred by the Head of City Planning & Development to the Policy & Resources Committee for approval;
- (5) That it be noted that all modifications to the Sites Plan will be presented to the Policy & Resources Committee and Full Council in due course as part of the adoption process of the Plan; and
- (6) That the following background studies as supporting evidence for the Sites Plan (see Appendix 2 for a summary), be approved:
 - Sustainability Appraisal;
 - Habitats Regulations Assessment;
 - Strategic Flood Risk Assessment;
 - Site Selection and Methodology Document;
 - Schedule of Suitable Industrial Estates;
 - Detailed Site Assessment Document.

44 SHORT-TERM HOLIDAY LETS (PARTY HOUSES) - SCRUTINY PANEL REPORT

- 44.1 Councillor Robins introduced the report which detailed the response to and the Scrutiny Panel's report on Short-term Lets (Party Houses). He stated that the Panel had worked effectively and had identified a number of actions that could be taken forward. He also wished to thank the other Panel Members for their hard work and all those that attended to give evidence and also Dexter Allan from the East Sussex Fire & Rescue Service.

- 44.2 Councillor Mitchell noted that the Panel's recommendations had been accepted at the recent Environment, Transport & Sustainability Committee meeting. She also noted that the issue of party houses fell under the responsibility of a number of areas and therefore it was important to share information and work collaboratively.
- 44.3 Councillor Phillips welcomed the report and stated that she hoped the implementation of the recommendations would help to improve matters, especially as she had received a number of complaints since May.
- 44.4 Councillor Morris stated that he wished to thank the Scrutiny Panel for a thorough piece of work and it was important to take residents' views into account and find ways to address their concerns. He also referred to a recent case in the courts, Moore v Secretary of State for Local Government and suggested that legal and planning officers should look at the judgement as it may set a precedent. He also believed that more could be done and hoped that the report was the start of that process to improve matters.
- 44.5 The Mayor congratulated Councillor Morris on his maiden speech on behalf of the council.
- 44.6 Councillor Bennett stated that she also wished to thank fellow members of the Scrutiny Panel, especially ex-councillor Bowden who had been an excellent Chair. She also noted that the first monitoring report was due to be considered by the Overview & Scrutiny Committee at its next meeting.
- 44.7 The Mayor stated that the report had been referred for information and therefore moved that it be noted.
- 44.8 **RESOLVED:** That the report be noted.

45 CHILDREN'S SERVICES OFSTED INSPECTION AND REVIEW OF LSCB 2015

- 45.1 Councillor Bewick introduced the report which provided an update on the recent Children's Services Ofsted inspection and had been referred to the council for information. He stated that he wished to thank and congratulate the Director and his team on the outcome of what had been a lengthy inspection period. There were a number of excellent comments on the service although there was also room for improvement which he hoped would be addressed. He also wished to congratulate Graham Bartlett as Chair of the Local Safeguarding Children's Board on the overall rating of 'Good' for the Board.
- 45.2 Councillor Wealls stated that it was an important report and it was the responsibility of all councillors to consider the protection of children and a lot of good work had been undertaken in Children's Services.
- 45.3 Councillor Phillips also welcomed the report and stated that more work across all parties was important if further improvements were to be made. She noted that a multi-agency hub had been established and commended the work of officers.

- 45.4 Councillor Taylor welcomed the commitment of all groups to move forward and improve areas and noted that all Members shared a responsibility as Corporate Parents and hoped that they would ensure they met this responsibility.
- 45.5 Councillor Bewick noted the comments and agreed that the result of the Ofsted inspection should be welcomed, but noted that there was room for improvement and this needed to be taken forward.
- 45.6 The Mayor stated that the report had been referred for information and therefore moved that it be noted.
- 45.7 **RESOLVED:** That the report be noted.

46 ERNST & YOUNG AUDIT RESULTS REPORT 2014/15

- 46.1 Councillor A. Norman introduced the report which had been referred for information and stated that the Audit & Standards Committee played an important role in ensuring that the council met its financial and value for money responsibilities. She also wished to thank the Head of Internal Audit for his support and encouraged all Members to take an interest in the management of risk.
- 46.2 Councillor Norman also stated that she wished to thank the Democratic Services team and officers for their work in enabling the meeting to take place in the Brighton Centre.
- 46.3 Councillor Sykes stated that he echoed Councillor Norman's comments on the work of committee and noted that other authorities were at risk of not meeting their statutory responsibilities in terms of financial and risk management.
- 46.4 Councillor Taylor stated that he had asked for the report to be referred to the council because of the need to be aware of the financial considerations and corporate responsibility. All councillors were the custodians of council tax payers' money and there was a need to look at value for money and to review how services were provided. He hoped that the warnings of the auditors would be taken on board and action taken to address those concerns.
- 46.5 Councillor Morris welcomed the report and stated that he wished to thank Councillor Norman as Chair of the Committee who had been very helpful to new Members.
- 46.6 Councillor G. Theobald stated that he had found the audit report to be of interesting reading and noted that failure to make changes to secure longer term financial resilience was a similar message to that given in 2012/13. He also noted the reference to the high cost of services and the need to deliver value for money. He hoped that action would be taken to address these points.
- 46.7 Councillor Mears stated that it was an important report and noted the loss of £3.2m as a result of not taking action to address the situation with the parking collection company. She also noted that Adult Social Care had not achieved its savings targets by £2m and that there were further examples where financial management had not been in place to secure services, which reflected the previous Administration's lack of management.

- 46.8 Councillor Littman noted that the previous Administration had inherited difficulties and had continued the value for money programme; but government cuts had had an warranted impact. There was a need to work together to ensure that local government was protected from further cuts.
- 46.9 Councillor Hamilton stated that he had been the previous Chair of the Audit & Standards Committee and he accepted the Audit report's comments. The Committee had always worked outside of political boundaries and he hoped it would continue to do so.
- 46.10 Councillor A. Norman noted the comments and stated that the committee did work in a non-political environment and received regular financial updates. She suggested that if Members had concerns about service provision or financial aspects they should raise them with the members of the committee who could then consider them at future meetings. In the meantime she commended the report to the council.
- 46.11 The Mayor stated that the report had been referred for information and therefore moved that it be noted.
- 46.12 **RESOLVED:** That the report be noted.

47 HOUSING RELATED SUPPORT COMMISSIONING UPDATE

- 47.1 Councillor Meadows introduced the report which detailed the position of the Housing Related Support Budget and the intention to have greater integration of commissioning functions to provide more effective support services. It was proposed to prioritise the rough sleepers provision and to re-tender for services on reduced budgets across all support services.
- 47.2 Councillor Miller welcomed the report and stated that there was a need to be creative in order to ensure services could be provided. He acknowledged that there were challenges to be met but was disappointed in the reduction of the number of beds that would be made available for rough sleepers and suggested that what appeared to be continued salami slicing of services needed to be tackled differently to ensure services could be maintained.
- 47.3 Councillor Mears stated that she felt all Members needed to be aware of the situation and noted that it was only now that a report on the matter had been brought to the committee, even though supporting people had been moved to Adult Care with a £10m budget. She believed that Members should be briefed and concerns addressed otherwise there would be a need to refer the matter to external audit.
- 47.4 Councillor Moonan stated that there was a need for services to be re-tendered and noted that St. Mungos were now providing a service for rough sleepers and further work would take place across various committees and with all partners to meet the challenges ahead.
- 47.5 Councillor Yates noted that the Health & Wellbeing Board had responsibility for Adult Social Care and noted that he had signed the St. Mungo's Charter earlier in the

meeting. There was a need to work with services and partner agencies across the city to address the issues being faced such as rough sleeping and homelessness.

- 47.6 Councillor Meadows noted the comments and stated that it was hoped to be able to provide holistic services in the future and that work would continue to find ways to meet the needs of those faced with being homeless etc.
- 47.7 The Mayor stated that the report had been referred for information and therefore moved that it be noted.
- 47.8 **RESOLVED:** That the report be noted.

48 LIVING RENT

- 48.1 Councillor Meadows introduced the report which outlined the key challenges and considerations in developing a Living Rent model for housing in the city. She noted that it was likely to have a material impact on the housing budget and could result in new models of delivery. As such the report was being referred to the Fairness Commission for consideration and its views would then be taken into account. She also noted that a definition of a living rent had not been set as yet, but lower rent levels would require support and it was the Administration's intent to build over a 1,000 new affordable homes in the city.
- 48.2 Councillor Gibson stated that it was an incredibly complicated issue and welcomed the decision to refer the report to the Fairness Commission. It was an important issue for the city and aspects such as inequalities in rent levels and home ownership needed to be considered. He noted that current rent levels in the city were preventing people from securing accommodation and that it was an issue which needed cross-party action. He therefore welcomed the Leader's recent comments in regard to the creation of a Housing Company.
- 48.3 The Mayor congratulated Councillor Gibson on his maiden speech on behalf of the council.
- 48.4 Councillor Mears stated that there was confusion about affordable rent levels and noted that council land may be available for future housing schemes. However, she believed there was a need to look across all aspects including planning considerations if affordable housing schemes were to come to fruition.
- 48.5 Councillor Meadows welcomed the comments and stated that incomes were stretched to meet rent levels in the city and this had to be addressed if provision was to be made available.
- 48.6 The Mayor stated that the report had been referred for information and therefore moved that it be noted.
- 48.7 **RESOLVED:** That the report be noted.

49 PREVENT - NEW STATUTORY DUTY

- 49.1 Councillor Daniel introduced the report which detailed the new general statutory 'Prevent Duty' for the local authority and other statutory partners. She noted that the duty applied to all areas of work in relation to protecting young people from extremism and she commended the report to all Members.
- 49.2 Councillor Littman welcomed the report and stated that where work made things safer it had to be supported. However, he was concerned that it might be counter-productive given that the Prevent agenda had been working well to date, with collaborative approaches with partner agencies; but he feared the new duty could lead to opposite results if it was not carefully managed.
- 49.3 Councillor Bell stated that he endorsed the work to date and believed the Committee was working well and thanked Councillor Daniel for bringing the matter to the council. There was a need to ensure that the council did not fail to meet its duty and to protect communities.
- 49.4 The Mayor noted that the report had been referred for information and therefore moved that it be noted.
- 49.5 **RESOLVED:** That the report be noted.

50 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION:**(a) Planning Reform**

- 50.1 The Notice of Motion as listed in the agenda was proposed by Councillor C. Theobald and seconded by Councillor Wealls.
- 50.2 Councillor Mac Cafferty moved an amendment on behalf of the Green Group which was seconded by Councillor Littman.
- 50.3 Councillor C. Theobald stated that the purpose of the motion was not to blame any individual member of the Planning service, but to highlight the failings that currently existed. She noted that determination of minor applications had fallen to 16% when the target was 65% and this was below the 88% achieved by Mid-Sussex. She believed that there was a need for a fundamental review of the service and hoped that this could be implemented.
- 50.4 Councillor Mac Cafferty noted that the Planning Team was under a huge amount of pressure. There had been changes in legislation and an increase in the level of workloads which all had an impact of the service. He believed the Green Group's amendment would enable an action plan to be drawn up to improve delivery.
- 50.5 Councillor Littman stated that there were insufficient resources to meet the demand and he hoped that the amendment would be supported as a way forward.

- 50.6 Councillor Mitchell stated that work was already in hand to address some of the issues within the service and a peer review was due to take place. There was a need to look at what changes could be made to improve matters such as IT support and a move away from the heavily based paper system to a more flexible electronic process. She agreed that there were significant challenges but these were being addressed.
- 50.7 Councillor West stated that he could not support the Conservative Group's motion and noted that he had recently contacted a planning officer to discuss two minor applications, only to find that they were struggling with two major cases and had not been able to give any time to the minor applications. There was a need to look at the resource implications and find a way to support staff.
- 50.8 Councillor Wares stated that improvements to the planning process were required in order to meet residents' aspirations. He acknowledged that officers were working hard to deal with the applications but felt that the system was broken and needed to be addressed. He had examples of applicants that had followed the rules only to find that they were refused because there had not been time to discuss matters and enable changes to be made that would then enable permission to be granted. He was also concerned that Section 106 Agreements were not being implemented and that if reforms were not made then the city would suffer the consequences.
- 50.9 The Mayor congratulated Councillor Wares on his maiden speech on behalf of the Council.
- 50.10 Councillor Nemeth stated that the objective had to be to have a successful planning department, which could work with applicants and point out short-comings in applications so that changes could be made before they were given final consideration. He was aware of one couple who had spent a year trying to get their application ready which would have provided them with their dream home, but that was ultimately refused and the site remains derelict. He believed the service should be there to help people and that improvements could be made to enable staff to deliver a good quality service.
- 50.11 The Mayor congratulated Councillor Nemeth on his maiden speech on behalf of the Council.
- 50.12 Councillor Wealls stated that he was concerned for residents and for potential developers considering investing in the city. He had not been aware that a review of the service was underway and noted that the situation was unacceptable and needed to be tackled.
- 50.13 Councillor Peltzer Dunn stated that the council was failing to meet its responsibility to residents. He was aware of an application for an extension similar to others in the area which had been refused and whilst further advice was then obtained, several months later the applicant was still awaiting a decision. This had to be addressed and an efficient and effective service provided.
- 50.14 Councillor C. Theobald stated that she had not known the situation to be as bad as it was and could not understand why this council could not match other neighbouring authorities in regard to its determination of applications. She could not accept the

Green Group's amendment and hoped that the motion would be supported as there was a need for a better service.

50.15 The Mayor noted that the Green Group's amendment had not been accepted and put it to the vote which was **lost** by 11 votes to 41 with one abstention as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen		X		Mac Cafferty	√		
Atkinson	Absent			Marsh		X	
Barford		X		Meadows		X	
Barnett		X		Mears		X	
Barradell		X		Miller		X	
Bell		X		Mitchell		X	
Bennett		X		Moonan		X	
Bewick		X		Morgan		X	
Brown		X		Morris		X	
Cattell		X		Nemeth		X	
Chapman		X		A Norman		X	
Cobb		X		K Norman		X	
Daniel		X		O'Quinn		X	
Deane	√			Page	√		
Druitt	√			Peltzer Dunn		X	
Gibson	√			Penn		X	
Gilbey		X		Phillips	√		
Greenbaum	√			Robins		X	
Hamilton		X		Simson		X	
Hill		X		Sykes	√		
Horan		X		Taylor		X	
Hyde			A	C Theobald		X	
Inkpin-Leissner		X		G Theobald		X	
Janio		X		Wares		X	
Knight	√			Wealls		X	
Lewry		X		West	√		
Littman	√			Yates		X	
					For	Against	Abstain
				Total	11	41	1

50.16 The Mayor then put the following motion to the vote:

“This Council recognises that the ongoing problems in providing an efficient and effective planning service risk damaging relations with residents, businesses and potential investors in the city. This Council therefore, requests that the Policy & Resources Committee establishes a fundamental review of how the service is provided, looking at all potential options for its future management.”

50.17 The Mayor confirmed that the motion had been **lost** by 19 votes to 33 with one abstention as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen		X		Mac Cafferty		X	
Atkinson	Absent			Marsh		X	
Barford		X		Meadows		X	
Barnett	√			Mears	√		
Barradell		X		Miller	√		
Bell	√			Mitchell		X	
Bennett	√			Moonan		X	
Bewick		X		Morgan		X	
Brown	√			Morris		X	
Cattell		X		Nemeth	√		
Chapman		X		A Norman	√		
Cobb	√			K Norman	√		
Daniel		X		O’Quinn		X	
Deane		X		Page		X	
Druitt		X		Peltzer Dunn	√		
Gibson		X		Penn		X	
Gilbey		X		Phillips		X	
Greenbaum		X		Robins		X	
Hamilton		X		Simson	√		
Hill		X		Sykes		X	
Horan		X		Taylor	√		
Hyde			A	C Theobald	√		
Inkpin-Leissner		X		G Theobald	√		
Janio	√			Wares	√		

Knight		X		Wealls	√		
Lewry	√			West		X	
Littman		X		Yates		X	
					For	Against	Abstain
				Total	19	33	1

50.18 The motion was **lost**.

(b) Christmas Parking and Roadworks Suspension

50.19 The Notice of Motion as listed in the agenda was proposed by Councillor Janio and seconded by Councillor Miller.

50.20 Councillor Mitchell moved an amendment on behalf of the Labour & Co-operative Group which was seconded by Councillor Allen.

50.21 Councillor Janio stated that the motion sought to support local businesses and to improve the local economy during the Christmas period. He hoped that it could be supported as it had in the past.

50.22 Councillor Mitchell stated that she was happy for a report to come to the Policy & Resources Committee but felt that it should also include the option to support 'Small Business Saturday' only. She also noted non-essential roadworks had already been planned around the Christmas shopping period.

50.23 Councillor Allen stated that the proposed level of free parking would come at a cost and this had to be considered given the council's financial position, hence the proposed amendment to support 'Small Business Saturday' only. He could not support the potential loss of income which was needed to help to maintain services.

50.24 The Mayor congratulated Councillor Allen on his maiden speech on behalf of the Council.

50.25 Councillor Page stated that he could not support the motion as it would potentially lead to increase in the number of vehicles entering the city. There was a need to give consideration to the level of air quality and risks to health from vehicle emissions. He believed that there was a need for a parking review and to encourage people to use public transport or to cycle or walk rather than to drive.

50.26 Councillor West stated that a road permit scheme had been adopted which meant that a blanket ban for road closures could not be made, although officers would have indicated to the various utility companies the need to be mindful of the Christmas period when planning their work. He could not support the proposed free parking as it would make shopping harder for people and businesses alike. The parking charges supported the local economy and there was a need to be mindful of increased congestion and the effects on air quality.

- 50.27 Councillor Bewick stated that the Labour & Co-operative Group amendment sought to give the committee the opportunity to consider an alternative option to having free parking throughout the period in question.
- 50.28 Councillor Mears stated that there was a need to support small businesses over the Christmas period as well as the local economy and she believed it was the right thing to do.
- 50.29 Councillor Miller stated that there was a need to support small businesses as much as possible and the provision of free-parking as proposed would be welcomed by them and would result in a boost to the local economy.
- 50.30 Councillor Janio confirmed that he did not accept the amendment and hoped that the motion would be supported.
- 50.31 The Mayor noted that the Labour & Co-operative Group's amendment had not been accepted and put it to the vote which was **lost** by 22 votes to 31 as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen	√			Mac Cafferty		X	
Atkinson	Absent			Marsh	√		
Barford	√			Meadows	√		
Barnett		X		Mears		X	
Barradell	√			Miller		X	
Bell		X		Mitchell	√		
Bennett		X		Moonan	√		
Bewick	√			Morgan	√		
Brown		X		Morris	√		
Cattell	√			Nemeth		X	
Chapman	√			A Norman		X	
Cobb		X		K Norman		X	
Daniel	√			O'Quinn	√		
Deane		X		Page		X	
Druitt		X		Peltzer Dunn		X	
Gibson		X		Penn	√		
Gilbey	√			Phillips		X	
Greenbaum		X		Robins	√		
Hamilton	√			Simson		X	
Hill	√			Sykes		X	
Horan	√			Taylor		X	

Hyde		X		C Theobald		X	
Inkpin-Leissner	√			G Theobald		X	
Janio		X		Wares		X	
Knight		X		Wealls		X	
Lewry		X		West		X	
Littman		X		Yates	√		
					For	Against	Abstain
				Total	22	31	

50.32 The Mayor then put the following motion to the vote:

“This Council resolves to:

1. Request that officers bring a report to the appropriate Committee which, if agreed, would introduce free parking at Norton Road, London Road, Regency Square, High Street and Trafalgar Street car parks on Small Business Saturday (5th December) and the 3 Sundays before Christmas (6th, 13th and 20th December).
2. Request that the Acting Chief Executive seeks the suspension of all non-urgent roadworks in the city centre during December.”

50.33 The Mayor confirmed that the motion had been **lost** by 20 votes to 33 as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen		X		Mac Cafferty		X	
Atkinson	Absent			Marsh		X	
Barford		X		Meadows		X	
Barnett	√			Mears	√		
Barradell		X		Miller	√		
Bell	√			Mitchell		X	
Bennett	√			Moonan		X	
Bewick		X		Morgan		X	
Brown	√			Morris		X	
Cattell		X		Nemeth	√		
Chapman		X		A Norman	√		
Cobb	√			K Norman	√		
Daniel		X		O’Quinn		X	
Deane		X		Page		X	
Druitt		X		Peltzer Dunn	√		

Gibson		X		Penn		X	
Gilbey		X		Phillips		X	
Greenbaum		X		Robins		X	
Hamilton		X		Simson	√		
Hill		X		Sykes		X	
Horan		X		Taylor	√		
Hyde	√			C Theobald	√		
Inkpin-Leissner		X		G Theobald	√		
Janio	√			Wares	√		
Knight		X		Wealls	√		
Lewry	√			West		X	
Littman		X		Yates		X	
					For	Against	Abstain
				Total	20	33	

50.34 The motion was **lost**.

(c) Future Council Funding

50.35 The Notice of Motion as listed in the agenda was proposed by Councillor Morgan and seconded by Councillor Yates.

50.36 Councillor Wealls moved an amendment on behalf of the Conservative Group which was seconded by Councillor G. Theobald.

50.37 Councillor Sykes moved an amendment on behalf of the Green Group which was seconded by Councillor DrUITT.

50.38 Councillor Morgan confirmed that he would not accept either amendment.

50.39 The Mayor noted that the Conservative Group's amendment had not been accepted put it to the vote which was lost by 19 votes to 33 with 1 abstention as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen		X		Mac Cafferty		X	
Atkinson	Absent			Marsh		X	
Barford		X		Meadows		X	
Barnett	√			Mears	√		
Barradell		X		Miller	√		
Bell	√			Mitchell		X	

Bennett	√			Moonan		X	
Bewick		X		Morgan		X	
Brown	√			Morris		X	
Cattell		X		Nemeth	√		
Chapman		X		A Norman	√		
Cobb	√			K Norman	√		
Daniel		X		O'Quinn		X	
Deane		X		Page		X	
Druitt		X		Peltzer Dunn	√		
Gibson		X		Penn		X	
Gilbey		X		Phillips		X	
Greenbaum		X		Robins		X	
Hamilton		X		Simson	√		
Hill		X		Sykes		X	
Horan		X		Taylor	√		
Hyde			A	C Theobald	√		
Inkpin-Leissner		X		G Theobald	√		
Janio	√			Wares	√		
Knight		X		Wealls	√		
Lewry	√			West		X	
Littman		X		Yates		X	
					For	Against	Abstain
				Total	19	33	1

50.40 The Mayor also noted that the Green Group's amendment had not been accepted and put it to the vote which was lost by 11 votes to 41 with 1 abstention as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen		X		Mac Cafferty	√		
Atkinson	Absent			Marsh		X	
Barford		X		Meadows		X	
Barnett		X		Mears		X	
Barradell		X		Miller		X	
Bell		X		Mitchell		X	
Bennett		X		Moonan		X	

Bewick		X		Morgan		X	
Brown		X		Morris		X	
Cattell		X		Nemeth		X	
Chapman		X		A Norman		X	
Cobb		X		K Norman		X	
Daniel		X		O'Quinn		X	
Deane	√			Page	√		
Druitt	√			Peltzer Dunn		X	
Gibson	√			Penn		X	
Gilbey		X		Phillips	√		
Greenbaum	√			Robins		X	
Hamilton		X		Simson		X	
Hill		X		Sykes	√		
Horan		X		Taylor		X	
Hyde			A	C Theobald		X	
Inkpin-Leissner		X		G Theobald		X	
Janio		X		Wares		X	
Knight	√			Wealls		X	
Lewry		X		West	√		
Littman	√			Yates		X	
					For	Against	Abstain
				Total	11	41	1

50.41 The Mayor then put the following motion to the vote

“This council notes the announcement by the Chancellor on 5th October that the revenue grant for Brighton and Hove will be withdrawn altogether, and that in 2020 the council will be able to retain all of the business rates paid within the city.

This council notes the projected budget gap of £102 million by 2019, calculated from the projected fall in revenue grant and increase in service pressures, putting the continued delivery of essential services at risk.

This council requests the Acting Chief Executive to write to the Chancellor and Secretary of State for Communities and Local Government in support of the representations being made by the Local Government Association, asking for clarity on the proposals and to bring forward the business rate changes before the removal of revenue grant funding.”

50.42 The Mayor confirmed that the motion had been **carried** with 52 votes in favour and one abstention as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen	√			Mac Cafferty	√		
Atkinson	Absent			Marsh	√		
Barford	√			Meadows	√		
Barnett	√			Mears	√		
Barradell	√			Miller	√		
Bell	√			Mitchell	√		
Bennett	√			Moonan	√		
Bewick	√			Morgan	√		
Brown	√			Morris	√		
Cattell	√			Nemeth	√		
Chapman	√			A Norman	√		
Cobb	√			K Norman	√		
Daniel	√			O'Quinn	√		
Deane	√			Page	√		
Druitt	√			Peltzer Dunn	√		
Gibson	√			Penn	√		
Gilbey	√			Phillips	√		
Greenbaum	√			Robins	√		
Hamilton	√			Simson	√		
Hill	√			Sykes	√		
Horan	√			Taylor	√		
Hyde			A	C Theobald	√		
Inkpin-Leissner	√			G Theobald	√		
Janio	√			Wares	√		
Knight	√			Wealls	√		
Lewry	√			West	√		
Littman	√			Yates	√		
					For	Against	Abstain
				Total	52	0	1

50.43 The motion was **carried**.

(d) Individual Electoral Registration (IER)

50.44 The Notice of Motion as listed in the agenda was proposed by Councillor Barradell and seconded by Councillor Robins.

50.45 The Mayor then put the following motion to the vote:

“This Council notes the worrying fact that the numbers of people registering to vote in the city was reduced by 7% after Individual Electoral Registration (IER) was first introduced. This Council appreciates the work officers undertook prior to the general election in helping to bring voter numbers back up to pre IER levels.

This council is, though, deeply concerned that the government propose to end the transition period of registering voters to full IER in December.

This Council therefore calls upon the acting Chief Executive Officer to write to the Government to express concern about the withdrawing of the transition phase of IER and to express concern that the premise that next year’s boundary review will be held on could be seriously flawed. We also want to encourage officers and members to continue to do all they can to ensure that Brighton and Hove residents are not disenfranchised.”

50.46 The Mayor confirmed that the motion had been **carried** by 33 votes to 19 with 1 abstention as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen	√			Mac Cafferty	√		
Atkinson	Absent			Marsh	√		
Barford	√			Meadows	√		
Barnett		X		Mears		X	
Barradell	√			Miller		X	
Bell		X		Mitchell	√		
Bennett		X		Moonan	√		
Bewick	√			Morgan	√		
Brown		X		Morris	√		
Cattell	√			Nemeth		X	
Chapman	√			A Norman		X	
Cobb		X		K Norman		X	
Daniel	√			O’Quinn	√		
Deane	√			Page	√		
Druitt	√			Peltzer Dunn		X	
Gibson	√			Penn	√		

Gilbey	√			Phillips	√		
Greenbaum	√			Robins	√		
Hamilton	√			Simson		X	
Hill	√			Sykes	√		
Horan	√			Taylor		X	
Hyde			A	C Theobald		X	
Inkpin-Leissner	√			G Theobald		X	
Janio		X		Wares		X	
Knight	√			Wealls		X	
Lewry		X		West	√		
Littman	√			Yates	√		
					For	Against	Abstain
				Total	33	19	1

50.47 The motion was **carried**.

(e) Divest for Paris

50.48 The Notice of Motion as listed in the agenda was proposed by Councillor Greenbaum and seconded by Councillor Sykes.

50.49 Councillor Greenbaum stated that there was a need to recognise that action had to be taken now in order to ensure the planet's future for the next generation. She noted that scientific analysis suggested that a 2 degrees rise in the earth's temperature was likely to result in climate change and that at present current emission levels were forecast to result in a 5 degrees rise. The question was just how much of an impact that level of increase would have on the climate and therefore any action that could be taken to help to reduce that should be taken now. She therefore hoped that councillors would support the motion.

50.50 The Mayor congratulated Councillor Greenbaum on her maiden speech on behalf of the Council.

50.51 Councillor Wealls stated that he appreciated the sentiments behind the motion but was not sure how they could be taken forward. The Pension Board's role was to support and scrutinise the work of the Pension Fund which would look at the acceptable risks in order to generate the best return on the investments. He believed that having an investment in certain areas meant that there was an opportunity to engage with companies and seek to influence them which could lead to improvements and thereby reduce emissions etc.

50.52 Councillor Allen stated that he believed the pension fund was in a healthy position and that it would be better to await the outcome of the Paris conference before considering how to influence matters.

50.53 Councillor Littman stated that it was an important subject that should be considered by everyone as it affected the future of the world’s population. He hoped that the motion could be supported and felt that it would be a travesty if it was not fully supported.

50.54 Councillor Sykes stated that he had previously served on the East Sussex Pension Panel and had suggested pulling out of investing in fossil fuels which if it had been taken up would have saved a significant amount. He believed that action could be taken and could then enable change for the better.

50.55 Councillor Greenbaum noted the comments and stated that it was time to decide whether the council wanted to take action and noted that engaging with energy companies had not worked in the past. She felt that there was a need to be ahead of the game and this was one way of taking the lead on such an important issue.

50.56 The Mayor then put the following motion to the vote

“This Council notes:

- The upcoming Conference of the Parties to the United Nations Framework Convention on Climate Change, otherwise known as “Paris 2015”, starting on November 30th.

This Council requests:

- 1) The Acting Chief Executive write to the Leader of East Sussex County Council requesting a position statement on the potential impact of stranded fossil fuel assets on the ESPF deficit, suggesting divestment as a way forward; and
- 2) That the Council’s representative on the ESCC Pensions Board maintain a strong position against fossil fuel investment on the Pensions Board and that s/he report to Council annually on progress.”

50.57 The Mayor confirmed that the motion had been **lost** by 11 votes to 23, with 19 abstentions as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen			A	Mac Cafferty	√		
Atkinson	Absent			Marsh			A
Barford			A	Meadows			A
Barnett		X		Mears		X	
Barradell			A	Miller		X	
Bell		X		Mitchell			A
Bennett		X		Moonan			A
Bewick			A	Morgan			A

Brown		X		Morris			A
Cattell			A	Nemeth		X	
Chapman			A	A Norman		X	
Cobb		X		K Norman		X	
Daniel			A	O'Quinn			A
Deane	√			Page	√		
Druitt	√			Peltzer Dunn		X	
Gibson	√			Penn			A
Gilbey			A	Phillips	√		
Greenbaum	√			Robins			A
Hamilton			A	Simson		X	
Hill			A	Sykes	√		
Horan			A	Taylor		X	
Hyde			A	C Theobald		X	
Inkpin-Leissner			A	G Theobald		X	
Janio		X		Wares		X	
Knight	√			Wealls		X	
Lewry		X		West	√		
Littman	√			Yates			A
					For	Against	Abstain
				Total	11	19	23

(f) Syrian Refugee Crisis

50.58 The Notice of Motion as listed in the agenda was proposed by Councillor Littman and seconded by Councillor Mac Cafferty.

50.59 The Mayor then put the following motion to the vote:

“This council notes:

- the ongoing and worsening Syrian refugee crisis, consisting of innocent people forced to flee their homes through the threat of war;
- Recent actions by our City to help these refugees; our status as a City of Sanctuary; and the recent offers by many local residents to take concrete action to welcome the Syrian refugees.

- The Government's welcome plans to expand the existing Syrian Vulnerable Persons Relocation (VPR) scheme, resettling 20,000 Syrians in the next 5 years with one year's government funding for councils.

This Council resolves to:

- Call on national government for a further increase in the number of refugees the UK is prepared to take, with proportionate and increased funding to facilitate this;
- Request a review of the practical support that can be offered locally by bringing together the private sector, voluntary and community sector and residents in partnership;
- Call on appropriate partners, including Sanctuary-on-Sea, to establish and co-ordinate a framework of support for refugees including: accommodation, education, employment, legal advice, health care and social support;
- Request that a report is brought to the Policy & Resources Committee detailing how, with partners, adequate resources can be collectively allocated to help refugees as necessary; and

Request the Acting Chief Executive to write to ministers for further financial and practical help so that the city can accommodate refugees for longer than one year where necessary."

50.60 The Mayor confirmed that the motion had been **carried** by 34 votes to 19 as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen	√			Mac Cafferty	√		
Atkinson	Absent			Marsh	√		
Barford	√			Meadows	√		
Barnett		X		Mears		X	
Barradell	√			Miller		X	
Bell		X		Mitchell	√		
Bennett		X		Moonan	√		
Bewick	√			Morgan	√		
Brown		X		Morris	√		
Cattell	√			Nemeth		X	
Chapman	√			A Norman		X	
Cobb		X		K Norman		X	
Daniel	√			O'Quinn	√		
Deane	√			Page	√		

Druitt	√			Peltzer Dunn		X	
Gibson	√			Penn	√		
Gilbey	√			Phillips	√		
Greenbaum	√			Robins	√		
Hamilton	√			Simson		X	
Hill	√			Sykes	√		
Horan	√			Taylor		X	
Hyde	√			C Theobald		X	
Inkpin-Leissner	√			G Theobald		X	
Janio		X		Wares		X	
Knight	√			Wealls		X	
Lewry		X		West	√		
Littman	√			Yates	√		
					For	Against	Abstain
				Total	34	19	-

50.61 The motion was **carried**.

51 CLOSE OF MEETING

51.1 The Mayor thanked everyone for attending and closed the meeting.

The meeting concluded at 10.45pm

Signed

Chair

Dated this

day of

2015

Subject:	Do Not Cut Specialist Advisory Teachers from the Brighton & Hove's New Learning & Support Service		
Date of Meeting:	17 December 2015		
Report of:	The Monitoring Officer		
Contact Officer:	Name:	Mark Wall	Tel: 01273 291006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 A combined e-petition and paper petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 8,747 signatures confirmed at the time of printing the report.

2. RECOMMENDATIONS:

- 2.1 That the petition is noted and referred to the Children, Young People & Skills Committee for consideration at its next meeting.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:**3.1 The Petition**

"Do not cut specialist advisory teachers from Brighton & Hove's new Learning Support Service."

Lead Petitioner – Sadie Gillett

In support of the petition, we submit the following information:

Hundreds of children with Special Educational Needs in Brighton & Hove currently rely upon the specific guidance, hands-on support and training advisory teachers provide to themselves, their teachers, schools and families.

We currently have five support teams specialising in Autism, Literacy, Language, Sensory Needs and Pre-school. Each team provides a phenomenal breadth of knowledge and experience enabling the children they work with to be educated with their mainstream peers. The current proposal to axe all five

teams and replace them with 12 generic SEN advisors, no longer recognised as teachers, will not work. There will be far fewer advisors, meaning these children and their families will receive drastically reduced, ineffective support.

These children deserve the skills these expert teachers bring. Generic advisors cannot possibly do the job of specialist teachers, and hundreds of children will suffer as a result. In the long term, this supposed cost saving restructuring, which will be implemented in April 2016, will cost the council more. As true understanding of special needs becomes diluted in schools, many more children will begin to fail in mainstream settings.

We cannot let this happen to children with Special Educational Needs in Brighton & Hove.

3.2 The options open to the council are:

- To note the petition and take no action for reasons put forward in the debate; or
- To refer the petition to the relevant Committee Meeting; or
- To refer the petition to the relevant Committee Meeting with recommendations.

4. PROCEDURE:

4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
- (ii) The Mayor will then call on the relevant Committee Chair to respond to the petition and move a proposed response;
- (iii) The Mayor will then open the matter up for debate by councillors and call on those councillors who have indicated a desire to move an amendment or additional recommendation(s) to the recommendation listed in paragraph 2.1 of the report;
- (iv) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
- (v) After a period of 15 minutes, the Mayor will then call an end to the debate and ask the relevant Committee Chair to reply to the points raised;
- (vi) The Mayor will then formally put:
 - (a) Any amendments in the order in which they are moved, and
 - (b) The substantive recommendation(s) as amended (if amended).

Subject:	Syrian Refugees		
Date of Meeting:	17 December 2015		
Report of:	The Monitoring Officer		
Contact Officer:	Name:	Mark Wall	Tel: 01273 291006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 A combined e-petition and paper petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 2,039 signatures confirmed at the time of printing the report.

2. RECOMMENDATIONS:

- 2.1 That the petition is noted and referred to the Neighbourhoods, Communities & Equalities Committee for consideration at its next meeting.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:**3.1 The Petition**

"Offer to home 50 refugee families in Brighton."

Lead Petitioner – Eva Mathis

In support of the petition, we submit the following information:

Not 'solving the problem' as our prime minister thinks is no excuse for not helping those in need.

And if he thinks that most of us don't care we have to prove him wrong. We do care. We don't want Britain to be the kind of country that turns its back as people drown in their desperation to flee places like Syria.

So let's stand up for Britain's long tradition of helping refugees fleeing war. Let's show the Prime Minister that we, the people of the UK, are proud to do our part and provide refuge to people in their hour of need.

3.2 The options open to the council are:

- To note the petition and take no action for reasons put forward in the debate;
or
- To refer the petition to the relevant Committee Meeting; or
- To refer the petition to the relevant Committee Meeting with recommendations.

4. PROCEDURE:

4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
- (ii) The Mayor will then call on the relevant Committee Chair to respond to the petition and move a proposed response;
- (iii) The Mayor will then open the matter up for debate by councillors and call on those councillors who have indicated a desire to move an amendment or additional recommendation(s) to the recommendation listed in paragraph 2.1 of the report;
- (iv) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
- (v) After a period of 15 minutes, the Mayor will then call an end to the debate and ask the relevant Committee Chair to reply to the points raised;
- (vi) The Mayor will then formally put:
 - (a) Any amendments in the order in which they are moved, and
 - (b) The substantive recommendation(s) as amended (if amended).

Subject:	Follow the lead of Manchester and open up empty buildings for homeless people this winter		
Date of Meeting:	17 December 2015		
Report of:	The Monitoring Officer		
Contact Officer:	Name:	Mark Wall	Tel: 01273 291006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 A combined e-petition and paper petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 7,782 signatures confirmed at the time of printing the report.

2. RECOMMENDATIONS:

- 2.1 That the petition is noted and referred to the Policy & Resources Committee for consideration at its next meeting.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:**3.1 The Petition**

"Follow the lead of Manchester and open up empty buildings for homeless people this winter."

Lead Petitioner – Mary Rees

In support of the petition, we submit the following information:

To plead to the Council to open its empty buildings to the homeless in winter. I cannot imagine sleeping rough in driving, biting winds, snow, ice and winter rain. It's inhumane. It's also inexcusable when we have so many empty buildings.

I'm not asking for permanent shelters; just somewhere warm and dry for our homeless to sleep in winter.

3.2 The options open to the council are:

- To note the petition and take no action for reasons put forward in the debate;
or
- To refer the petition to the relevant Committee Meeting; or
- To refer the petition to the relevant Committee Meeting with recommendations.

4. PROCEDURE:

4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
- (ii) The Mayor will then call on the relevant Committee Chair to respond to the petition and move a proposed response;
- (iii) The Mayor will then open the matter up for debate by councillors and call on those councillors who have indicated a desire to move an amendment or additional recommendation(s) to the recommendation listed in paragraph 2.1 of the report;
- (iv) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
- (v) After a period of 15 minutes, the Mayor will then call an end to the debate and ask the relevant Committee Chair to reply to the points raised;
- (vi) The Mayor will then formally put:
 - (a) Any amendments in the order in which they are moved, and
 - (b) The substantive recommendation(s) as amended (if amended).

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions have been received from Councillors and will be taken as read along with the written answer which will be included in an addendum that will be circulated at the meeting:

(a) Councillor Taylor

“Will the Chair of the Environment, Transport & Sustainability Committee estimate the cost of installing single yellow lines per metre and the cost of their enforcement?”

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee.

(b) Councillor Simson

“At a recent meeting of the Children, Young People and Skills Committee the Chair stated that it was the Administration’s policy not to agree any amendments to recommendations put forward in Committee reports. Will this policy be consistent across all Committees for the remainder of the Administration’s term?”

Reply from Councillor Morgan, Leader of the Council.

(c) Councillor G. Theobald

“What does the Council do to monitor the reliability of bus services in the City and do they work with the bus companies to try and improve this?”

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee.

ORAL QUESTIONS FROM COUNCILLORS

A period of not more than 30 minutes is set aside for oral questions from Members, at the expiry of which, the Mayor will call a halt and proceed to the next item of business of the agenda. Any Member whose question then remains outstanding will be contacted to determine whether they wish to have a written answer provided or for their question to be carried over to the next meeting.

The following Members have indicated that they wish to put questions to the Leader, Chairs of Committees or Members of the Council that have been appointed to an outside body. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion:

- (a) **Councillor G. Theobald**
Subject matter – Council Budget

Reply from Councillor Morgan, Leader of the Council

- (b) **Councillor Littman**
Subject matter – Mazda Fountain

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee

- (c) **Councillor Bell**
Subject matter – Member / Officer Roles and Responsibilities

Reply from Councillor Morgan, Leader of the Council

- (d) **Councillor Simson**
Subject matter – Innovative Thinking

Reply from Councillor Morgan, Leader of the Council

- (e) **Councillor Wares**
Subject matter – Drainage

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee

- (f) **Councillor Taylor**
Subject matter – School Parking

Reply from Councillor Bewick, Chair of the Children, Young People & Skills Committee

(g) Councillor Miller
Subject matter – Park Rangers

Reply from Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee

Council

17 December 2015

Agenda Item 63

Brighton & Hove City Council

Subject:	Extract from the proceedings of the Licensing Committee (Licensing Act 2003 Functions), held on the 19 November 2015 - Gambling Act 2005 – Revised Policy		
Date of Meeting:	19 November 2015		
Report of:	Director of Public Health		
Contact Officer:	Name:	Tim Nichols	Tel: 29-2163
	e-mail:	tim.nichols@brighton-hove.gcsx.gov.uk	
Wards Affected:	All		

BRIGHTON & HOVE CITY COUNCIL**LICENSING COMMITTEE (LICENSING ACT 2003 FUNCTIONS)****4.00pm 19 NOVEMBER 2015****THE FRIEND'S MEETING HOUSE, SHIP STREET, BRIGHTON*****Action Required of Council:***

To receive the item referred from the Licensing Committee (Licensing Act 2003 – Functions) for approval:

Recommendation:

That the final Statement of Gambling Policy (as appended to the report) be approved and adopted by the Council.

MINUTES

Present: Councillors Marsh (Chair), Horan (Deputy Chair), Cobb (Opposition Spokesperson), Deane (Group Spokesperson), Allen, Bell, Gilbey, Lewry, Moonan, O'Quinn, Page, Simson, C Theobald, Wares and West.

PART ONE**18. GAMBLING ACT 2005 – REVISED POLICY**

18.1 The Committee considered a report of the Director of Public Health which explained that it was a requirement of the Gambling Act 2005 that every three years Licensing Authorities prepared a statement (also known as a Policy) of the

principles which they would apply when exercising their functions. It was also a requirement that the Licensing Authority must publish this statement following the procedure set out in the Act, which included details of whom they should consult.

- 18.2 In line with the guidance given by the Gambling Commission, the council's current Statement of Gambling Policy had been sent to all statutory consultees, with the consultation period running for four weeks from 1 September, a copy of the document had also been made available on the council's website, Consultation had taken the form of an interim review and had included minor amendments including changing the date and removal of any out of date information.
- 18.3 Having evaluated the responses received (set out in appendix 1 to the report) it was not recommended that any substantive changes be made. It was therefore proposed to maintain the existing policy but to remove any information which was out of date. The proposed Statement as amended was set out in appendix 2 to the report.
- 18.4 A vote was taken and Members voted unanimously that the recommendations set out in the report be approved.
- 18.5 **RESOLVED:** That the Director of Public Health agrees to refer the final version of the Statement of Gambling Policy (appended to the report) to Full Council for adoption.

RESOLVED TO RECOMMEND: That the final Statement of Gambling Policy (as appended to the report) be presented to Full Council for approval and adoption.

Subject:	Gambling Act 2005 – revised policy		
Date of Meeting:	17 December 2015 19 November 2015 – Licensing Committee		
Report of:	Director of Public Health		
Contact Officer:	Name:	Tim Nichols	Tel: 29-2163
	Email:	tim.nichols@brighton-hove.gcsx.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The Gambling Act 2005 requires Licensing Authorities to prepare, every three years, a statement (also known as a Policy) of the principles which they propose to apply when exercising their functions, and they must publish the statement following the procedure set out in the Act, including whom they should consult.

2. RECOMMENDATIONS:

- 2.1 That the Director of Public Health agrees to refer the final version of the Statement of Gambling Policy to Full Council for adoption. (Appended)
- 2.2 That the final Statement of Gambling Policy is presented to Full Council.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Following Gambling Commission guidance, the council's current Gambling Statement was sent to all statutory consultees. This was a "quick" consultation as an interim review with some minor amendments, including changing the date and removing out of date information.

4. CONSULTATION

- 4.1 Consultation commenced 1 September 2015 and lasted 4 weeks. The existing statement of gambling policy was sent to consultees and was available on the council's website.
- 4.2 Responses were received from one business and a solicitor representing a business in the city. The responses were evaluated. Respondents were generally in favor. No proposals were made for any changes and therefore it is proposed to maintain our existing policy with out of date information removed. (See appendix 1).

4.3 Before publishing the Statement, the local authority is required to publish a notice of its intention to publish a statement. This must be done no less than two weeks before the statement is published. The notice must

- a) Specify the date on which the statement is to be published
- b) Specify the date on which the statement will come into effect
- c) Specify the internet address where the statement will be published and the address of the premises at which it may be inspected and
- d) Be published on the authority's website and in or on one or more of the following places
 - A local newspaper circulating in the area covered by the statement
 - A local newsletter, circular or similar document circulating in the area covered by the statement
 - A public notice board on or near the principal office of the authority's public notice board on the premises of public libraries in the area covered by the statement.

The statement must be published at least one month before it takes effect.

4.4 Timetable:

- Licensing Committee 19 November 15
- Full Council 17 December 2015
- Advertised and published during December 2015.
- January 2016 Revised Statement comes into effect

4.5 Officers are also in the process of re-writing the Gambling Statement of Principles in light of the forthcoming changes to the Licensing Conditions and Code of Practice (LCCP) and Guidance for Local Authorities (GLA), to incorporate the new social responsibility requirements which come into force in April 2016 for which we will carry out a 3 month consultation.

4.6 Officers recently carried out a test purchase operation of 6 gambling premises in Brighton & Hove, working with the Gambling Commission. 3 out of 6 premises failed the test purchase. This information has been passed to the relevant Primary Authority and Gambling Commission for any further action.

5. **FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

5.1 There are no financial implications arising from the production of this statement, as licensing fees are set at a level that will be cost neutral to the licensing authority.

Finance Officer Consulted: Michael Bentley

Date: 08/10/15

Legal Implications:

5.2 Local authority responsibilities include: upholding licensing objectives, publishing a three year licensing policy, determining applications for

premises licences and regulating members clubs – club gaming and machine permits. The Licensing Committee established under section 6 of the Licensing Act 2004 has authority to exercise functions under the Gambling Act 2005 with the exception of: a resolution not to issue casino licences, the three year licensing policy (full council) and setting fees.

Lawyer Consulted: Rebecca Sidell

Date: 08/10/15

Equalities Implications:

- 5.3 Protecting children and other vulnerable persons from being harmed or exploited by gambling is one of the licensing objectives. The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children. “Vulnerable persons” will not be defined but for regulatory purposes the assumption is that this group includes people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. Operators should encourage where appropriate, strategies for self help and provide information on organisations where advice and help can be sought.

With limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments..

Sustainability Implications:

- 5.4 None.

Crime & Disorder Implications:

- 5.5 Gambling Commission Inspectors will have the main enforcement/compliance role. The police and licensing authority officers have powers of entry and inspection.

Risk and Opportunity Management Implications:

- 5.6 Gambling licensing objectives are:
- (a) Preventing gambling from being a source of crime and disorder, being associated with crime and disorder, or being used to support crime
 - (b) Ensuring gambling is conducted in a fair and open way
 - (c) Protection children and other vulnerable persons from being harmed or exploited by gambling.

Corporate / Citywide Implications:

- 5.7 Licensing authorities licence all gambling premises in the city: casinos, bingo, betting, tracks, adult gaming centres, family entertainment centres as well as administering notices and granting gaming permits.

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1: Analysis of responses

Appendix 2: Revised Gambling Statement

Documents In Members' Rooms:

None

Background Documents:

None

Summary of responses

Responders R1-R3 Trade

From:	Response	<i>whether accommodated or reasons not</i>
Gosschalks Solicitors acting for the Association of British Bookmakers (ABB)	<p>The ABB represents over 80% of the high street betting market. Its members include large national operators such as William Hill, Ladbrokes, Coral and Paddy Power, as well as almost 100 smaller independent bookmakers.</p> <p>This response will explain the ABB approach to partnership working with local authorities, it will detail its views on the implementation of the new LCCP requirements, from April 2016, relating to operators' local area risk assessments and their impact on the licensing regime and will then make specific comment with regard to any statement(s) of concern/that are welcomed in your draft policy.</p> <p>The ABB is concerned to ensure that any changes are not implemented in such a way as to fundamentally change the premises licence regime through undermining the "aim to permit" principle contained within s153 Gambling Act 2005.</p> <p>The current regime already adequately offers key protections for communities and already provides a clear process (including putting the public on notice) for representations/objections to premises licence applications. The recent planning law changes effective since April 2015 have also already increased the ability of local authorities to consider applications for new premises, as all new betting shops must now apply for planning permission.</p> <p>It is important that any consideration of the draft policy and its implementation at a local level is put into context. There has recently been press coverage suggesting that there has been a proliferation of betting offices and a rise in problem gambling</p>	Support for current policy

rates. This is factually incorrect.

Over recent years betting shop numbers have been relatively stable at around 9,000 nationally, but more recently a trend of overall downwards decline can be seen. The latest Gambling Commission industry statistics show that numbers as at 31 Mar 2015 were 8,958 - a decline of 179 from the previous year, when there were 9,137 recorded as at 31 March 2014.

As far as problem gambling is concerned, successive prevalence surveys and health surveys reveal that problem gambling rates in the UK are stable (0.6%) and possibly falling.

Working in partnership with local authorities

The ABB is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and we welcome the opportunity to respond to this consultation.

There are a number of examples of the ABB working closely and successfully in partnership with local authorities.

LGA – ABB Betting Partnership Framework

In January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA). This was developed over a period of months by a specially formed Betting Commission consisting of councillors and betting shop firms and established a framework designed to encourage more joint working between councils and the industry.

Launching the document Cllr Tony Page, LGA Licensing spokesman, said it demonstrated the

"...desire on both sides to increase joint-working in order to try and use existing powers to tackle local concerns, whatever they might be."

The framework built on earlier examples of joint working between councils and the industry, for example the Ealing Southall Betwatch scheme and Medway Responsible Gambling Partnership.

In Ealing, the Southall Betwatch was set up to address concerns about crime and disorder linked to betting shops in the borough. As a result, crime within gambling premises reduced by 50 per cent alongside falls in public order and criminal damage offences.

In December last year, the Medway Responsible Gambling Partnership was launched by Medway Council and the ABB. The first of its kind in Britain, the voluntary agreement allows anyone who is concerned they are developing a problem with their gambling to exclude themselves from all betting shops in the area.

The initiative also saw the industry working together with representatives of Kent Police and with the Medway Community Safety Partnership to develop a Reporting of Crime Protocol that is helpful in informing both the industry, police and other interested parties about levels of crime and the best way to deal with any crime in a way that is proportionate and effective.

Lessons learnt from the initial self-exclusion trial in Medway have been incorporated into a second trial in Glasgow city centre, launched in July this year with the support of Glasgow City Council, which it is hoped will form the basis of a

national scheme to be rolled out in time for the LCCP deadline for such a scheme by April 2016.

Jane Chitty, Medway Council's Portfolio Holder for Planning, Economic Growth & Regulation, said:

"The Council has implemented measures that work at a local level but I am pleased to note that the joint work we are doing here in Medway is going to help the development of a national scheme."

Describing the project, Glasgow's City Treasurer and Chairman of a cross-party Sounding Board on gambling, Cllr Paul Rooney said:

"This project breaks new ground in terms of the industry sharing information, both between operators and, crucially, with their regulator."

Primary Authority Partnerships in place between the ABB and local authorities

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities.

These Partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the Partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators.

For instance, Primary Authority Partnerships between Milton Keynes Council and Reading Council and their respective partners, Ladbrokes and Paddy Power, led to the first Primary Authority inspection plans for gambling coming into effect in January 2015.

	<p>By creating largely uniform plans, and requiring enforcing officers to inform the relevant Primary Authority before conducting a proactive test-purchase, and provide feedback afterwards, the plans have been able to bring consistency to proactive test-purchasing whilst allowing the Primary Authorities to help the businesses prevent underage gambling on their premises.</p> <p>Local area risk assessments</p> <p>With effect from 6th April 2016, under new Gambling Commission LCCP provisions, operators are required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated.</p> <p>Licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy and local area profile in their risk assessment, and these must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or a new premises licence.</p> <p>The ABB is concerned that overly onerous requirements on operators to review their local risk assessments with unnecessary frequency could be damaging. As set out in the LCCP a review should only be required in response to significant local or premises change. In the ABB's view this should be where evidence can be provided to demonstrate that the change could impact the premises' ability to uphold the three licensing objectives.</p> <p>Although ABB members will be implementing risk assessment at a local premises level, we do not believe that it is for the licensing authority to prescribe the form of that risk assessment. We believe that to do so would be against better regulation principles. Instead operators should be allowed to gear their risk assessments to</p>	<p>To be included in next policy (currently being worked on).</p>
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	<p>their own operational processes informed by Statements of Principles and the local area profile.</p> <p>The ABB supports the requirement as set out in the LCCP, as this will help sustain a transparent and open dialogue between operators and councils. The ABB is also committed to working pro-actively with local authorities to help drive the development of best practice in this area.</p> <p>Local Area Profiles – Need for an evidence based approach</p> <p>It is important that any risks identified in the local area profile are supported by substantive evidence. Where risks are unsubstantiated there is a danger that the regulatory burden will be disproportionate. This may be the case where local authorities include perceived rather than evidenced risks in their local area profiles.</p> <p>This would distort the “aim to permit” principle set out in the Gambling Act 2005 by moving the burden of proof onto operators. Under the Act, it is incumbent on licensing authorities to provide evidence as to any risks to the licensing objectives, and not on the operator to provide evidence as to how they may mitigate any potential risk.</p> <p>A reversal of this would represent a significant increase in the resource required for operators to be compliant whilst failing to offer a clear route by which improvements in protections against gambling related harm can be made.</p> <p>We would also request that where a local area profile is produced by the licensing authority that this be made clearly available within the body of the licensing policy statement, where it will be easily accessible by the operator and also available for consultation whenever the policy statement is reviewed.</p>	<p>To be included in next policy (currently being worked on).</p>
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Concerns around increases in the regulatory burden on operators

Any increase in the regulatory burden would severely impact on our members at a time when overall shop numbers are in decline, and operators are continuing to respond to and absorb significant recent regulatory change. This includes the increase to 25% of MGD, changes to staking over £50 on gaming machines, and planning use class changes which require all new betting shops in England to apply for planning permission.

Moving away from an evidence based approach would lead to substantial variation between licensing authorities and increase regulatory compliance costs for our members. This is of particular concern for smaller operators, who do not have the same resources to be able to put into monitoring differences across all licensing authorities and whose businesses are less able to absorb increases in costs, putting them at risk of closure.

Such variation would in our opinion also weaken the overall standard of regulation at a local level by preventing the easy development of standard or best practice across different local authorities.

Employing additional licence conditions

The ABB believes that additional conditions should only be imposed in exceptional circumstances where there are clear reasons for doing so - in light of the fact that there are already mandatory and default conditions attached to any premises licence. The ABB is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statements as to the need for evidence.

	<p>This would further increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities.</p> <p>Specific Policy Comments</p> <p>The ABB welcomes your light touch approach to the draft gambling policy and in particular, the acknowledgement that as far as betting offices are concerned, there is no evidence that betting offices have historically required door supervision and that there is no evidence that betting machines give rise to any concerns.</p> <p>The ABB also welcomes the acknowledgement within paragraph 4.2 that many betting offices are already located near schools. Operators already have policies and procedures to ensure that those under 18 cannot bet or indeed enter the premises and all staff are trained in this regard.</p> <p>As far as paragraph 2.17 is concerned, the policy would benefit from slight expansion to acknowledge that whilst the authority may limit the number of betting machines when there is evidence to do so, it cannot limit the number of gaming machines.</p> <p>Conclusion</p> <p>The industry fully supports the development of proportionate and evidenced based regulation, and is committed to minimising the harmful effects of gambling. The ABB is continuing to work closely with the Gambling Commission and the government to further evaluate and build on the measures put in place under the ABB Code for Responsible Gambling, which is mandatory for all our members.</p> <p>ABB and its members are committed to working closely with both the Gambling Commission and local authorities to continually drive up standards in regulatory</p>	<p>Support for current policy</p>
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	<p>compliance in support of the three licensing objectives: to keep crime out of gambling, ensure that gambling is conducted in a fair and open way, and to protect the vulnerable.</p> <p>Indeed, as set out, we already do this successfully in partnership with local authorities now. This includes through the ABB Code for Responsible Gambling, which is mandatory for all our members, and the Safe Bet Alliance (SBA), which sets voluntary standards across the industry to make shops safer for customers and staff. We would encourage local authorities to engage with us as we continue to develop both these codes of practice which are in direct support of the licensing objectives.</p>	
Elizabeth Speed for Luxury Leisure	<p>On behalf of Luxury Leisure, I make the following comments in response to the above consultation draft (the "Draft"):-</p> <ol style="list-style-type: none"> 1. As the Authority will appreciate, in matters of regulation under the Gambling Act 2005, it is subject to the Regulators' Code. That code imposes a number of obligations on the Authority, including one that it should carry out its activities in a way that supports those it regulates to comply and grow. Additionally, when designing and reviewing policies, the Authority must, among other things, understand and minimise the negative economic impact of its regulatory activities and regulate and minimise the costs of compliance of those it regulates. Further, the Authority should take an evidence-based approach in determining priority risks and recognise the compliance record of those it regulates. We suggest the Draft be amended to include an express statement that the Authority recognises that it is subject to and will comply with the Regulators' code in relation to matters of gambling licensing and enforcement. 2. The Draft acknowledges the existence of mandatory and default conditions which apply to each premises licence, which as the Authority will 	

	<p>appreciate, should not be duplicated by conditions attached by the Authority. The Authority will also appreciate that it is fundamental that each application is dealt with on its own merits. However, reference is made at Paragraph 9 to an Appendix of a “pool of model conditions”, which we do not have and cannot find on the website. This conflicts with the principle of each application being dealt with on its merits and may conflict with or duplicate areas already covered by the LCCP or mandatory or default conditions. We cannot comment in detail as we have not seen them. We would however point out that section 169 of the 2005 Act does not suggest a pool of conditions should be referred to or adopted – it simply says that conditions may be attached.</p> <p>3. Finally, as the Authority appreciates, children can take part in some gambling. As such, it is not appropriate to say, as is proposed at Paragraph 2.10, that children should not be in close proximity to gambling - plainly they are permitted to be so in relation to gambling they are permitted to participate in.</p>	<p>Agreed: children can be allowed in family entertainment centres</p>
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Brighton & Hove City Council

Brighton & Hove City Council

Gambling Statement

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1. Brighton and Hove City Council: Gambling Statement

1 Introduction

1.1 This statement has been prepared in accordance with the provisions of the Gambling Act 2005. Its purpose is to promote the gambling objectives, give weight to views of consultees listed below and set out a general approach to making gambling decisions. Brighton & Hove City Council as the licensing authority in relation to gambling must carry out its functions with a view to promoting the gambling objectives and this statement is framed around those objectives. Each application will be given individual consideration on its merit. The scope of this Policy covers the following:

- Avoidance of unnecessary duplication or inefficiencies by properly separating the planning and gambling regimes in operation
- Demand for gaming premises
- Principle to be applied in exercising functions under Section 15 of the Act with respect to inspection of premises and the power under Section 346 of the Act to institute criminal proceedings
- Principle to be applied to determine whether a person is an interested party in relation to a premises licence, or in relation to an application for or in respect of a premises licence
- Consideration of applications
- Statement regarding casino resolution
- Information exchange
- Statement of principles

1.2 The gambling objectives are:-a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime; b) Ensuring that gambling is conducted in a fair and open way, and; c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.3 The statutory consultees are:-
(a) the chief officer of police for the authority's area;
(b) such persons as the licensing authority considers to represent the interests of persons carrying on gambling businesses in the authority's area;
(c) such persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

1.4 In addition to consultees in 1.3 above, a list of the persons or bodies consulted can be found at (12) on page 10.

Due consideration was given to all those who responded – the consultation period commenced 1 September 2015 and lasted 4 weeks.

1.5 This policy will come into force on 1 January 2016 by resolution of Full Council in December 2015 and will be reviewed and published at least every three years.

The review process will be undertaken using the same principles as the initial consultation process. The policy will also be under review in the interim periods; any revisions required by either process will also be the subject of consultation. It is also subject to guidance issued by the Government including any issued after the date of publication of this Statement.

- 1.6 Local Features** The population of Brighton & Hove is approximately 250,000, but this number increases significantly in the summer months with the influx of tourists. Eight million people visit this city-by-the-sea each year and it is also one of the top 10 most popular UK destinations for overseas visitors, with over 310,000 staying visitors per year and supporting over 13,000 local jobs. Brighton Marina is one of the largest in Europe, and the City is a major centre for heritage and culture, hosting the largest annual international arts festival in England every May. There are also two Universities, a City College and a large number of language schools, which together make the City very popular with students from many parts of the world. Thirty five percent of the population is aged 20-39, which is much higher than the national average. This is quite different from the large retirement age population associated with many coastal cities and reflects the City's reputation among young people as an attractive place to live.

The Office of National Statistics figures for 2003 show that in the three year period from 1998 to 2001 there has been a trend of increasing numbers of hotels, restaurants and bars in the city. Hotels have increased by 22%, restaurants by 16% and bars by 12% - this trend has not showed signs of change to date. This would seem to reflect the growing importance of the tourism and leisure industries to Brighton & Hove: increasing diverse groups of young people are attracted here as a leisure destination. A burgeoning music industry, a vibrant pub and club culture and being a place to party ensures that the city is on the leisure map. Brighton & Hove is also a major, internationally recognised leisure destination for the gay community. The city's proximity to London means that it is able to attract high spend, short stay visitors who are drawn to the pub and club scene in the city's centre.

- 1.7 The City of Brighton & Hove already provides many gambling facilities. There are two racetracks. Brighton Racecourse on Whitehawk Down has been a site of organised public racing since the late eighteenth century. Brighton and Hove were two of the 53 permitted areas in Great Britain with four casinos under the 1968 Act. There are numerous bingo and betting premises. As a seaside resort, there is a history of amusement arcades, likely to become family entertainment centres or adult gaming centres.

- 1.8 The types of applications covered by the licensing authority of Brighton & Hove City Council and relevant to this statement are:-

- To license premises for gambling activities
- To consider notices given for the temporary use of premises for gambling
- To grant permits for gaming and gaming machines in clubs
- To regulate gaming and gaming machines in alcohol licensed premises
- To grant permits to family entertainment centres for the use of certain lower stake gaming machines
- To grant permits for prize gaming
- To consider occasional use notices for betting at tracks

- To register small societies' lotteries

1.9 Family Entertainment Centres Applicants for permits for family entertainment centres will be required to submit enhanced criminal records bureau certificate and declaration from an applicant that he or she has not been convicted of a relevant offence.

1.10 Gambling decisions and functions may be taken or carried out by the licensing committee of Brighton & Hove City Council or delegated to the licensing sub-committee or in appropriate cases by officers of the authority. As many of the decisions will be purely administrative in nature, the principle of delegation to officers is adopted in the interests of speed, efficiency, and cost effectiveness. The terms of delegation of function are set out below.

Matter to be dealt with	Full Council	Sub-Committee	Officers
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for premises licence		If a representation made	If no representation made
Application for a variation to a licence		If a representation made	If no representation made
Application for a transfer of a licence		If a representation made	If no representation made
Application for provisional statement		If a representation made	If no representation made
Review of a premises licence		X	
Application for club gaming/club machine permits		If a representation made	If no representation made
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

1.11 The licensing authority shall foster ownership, coordination and partnership. Work shall include consultation with business managers to encourage understanding and ownership of policy and good practice.

1.12 Nothing in this policy shall undermine any person from applying for a variety of permissions under the Act and appropriate weight will be given to all relevant representations. Such representations will not include those that are frivolous or vexatious.

1.13 **Human Rights**

In considering applications, and taking enforcement action, licensing authorities are subject to The Human Rights Act and in particular the following relevant provisions of the European Convention on Human Rights:-

- Article 1, Protocol 1 - peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest.
- Article 6 - right to a fair hearing.
- Article 8 - respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life; and
- Article 10 – right to freedom of expression.

Licensing Authorities should be aware that moral objections to gambling are not a valid reason to reject applications for premises licences. This is because such objections do not relate to the licensing objectives. An authority's decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers). In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being met.

2 Fundamental Principles

2.1 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

2.2 Applicants for premises licences will have to hold an operating licence from the Gambling Commission before the premises licence can be issued. The licensing authority will not need to investigate the suitability of an applicant since the Commission will have already done so for both operating and personal licences.

2.3 If, during the course of considering a premises licence application, or at any other time, the licensing authority receives information that causes it to question the suitability of the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay.

2.4 Licensing authorities will need to consider the location of premises in the context of this objective. If an application for a licence or permit is received in relation to premises that are in an area noted for particular problems e.g. with organised crime, the authority should think about what controls might be appropriate to prevent those premises becoming a source of crime. These might include conditions being put on the licence. Section 169 of the Act allows the authority to impose conditions to prevent disorder.

2.5 Consideration may be given to imposition of conditions concerning:

- Security and door supervision – guarding premises against unauthorised access or occupation, or against outbreaks of disorder or against damage may only be undertaken by Security Industry Authority licensed personnel.
- As set by regulation.

2.6 There is no evidence that the operation of betting offices has required door supervisors for the protection of the public. The authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter

and that door supervision is both necessary and proportionate.

2.7 Ensuring that gambling is conducted in a fair and open way

Generally the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter dealt with under the operating licence or personal licence.

2.8 In relation to the licensing of tracks, the licensing authority's role will be different from other premises in that track operators will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. Off-course operators with on-course facilities may be required to hold a separate betting premises licence for this area but this will not be a mandatory requirement and will be at the discretion of the racecourse and the betting operator.

2.9 Conditions may be imposed as set by regulation.

2.10 Protecting children and other vulnerable persons from being harmed or exploited by gambling

With limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises that are adult-only environments. Children must be protected from being "harmed or exploited by gambling" which in practice means preventing them from taking part in or being in close proximity to gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.

2.11 Specific measures to prevent this may include:-

- a) Supervision of entrances
- b) Segregation of gambling from areas frequented by children
- c) Supervision of gaming machines in non-adult gambling specific premises
- d) Gaming machines in betting shops should not be visible from outside the premises
- e) Enhanced CRB checks may be required for all applicants in relation to Family Entertainment Centres and declaration from an applicant that he or she has not been convicted of a relevant offence

These considerations will be particularly relevant on tracks (where children will be permitted in the betting areas on race-days).

2.12 The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children. "Vulnerable persons" will not be defined but for the purposes of this policy the assumption is that this group includes people who from a common sense perspective, a provider of gambling services would be expected to assess as unlikely to be able to make informed or balanced decisions about gambling, due to a learning disability, mental health problem, a known compulsion to gamble or the effects of alcohol or drugs.

Operators should make information publicly available via leaflets etc about organisations that can provide advice and support, both in relation to gambling itself

and to debt e.g. GamCare, Gamblers Anonymous, Gordon House Association, National Debtline, local Citizens Advice Bureaux and independent advice agencies.

- 2.13 Consideration must be given, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. Any such considerations will need to be balanced against the authority's objective to aim to permit the use of premises for gambling.
- 2.14 The licensing authority recognises the Children and Young People's Trust as being competent to advise on matters relating to the protection of children from harm. Applicants shall copy their applications to: Children and Young People's Trust Assistant Director (Children's Social Care) King's House, Hove, BN3 2LS in its capacity as the responsible authority.
- 2.15 Children are permitted to enter family entertainment centres and may play category D machines.
- 2.16 Consideration may be given to imposing conditions concerning
- Installation of cash dispensers (ATMs) on premises (e.g. location)
 - As set by regulation.
- 2.17 Bookmakers shops: While the authority has discretion as to the number, nature and circumstances of use of betting machines, there is no evidence that such machines give rise to regulatory concerns. This authority will consider limiting the number of machines only where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. Where there is such evidence, this authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter.

3. Avoidance of unnecessary duplication or inefficiencies by properly separating the planning and gambling regimes in operation

- 3.1 This policy shall avoid unnecessary duplication or inefficiencies by properly separating the planning and gambling regimes in operation. Where appropriate, matters for consideration in gambling applications will not duplicate matters considered as part of any planning application.
- 3.2 The Licensing Committee should provide regular reports to the Planning Committee on the situation regarding licensed premises in the area. Such reports may include: the general impact of gambling related crime and disorder, numbers and types of applications per ward, results of applications/appeals, details of closing times, such other information as the committee deems appropriate.

4. Demand for gaming premises

- 4.1 Unmet demand is not a criterion for a licensing authority in considering an application for a premises licence under the Gambling Act. Each application must be considered on its merits without regard to demand.
- 4.2 The licensing authority may comment on the location of premises in so far as the location relates to the licensing objectives. The general principals that will be applied when determining whether the location of proposed gambling premises is acceptable (with or without conditions) will reflect the licensing objectives. So for example, the

authority will consider very carefully whether applications for premises licences in respect of certain gambling premises located very close to a school, or a centre for gambling addicts should be granted in light of the third licensing objective. (Many betting offices are located near schools or in residential areas but under 18's are not permitted on the premises. The location of racecourses will not have altered and cannot be transferred to another location). However, each application will be considered on its merits and will depend on the type of gambling that it is proposed will be offered in the premises. If an applicant for a premises licence can show how licensing objective concerns can be overcome, that will have to be taken into account.

5. Interested parties

- 5.1 Section 158 of the Act defines interested parties as persons who:
- a) live sufficiently close to the premises to be likely to be affected by the authorised activities
 - b) have business interests that might be affected by the authorised activities; or
 - c) represent persons who satisfy a) or b).

Persons who fall into c) above may include trade associations, trade unions, residents associations and tenants associations, and ward councillors or MPs.

Whether a person is an interested party with regard to particular premises will be considered on a case-by-case basis, judging each on its merits. The size of the premises and the activities taking place will be taken into account. Larger premises may affect people over a broader geographical area compared to smaller premises offering similar facilities.

6. Principle to be applied in exercising functions under Part 15 of the Act with respect to inspection of premises and the power under Section 346 of the Act to institute criminal proceedings

- 6.1 The Enforcement Concordat (now called the Regulatory Compliance Code) will be accepted as best practice. The Better Regulation Executive and Hampton review of regulatory inspections and enforcement will be used as models, as follows:
- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - Consistent: rules and standards must be joined up and implemented fairly;
 - Transparent: regulators should be open, and keep regulations simple and user friendly; and
 - Targeted: regulation should be focused on the problem, and minimise side effects.

7 Statement regarding casino resolution

- 7.1 The licensing authority has not taken a decision to pass a resolution not to issue casino licences. The effect of a resolution would be not to issue new casino licences in Brighton & Hove.

8 Information Exchange and Integration of Strategies

- 8.1 The Commission may require authorities to provide information about applications covered by the gambling authority. This information will be provided in the format requested by the Commission.
- 8.2 This Policy will follow corporate guidelines regarding data protection and freedom of information. Where valid representations are received, a copy is sent to the applicant in order to facilitate discussions on the matters raised.
Please note: *names and addresses of those making representations will usually be disclosed to applicants.*
- 8.3 The gambling authority shall secure the proper integration of this policy with local crime prevention, planning, tourism and cultural strategies by:-
- Liaising and consulting with the Sussex Police, HM Revenue & Customs and the Community Safety Strategy representatives and following the guidance in community safety and crime and disorder strategy,
 - Liaising and consulting with the planning authority,
 - Liaising and consulting with tourism, stakeholder groups, business groups such as the City Centre Business Forum and the economic development functions for the Council.
 - Having regard to any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols
- 8.4 The Statement of Gambling Policy will support the aims of the tourism strategy recognising the benefits for the tourism economy by creating a safer and more attractive City centre and improving competitiveness with other European Cities.
- 8.5 The Licensing Committee should receive any reports relevant to the needs of the local tourist economy and the cultural strategy for the area, the employment situation of the area and the need for new investment and employment where appropriate to ensure that it considers these matters.
- 8.6 Planning permission is not a guarantee that permission to provide gambling will be granted. The two regimes work separately.

9. Standard Conditions

Appendix 2 (Section 169 of the Act) contains a pool of model conditions that may be imposed or excluded by the licensing authority. The Act provides that conditions may be attached to premises licences. Conditions may be attached in a number of ways:

- They may be attached automatically, having been set out on the face of the Act including mandatory and default conditions from the Secretary of State, or
- They may be attached to premises licences by licensing authorities. The authority should take decisions on individual conditions on a case-by-case basis and choose suitable and appropriate conditions to suit the specific needs of an individual premises' operation.

10. Enforcement

- 10.1 The enforcement of gambling law and the inspection of licensed premises will be detailed in the Protocol between the Gambling Commission, Brighton & Hove City Council and Sussex Police. This protocol will monitor compliance with the provisions of the Act and with licence conditions, and the investigation of suspected offences.
- 10.2 In general, the approach of the Commission will be that the authority which issues a licence or permit should take the lead in ensuring compliance with the licence and any conditions attached to it, including compliance with relevant codes of practice.
- 10.3 The authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.

11. Contact Details, Advice and Guidance

- 11.1 Further details for applicants about the gambling and application process, including application forms, can be found:
- By contacting the Health & Safety and Licensing Team at: Bartholomew House, Bartholomew Square, Brighton BN1 1JP
 - By telephoning them on 01273 294429
 - By faxing on 01273 292169
 - E-mail ehl.safety@brighton-hove.gov.uk
 - Via www.brighton-hove.gov.uk (search under Licensing Act 2003 and follow the gambling links)
 - Via Customer Services Contact Centre
 - Gambling Commission, Victoria Square House, Victoria Square, Birmingham B2 4BP
 - Police Licensing Unit, Police Station, John Street, Brighton BN2 2LA Tel: 01273 665523
 - Fire Authority East Sussex Fire and Rescue Service, Brighton & Hove Fire Safety, Office, Hove Fire Station, English Close, Hove, BN3 7EE, Tel: 01323 462130
 - Planning, Development Control, Hove Town Hall, Norton Road, Hove, BN3 1PT, Tel: 01273 290000
 - Environmental Health, Pollution Team, Bartholomew House, Bartholomew Square, Brighton, BN1 1JP, Tel: 01273 290000
 - Child protection - Children and Young People's Trust, Assistant Director, (Children's Social Care), King's House, Hove, BN3 2LS
 - HMRC, National Registration Unit, Betting and Gaming, Portcullis House, 21 India Street, Glasgow, G2 4PZ. Tel: 0845 010 9000

12. Consultation was undertaken with the following:-

- the chief officer of police for the authority's area; and HM Revenue & Customs
- persons representing the interests of persons carrying on gambling businesses in the authority's area – including existing casino operators, the British Casino Association, betting shops and the Association of British Bookmakers, bingo premises, operators of amusement facilities in the area, the Racecourse Association,

Brighton Business Forum;

- persons who represent the interests of persons who are likely to be affected by the Act including faith groups, local residents and tenants associations, voluntary and community organisations working with children and young people, operators of small lotteries, organisations working with people who are problem gamblers, medical practices or primary care trusts, and advocacy organisations such as Citizens Advice Bureau, The Money Advice Trust and National Debtline, GamCare, Members and trade unions.

Subject:	Council Tax Reduction Review		
Date of Meeting:	3 December 2015 - Policy and Resources Committee 17 December 2015 - Council		
Report of:	Interim Executive Director of Finance and Resources		
Contact Officer:	Name:	John Francis	Tel: 29-1913
	Email:	John.Francis@Brighton-Hove.gcsx.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The council introduced a local Council Tax Reduction (CTR) scheme from 1st April 2013 as a result of national changes localising the previous Council Tax Benefit (CTB) system. Under legislation the local Council Tax Reduction Scheme must be reviewed each year. The purpose of this report is to set out that review and the resulting recommendations.
- 1.2 When CTR was introduced the funding for the scheme was reduced by 10% when compared with the costs of the previous CTB scheme. The funding has continued to reduce year on year and the gap between the cost of the current scheme and the estimated funding available for 2016/17 is forecast to be a £3.6million shortfall.
- 1.3 The council has a choice to manage this by either, reducing the cost of CTR through increasing the minimum amount CTR recipients are expected to pay and other measures; reduce funding for other general fund services; or, increasing council tax.
- 1.4 In the current financial year the council is absorbing approximately £1.529million of the scheme costs within its General Fund budget and people of working age in receipt of CTR receive up to 85% discount on their Council Tax..
- 1.5 CTR for people of pensionable age is set according to national rules which means there is no minimum contribution to be made. Councils are given no power to alter the way the scheme works for pensioners, despite the fact that funding is being reduced for this group too.

2. RECOMMENDATIONS:

That the Committee:

- 2.1 Notes 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 and people were invited to give their views on that scheme.
- 2.2 Notes the outcome of that consultation (appendix 1) which has been summarised in section 5.4.
- 2.3 Notes that an Equalities Impact Assessment (EIA) (appendix 2) has been undertaken on the proposed changes in the draft scheme and the recommendations set out in 2.9.2 – 2.9.4 in this report. The committee should further note that, to meet their Public Sector Equality Duty, members must give conscientious consideration to the findings of this assessment when making a decision on the recommendations in 2.9.1 – 2.9.4. The actions which will be undertaken as a result of this EIA are set out in section 7.4.
- 2.4 Notes that the Chief Finance Officer (s151) will, prior to 1st April 2016, exercise delegated powers to increase the appropriate calculative elements of the scheme to give effect to national changes.

That the Committee recommends to Council that:

- 2.5 It notes 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 and people were invited to give their views on that scheme.
- 2.6 It notes the outcome of that consultation (appendix 1) which has been summarised in section 5.4.
- 2.7 It notes that an Equalities Impact Assessment (EIA) (appendix 2) has been undertaken on the proposed changes in the draft scheme and the recommendations in this report. It should further note that, to meet their Public Sector Equality Duty, members must give conscientious consideration to the findings of this assessment when making a decision on the recommendations in 2.9.1 – 2.9.4. The actions which will be undertaken as a result of this EIA are set out in section 7.4.
- 2.8 It notes that the Chief Finance Officer (s151) will, prior to 1st April 2016, exercise delegated powers to increase the appropriate calculative elements of the scheme to give effect to national changes.

Proposed scheme from 1st April 2016

- 2.9.1 The changes set out in 2.9.2 and 2.9.3 are made to the Council Tax Reduction Scheme (Persons who are not Pensioners)(Brighton & Hove City Council) 2013 to take effect from 1st April 2016.

- 2.9.2 That people on CTR will receive up to an 80% discount on their Council Tax meaning the minimum contribution people of working age pay towards their Council Tax be changed from 15% to 20%.
- 2.9.3 For customers entitled to CTR on 31st March 2016 transitional protection be provided until either the claim ends; the customer moves property; or 31st March 2017 (which ever occurs first) to minimise the increase paid by any household to £1.65 per week inclusive of the separately agreed Council Tax rise as a result of the change set out in 2.9.2 only.
- 2.9.4 The discretionary fund used to support the CTR scheme be set at a minimum of £0.1m and maintained at the 2015/16 level of £0.15m through the use of up to £0.05m from the Welfare Reform reserve.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The current CTR scheme for working age people contains the following measures which are different from CTB. Working age people on CTR receive up to an 85% discount of their Council Tax; the maximum amount of capital a person may hold is £6,000 (reduced from £16,000); an element of the scheme called second adult rebate has been ended; the amounts adult children who live in their parents home are expected to contribute has been increased; and the amount of earnings which are ignored when a person works has been increased for single people, disabled people and carers.
- 3.2 The calculative elements of the scheme are updated each year in line with national amounts under the delegated powers of the Executive Director of Finance and Resources.
- 3.3 To support people who are in receipt of CTR; the Revenues and Benefits team has formed a debt prevention team to help people pay their council tax before they fall into arrears; a discretionary fund has been established to support people in exceptional circumstances; and, budgeting and financial advice has been provided initially through a dedicated contract and subsequently through the financial inclusion commission.
- 3.4 For each year, the council must consider whether to revise its scheme or to replace it with another scheme. Any revision the council makes to its scheme must be made no later than 31st January in the financial year preceding that in which the revision is due to take place.

Funding

- 3.5 Since April 2014, funding for the scheme has been incorporated into the Revenue Support Grant and the Business Rates baseline. Accordingly the funding available for CTR is proportional to those incomes. The Revenue Support Grant income is forecast to significantly reduce over the next four years which means the funding for CTR is reducing in turn.

- 3.6 The current forecast estimates that the shortfall between the current CTR scheme and the funding available in 2016/17 is £3.6m, an increase of £2.1m when compared with the estimated shortfall in 2015/16.
- 3.7 This means that unless the council increased the minimum contribution to a rate of approximately 35% the amount of subsidy it pays next year will increase. The minimum contribution rate would have to be 47% if the council were not to subsidise the scheme at all. In practical terms any subsidy paid to the scheme by the council is made up in part by Council Tax and Business rate payers.
- 3.8 The council collects Council Tax on behalf of the East Sussex Fire Authority and the Police and Crime Commissioner for Sussex; any decisions the council makes relating to the CTR scheme affects the council tax base and in turn the resources these precepting authorities can generate.
- 3.9 There are a number of other elements which could impact on the cost of the scheme over the next year.
- 3.9.1 The changes announced to welfare benefits, and tax credits in particular, in the July 2015 budget were forecast to have increased the cost of the CTR scheme by £500,000 to £700,000. These plans have now been delayed and may be in part changed, and, as such the impact on the CTR scheme is not presently clear.
- 3.9.2 The caseload numbers have declined over the last two and a half years by approximately 5% a year. This has been dependent on a number of factors including improving economic conditions. It is not possible to accurately forecast whether these conditions will continue, or when a baseline of customers who are not able to benefit from improving economic conditions will form the majority of CTR recipients. However if this trend were to continue then it could reduce the cost of the scheme by up to £450,000 over the next year.
- 3.9.3 Increases in the minimum wage may reduce the cost of CTR although it is unclear by how much. There are 4,364 cases where a household's claim is based on their earnings. Of these 1,818 are self-employed so there will be no impact but 2,546 are employed. A portion of this group may see increased earnings which could in turn reduce the cost of the scheme.

Context

- 3.10 With few exceptions the Government does not prescribe how schemes should be set for working age people but protects people of pensionable age at equivalent levels of entitlement to that which they would have been entitled to under the old CTB scheme.
- 3.11 In April 2013 when CTR was introduced there was a total of 27,809 claimant households, 10,421 of whom were of pensionable age and 17,388 were of working age. As at October 2015 the total number of CTR claims was 23,804 with 8,920 claims from people of pensionable age and 14,884 for people of working age. The reduction in caseload reflects in part, the change in the minimum contribution level introduced in April 2015, broader economic conditions

and confirms the findings of the 2011 census that the demographic of the city is becoming younger.

- 3.12 The ultimate collection rate for people who had any entitlement to CTR in 2014/15 is likely to be between 85 to 90%. The overall ultimate collection rate for Council Tax in 2014/15 is expected to be 98.48%.
- 3.13 A breakdown of other local authorities 2015/16 schemes are included in appendix 3. Of other unitary authorities; 19 have a minimum contribution between 21% and 30%; 20 have a minimum contribution between 16% and 20%; 8 have a minimum contribution between 8.5% and 15%; 4 have no contribution; and, 5 have schemes which make reductions in other ways.
- 3.14 CTR has led to higher administrative burdens because of increased customer contacts due to the extra number of households it now collects Council Tax from. Dealing with these contacts has meant the business model of the revenues service has changed to include dealing with discretionary funds, greater extended repayment arrangements alongside the increase in customer contacts.
- 3.15 The change from CTB to CTR is one element of the government's welfare reform programme which relates specifically to Council Tax. However, issues of other welfare reforms, affordability (particularly related to housing), household income, the cost of living, the performance of the economy and local employment issues are all related. A further series of welfare reforms were announced in the summer 2015 budget.
- 3.16 In accordance with legislation the council published a draft scheme (appendix 4) for the purposes of consultation in September 2015. The consultation was open to anyone to respond to but all working age recipients of CTR were written to and invited to respond to the consultation on the draft scheme.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 There are a series of requirements prescribed by legislation which must be undertaken in order for a council to make changes to its CTR scheme. These requirements are:
- To consult any major precepting authority which has the power to issue a precept to it;
 - Publish a draft scheme in such a manner as it sees fit; and
 - Consult such other persons as it considers are likely to have an interest in the operation of the scheme.
- 4.2 Further to the forecast funding position and following initial consultation with major precepting authorities the council published a draft scheme in September and ran formal consultation until 20th October.
- 4.3 The key features of the draft scheme were:
- Changing the discount people on CTR can receive from up to 85% of Council Tax to up to 75% of Council Tax meaning the minimum contribution

working age people in receipt of CTR would have to pay changing from 15% to 25% of their liability;

- Minimising the maximum detriment any household faces as a result of the first change to £3.50 per week for a year or until a change of circumstances;
- Removing the Family Premium for new claims and new births from April 2016; and
- Increasing the period Extended Payments are made for from four weeks to six weeks.

(It should be noted that the first two items of the draft scheme have been changed in the formal recommendations in this report and that the last two items of the draft scheme do not form part of the formal recommendations in this report).

4.4 The consultation also contained a range of other options set out as alternatives to these proposals. The responses to consultation are set in 5.4.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The council is currently running a cross-cutting programme to understand and plan for the impacts of wider welfare reform. The programme maintains ongoing links, and shares information with community and advice services and organisations. It also holds regular cross city meetings with a broader set of representatives, including private landlords.

5.2 As major precepting authorities, the East Sussex Fire Authority and the Office of the Police and Crime Commissioner were consulted prior to the draft scheme being published and as a part of the main consultation.

5.3 Formal consultation was undertaken between 2nd September and the 20th October. The consultation was open to anyone to respond to but all working age recipients of CTR were written to and invited to respond to the consultation on the draft scheme. The consultation was promoted through community and voluntary sector and advice agency networks; on social media; through the Homing In magazine for council tenants; through press releases; and, via front line staff who work with people who claim CTR.

5.4 A summary of findings from consultation is attached in appendix 1, the main finding from consultation to which there were 227 responses were:

- That the majority of people who commented on how the current scheme operates were critical of the scheme or set out issues that they felt it caused.
- A significant majority of people disagreed with the proposal to increase the minimum contribution from 15% to 25%.
- 34% of people agreed that no one should face an increase of more than £3.50 per week as a result of this change.

- A significant majority of people disagreed with the proposals to remove the family premium; to reduce the amounts that are disregarded from earnings before they are counted for CTR; and, to restrict the amounts of CTR to that of a family with two children. 30% of people agreed that CTR should be withdrawn at a higher rate when people start to earn.
- 56% of people agreed that Extended Payments should be paid for 6 weeks rather than 4 weeks; 35% of people agreed that the council should provide employment support information to CTR recipients; and, 43% agreed that the council should increase earnings disregards for people on CTR.

6. CONCLUSION

6.1 The recommendations in this report are formed on the basis of:

- Information from the operation of the scheme so far which shows that the amounts being charged to people on CTR are being collected in line with planning expectations and that the vast majority of customers are engaging with the council about their Council Tax issues.
- The vote of the House of Lords on 26th October which has meant the situation and timing regarding future tax credit changes and the impact on CTR is unclear.
- Feedback from consultation which suggested most people thought an increase to 25% at this time is too high.
- The overall financial position of the local authority which means that assuming a 2% increase in Council Tax per year that the council is facing a £68m budget gap over the following four years
- The estimated shortfall between the cost of the current scheme and the funding transferred to the council is expected to increase to £3.6m in 2016/17. The scheme as proposed will go some way to meet that reduction in funding but will still mean that the council increases its subsidy to the scheme by £1.6m. In practice this means the scheme is being supported by Council Tax and Business Rate payers in part in addition to the remaining shortfall being made up by CTR recipients themselves.
- The council will continue to ensure that CTR recipients are supported in a number of ways including pre-emptive support from the debt prevention team; the use of discretionary funds to help vulnerable people in difficult situations; and, the financial inclusion commission Moneyworks Brighton and Hove

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The projected budget gap over the next 4 years is estimated to be £68m and this incorporates the reduction in funding for CTR and assumes the 2015/16 CTR scheme is maintained throughout the 4 year period. Therefore any changes to the scheme that generate additional resources to the council contribute to meeting the budget gap.

- 7.2 The proposed change to the discount people on CTR can receive from up to 85% of Council Tax to up to 80% of Council Tax is estimated to generate £0.540m additional resources for the council, £0.058m for the Police and Crime Commissioner for Sussex, and £0.034m for the East Sussex Fire Authority.
- 7.3 These changes mean the forecast subsidy the council will pay towards the CTR scheme in 2016/17 will increase to £3.060m from £1.529m in 2015/16.
- 7.4 The estimated cost of the CTR scheme is reflected in the council tax base. The Council Tax base report to Policy and Resources Committee on the 21st January 2016 will incorporate the approved 2016/17 scheme and estimates for changes that are outside the councils direct control as outlined in paragraph 3.9 of this report.
- 7.5 The discretionary fund will be maintained at a minimum of £0.1m supplemented by one off resources set aside within the Welfare Reform reserve of upto £0.05m. This will release £0.05m to support the 2016/17 budget.

Finance Officer Consulted: Name James Hengeveld Date: 10/11/15

Legal Implications:

- 7.6 The consultation undertaken on revisions to the Council Tax Reduction Scheme followed the statutory requirements of paragraphs 3 and 5 of Schedule 1A to the Local Government Finance Act 1992). These requirements are set out in paragraph 4.1 of the report.
- 7.7 Any revision to the Scheme, for implementation in 2015/16, must be made by 31 January 2016.
- 7.8 By section 67 (2) (aa) of the 1992 Act, approval of the revised Scheme is reserved to full Council. It is appropriate for the draft Scheme to be considered first by the Policy & Resources Committee, given its remit in relation to Council Tax corporate budgetary matters, and to refer its recommendations on the revised Scheme to full Council.
- 7.9 Under section 149 of the Equality Act 2010 a public authority such as the council must in the exercise of its functions have due regard to the need to eliminate discrimination, harassment, victimisation; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. This duty is known as the Public Sector Equality Duty (PSED). The EIA is attached to the report as Appendix 2 for Members' consideration. In a recent High Court case, R on the application of Logan v London Borough of Havering, the High Court found that there had been a failure by the full council to have due regard to the PSED because not every member of the council had been provided with a report and accompanying equality impact assessment looking at the possible adverse impact of the changes.

Lawyer Consulted: Name Liz Woodley Date: 10/11/15

Equalities Implications:

7.10 An EIA was undertaken on the changes in the policy proposed in the draft scheme and the recommendations in this report. A copy of this assessment is included in appendix 2

7.11 The findings from the EIA mean the council will:

- Provide clear information to people in receipt of CTR about the scheme and any changes to the scheme.
- Ensure clear information about the scheme and the changes are provided to community groups, advice agencies and any other organisations that support people with protected characteristics on CTR.
- Continue to provide a discretionary fund and to refresh training within the revenues and benefits service about the use of this fund and to promote it to advice and support agencies
- To continue to ensure that provision for advice is available in the City through the Moneyworks – Brighton and Hove, financial inclusion commission.

Sustainability Implications:

7.12 There are no sustainability implications relating to this issues

Any Other Significant Implications:

7.13 No other significant implications have been identified relating to this issue

SUPPORTING DOCUMENTATION

Appendices:

1. Consultation summary
2. Equalities Impact Assessment
3. Other Authorities Schemes
4. 2016/17 draft scheme

Council Tax Reduction Consultation 2016/17

summary

Have you or someone in your household received Council Tax Reduction in the last two years?

		Frequency	Percent	Valid Percent
Valid	Yes	128	56.4	58.4
	No	91	40.1	41.6
	Total	219	96.5	100.0
Missing	No response	5	2.2	
	Don't know / not sure	3	1.3	
	Total	8	3.5	
Total		227	100.0	

Do you support or work with someone/people who claim Council Tax Reduction?

		Frequency	Percent	Valid Percent
Valid	Yes	35	15.4	18.2
	No	157	69.2	81.8
	Total	192	84.6	100.0
Missing	No response	16	7.0	
	Don't know / not sure	19	8.4	
	Total	35	15.4	
Total		227	100.0	

Feedback on the current scheme

Q1. Please tell us if you have any feedback on the current scheme, how it has been operating, and what it has meant for people in the city.

Three quarters of respondents made comments (173 respondents, 76%)

1. Of the replies to this question 125 comments set out general problems that people had with the scheme and issues that they felt it caused.
 - 1.1. 106 replies included views, that; people on benefits and vulnerable people should be exempt from paying Council Tax; that it was unclear where people would find the money to pay, may face debt and may have to cut back on food and fuel or face and use foodbanks; that it's unfair; that other benefits are worked out assuming CT would be paid and had gone down or had been frozen; that the changes could lead to stress and depression; that high rents in the City exacerbate the issue; that the proposed increase is too high; that it should be referred to the fairness commission; that travel is a struggle; that people may resort to crime; that it could cause a revolution; that services don't improve as payments go up; that direct debits are hard to manage; that recovery is ruthless; and, that a person had to get the money to pay their CT as a birthday present from their family.
 - 1.2. 13 comments focussed on the impact on disabled people including the impact of the reduction in capital limits; that people with carers and adaptations to their property should not pay; and, that the scheme does not discriminate between people who can work and those who cannot
 - 1.3. 6 comments focussed specifically on the impact on families with children including the reduction in capital limits; the impact of school related expenses; and, problems with providing food.
2. Of the replies to the question 43 comments were about the amounts people had to pay or alternatives to the current CTR scheme
 - 2.1. 26 comments suggested that Council Tax should be changed so better off people paid more and that poor people pay less than at present
 - 2.2. 9 people said that the 15% minimum contribution was too high, or that it should be 8.5% or that there should be no further increase

- 2.3. 5 comments said the scheme would create costs for other services or increase the cost of collection
- 2.4. 3 comments referred to broader economic issues, that; support for ordinary people in a recession stimulates growth; that taking tax from people who rely on income derived from tax does not make sense; and, that the scheme created a false economy
- 3. 27 comments were from people who thought the current scheme was fair; that they agree with how the discretionary scheme works; that the principle everyone pays is good; that the reduction in capital limits is fair; that 15% was affordable (with concern expressed should it increase); and that a recipient likes to contribute.
- 4. 18 comments set out alternatives to how the scheme currently operates.
 - 4.1. 7 comments suggested specific changes including; looking at everyone's background; bringing capital limit down to £3,000 or £5,000; that there should be no transitional protection; that extended payments should not be 6 weeks; that pensioners should not be exempt and that different age ranges should receive different amounts; and, that CTR should become a loan which is paid back once someone goes back to work.
 - 4.2. 7 comments suggested other ways of saving or raising money including; using parking revenue; reducing the CEOs salary; cutting councillors allowances and support staff; not paying for travellers; selling shops and cafes owned by the council; ending large expensive services like Hove library; don't pay the EU; increase corporation tax; charge students; and, charge landlords;
 - 4.3. 4 people suggested the council should fight back against the government
 - 4.4. 1 person suggested DHP information should be given to everyone.
- 5. Other comments included 2 which were critical of the administration, 2 who said they did not understand it; and, 2 that said CT was too high for everyone.

A. Proposal to increase minimum contribution to 25%

Q2a. How much do you agree or disagree with the proposal to set the minimum contribution at 25%?

		Frequency	Percent	Valid Percent
Valid	Definitely agree	15	6.6	6.9
	Tend to agree	14	6.2	6.4
	Tend to disagree	22	9.7	10.1
	Definitely disagree	167	73.6	76.6
	Total	218	96.0	100.0
Missing	No response	8	3.5	

Don't know / not sure	1	.4
Total	9	4.0
Total	227	100.0

If tend to disagree or definitely disagree > Q2b

Q2b. What do you think should be the minimum contribution that someone in receipt Council Tax Reduction (CTR) should make?

	Frequency	Percent	Valid Percent
Valid			
0% - no minimum contribution	107	47.1	60.8
15%	43	18.9	24.4
20%	9	4.0	5.1
Other	17	7.5	9.7
Total	176	77.5	100.0
Missing			
No response	13	5.7	
No response expected	38	16.7	
Total	51	22.5	
Total	227	100.0	

Other' minimum contribution

5%	2
5-10%	1
5% maximum if disabled	1
6%	1
8.5% i e no change	1
40%	1
If totally disabled with no other income except benefits the amount should be 0%	1
means tested	1
more circumstances should be taken into consideration	1
Per person not per household	1
Don't Know	2
No response	4

Note: Regardless of the response to question 2a, nearly a half of all respondents (107 people, 47%) thought that there should be no minimum contribution and nearly three quarters (164 people, 72%) thought the contribution should be lower than the proposed 25%.

Q3. Is there anything we haven't considered or any further comments you'd like to make about the minimum contribution and the council's proposal to set it at 25%.

Those who responded 'definitely agree' or 'tend to agree' to Proposal A (13 respondents out of 29 made comments)

6. Of the people who agreed with this proposal 6 commented that the scheme was fair and reasonable (with one adding so long as the discretionary scheme existed); 2 comments said 25% was too low; 2 suggested the changes should be implemented more gradually; 2 suggested that the scheme should take account of different circumstances and be means tested; and, 1 suggested that the council should work to stabilise rents in the City.

Q3. Is there anything we haven't considered or any further comments you'd like to make about the minimum contribution and the council's proposal to set it at 25%.

Those who responded 'definitely disagree' or 'tend to disagree' to Proposal A (153 respondents out of 189 made comments)

7. Of the comments made in this section 134 set out concerns with the proposal to increase the minimum contribution to 25%

7.1. 79 comments concerned general problems with the proposal, these included; Where will people get the money to pay?; that people on benefits should not have to pay; that people are struggling and this will lead to strain and costs and problems with heating, food and rent; that benefits are supposed to be set at minimum levels; that the change is unfair/disgusting; that it will add to poverty; that it could cause negative mental health issues, suicide; that other benefits have been reduced or frozen; that people already find 15% high and this is too much of a jump; that people will rely on pay day loans and food banks and that discretionary funds (the Local Discretionary Social Fund) will not cope; that it's stupid; that hard working people will be hit; that people may become criminalised; that cuts to other services make it worse; that the council should look after the vulnerable; that 25% is too high; that it affects the poorest and most vulnerable; that it's a breach of human rights; that this isn't central governments idea; that no other bill has tripled in three years;

that a person earning £114 pw cannot afford it; that other council costs are rising; and that if people are too poor they will not be able support the wider economy.

- 7.2. 24 comments concerned equalities issues and how the proposal aligned with council priorities around reducing inequality; the fairness commission and the council's anti-poverty strategy.
 - 7.3. 21 comments concerned the impacts on disabled people including that; disabled people should not pay; that it's difficult for carers; that disabled people are unable to find work as an alternative; that other welfare reforms are also having an impact; and, that every extra penny spent on Council Tax is a penny less spent on care.
 - 7.4. 5 comment concerned the impact the changes could have on families and children
 - 7.5. 5 comments suggested that the changes could have consequences including homelessness and impacts on the health service.
-
8. 71 comments suggested alternatives ways of raising money or reducing costs so reductions from CTR would not be needed.
 - 8.1. 45 comments suggested increasing Council Tax for better off people, including; a general increase (and an increase in subsidies for CTR); re-evaluation of bandings; raising CT for properties over £750,000
 - 8.2. 41 comments suggested other ways the council could reduce costs or raise money; these included; increasing council efficiency; borrowing money or using reserves; use and keep better track of parking payments (£3.3million); reduce councillor expenses/pensions; avoid large payoffs and remove the gravy train; staff libraries with volunteers; cap council salaries at £70,000; charge two people living in a flat 75% Council Tax each; stop money going to the EU; charge students; that the council shouldn't have funded the i360; not to spend money on travellers; close tax loop holes; means test pensioners; charge landlords; stop non-necessary projects
 - 8.3. 8 comments said the council should challenge the government
 - 8.4. 5 people said they would be willing to pay more CT or pay a voluntary contribution, or to volunteer time to reduce costs and suggested others might too.
 - 8.5. 5 people suggested the rate should be set at 15%
 - 8.6. 4 people suggested the rate should be set at 20%
 - 8.7. 2 people looked at Brighton and Hove in a regional context, one suggestion was that it should be treated the same as London, for example it should be subject to the £20,000 benefit cap, not the £23,000 benefit cap. The other comment said the city should try to become regionally autonomous like the Northern Powerhouse.
 - 8.8. 1 person suggested the scheme rate should be increase to 40% but the discretionary scheme increased
 - 8.9. 1 person said that making changes is not a necessity and that there were choices.
 9. 16 comments made practical suggestions about how the scheme works, including; that where people live should be taken into account; that money should be taken straight from other benefits; that it should be taken over 12 months not 10; that blanket increases are not fair and

that people in different circumstances should pay different amounts; that CTR should be a loan; why not go to 48% now?; that the council should expect lower collection rates and higher costs; that services must be maintained and that if people are too poor they cannot support the wider economy

B. Proposal to limit the increase any household will see as a result of the increases in B to £3.50

Q4. Do you agree or disagree with the proposal to limit the increase in Council Tax current CTR claimants have to pay to £3.50 per week as a result of the changes in Proposal A?

		Frequency	Percent	Valid Percent
Valid	Definitely agree	39	17.2	20.6
	Tend to agree	37	16.3	19.6
	Tend to disagree	13	5.7	6.9
	Definitely disagree	100	44.1	52.9
	Total	189	83.3	100.0
Missing	No response	9	4.0	
	Don't know / not sure	29	12.8	
	Total	38	16.7	
Total		227	100.0	

Q5. Is there anything we haven't considered or any further comments you'd like to make about the proposal to limit the Council Tax increase as a result of the changes set out in Proposal A to £3.50 per week for current claimants?

Those who responded 'definitely agree' or 'tend to agree' to Proposal B (31 respondents out of 76 made comments)

- Of the people who agreed with this proposal 13 comments suggested the changes will create further hardship for people on low income or benefits; 9 people said CTR should be based on a persons income; 4 people said the rate should be frozen at 25%; 3 people said it reasonable or affordable; 2 people said disabled people should be exempt; 2 people said it should only increase if benefits do as well; 2 said larger families would not be able to afford the increase; 1 person said the council expenses should be managed better; 1 person said better off households

should pay for poorer ones; 1 person said everyone should have a family size they can afford; 1 person said council tax and rent should be increased for 2 years; 1 person said it was unfair to people with mental health issues and 1 person was critical of the administration.

Those who responded 'definitely disagree' or 'tend to disagree' to Proposal B (70 respondents out of 113 made comments)

11. 46 comments set out concerns with the proposals

11.1. 33 comments concerned general criticisms including; that no increase in contribution to CTR should be made; that it is unaffordable to people on benefits and they need that money to eat, £3.50 is a meal and is a high percentage of income; that this measure could push vulnerable people over the edge; that the council should show compassion; that it should not be higher than £3.50; being British means believing in fairness; that it's too high; that it should reflect the 2% increase others pay; that cuts for in work benefits and high numbers of migrants make it difficult for single people

11.2. 6 comments were concerned about the impacts on families and young people

11.3. 6 comments were concerned about the impacts on disabled people and carers

12. 14 respondents suggested alternatives including; setting the maximum increase at £2.80 or £3; increasing benefits; that the rate should be based on peoples earnings; that the council should find another way or money from elsewhere; that Council Tax should be increased (with a decreased CTR contribution); that Council Tax should be scrapped and replaced with a land value tax; a new tax should be introduced for houses worth over £1million; use the money from parking charges; increase business rates; and, that people should have a family size they can afford to support (with discretionary fund used in cases of exceptional hardship)

13. 3 comments suggested collection costs would increase

14. 2 comments agreed that the amount was affordable; that it was less than a packet of cigarettes and that whilst the increase in contribution was good that the design was unfair.

Those who responded 'don't know / not sure or did not respond' to Proposal B (18 respondents out of 38 made comments)

15. 11 comments concerned general criticisms including; that people on a low income should make no contribution at all; that the proposal contradicts the council's anti-poverty strategy; that it isn't realistic; that any limit to £3.50 is academic; that a person felt suicidal with all their expenses.

16. 5 people suggested alternatives including; limiting the amount to £10 per month; increasing business rates; giving free bus travel; that the rich should pay for the poor; and, that people should pay less contribution not more

17. 2 comments were in agreement with the proposal; 1 said it is not a lot, I will try and pay it; 1 said £3.50 should be the maximum increase.

C. Proposal to remove the Family Premium

Q6. Do you agree or disagree with the proposal to remove the family premium?

		Frequency	Percent	Valid Percent
Valid	Definitely agree	21	9.3	12.0
	Tend to agree	16	7.0	9.1
	Tend to disagree	18	7.9	10.3
	Definitely disagree	120	52.9	68.6
	Total	175	77.1	100.0
Missing	No response	14	6.2	
	Don't know / not sure	38	16.7	
	Total	52	22.9	
Total		227	100.0	

Q7. Which of the other national changes which could prevent council cost associated to Council Tax Reduction scheme (CTR) increasing do you think the council should adopt	Yes	As a percentage of all respondents
Reduce the amount of money from earnings which is disregarded before it is counted for CTR	34	15
Limit benefit payments to the amounts for a family with two children	38	17
Increase the rate at which CTR is withdrawn as people start to earn more	67	30

Q8. Is there anything we haven't considered or any further comments you'd like to make about reducing the impact of national changes on the CTR scheme in Brighton & Hove and the proposal to remove the family premium? (84 respondents out of a total of 227 made comments)

18. 70 comments set out concerns with the proposal including; the cumulative impact of welfare reforms on people; negative impact on the health and well being of people and increased take up of foodbanks; the impact on helping people back to work; that CTR should not be reduced; that is discriminates against poor parents and children; that the council is not supporting its citizens; that it will increase child poverty; that the proposals only consider cost; and, that taxes shouldn't be increased for the poor.

19. 32 comments suggested alternatives to the proposal including; increasing Council Tax (or increase Council Tax bands in line with property prices); better off citizens should pay more; charge landlords more; charge people with second homes more; Remove single person discounts for better off households; increase business rates; challenge the government; stop paying for the i360; stop paying for council pensions; cut managers in the council; stop spending on cycle lanes; non-dependents who earn should pay more; CTR should be reduced; and, stop paying for immigrants.
20. 8 other comments were made including criticism of the administration; arguing that changes to other schemes are not a good reason to make changes to CTR; that the council should mirror other changes; move extra funding to discretionary funds allows council to 'blow its own trumpet'; if families earn more they should get less CTR; It's peoples own responsibility to pay for their children; and, that it's fair that people act responsibly as many hardworking people are struggling with bills.

Q9. Do you agree or disagree with the proposal to increase extended payments from four to six weeks?

		Frequency	Percent	Valid Percent
Valid	Definitely agree	90	39.6	53.3
	Tend to agree	37	16.3	21.9
	Tend to disagree	16	7.0	9.5
	Definitely disagree	26	11.5	15.4
	Total	169	74.4	100.0
Missing	No response	28	12.3	
	Don't know / not sure	30	13.2	
	Total	58	25.6	
Total		227	100.0	

Do you think that the council should introduce either of the schemes, described above, to help incentivise people into work who are currently in receipt of CTR?	Yes	As a percentage of all respondents
Increase the amount people can earn before it is counted for CTR by £5 per week	97	42.7
Provide advice and guidance about employment and moving into work to recipients of CTR	80	35.2

Q11. Is there anything we haven't considered or any further comments you'd like to make about incentivising work? (80 respondents out of 227 made comments)

21. 54 comments set out concerns with proposal

- 21.1. 24 comments concerned employment and the council's role in helping people with employment including; that it is the job of the Job Centre to help people to work, not the council; that people shouldn't be pushed into work; that there are no jobs out there; that zero hour contracts should be banned; that fair wages should be paid so that people don't require benefits; that rents should be capped and that service charges in ex-council properties are too high; and that people do not require an incentive to work.
- 21.2. 16 comments concerned the overall proposed changes to the scheme and concerns that it will create hardship for the people affected.
- 21.3. 9 comments concerned the impact on disabled people; that the disregard should be £100 per week for disabled people once Universal Credit starts; and, that the council must accept that some people will never work.
- 21.4. 5 people commented that four weeks is long enough for extended payments and extending it by 2 weeks will not create an incentive to work.
- 21.5. 2 people said they were better off being unemployed than working.

22. 18 comments set out alternatives including; suggestions that Council Tax should be increased so better off people pay more and poor people less; that rents should be capped; that Council Tax should be collected over 12 months not 10; that the money should be spent on advice services instead; that Extended Payments should be a loan; and, that the council should lobby the government about these changes.

23. 6 people agreed with incentivising employment and a further 6 people made comments suggesting alternatives about what could be done to incentivise employment. These include; creating new jobs; creating training for CTR claimants; supporting CTR claimants into employment carefully; increasing the minimum wage; support for longer after employment; ensuring penalties are not used; pay the equivalent of one month's salary when employment starts; increase disregarded earnings; stopping people's benefits if they refuse to work.

Equalities

The standard equalities questions were asked with the consultation but the replies to this area of the questionnaire were too low to draw any statistically significant conclusions.

Equality Impact Assessment Template¹ (2013) – (you must complete all four sections of the template)

Public sector bodies need to be able to evidence² that they have given due regard to the impact and potential impact on all people with ‘protected characteristics’³ in shaping policy, in delivering services, and in relation to their own employees.

The following principles, drawn from case law, explain what is essential in order for the Public Sector Equality Duty to be fulfilled. Public bodies should ensure:

- **Knowledge** – everyone who works for the council must be aware of our Equality Duties and apply them appropriately in their work.
- **Timeliness** – you must comply with the Duty at the time of considering policy options and/or before a final decision is taken. You cannot meet the Duty by justifying a decision after it has been taken.
- **Real consideration** – you must consider the aims of the Equality Duty as an integral part of your decision-making process. The Duty is not about box-ticking; it must be done properly, with rigour and with an open mind so that it influences your final decision.
- **Sufficient information** – you must consider what information you have and what further information is needed to give proper consideration to the Equality Duty.
- **No delegation** – the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the Duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review** – we must have regard to the aims of the Duty not only when a policy is developed and decided upon, but also when it is implemented and reviewed. The Equality Duty is a continuing duty.

¹ Information taken from Equality Act 2010: Public Sector Equality Duty What Do I Need To Know? A Quick Start Guide For Public Sector Organisations – Government Equalities Office May 2011

² To councillors, senior managers, service-users, the public and community and voluntary sector groups

³ ‘Protected characteristics’ are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. (Also marriage and civil partnership, but only in relation to eliminating discrimination.)

- **Proper Record Keeping** – we must keep records of the process of considering the Equality Duty and the impacts on protected groups. This encourages transparency and the proper completion of Equality Duties. If we don't keep records then it may be more difficult for us to evidence that we have fulfilled our equality duties.

For more guidance see the guidance [\[weblink\]](#) or contact the Communities and Equality Team – x 2301. EIA workshops and support are available through Directorate Equality Groups from the Communities and Equality Team.

EIAs are about making services better for everyone and value for money: getting services right first time.

1. Equality Impact Assessment (EIA) Template

Title of EIA (should clearly explain what you are assessing)	Council Tax Reduction scheme 2016/17	ID No.	
Team/Department	Welfare Reform – Finance and Resources		
Focus of EIA	<p>The focus of this EIA is the impact of what the proposed changes to the CTR scheme from April 2016 would mean for recipients of Council Tax Reduction.</p> <p>The government is continuing to reduce the funding available to council's to pay for people on a low income get help with their council tax.</p> <p>A proposed draft scheme for Council Tax Reduction (CTR) was published in September 2015 and consulted upon. Following this and taking account of the replies to consultation the report of which this EIA is an appendix contains a smaller number of formal recommendations for changes to the scheme. These changes only affect working age people. Pensioners are assessed under national rules and are out of scope for this assessment.</p> <p>The changes would effect all people of working age who claim CTR in 2016/17 if the proposals are approved</p> <p>The recommendations would mean most working age people in receipt of CTR would have to pay more council tax next year. They will still pay less though than if the full cost of the budget reductions had been passed on fully to this group.</p> <p>The draft proposals were to:</p> <ul style="list-style-type: none"> • Change the discount people on CTR can receive from up to 85% of Council Tax to up to 75% of Council Tax meaning the minimum amount people on CTR have to pay changing from 15% to 25%; For a person on Job Seekers Allowance in a band A property this would mean a person currently pays £2.26 per week and they would have to pay £3.76 per week. For current claimants any increase in the amount to pay will be limited to £3.50 per week 		

- To remove the Family Premium for new claims and changes of circumstances, this would mean that households affected would have to pay £3.49 a week more Council Tax than they do now.
- Extended Payments will be increased from 4 weeks to 6 weeks; this means people who have been on benefits like Job Seekers Allowance or Income Support for more than six months will continue to have CTR paid for 6 weeks if they start work.

Following consultation the formal recommendations in the report are to:

- Change the discount people on CTR can receive from up to 85% of Council Tax to up to 80% of Council Tax meaning the minimum amount people on CTR have to pay changing from 15% to 20%; For a person on Job Seekers Allowance in a band A property this would mean a person currently pays £2.26 per week and they would have to pay £3.01 per week. For current claimants any increase in the amount to pay will be limited to £1.65 per week

For the people affected by these changes this would mean they would have to pay a higher amount of Council Tax than they do now. Since the introduction of CTR the Revenues and Benefits team have run a specific debt prevention team which is designed to work with people before they accrue arrears in order to prevent further costs. The team also administers a discretionary fund which can provide a short term increase in the amount of CTR a person receives to help them through a particularly difficult time. Additionally the council has set up Moneyworks which is an organisation funded by Brighton and Hove Council put in place to help residents save money, make money and manage their money better. The services are for anyone who is struggling to make ends meet and incorporates community and voluntary services throughout the city.

Consider:

- How to avoid, reduce or minimise negative impact (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- How to promote equality of opportunity. This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- How to foster good relations between people who share a protected characteristic and those who do not. This means:
 - Tackle prejudice
 - Promote understanding

	Summary of data¹ about your service-users and/or staff	Summary of service-user and/or staff feedback²	Impacts identified from data and feedback (actual and potential)³	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, • foster good relations (You will prioritise these below in section 2)										
Age (people of all ages)	The following breaks down the age of the primary claimant (not partner) of working age CTR claims <table style="margin-left: 20px;"> <tr><td>[16-18]</td><td>16</td></tr> <tr><td>[19-21]</td><td>178</td></tr> <tr><td>[22-25]</td><td>691</td></tr> <tr><td>[25-34]</td><td>2702</td></tr> <tr><td>[35-44]</td><td>3918</td></tr> </table>	[16-18]	16	[19-21]	178	[22-25]	691	[25-34]	2702	[35-44]	3918	During the original CTR process in 2012 single people under the age of 25 were identified as being particularly sensitive to reductions in rates of support because of the generally lower amounts of all benefits they receive compared with older people. Some of these reduced	All customers of working age will have to pay more council tax Single people under 25 face losing a higher % of their overall	To address the issue with people under 25 this will be considered when making decisions on the discretionary fund. Consultation has been undertaken with the community and voluntary
[16-18]	16													
[19-21]	178													
[22-25]	691													
[25-34]	2702													
[35-44]	3918													

¹ 'Data' may be monitoring, customer feedback, equalities monitoring, survey responses...

² Either ongoing links with community and voluntary groups, service-user groups, staff forums; or one-off engagement sessions you have run.

³ If data or engagement are missing and you can not define impacts then your action will be to take steps to collect the missing information.

	<p>[45-54] 4173 [55-64] 2749 The following breaks down the age range of partners of claimants</p> <table border="0"> <tr><td>[0-15]</td><td>1</td></tr> <tr><td>[16-18]</td><td>3</td></tr> <tr><td>[19-21]</td><td>26</td></tr> <tr><td>[22-25]</td><td>124</td></tr> <tr><td>[25-34]</td><td>662</td></tr> <tr><td>[35-44]</td><td>828</td></tr> <tr><td>[45-54]</td><td>654</td></tr> <tr><td>[55-64]</td><td>327</td></tr> </table> <p>Additionally 5748 case have a total of 10157 dependent children in the household up to 19 years of age.</p>	[0-15]	1	[16-18]	3	[19-21]	26	[22-25]	124	[25-34]	662	[35-44]	828	[45-54]	654	[55-64]	327	<p>amounts have since been extended to single people who are under 35.</p> <p>During the process of consultation held about CTR in 2015 some respondents suggested the scheme should be extended to pensioners to reduce the burden of working age people. CTR for pensioners is set according to national rules and the council cannot alter them.</p> <p>During the process of consultation held about CTR in 2015 some respondents expressed particular concern about the impact on families.</p>	<p>income because they receive less benefits overall than others.</p> <p>However, single people under 25 may be more mobile and may be in a position to adapt to Welfare Reforms by moving or change jobs more easily.</p>	<p>sector which will help to disseminate information about the possible changes</p> <p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether that is through 121 conversations or translations. This will include providing information to organisations which support people with protected characteristics.</p> <p>Continue to provide a discretionary fund which can be used to increase the amount of CTR anyone can get if they face exceptionally difficult circumstances.</p> <p>Review take up of the discretionary fund to make sure it is being taken up where there is a need.</p> <p>Raise awareness of the discretionary fund with Revenues and Benefit Teams and our internal and external stakeholders.</p> <p>Ensure there is availability of</p>
[0-15]	1																			
[16-18]	3																			
[19-21]	26																			
[22-25]	124																			
[25-34]	662																			
[35-44]	828																			
[45-54]	654																			
[55-64]	327																			

				<p>advice within the city so people can receive help dealing with benefits, payment of council tax, budgeting and moving towards work.</p> <p>Moneyworks is an organisation funded by Brighton and Hove Council set up to help residents save money, make money and manage their money better. The services are for anyone who is struggling to make ends meet and incorporates community and voluntary services throughout the city.</p>
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	Summary of data ¹ about your service-users and/or staff	Summary of service-user and/or staff feedback ¹	Impacts identified from data and feedback (actual and potential) ¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
<p>Disability (a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities¹)</p>	<p>There are 5660 CTR claims where a member of the household is in receipt of a benefit paid to disabled people (Disability Living Allowance; Personal Independence Payments; Severe Disablement Allowance)</p>	<p>In response to consultation some people expressed that they did not think it was fair any disabled people pay any of their council tax</p>	<p>All customers in this group will have to pay more council tax</p>	<p>There are a number of provisions within the CTR scheme which recognise and account for the issues faced by disabled people in relation to their finances, These include the full disregard of some income types, for example Disability Living Allowance and Personal Independence payments; and, increases in applicable amounts through specific disability related elements such as the disability premium, the severe disability premium and the carers premium.</p> <p>Raise the profile of the increased earnings disregard for disabled people by talking directly with CVS agencies that work with disabled</p>

¹ The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

	Summary of data ¹ about your service-users and/or staff	Summary of service-user and/or staff feedback ¹	Impacts identified from data and feedback (actual and potential) ¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>people. Additionally to inform agencies who work helping people to get back to work.</p> <p>Consultation has been undertaken with the community and voluntary sector which will help to disseminate information about the possible changes</p> <p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether that is through 121 conversations or translations. This will include providing information to organisations which support people with protected characteristics.</p> <p>Continue to provide a discretionary fund which can be used to increase the amount of CTR anyone can get if they face exceptionally difficult circumstances. Review take up of</p>

	<p>Summary of data¹ about your service-users and/or staff</p>	<p>Summary of service-user and/or staff feedback¹</p>	<p>Impacts identified from data and feedback (actual and potential)¹</p>	<p>All potential actions to:</p> <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>the discretionary fund to make sure it is being taken up where there is a need.</p> <p>Raise awareness of the discretionary fund with Revenues and Benefit Teams and our internal and external stakeholders.</p> <p>Ensure there is availability of advice within the city so people can receive help dealing with benefits, payment of council tax, budgeting and moving towards work.</p> <p>Moneyworks is an organisation funded by Brighton and Hove Council set up to help residents save money, make money and manage their money better. The services are for anyone who is struggling to make ends meet and incorporates community and voluntary services throughout the city.</p>

	Summary of data ¹ about your service-users and/or staff	Summary of service-user and/or staff feedback ¹	Impacts identified from data and feedback (actual and potential) ¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
<p>Gender reassignment (a transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. A person does <u>not</u> need to be under medical supervision to be protected)</p>	<p>This information is not available at a case level (although it is requested).</p>	<p>The Trans Scrutiny work undertaken by the council and partners identified that Trans people are more likely to be unemployed (because of discrimination) and therefore to be on low incomes</p> <p>No specific issues were raised about this group in consultation.</p>	<p>All customers in this group will have to pay more council tax</p>	<p>Consultation has been undertaken with the community and voluntary sector which will help to disseminate information about the possible changes</p> <p>Specific outreach work will be undertaken with specific community and voluntary sector organisations that support Trans people to ensure these issues are communicated clearly and that the availability of advice and discretionary funds are well known.</p> <p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether that is through 121 conversations or translations. This will include providing information to organisations which support people with protected characteristics.</p> <p>Continue to provide a discretionary</p>

	<p>Summary of data¹ about your service-users and/or staff</p>	<p>Summary of service-user and/or staff feedback¹</p>	<p>Impacts identified from data and feedback (actual and potential)¹</p>	<p>All potential actions to:</p> <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>fund which can be used to increase the amount of CTR anyone can get if they face exceptionally difficult circumstances. Review take up of the discretionary fund to make sure it is being taken up where there is a need.</p> <p>Raise awareness of the discretionary fund with Revenues and Benefit Teams and our internal and external stakeholders.</p> <p>Ensure there is availability of advice within the city so people can receive help dealing with benefits, payment of council tax, budgeting and moving towards work.</p> <p>Moneyworks is an organisation funded by Brighton and Hove Council set up to help residents save money, make money and manage their money better. The services are for anyone who is struggling to make ends meet and incorporates community and voluntary services throughout the city.</p>

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<p>Pregnancy and maternity (protection is during pregnancy and any statutory maternity leave to which the woman is entitled)</p>	<p>There are currently 261 children under one years of age in households where CTR is claimed.</p>	<p>No specific issues identified or raised by community in informal consultation</p>	<p>All customers in this group will have to pay more council tax</p>	<p>Consultation has been undertaken with the community and voluntary sector which will help to disseminate information about the possible changes</p> <p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether that is through 121 conversations or translations. This will include providing information to organisations which support people with protected characteristics.</p>

	<p>Summary of data¹ about your service-users and/or staff</p>	<p>Summary of service-user and/or staff feedback¹</p>	<p>Impacts identified from data and feedback (actual and potential)¹</p>	<p>All potential actions to:</p> <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
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	Summary of data ¹ about your service-users and/or staff	Summary of service-user and/or staff feedback ¹	Impacts identified from data and feedback (actual and potential) ¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				throughout the city.
Race (this includes ethnic or national origins, colour or nationality, and includes refugees and migrants; and Gypsies and Travellers)	<p>Arab 0.57%</p> <p>Asian or Asian British: Bangladeshi 1.05%</p> <p>Asian or Asian British: Indian 0.42%</p> <p>Asian or Asian British: Pakistani 0.15%</p> <p>Asian or British : Any other Background 1.84%</p> <p>Black-Black British:African 2.08%</p> <p>Black-Black British:Caribbean 0.48%</p> <p>Black-Black British:Other 0.30%</p> <p>Chinese 0.21%</p> <p>Gypsy/Traveller 0.09%</p> <p>Mixed :Any other mixed background 0.90%</p> <p>Mixed: White and Asian 0.54%</p> <p>Mixed: White and Black African 1.53%</p> <p>Mixed: White and Black Caribbean 0.90%</p> <p>White: Any other White background 8.43%</p> <p>White: British 79.36%</p> <p>White: Irish 1.14%</p>		No specific issues identified or raised by community in consultation	<p>All customers in this group will have to pay more council tax</p> <p>Informal consultation has been undertaken with the community and voluntary sector which will help to disseminate information about the possible changes</p> <p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether that is through 121 conversations or translations. This will include providing information to organisations which support people with protected characteristics.</p> <p>Continue to provide a discretionary fund which can be used to increase</p>

	<p>Summary of data¹ about your service-users and/or staff</p>	<p>Summary of service-user and/or staff feedback¹</p>	<p>Impacts identified from data and feedback (actual and potential)¹</p>	<p>All potential actions to:</p> <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>the amount of CTR anyone can get if they face exceptionally difficult circumstances. Review take up of the discretionary fund to make sure it is being taken up where there is a need.</p> <p>Raise awareness of the discretionary fund with Revenues and Benefit Teams and our internal and external stakeholders.</p> <p>Ensure there is availability of advice within the city so people can receive help dealing with benefits, payment of council tax, budgeting and moving towards work.</p> <p>Moneyworks is an organisation funded by Brighton and Hove Council set up to help residents save money, make money and manage their money better. The services are for anyone who is struggling to make ends meet and incorporates community and voluntary services throughout the city.</p>

	Summary of data¹ about your service-users and/or staff	Summary of service-user and/or staff feedback¹	Impacts identified from data and feedback (actual and potential)¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations 																		
<p>Religion or belief (religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.)</p>	<p>Case level information on religious belief is not held. The following data is from the 2011 Census. There is no reason at present to expect the distribution to vary significantly from the distribution of CTR claimants</p> <table border="1"> <tbody> <tr> <td>Christian</td> <td>42.90%</td> </tr> <tr> <td>Muslim</td> <td>2.20%</td> </tr> <tr> <td>Buddhist</td> <td>1.00%</td> </tr> <tr> <td>Jewish</td> <td>1.00%</td> </tr> <tr> <td>Hindu</td> <td>0.70%</td> </tr> <tr> <td>Sikh</td> <td>0.10%</td> </tr> <tr> <td>Other religion</td> <td>0.90%</td> </tr> <tr> <td>No Religion</td> <td>42.40%</td> </tr> <tr> <td>Religion not stated</td> <td>8.80%</td> </tr> </tbody> </table>	Christian	42.90%	Muslim	2.20%	Buddhist	1.00%	Jewish	1.00%	Hindu	0.70%	Sikh	0.10%	Other religion	0.90%	No Religion	42.40%	Religion not stated	8.80%	<p>No specific issues identified or raised by community in informal consultation</p>	<p>All customers in this group will have to pay more council tax</p>	<p>Consultation has been undertaken with the community and voluntary sector which will help to disseminate information about the possible changes</p> <p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether that is through 121 conversations or translations. This will include providing information to organisations which support people with protected characteristics.</p> <p>Continue to provide a discretionary fund which can be used to increase the amount of CTR anyone can get if they face exceptionally difficult circumstances.</p> <p>Raise awareness of the discretionary fund with Revenues and Benefit Teams and our internal and external stakeholders.</p>
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Sex/Gender (both men and women are covered under the Act)	<p>6270 cases where the claimant is male</p> <p>8682 cases where the claimant is female</p> <p>1342 cases where the partner is male</p> <p>1283 cases where the partner is female</p>	No specific issues identified or raised by community in consultation	All customers in this group will have to pay more council tax	<p>Consultation has been undertaken with the community and voluntary sector which will help to disseminate information about the possible changes</p> <p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether</p>

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	Summary of data¹ about your service-users and/or staff	Summary of service-user and/or staff feedback¹	Impacts identified from data and feedback (actual and potential)¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>money, make money and manage their money better. The services are for anyone who is struggling to make ends meet and incorporates community and voluntary services throughout the city.</p> <p>The minimum contribution a person must pay is based upon their net council tax liability after other statutory discounts have been applied. As such single people affected by this change are entitled to claim an initial 25% discount from their bill which is not subject to a means test.</p>
Sexual orientation (the Act protects bisexual, gay, heterosexual and lesbian people)	Records are held where same sex couples claim together, there are 76 claims from couples in a same sex relationship and 3728 claims from couples in a different sex relationship	No specific issues identified or raised by community in consultation	All customers in this group will have to pay more council tax	<p>Consultation has been undertaken with the community and voluntary sector which will help to disseminate information about the possible changes</p> <p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information</p>

	Summary of data ¹ about your service-users and/or staff	Summary of service-user and/or staff feedback ¹	Impacts identified from data and feedback (actual and potential) ¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
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				Council set up to help residents save money, make money and manage their money better. The services are for anyone who is struggling to make ends meet and incorporates community and voluntary services throughout the city.
Marriage and civil partnership (only in relation to due regard to the need to eliminate discrimination)	This data is not specifically held however there are 3804 claims where a claimant has a partner	No specific issues identified or raised by community in consultation	All customers in this group will have to pay more council tax	<p>Consultation has been undertaken with the community and voluntary sector which will help to disseminate information about the possible changes</p> <p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether that is through 121 conversations or translations. This will include providing information to organisations which support people with protected characteristics.</p> <p>Continue to provide a discretionary fund which can be used to increase the amount of CTR anyone can get if</p>

	Summary of data ¹ about your service-users and/or staff	Summary of service-user and/or staff feedback ¹	Impacts identified from data and feedback (actual and potential) ¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>they face exceptionally difficult circumstances. Review take up of the discretionary fund to make sure it is being taken up where there is a need.</p> <p>Raise awareness of the discretionary fund with Revenues and Benefit Teams and our internal and external stakeholders.</p> <p>Ensure there is availability of advice within the city so people can receive help dealing with benefits, payment of council tax, budgeting and moving towards work.</p> <p>Moneyworks is an organisation funded by Brighton and Hove Council set up to help residents save money, make money and manage their money better. The services are for anyone who is struggling to make ends meet and incorporates community and voluntary services throughout the city.</p>

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Community Cohesion (what must happen in all communities to enable different groups of people to get on well together.)	<p>The distribution of CTR claims for working age people by ward is as follows</p> <table border="0"> <tr><td>EAST BRIGHTON</td><td>1534</td></tr> <tr><td>QUEEN'S PARK</td><td>1350</td></tr> <tr><td>ST.PETER'S & NORTH LAINE</td><td>1116</td></tr> <tr><td>MOULSECOO MB & BEVENDEAN</td><td>1142</td></tr> <tr><td>HOLLINGDEAN & STANMER</td><td>1041</td></tr> <tr><td>HANGLETON & KNOLL</td><td>860</td></tr> <tr><td>HANOVER & ELM GROVE</td><td>811</td></tr> <tr><td>GOLDSMID</td><td>780</td></tr> <tr><td>BRUNSWICK & ADELAIDE</td><td>590</td></tr> <tr><td>REGENCY</td><td>583</td></tr> <tr><td>CENTRAL HOVE</td><td>549</td></tr> <tr><td>NORTH PORTSLADE</td><td>537</td></tr> <tr><td>SOUTH PORTSLADE</td><td>559</td></tr> </table>	EAST BRIGHTON	1534	QUEEN'S PARK	1350	ST.PETER'S & NORTH LAINE	1116	MOULSECOO MB & BEVENDEAN	1142	HOLLINGDEAN & STANMER	1041	HANGLETON & KNOLL	860	HANOVER & ELM GROVE	811	GOLDSMID	780	BRUNSWICK & ADELAIDE	590	REGENCY	583	CENTRAL HOVE	549	NORTH PORTSLADE	537	SOUTH PORTSLADE	559	No specific issues identified or raised by community in informal consultation	The distribution of impact across the City is not equal and reflects the relative socio economic status of the different wards.	<p>This information will be fed into the work of the economic development team. CVS agencies who work in the most affected wards will be specifically briefed.</p> <p>The Financial Inclusion commission undertaken by the Policy and Communities team which commissioned Moneyworks Brighton and Hove undertook a detailed needs analysis of financial need in the city. This analysis was conducted against protected characteristic and by place. As a result services provided by Moneyworks Brighton & Hove have specifically been commissioned to be provided in the areas of greatest financial need as reflected in the accompanying ward information.</p>
EAST BRIGHTON	1534																													
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	PRESTON PARK 494 PATCHAM 439 WESTBOURNE 469 WOODINGDEA N 450 WISH 422 ROTTINGDEA N COASTAL 342 WITHDEAN 363 HOVE PARK 168			
Other relevant groups eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel etc	1357 Carers Looked after children	No specific issues identified or raised by community in informal consultation	All customers in this group will have to pay more council tax Children to whom the authority is parent are protected when they leave the care through automatic access to the discretionary fund.	There are provisions within the CTR scheme which recognise and account for the issues faced by carers of disabled people, namely the carers premium which increases a carers applicable amount. Raise the profile of the increased earnings disregard by talking directly with CVS agencies that work with carers. Additionally to inform agencies who work helping people to get back to work. The Revenues and Benefits team will continue to pro-actively consider

	<p>Summary of data¹ about your service-users and/or staff</p>	<p>Summary of service-user and/or staff feedback¹</p>	<p>Impacts identified from data and feedback (actual and potential)¹</p>	<p>All potential actions to:</p> <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>children who left care for the discretionary fund.</p> <p>Consultation has been undertaken with the community and voluntary sector which will help to disseminate information about the possible changes</p> <p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether that is through 121 conversations or translations. This will include providing information to organisations which support people with protected characteristics.</p> <p>Continue to provide a discretionary fund which can be used to increase the amount of CTR anyone can get if they face exceptionally difficult circumstances. Review take up of the discretionary fund to make sure it is being taken up where there is a</p>

	Summary of data ¹ about your service-users and/or staff	Summary of service-user and/or staff feedback ¹	Impacts identified from data and feedback (actual and potential) ¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p>need.</p> <p>Raise awareness of the discretionary fund with Revenues and Benefit Teams and our internal and external stakeholders.</p> <p>Ensure there is availability of advice within the city so people can receive help dealing with benefits, payment of council tax, budgeting and moving towards work.</p>
<p>Cumulative impact (this is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere</p>	<p>The reduction in funding for CTR should not be seen in isolation. For recipients of CTR it is fundamentally related to the government's other welfare reforms, the cost of living, the performance of the economy and the availability of work.</p>	<p>Some responses to consultation has fed back that benefit increases beneath the rate of inflation and increasing commodity bills mean that demands on limited incomes are increasing.</p> <p>As part of the July budget 2015 reduction in Tax Credits and Universal Credit are</p>	<p>It is estimated there are about 4400 households in Brighton and Hove who are working,</p>	<p>Ensure there is availability of advice within the city so people can receive help dealing with benefits, payment of council tax, budgeting and moving towards work.</p> <p>Moneyworks is an organisation funded by Brighton and Hove Council set up to help residents save money, make money and manage their money better. The services are for anyone who is struggling to make ends meet and incorporates community and voluntary services throughout the city.</p>

	Summary of data ¹ about your service-users and/or staff	Summary of service-user and/or staff feedback ¹	Impacts identified from data and feedback (actual and potential) ¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
else)		<p>planned from April 2016 for working people. (this is now subject to changes which will be announced in the Autumn statement 25th November 2015)</p> <p>The July Budget 2015 also announced plans to limit benefits in</p>	<p>receive tax credits and are in receipt of Council Tax Reduction. We estimate that there are a further 4250 households who receive Employment and Support Allowance whose entitlement will be reduced to Job Seekers Allowance levels who receive benefits from the council. In addition there will be others we are unaware of.</p> <p>The potential impact on families who do have a third child or more will be stark in terms of the cost of living</p>	<p>Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether that is through 121 conversations or translations. This will include providing information to organisations which support people with protected characteristics.</p> <p>Continue to provide a discretionary fund which can be used to increase the amount of CTR anyone can get if they face exceptionally difficult circumstances. Review take up of the discretionary fund to make sure it is being taken up where there is a need.</p> <p>Raise awareness of the discretionary fund with Revenues and Benefit Teams and our internal and external stakeholders.</p>

	Summary of data¹ about your service-users and/or staff	Summary of service-user and/or staff feedback¹	Impacts identified from data and feedback (actual and potential)¹	All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		<p>general to the amount for a family with no more than two children from 2017 (will not apply to families with more than 2 children born before April 2017).</p>	<p>The CTR caseload has reduced reflecting national trends and the economic cycle.</p>	

2. Prioritised Action Plan:

NB: These actions must now be transferred to service or business plans.

Specific action	Evidence of progress / milestones	Lead officer	Timeframe
Consultation has been undertaken with the community and voluntary sector which will help to disseminate information about the possible changes		Welfare Reform Programme Manager	Done July Sep 2015
Ensure the provision of clear communications about the change so people have time to prepare. This will include making information available according to need whether that is through 121 conversations or translations. This will include providing specifically targeted and tailored information for specific groups to organisations which support people with protected characteristics.		Welfare Reform Programme Manager and Revenues and Benefits management team	Initially by 31 st March 2016. Then on an ongoing basis
Continue to provide a discretionary fund which can be used to increase the amount of CTR anyone can get if they face exceptionally difficult circumstances.		Head of Revenues and Benefits	Ongoing
<p>Ensure there is availability of advice within the city so people can receive help dealing with benefits, payment of council tax, budgeting and moving towards work.</p> <p>Moneyworks is an organisation funded by Brighton and Hove Council set up to help residents save money, make money and manage their money better. The services are</p>		Communities and Equalities team	Full third party commission due April 2017

for anyone who is struggling to make ends meet and incorporates community and voluntary services throughout the city.			
Ensure staff and advice services are skilled to advise people on the other statutory council tax discounts customers may be entitled to which would help mitigate some of the impacts of the CTR minimum contribution and other measures. These include the discounts of 25% available for single occupants and the 100% discount which is referred to in legislation as being for people who are severely mentally impaired.	The councils welfare rights team train other council staff providers of advice in the City on a number of subjects including Council Tax Reduction and other discounts	Welfare Reform Programme Manager	Ongoing
Review take up of the Discretionary scheme by protected characteristic and update this EIA and actions		Welfare Reform Programme Manager	April 2016

Appendix 3 Council Tax Reduction Review Report – Other Authorities Schemes

Unitary Authorities

Local Authority	Minimum council tax payment?	Minimum council tax payment level	Reduction by means other than minimum payment	Savings limit	Second adult rebate reduced or abolished?	Support restricted to a particular council tax band?	Council Tax band support is restricted to	Minimum weekly council tax support payment	Taper rate	Hardship fund
Northumberland	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Shropshire	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	#N/A
Warrington	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Wokingham	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Bedford	No	0.0%	Y	£8,000	Yes	Yes	E	£0.00	0.2	No
Bristol, City of	No	0.0%	Y	£16,000	Yes	No	N/A	£0.00	0.2	No
County Durham	No	0.0%	Y	£10,000	Yes	No	N/A	£0.00	0.2	No
Isles of Scilly	No	0.0%	Y	£16,000	No	Yes	A	£0.00	0.2	No
Luton	No	0.0%	Y	£16,000	Yes	No	N/A	£3.00	0.25	Yes
Bracknell Forest	Yes	8.5%		£16,000	Yes	No	N/A	£0.00	0.21	Yes
North Lincolnshire	Yes	8.5%		£16,000	No	No	N/A	£0.00	0.2	Yes
West Berkshire	Yes	10.0%		£16,000	No	No	N/A	£0.00	0.2	No
Windsor and Maidenhead	Yes	10.0%		£16,000	No	No	N/A	£0.00	0.25	No
Hartlepool	Yes	12.0%		£16,000	Yes	No	N/A	£0.00	0.2	Yes
Poole	Yes	14.0%		£16,000	Yes	Yes	C	£0.50	0.2	Yes
Brighton and Hove	Yes	15.0%		£6,000	No	No	N/A	£0.00	0.2	Yes
Reading	Yes	15.0%		£6,000	Yes	No	N/A	£0.00	0.2	Yes
Herefordshire, County of	Yes	16.0%		£16,000	Yes	Yes	D	£0.00	0.2	No
Blackburn with Darwen	Yes	20.0%		£16,000	No	No	N/A	£0.00	0.2	Yes
Bournemouth	Yes	20.0%		£16,000	Yes	No	N/A	£0.50	0.2	Yes

Cheshire East	Yes	20.0%	£10,000	Yes	Yes	D	£1.00	0.2	No
Darlington	Yes	20.0%	£16,000	Yes	No	N/A	£0.00	0.2	Yes
Derby	Yes	20.0%	£6,000	Yes	Yes	B	£4.00	0.2	Yes
Isle of Wight	Yes	20.0%	£16,000	Yes	No	N/A	£0.00	0.2	No
Kingston upon Hull, City of	Yes	20.0%	£16,000	Yes	No	N/A	£0.00	0.2	No
Leicester	Yes	20.0%	£16,000	Yes	Yes	B	£3.55	0.2	Yes
Middlesbrough	Yes	20.0%	£16,000	Yes	No	N/A	£0.00	0.2	No
Milton Keynes	Yes	20.0%	£6,000	Yes	No	N/A	£0.00	0.2	Yes
Nottingham	Yes	20.0%	£16,000	Yes	No	N/A	£0.50	0.2	No
Plymouth	Yes	20.0%	£6,000	Yes	Yes	E	£0.00	0.2	No
Portsmouth	Yes	20.0%	£16,000	No	No	N/A	£0.00	0.25	Yes
Redcar and Cleveland	Yes	20.0%	£16,000	Yes	No	N/A	£0.00	0.2	No
Slough	Yes	20.0%	£16,000	Yes	Yes	C	£0.00	0.2	Yes
								Less income bands	
South Gloucestershire	Yes	20.0%	£6,000	Yes	No	N/A	£0.00	0.2	No
Stockton-on-Tees	Yes	20.0%	£16,000	Yes	No	N/A	£0.00	0.2	No
Swindon	Yes	20.0%	£6,000	Yes	Yes	D	£0.00	0.2	No
Wiltshire	Yes	20.0%	£10,000	Yes	No	N/A	£0.00	0.15	Yes
Telford and Wrekin	Yes	21.0%	£6,000	Yes	No	N/A	£2.50	0.2	Yes
Halton	Yes	21.6%	£16,000	No	No	N/A	£0.00	0.2	Yes
Bath and North East Somerset	Yes	22.0%	£10,000	Yes	Yes	D	£0.00	0.2	No
North Somerset	Yes	24.5%	£16,000	No	No	N/A	£0.00	0.2	No
Central Bedfordshire	Yes	25.0%	£16,000	Yes	No	N/A	£0.00	0.2	Yes
Cheshire West and Chester	Yes	25.0%	£6,000	Yes	Yes	D	£0.00	0.2	Yes
Cornwall	Yes	25.0%	£6,000	Yes	Yes	D	£0.00	0.2	Yes
East Riding of Yorkshire	Yes	25.0%	£16,000	No	No	N/A	£0.00	0.2	No
Medway	Yes	25.0%	£16,000	Yes	No	N/A	£0.00	0.2	No
North East Lincolnshire	Yes	25.0%	£16,000	No	No	N/A	£0.00	0.2	Yes
Rutland	Yes	25.0%	£10,000	Yes	Yes	D	£0.00	0.25	Yes

Southampton	Yes	25.0%	£16,000	No	No	N/A	£0.00	0.25	Yes
Southend-on-Sea	Yes	25.0%	£6,000	Yes	No	N/A	£0.00	0.2	Yes
Thurrock	Yes	25.0%	£6,000	Yes	No	N/A	£0.00	0.2	No
Torbay	Yes	25.0%	£6,000	Yes	No	N/A	£0.00	0.2	Yes
Blackpool	Yes	27.1%	£16,000	Yes	No	N/A	£0.00	0.2	Yes
Peterborough	Yes	30.0%	£16,000	No	No	N/A	£0.00	0.2	No
Stoke-on-Trent	Yes	30.0%	£6,000	Yes	Yes	D	£0.00	0.2	Yes
York	Yes	30.0%	£16,000	Yes	No	N/A	£0.00	0.2	No

Inner London Authorities

Local Authority	Minimum council tax payment?	Minimum council tax payment level	Reduction by means other than minimum payment	Savings limit	Second adult rebate reduced or abolished?	Support restricted to a particular council tax band?	Council Tax band support is restricted to	Minimum weekly council tax support payment	Taper rate	Hardship fund
City of London	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Hammersmith and Fulham	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Kensington and Chelsea	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Tower Hamlets	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Wandsworth	No	0.0%		£16,000	Yes	Yes	E	£3.00	0.25	No
Westminster	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Camden	Yes	8.5%		£16,000	Yes	No	N/A	£0.00	0.2	No
Islington	Yes	8.5%		£16,000	No	No	N/A	£0.00	0.2	Yes
Lewisham	Yes	14.8%		£16,000	Yes	No	N/A	£0.00	0.2	Yes
Hackney	Yes	15.0%		£16,000	Yes	No	N/A	£0.00	0.2	No
Southwark	Yes	15.0%		£16,000	Yes	No	N/A	£0.00	0.2	No
Lambeth	Yes	15.9%		£16,000	Yes	No	N/A	£5.00	0.25	No

Haringey	Yes	19.8%		£10,000	No	No	N/A	£1.00	0.2	No
Newham	Yes	20.0%		£16,000	Yes	No	N/A	£0.00	0.2	No

Outer London Authorities

Local Authority	Minimum council tax payment?	Minimum council tax payment level	Reduction by means other than minimum payment	Savings limit	Second adult rebate reduced or abolished?	Support restricted to a particular council tax band?	Council Tax band support is restricted to	Minimum weekly council tax support payment	Taper rate	Hardship fund
Kingston upon Thames	No	0.0%		£16,000	Yes	No	N/A	£0.00	0.2	No
Merton	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Richmond upon Thames	No	0.0%		£16,000	Yes	Yes	E	£0.00	0.2	No
Redbridge	Yes	5.0%		£16,000	Yes	No	N/A	£2.00	0.2	Yes
Hounslow	Yes	8.5%		£16,000	No	No	N/A	£0.00	0.2	No
Bexley	Yes	15.0%		£16,000	No	No	N/A	£0.00	0.2	Yes
Croydon	Yes	15.0%		£8,000	Yes	Yes	D	£0.00	0.2	Yes
Greenwich*	Yes	15.0%		£16,000	No	No	N/A	£0.00	0.2	No
Havering	Yes	15.0%		£6,000	Yes	Yes	D	£0.00	0.2	No
Waltham Forest	Yes	16.0%		£6,000	No	No	N/A	£0.00	0.25	Yes
Bromley	Yes	19.0%		£16,000	No	No	N/A	£0.00	0.2	No
Sutton	Yes	19.0%		£10,000	Yes	Yes	D	£0.00	0.25	Yes
Enfield	Yes	19.5%		£16,000	Yes	No	N/A	£0.00	0.2	Yes
Barnet	Yes	20.0%		£16,000	Yes	No	N/A	£0.00	0.2	Yes
Brent	Yes	20.0%		£6,000	Yes	No	N/A	£0.00	0.3	No
Ealing	Yes	20.0%		£8,000	Yes	No	N/A	£0.00	0.2	Yes
Hillingdon	Yes	20.0%		£16,000	Yes	No	N/A	£0.00	0.2	No
Barking and Dagenham	Yes	25.0%		£6,000	Yes	No	N/A	£0.00	0.2	Yes
Harrow	Yes	30.0%		£16,000	Yes	No	N/A	£2.00	0.3	No

Met County Authorities

Local Authority	Minimum council tax payment?	Minimum council tax payment level	Reduction by means other than minimum payment	Savings limit	Second adult rebate reduced or abolished?	Support restricted to a particular council tax band?	Council Tax band support is restricted to	Minimum weekly council tax support payment	Taper rate	Hardship fund
Doncaster	No	0.0%		£16,000	Yes	No	N/A	£0.00	0.3	Yes
Coventry	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Sandwell	No	0.0%		£6,000	Yes	Yes	C	£1.00	0.2	No
Solihull	No	0.0%		£16,000	No	No	N/A	£0.00	0.2	No
Bolton	No	0.0%		£6,000	Yes	Yes	D	£1.00	0.2	No
Bury	No	0.0%		£8,000	Yes	Yes	B	£1.00	0.2	No
Stockport	No	0.0%		£8,000	Yes	Yes	A/B	£1.00	0.2	Yes
Trafford	No	0.0%		£16,000	Yes	Yes	D	£5.00	0.3	Yes
North Tyneside	Yes	7.0%		£16,000	Yes	No	N/A	£0.00	0.2	No
Rotherham	Yes	8.5%		£16,000	Yes	No	N/A	£0.00	0.2	No
Gateshead	Yes	8.5%		£16,000	Yes	No	N/A	£1.00	0.2	Yes
Sunderland	Yes	8.5%		£16,000	Yes	No	N/A	£0.00	0.2	No
Liverpool	Yes	8.5%		£16,000	No	No	N/A	£0.00	0.2	No
Manchester	Yes	15.0%		£16,000	Yes	No	N/A	£0.00	0.2	Yes
Oldham	Yes	15.0%		£16,000	Yes	Yes	A	£0.00	0.2	No
Salford	Yes	15.0%		£16,000	Yes	No	N/A	£1.00	0.25	Yes
Calderdale	Yes	19.0%		£16,000	No	No	N/A	£2.00	0.2	No
Newcastle upon Tyne	Yes	20.0%		£16,000	Yes	No	N/A	£1.00	0.2	No
Birmingham	Yes	20.0%		£16,000	No	No	N/A	£0.00	0.2	Yes

Dudley	Yes	20.0%	£16,000	No	No	N/A	£0.00	0.2	No
Kirklees	Yes	20.0%	£16,000	Yes	No	N/A	£0.00	0.2	No
Rochdale	Yes	20.0%	£16,000	Yes	Yes	A	£0.00	0.2	Yes
Tameside	Yes	20.0%	£16,000	Yes	Yes	B	£0.00	0.2	Yes
Wigan	Yes	20.0%	£12,000	Yes	No	N/A	£0.00	0.2	Yes
Knowsley	Yes	20.0%	£16,000	Yes	No	N/A	£0.00	0.2	Yes
Sefton	Yes	20.0%	£6,000	Yes	No	N/A	£0.00	0.2	Yes
St. Helens	Yes	20.0%	£16,000	Yes	Yes	D	£1.00	0.2	No
Wolverhampton	Yes	22.0%	£6,000	Yes	Yes	C	£0.00	0.23	Yes
Wirral	Yes	22.0%	£6,000	Yes	No	N/A	£0.00	0.2	No
Sheffield	Yes	23.0%	£16,000	Yes	No	N/A	£0.00	0.2	Yes
Walsall	Yes	25.0%	£16,000	No	No	N/A	£0.00	0.2	No
Bradford	Yes	25.0%	£16,000	No	No	N/A	£0.00	0.2	No
Leeds	Yes	25.0%	£16,000	Yes	No	N/A	£0.00	0.2	No
Barnsley	Yes	30.0%	£16,000	Yes	No	N/A	£0.00	0.2	No
South Tyneside	Yes	30.0%	£16,000	No	No	N/A	£0.00	0.2	No
Wakefield	Yes	30.0%	£16,000	Yes	No	N/A	£1.00	0.2	No



Brighton & Hove City Council

**Draft Council Tax Reduction Scheme
for people of working age for
consultation**

Published 2 September 2015



**Brighton & Hove
City Council**

Council Tax Reduction (CTR) replaced Council Tax Benefit on 1 April 2013. It is a benefit people on a low income can claim from the council to get help with their Council Tax.

People of pensionable age are assessed under national rules which the council cannot change. They will continue to have their Council Tax Reduction worked out in the same way as it is now.

The government is continuing to reduce the grant it pays for these schemes, meaning there will be a shortfall of at least £3.6 million to help low income households in Brighton & Hove pay their Council Tax in 2016/17. The scheme set out proposes that the council will absorb around £2.5million of this.

Brighton & Hove's Council Tax Reduction scheme acts as a discount against your Council Tax bill. The scheme aims to limit the impact the government's funding reduction has on the most vulnerable households in the city.

The council is required to review the scheme every year to consider if changes need to be made, which could affect how much residents need to pay.

We need to have an agreed scheme in place by January 2016 and are now consulting on these draft proposals for 2016/17.

You can find out what other councils are doing at www.counciltaxsupport.org/schemes.

Contents

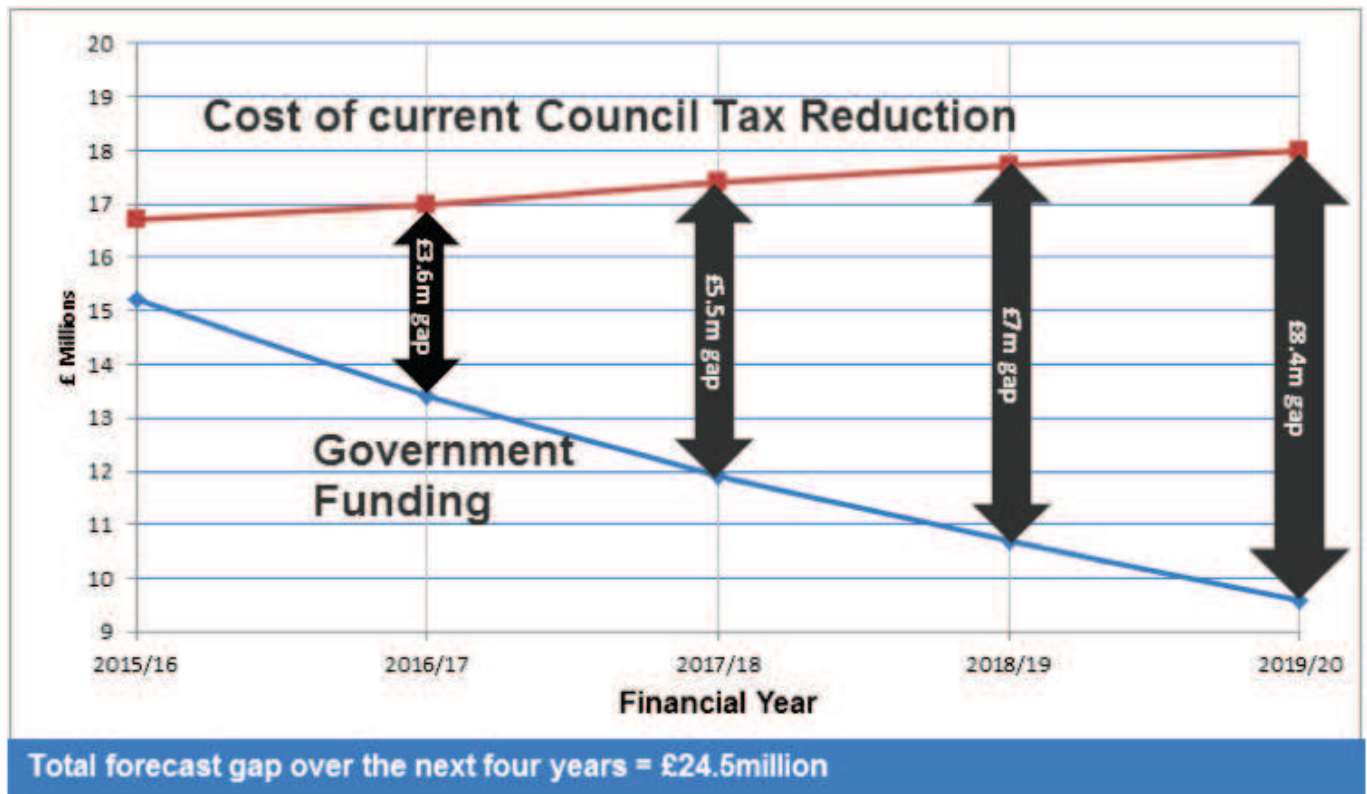
Financial context	page 3
Details of proposed changes to the Council Tax Redcution scheme	page 4
Examples	page 5

Financial context

During the current financial year 2015/16 the council is set to absorb around £1.5 million of the funding shortfall from other council funds, with the rest paid by working age people who receive CTR.

Any increase in the amount the council funds will have an impact on other services run by the council.

The projected reduction in government funding for the scheme is shown below. The projected costs are based on the number of households claiming CTR in Brighton & Hove remaining at current levels.



The government is also severely reducing funding for all council services and the budget over the next four years will be challenging. Costs will increase due to inflation, population change and rising demand for services, and this will result in a large funding gap.

The biggest budget challenge is on the services funded by Council Tax, Business Rates, government grants and fees and charges (our general fund). We currently spend around £378 million on a wide range of public services such as, social care for vulnerable children and adults, refuse and recycling, street cleaning, libraries and transport. This doesn't include the money we receive for schools, Housing Benefit and expenditure related to our council housing which is funded directly by tenant rents.

Due to the growing demand for services, inflation and, principally, the reduction in central government funding, we will need to address a budget gap of £68 million over the next four years. We are reducing costs and improving efficiency as much as possible but there are also many difficult choices to make around the services the council will be able to continue to provide or pay for.

Council Tax Reduction for pensioners

There will be no changes for pensioners apart from the usual yearly uprating of allowances and premiums from April 2016. This will mean pensioners will continue to receive the same level of support they do now. These rules are set nationally and the council cannot change them.

Council Tax Reduction for working age people

Decisions on who's eligible to receive help paying Council Tax under Council Tax Reduction (CTR) will continue to be based on a person's income and savings and the amount of Council Tax they pay.

We will continue to provide a discretionary fund to help the most vulnerable households to pay their Council Tax contribution in exceptional circumstances.

Proposed changes to Council Tax Reduction from April 2016 for working age people

Minimum contribution

Currently, all working age households are asked to pay a minimum of 15% of their Council Tax liability before CTR is paid. From 1 April 2016, it is proposed that all working age people who claim CTR will have to pay 25% of their Council Tax Liability before any CTR is paid. This figure would be 48% if the scheme was funded solely from government grants.

For current claimants, there will be a limit to the increase households in higher Council Tax band properties – likely to be larger families – have to pay of £3.50 per week from 1 April 2016. This will only apply to families who are entitled to Council Tax Reduction at the point of change and will end after a year, or before that if the claim ends of the family move property.

The 'Family Premium' element of the personal allowance used to work out a household's entitlement to CTR will be stopped for new claims and new births

This proposal matches changes happening to Housing Benefit from April 2016 and Tax Credits from April 2017. This and other changes to Tax Credits will mean the cost of CTR will increase. By including the same thing within CTR not only means it will be consistent with other benefits, but will also mean it will in part prevent the increases in costs of CTR due to national budget changes.

'Extended Payment Periods' will be extended from four to six weeks

The council recognises the difficulties many households are facing as a result of ongoing welfare reforms. To help people move into work, the council is proposing to extend the time people who have received means-tested benefits for six months or more receives full Council Tax Reduction when they begin work from four to six weeks. This will mean that everyone who starts work will have received their first monthly payments of wages before their Council Tax Reduction is affected.

Other national changes

In addition to these changes, the allowances and premiums in the CTR scheme for pensioners and working age people will be increased in line with national regulations.

Examples:

The following examples are made-up cases to help explain how the new scheme may affect you. The Council Tax figures quoted are based on the 2015/16 rates, which may be increased in 2016/17.



Couple of pensionable age – the same level of support as now

Michael and Pat are 73 and 71 respectively. They currently claim CTR and are entitled to a reduction of £18.44 a week, based on a means test of their income from state pensions, Michael’s work pension and Pat’s savings. The full liability for their Band B property is £23.44 per week so they are paying £5.00 a week in Council Tax.

Pensioners are assessed under national rules set by the government. Therefore, the reduction they are entitled to remains £18.44 and the amount they have to pay is still £5.00 a week.



**Laura makes a claim for
Council Tax Reduction
No Council Tax to pay**

Pensioner – new claim

Laura is 68, she moves from Worthing to a new rented flat in Brighton in May 2015. Laura is on Pension Credit Guarantee Credit. Her new flat is a Band A property. When she moves she makes a claim for Council Tax Reduction.

As Laura is a pensioner and she is on Pension Credit Guarantee Credit, she receives full Council Tax Reduction and does not have to pay any Council Tax.



Couple in Band A property – standard working age case

Mary lives with her partner in a Band A property and they are both on Job Seekers Allowance. Their Council Tax is £20.10 per week and they currently pay 15% of this, which is £3.01 per week.

From April 2016, it is proposed that they will have to pay 25% of their Council Tax, which means they will have to pay £5.02 per week.



Single person in Band D property – standard working age case

Mahendi lives in a Band D property with her children. She is on Income Support and receives Child Benefit and Child Tax Credit. She receives a single person discount and claims CTR for help with her Council Tax. Her Council Tax is £22.55 per week and she currently pays 15% of her Council Tax, which is £3.38 per week.

From April 2016, it is proposed that they will have to pay 25% of their Council Tax, which means she would have to pay £5.64 per week



Family in Band E property - £3.50 limit applies

George and Lynsay live with their four children in Band E property. They are on Income Support and receive Child Benefit and Child Tax Credit. They are liable for £36.75 per week Council Tax. They claim CTR and currently pay 15% of their Council Tax, which works out at £5.50 a week.

From April 2016, the minimum contribution working age people will have to make towards their Council Tax if they are on Council Tax Reduction is proposed to be 25%. This means that George and Lynsay would have to pay £9.37 per week, which is £3.86 more per week than they do now.

However, as they were already claiming Council Tax Reduction, they will receive transitional protection which will limit the increase to £3.50 per week, meaning that the amount they have to pay will be reduced to £9 a week.

If George and Lynsay move or end their claim, this transitional protection will end. Otherwise, it will end after a year.



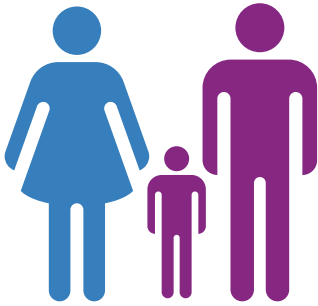
New claim
Family Premium
not counted

Family Premium - no longer used for new claims

Chris has just moved into a Band B property in Hove with his two children. He claims Council Tax Reduction based on his part-time job and his Tax Credits.

As Chris is making a new claim, the Family Premium will not be included in the assessment for his CTR. This means he will have to pay £15.69 per week Council Tax.

If the Family Premium had still been used to work out his CTR he would have had to pay £12.30 per week Council Tax.



Existing claim
No change for
Family Premium

Family Premium unchanged for an ongoing claim – no change

Sheila has had a claim for CTR since August 2013. She works part-time and lives with her disabled partner and their child.

Sheila will continue to have the Family Premium included in the assessment of her claim after April 2016 until she moves or has a change of circumstances. This means her CTR will not change because of the Family Premium.



Starting work
CTR continues
for six weeks

Extended Payments

Cong has been on Employment and Support Allowance for nine months and has been claiming CTR to help with his Council Tax.

He has now started work full time. Cong's CTR will now be paid for an extra six weeks in order to allow Cong time to receive his first monthly payment.

Subject:	Support Functions Review		
Date of Meeting:	17 December 2015 3 December 2015 – Policy & Resources Committee		
Report of:	Interim Executive Director of Finance & Resources		
Contact Officer:	Name:	Rachel Musson	Tel: 29-1333
	Email:	Rachel.musson@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1 PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The report updates the Policy & Resources Committee on the outcome of the Support Function Review. On balance, the findings of the review indicate that joining the newly forming local shared service arrangement is for most cases, the preferred option for meeting the council's requirements. The report recommends that Brighton & Hove City Council (BHCC) becomes a founding partner of Orbis, which is currently established as a joint committee of East Sussex County Council (ESCC) and Surrey County Council (SCC) to provide a full range of support functions.
- 1.2 Adding the Revenues & Benefits service presents an opportunity for the council to lead within the partnership as a 'centre of excellence' in this area, increasing opportunities for growth for the service.
- 1.3 Performance, Improvement and Programmes and Customer Experience functions are not included within the partnership activities, so are not proposed as part of the recommendations.
- 1.4 Joining Orbis will support the council's priorities in delivering the required level of savings to contribute to predicted budget gap over the next 4 years whilst providing resilient and sustainable, locally based support functions that will help the council to:
- continue to make the best use of its resources;
 - deliver transformational change;
 - work closely with neighbouring local authorities and the wider public sector to support the development of devolution proposals for Greater Brighton and in the South East region.
- 1.5 This option also helps to ensure the city retains talent locally and continues to support the local and regional economy.
- 1.6 The report assumes that the savings contribution required from support functions will be in line with the overall predicted 4 year budget gap which will require

savings of circa 30% on the council's General Fund services. However, this may change as budget proposals are developed as part of the 4 year Integrated Service & Financial Planning process.

2 RECOMMENDATIONS:

That the Policy & Resources Committee:

- 2.1 Note the update on the wider Support Functions Review, as detailed in this paper.
- 2.2 Agrees that the council enters into an intra-authority agreement with the Orbis partners.
- 2.3 Agrees that the following BHCC services partner with Orbis:
 - ICT
 - Internal Audit & Corporate Fraud
 - Human Resources & Organisational Development
 - Property & Design
 - Finance & Procurement
 - Revenues & Benefits
- 2.4 Agrees that these services are delivered through Orbis as soon as practicable, with the timing of operational changes being subject to due diligence¹.
- 2.5 Recommends to Full Council that:
 - Brighton & Hove City Council joins the Orbis Joint Committee as a founding partner, with the terms of reference as set out in appendix 2 (as they now stand) subject to necessary modifications to reflect expanded membership and the Council's committee system.
 - It appoints Cllr Les Hamilton to the Orbis Joint Committee on behalf of BHCC.
- 2.6 Subject to Council agreeing to recommendation 2.5 above and satisfactory due diligence, delegate the power to enter into the inter-authority agreement and the power to make the final decision on operational changes to the Chief Executive, Section 151 Officer and the Monitoring Officer and authorise the same to take all steps necessary or incidental to the implementation of the recommendations.

3 CONTEXT/ BACKGROUND INFORMATION

- 3.1 As previously identified in updates to this Committee, the services in scope for the Support Functions Review are:
 - Finance & Procurement
 - Human Resources & Organisational Development

¹ In simple terms, 'due diligence' is a detailed audit or investigation of a potential investment, contracting or partnering arrangement. The Section 151 officer will lead the Due Diligence process in consultation with Members through a cross party working group.

- ICT
 - Internal Audit & Corporate Fraud
 - Legal & Democratic Services (Legal developing Orbis Public Law separately and Democratic Services not in Orbis)
 - Performance, Improvement & Programmes (PIP) (Not proposed to join Orbis)
 - Property & Design (Scope of service in Orbis to be confirmed)
 - Revenues & Benefits
- 3.2 Some of these services are also delivered outside Finance & Resources and Legal & Democratic Services, for example procurement functions in Children's and Adult's Services or ICT services in the Libraries and Museums services. These services may or may not be included in the Orbis partnership. An assessment of suitability will be made during due diligence.
- 3.3 The total cost of delivering the services outlined is circa £24m². The services in scope for the review provide strategic support, such as helping service managers achieve transformational change and developing the budget and medium term financial strategy. They also provide operational services, such as running the council's human resources and financial systems and providing a wide range of transactional services. While the Revenues & Benefits service is a front line service, it has been included within this review because opportunities for service redesign, working in partnership with others or outsourcing are similar in nature to operational support functions.
- 3.4 Support functions must be able to provide effective support to the council whilst also ensuring value for money and making a fair contribution to the savings required. This paper assumes that support functions will need to contribute savings in the region of £8m representing 30% of the total cost, in line with the overall requirement to meet the predicted 4 year budget gap.
- 3.5 The council is a major employer in the city and any redesign of the way services are delivered also needs to consider the impact on the local economy.
- 3.6 The Policy & Resources Committee in March 2015 approved the full exploration of the option to join a newly created shared service formed by East Sussex and Surrey County Councils (then known as South East Business Services (SEBS) and now rebranded as Orbis). Approval included the development of an outline business case whilst remaining open to alternative models such as outsourcing. It also updated the Committee on ongoing work to develop an internal trading model, which would be required for any future service model.
- 3.7 A further report was taken to the Policy & Resources Committee on 9 July 2015, updating the committee on the progress of the Support Function Review, including the development of the internal trading model, further exploration of the option to join Orbis as a founding partner, and information about a related "Management Spans and Accountability" initiative.

² The £24m is the cost of running these services. For example, it includes the cost of managing property on behalf of services but excludes landlord costs such as utilities and maintenance.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Following the work to develop an internal trading model and a good understanding of baseline service cost and quality, all available options were considered. A shortlist of four main options was developed as follows:

- “Do nothing” option: not to make the 30% savings within the Support Functions and continue to support the rest of the organisation as it delivers the required 30% savings across other services. This is clearly not tenable and was not taken forward. Support functions cannot be immune to the financial challenges faced by the organisation as a whole.
- Retain and redesign in-house and reduce costs by 30% over 4 years
- Joining the Orbis Partnership
- Outsourcing

The analysis for the three potentially viable options are summarised below. A detailed evaluation of the options is available in Appendix 1.

In-house

4.2 Under this option, services would be retained within BHCC and savings delivered through far-reaching service redesigns. Analysis shows that whilst for some services there are advantages for remaining in-house, there are clear disadvantages identified with this option. For example, the impact of achieving 30% savings in-house would mean that support functions would need to reduce capacity and deteriorate their service levels. Services would be likely to lose expertise and become much less resilient. This means that over time some functions will not be able to provide effective or quality services and will not meet customer requirements.

4.3 Under this option there will be substantial impact on the services resilience to support change across the council. This will put at risk other services’ 4 year savings plans and their ability to redesign to meet increasing demand.

4.4 It would be possible but very challenging for support functions to achieve 30% savings under this option, as it would significantly reduce their capacity to support other services through the necessary organisational change ahead. It could also lead to costs growing back elsewhere as services could look to plug gaps in support service provision.

4.5 The in-house option also misses out on benefits achieved through economies of scale and any investment would be borne solely by the council at a time when there are substantial competing demands for limited investment capital. The council will also struggle to develop broader commercial opportunities under this option including increased trading.

Joining the Orbis Partnership

4.6 Partnerships work with a common goal to collaborate on and integrate services to provide functions across all partner bodies. There are benefits from creating efficient joint management structures, sharing systems and investment, and through standardised processes for support functions.

- 4.7 Consideration has been given to the possibility of joining existing shared services or creating a Brighton & Hove shared service. Analysis suggests that Orbis is probably the only one that can:
- deliver savings in time (because it is already in place with significant momentum, having already received expert external advice on its development, structure, legal make-up and financial business case);
 - work effectively with local partners from Greater Brighton to support Greater Brighton Devolution;
 - retain talent locally and so support the local economy;
 - provide a similar environment and culture through local authorities working together.
 - provide appropriate commercial opportunities for the services joining the partnership, through trading and new partnerships.
- 4.8 Orbis was established in April 2015 as a joint committee of East Sussex County Council and Surrey County Council. Its aspiration is to grow beyond the initial two founding partners to create further scale, resilience and efficiencies to deliver “a compelling alternative to the private sector in delivering support services”. Orbis is not a separate legal entity and cannot enter in to contracts itself. Instead, contracts are entered into jointly or severally by member councils. Details of the Joint Committee arrangements are set out in Appendix 2. BHCC assets would continue to be owned by the council and BHCC staff would remain employees of the council. The partnership would also provide wider employment opportunities to staff.
- 4.9 Orbis covers most of the support functions included in the review, but not Performance, Improvements & Programmes (PIP), Revenues & Benefits or Democratic Services. However, adding a Revenues & Benefits service presents an opportunity for the council to lead as a ‘centre of excellence’ in this area, increasing opportunities for growth for the service and adding resilience to the service offer.
- 4.10 The Orbis business plan is committed to 12.8% savings from removal of duplication as services integrate, and through process improvements and streamlining. This saving is shared by all partners and is not expected to have any impact on services provided. Further savings are expected through transformational change, realised by working in partnership across Orbis. Whilst transformational change may not provide all of the remaining 17.2% saving to meet the 30% requirement of BHCC, initial discussion with colleagues from Orbis indicate that the remaining saving could be achieved and mitigated by reviews of service pressures, reviews of service offer and service levels and the identification of opportunities that may be specific to Brighton & Hove. As a result, the impact of 30% savings delivered through Orbis on the effectiveness, quality and resilience of the services provided is likely to be less than the in-house and outsourcing options. Developing this option would require a complex programme of work and investment in programme resource would be needed.
- 4.11 Acknowledging the need for each Partner to be able to operate in partnership and also as sovereign organisations is an important and recognised

characteristic. Strategic influence and oversight of the services and support provided by Orbis will be managed through:

- membership of Joint Committee
- agreement of Orbis Business Plans
- membership of Joint Management Board and Policies
- development of Partner specific strategies e.g. information management and communications strategy, employment policies etc.

Appointment to positions in the Partnership will be evaluated as part of the due diligence process. It needs to be recognised that appointments to a number of roles have already been made in order to enable Orbis to deliver the Business Plan recently agreed by ESCC and SCC Cabinets. Early confirmation of BHCC as a founding Partner will enable the council to be integral to the implementation of the operating model for Orbis and the further design of management and service structures and recruitment to roles. If we were to delay any decision to join Orbis, we would risk losing the opportunity to shape the development of the service and there would be fewer opportunities for our staff to apply for management posts.

- 4.12 Any decision to join Orbis would need to be followed by a period of due diligence where further detail of how the partnership will operate would be agreed, and assurance provided that BHCC membership of the Partnership remains the best option for supporting the council's organisational objectives. Specifically, achievement of 30% savings for BHCC in line with 4 year savings plans would need to be an important focus area. The due diligence phase would also confirm the likely investment required and any changes to the current systems and how these changes could impact on our ability to deliver 30% savings across the council as a whole. The Section 151 officer would lead the Due Diligence process in consultation with Members through a working group.
- 4.13 The scale of Orbis, and its ambition for business growth, would provide increased commercial leverage and offer economies of scale to drive down costs and simultaneously increase sustainability and service resilience.
- 4.14 Through its member authorities Orbis will also retain the ability to contract externally for services within its overall business strategy by taking a partnership approach to such decisions to secure skills, capability and capacity where appropriate. In order to determine the appropriate delivery model, a rigorous evaluation of current services across the Partnership will be undertaken, to create modern, resilient, agile and cost effective business services contributing to enhanced public value for our residents. It should be noted, however, that Orbis is described as the compelling alternative to the private sector, and there are no plans for large-scale outsourcing of its services.
- 4.15 Due diligence will also need to be undertaken by the Orbis Partnership as part of any process for integrating a new founding partner into the Partnership.
- 4.16 Joining the Orbis partnership does not commit the council to adopting their business management software or other systems, but does offer more efficient use of resources and shared resilience. There may be opportunities to invest in a common system in the future and any investment would be subject to a separate

business case. Regardless, some level of investment would be required to integrate services.

- 4.17 Partnerships require all parties to work closely together to achieve common goals. This includes shared decision-making and common timelines. While this can provide great strength it would mean that the council would not have sole control over developing services. Orbis would require partners to enter in to a pooled budget arrangement. This could be realistically achieved by April 2017.

Outsourcing

- 4.18 Services are delivered by an external provider, for example, contracting out services or through a joint venture with the private sector. Based on professional advice received, the review has concluded that options are limited to pursuing existing outsourcing frameworks that are in place locally. This is because:
- the complexity and scope of services under review, means that the timescales to fully establish a new outsourcing framework are estimated at 18 months to select a new partner under European tendering rules and a further extended period of time to negotiate the framework;
 - This would not fit with the need for these services to be delivering savings throughout the period;
 - the number of frameworks joined would need to be limited to keep down the cost overhead of managing these;
 - the ability of staff to transfer to a new provider would depend on the location of the provider.
- 4.19 Research on local frameworks to which the council could have access, indicates potential for savings of up to 15-20%. Large providers can provide speed and depth of expertise while keeping costs down. With an existing outsourced arrangement, these could be accessed substantially quicker than developing a brand new contract.
- 4.20 Substantial preparation is still required before entering into an outsourced arrangement. Investment in systems would be significant and development of a strong commercial client-side function would be required to manage the contract, and prepare the council for change.
- 4.21 Based on the experience of others, there is also a substantial risk that transferring services to an outsourced framework, which has not been designed around the council's needs, would severely restrict those functions' ability to support the council through change and meet its savings targets.
- 4.22 This option would likely require a significant number of staff to be transferred to other work locations, often outside of the local area or region. While there may be the possibility of negotiating a Brighton & Hove location this would be expected to reduce the level of saving due to increased overheads.

5 CONSULTATION

- 5.1 Briefings have taken place with Unison and GMB and staff working in the Finance and Resources Directorate on the recommendation contained in this report. It is recognised by staff and union representatives that the proposal to work in partnership through Orbis is subject to a period of due diligence and that that they will have more opportunity to engage in the details as they emerge through this process. However they are concerned that they are able to clearly understand the detail of the transition into partnership working and any anticipated impact on staff.
- 5.2 Comments and questions are being captured via a shared email box and frequently asked questions will be published on a Wave page on support functions review alongside other relevant information.
- 5.3 We are committed to continued dialogue with the trade unions, through the Finance & Resources Consultation Group, Joint Consultative Group and other meetings as requested.
- 5.4 Information is also being made available across the council and in Schools as they will be engaged for their views as key stakeholders and recipients of the services that would be included in the partnership.

6 CONCLUSION

- 6.1 The conclusion drawn from analysis of the options available, is that BHCC should commit those services currently included within the Orbis model, together with Revenues & Benefits, to joining Orbis as a founding partner. For all services the specific scope is to be defined during due diligence.
- 6.2 Partnering with Orbis is the only option that is likely to be able to provide the level of savings required while maintaining strategic influence and alignment and providing resilient, sustainable services to support the council through transformational change. Early confirmation of BHCC as a founding Partner will enable the council to be integral to the implementation of the operating model for Orbis and the further design of management and service structures and recruitment to roles. If we were to delay any decision to join Orbis, we would risk losing the opportunity to shape the development of the service and there would be fewer opportunities for our staff to apply for management posts. The addition of Revenues & Benefits presents an opportunity for the council to lead on provision of a centre of excellence in this area, increasing commercial opportunities for growth and adding resilience to the service offer.
- 6.3 The decision to join Orbis would need to be followed by a period of due diligence, led by the Section 151 officer in consultation with Members through a cross party working group. This will determine further detail of how the partnership will operate and provide assurance that the partnership can support organisational objectives. Specifically, achievement of circa 30% savings for BHCC in line with 4 year savings plans will be an important focus area. The due diligence phase will also confirm the likely investment required, any necessary changes to the current systems, and how these could impact on the ability to deliver 30% savings.

- 6.4 While those joining Orbis are committing to long-term partnership in shared services, exit arrangements are a feature of the current Orbis agreement. Further details relating to this would be developed during the due diligence phase described above. Additionally, Orbis would need to undertake its own due diligence over coming months to determine whether to formally extend the Partnership to include the council.
- 6.5 An update paper will be submitted to the Policy & Resources committee in March 2016 giving further detail of the due diligence progress, timeline and actions.

7 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The recommendations in the report are predicated on the requirement for the council to make savings in line with the 4 year Integrated Service & Financial Planning process. Draft savings proposals elsewhere on this agenda reflect potential savings across these services which are made more achievable and sustainable through joining the Orbis partnership. If joining the partnership is approved, any investment requirement linked to the development of services would require business cases to be developed and approved as normal. Undertaking due diligence and developing service integration plans for the partnership may require additional project and programme resources as well as dedicated officer support which may come from existing resources or otherwise will need consideration by Policy & Resources Committee.
- 7.2 Any Member expenses relating to membership of the Joint Committee can be managed within existing budgets.

Finance Officer Consulted: Name Nigel Manvell

Date: 24/11/15

Legal Implications:

- 7.3 Contracting authorities regularly enter into collaborative arrangements with each other and with other public bodies. The general rule is that public contracts between contracting authorities are subject to the procurement rules ([Commission v Spain \[2005\] ECR I-139](#)). However, two exceptions have been established in case law:
- The in-house, or Teckal, exception.
 - The co-operation, or Hamburg, exception.
- 7.4 This case law has been codified in Article 12 of the Directive 2014/24/EU on Public Procurement (Public Contracts Directive 2014). The Public Contracts Directive 2014 is implemented into UK law by the [Public Contracts Regulations 2015 \(SI 2015/102\)](#) (PCR 2015)).
- 7.5 It is likely that the proposals with Orbis will come within the cooperation (Hamburg) exception, but the structure of the proposed shared services and the likely customers and recipients of its services will need to be considered in detail

as part of the due diligence exercise before agreement is entered into. The current terms of reference of the Orbis Joint Committee are drafted on the assumption that the constituent authorities have an executive system (and hence the reference to the Leader appointing Members.) It will need to be modified to reflect the changed membership and the different governance systems.

7.6 The report deals with principles and provides high level information only. Although the Business Case agreed by the Surrey and East Sussex Joint Committee in September gives useful information, a significant amount of detail work will have to be undertaken to address issues as they affect Brighton & Hove, including savings, localisation of services, consistency of employment practices while employees remain employed by their respective organisations, dispute resolution and arrangements for termination. All these need to be addressed as part of the due diligence exercise and incorporated into the inter authority agreement.

7.7 A shared services option called Orbis Public Law is being explored for Legal Services and this will be the subject of a separate report in January.

Lawyer Consulted: Name Abraham Ghebre-Ghiorghis Date: 06/11/2015

Equalities Implications:

7.8 There may be equality implications arising out of the proposal particularly if there were any proposals regarding the logistical transfer of staff and the arrangements will need to ensure the location and accessibility of services (especially the public service considerations for Revenues and Benefits) and arrangements for the recruitment and selection of joint posts reflect equalities principles. Part of the due diligence exercise will involve ensuring that the way the arrangements are implemented take equalities implications into account.

Sustainability Implications:

7.9 None identified.

Any Other Significant Implications:

Procurement Considerations:

7.10 Outsourcing options would need to be run in accordance with the Public Contracts Regulations 2015. Under the Local Government Act (2000) Local Authorities have a duty to ensure value for money. Based on the research performed to date, this cannot be guaranteed and as such would require a robust market test.

7.11 As previously stated a full tender process is expected to take 18 months. This would only leave the potential to join existing framework arrangements. Careful consideration would need to be given to how any new service would be effectively contract managed to ensure requisite service delivery and optimal value for money.

Officer Consulted: Clifford Youngman

Date: 19/11/2015

SUPPORTING DOCUMENTATION

Appendices:

1. Outline Business Case (OBC)
2. Orbis Joint Committee Terms of Reference

Documents in Members' Rooms

1. None.

Background Documents

1. None.

Appendix 1 – Outline Business Case

Programme or Project Information	
Project or Programme Name	Support Functions Review
Directorate / Service	Finance & Resources
Name of Outline Business Case Author	Chris Carter Graham Liddell
Date Outline Business Case drafted	06/11/15
Executive	Rachel Musson
Programme or Project Manager	Chris Carter

1. Objectives

What is the programme or project aiming to achieve/what changes will it bring about?

The Support Functions Review programme has three main objectives:

- 1) To strengthen the organisation's understanding of current support functions and customers' wants and needs, via the development of an internal service model
- 2) In the context of the 4 Year Integrated Financial and Service Planning process, explore the best delivery model for each support function including (but not limited to) external partnerships/commercial arrangements; with specific consideration of whether the council should go into a shared services partnership with East Sussex County Council and Surrey County Council (branded as Orbis)
- 3) Review the structure of Finance & Resources using organisational design principles, including Management Spans of Accountability

Services in scope for this review are:

- Finance and Procurement
- Human Resources and Organisational Development
- ICT
- Internal Audit and Corporate Fraud
- Legal and Democratic Services
- Performance, Improvement and Programmes (PIP)
- Property and Design
- Revenues and Benefits

While the Revenues & Benefits service is a front line service, it has been included within this review because opportunities for service redesign, working in partnership with others or outsourcing are similar in nature to operational support functions.

Policy & Communities, Communications and Customer Services and Complaints are also being reviewed within the SFR programme, but not as part of this review of delivery models. The Support Functions Review will consider how different options will support

the principles and priorities outlined in the Corporate Plan and the challenges shown in the Medium Term Financial Strategy (MTFS).

2. Background and context

What events, policies, issues, risks or opportunities have prompted this programme or project?

Brighton & Hove City Council faces significant financial challenges. During the course of this review the impact of these challenges has become clearer as the organisation has developed its Medium Term Financial Strategy. This has identified a sense of scale of the savings required across the whole organisation, of approximately 30% over four years.

Support functions must be able to provide effective support whilst also ensuring value for money and the need for individual services to make a fair contribution to the savings required. The review assumes that the savings contribution required from support functions will be in line with the overall predicted 4-year budget gap which will require savings of circa 30% on the council's General Fund services. However, this may change up or down as budget proposals are developed as part of the 4-year Integrated Service & Financial Planning process.

In parallel to this review ELT has agreed a set of organisational design principles which include the Management Spans of Accountability which identifies optimum numbers of management layers and direct reports (6 x 6) and consideration of grade differences between each layer to aid improved decision making, delegation, accountability, and development. These form a framework to enable management structures to be reviewed and redesigned to ensure there is value added at each management layer and clear lines of management accountability. Finance and Resources are the early implementers of this approach, which is in line with the need to review services as part of the Support Functions Review.

The Policy & Resources Committee in March 2015 approved the full exploration of options to join the shared services of Orbis. Approval included the development of a business case whilst remaining open to alternative options. It also updated the committee on ongoing work to develop an internal trading model, which would be required for any future service model.

A further report was taken to the Policy & Resources Committee on 9 July 2015, updating the committee on the progress of the Supports Function Review, including the development of the internal trading model, options to join Orbis as a founding partner and the "spans of accountability" initiative.

The review has included consideration of the context of existing city partnerships, local and national drivers for change, for example Better Care and the Cities and Local Government Devolution Bill. What is clear is that the organisation exists in a complex and rapidly changing environment.

In the context of this uncertainty and change, the council is changing and the review will need to be informed by a clear understanding of the future needs of the organisation, including how the services in scope continue to support transformation across the council. This will be through a detailed engagement process with the Corporate

Management Team and, potentially, the layer of management below. For Internal Audit and ICT, however, engagement has been directly through the Executive Leadership Team.

This has identified that support functions must:

- be reliable, sustainable and low cost
- maintain the resilience of services provided to the organisation
- ensure the strategic capacity and capability provided by the support functions are focused on the council and City's needs
- provide flexible and creative services which senior management are able to influence (for example through business partnering),
- ensure services have a good knowledge of the council as well as being able to apply learning from elsewhere

A Communications & Engagement Plan has been completed and is included in Appendix A.

Which corporate priority (as outlined in the Corporate Plan) will it help deliver?

The programme primarily links to the Corporate Plan principle of Public Accountability. The Corporate Plan describes that by 2020, a more connected council will be created with more shared services with other providers and places.

What other programmes, projects or services does it link to?

- All Corporate and Directorate Modernisation projects and programmes
- Four year integrated service and financial planning process
- Devolution proposals for Greater Brighton

3. Benefits

What high level financial and non-financial benefits (i.e. measurable improvements) will the programme or project deliver?

Support functions contributing to sense of scale savings (for this review assumed to be 30%) by, for example:

- Reducing cost of support through better use of resources (IT/buildings)
- Savings from adopting different procurement strategies
- Productivity gains by integration of services and eliminating duplication
- Efficiency gains through Business Process Improvement (BPI)
- An increased ability to trade and generate additional or greater income
- Increasing returns on investments
- Efficiencies using Organisational Design Principles to review existing management structures

These savings need to be achieved whilst ensuring that the support functions remain "fit for purpose". The qualitative benefits could be achieved through:

- Changes in models of practice (e.g. greater customer self-sufficiency and self - service)
- Improvement in customer service through focussed experts, best practice, latest IT, focus on customer management etc.
- Pooling scarce specialist resource and creating additional capacity
- Creating excellence and specialism for benefit of customers
- Creating resilience and flexibility during a period of significant budget cuts whilst maintaining a service that meets customer needs
- Agreeing and maintaining realistic and achievable service levels
- Increasing management accountability and effective delegation/escalation at the appropriate levels by reducing management layers

4. Options

Briefly, what are the possible options/approaches to delivering the programme or project (include the 'do nothing' option)?

4.1 Options appraisal process

It should be noted that there are limitations with the appraisal process and this is the best possible analysis that could be undertaken in the time available to meet the budget process. It should also be noted that support functions are redesigning services ahead of the rest of the organisation, which is not ideal as it is not clear what support other services will require of support functions into the future, thus difficult to predict required support levels.

The first stage of the Support Functions Review was to develop a high level internal service model. This model details the staffing and non-staffing costs for each service, together with any income earned from the service. It also identified the budgets for each service. The further development of this into a more commercially accurate costing model is planned for 2016/17.

The proportion of services provided to each directorate was also calculated at a high level to provide a picture of how support function services were “consumed” by the organisation. This is an important consideration, which together with the feedback from Directorates as to what type of service they will need in the future, is an important consideration as to the option chosen for each service.

The next stage of the review was to identify the options for change and conduct an initial appraisal of each option against an agreed set of criteria. These criteria included financial and service elements, which were weighted to ensure a balance across these criteria, were achieved.

The options appraisal was then reviewed at ELT where feedback was collected on the options and weighting. The feedback from this session was then combined with the emerging processes for 4 year integrated financial and service plans. Using this context the initial long list of options was reduced to a shortlist which met the balanced criteria of financial, service and speed of delivery targets.

4.2 Options

Four main options were considered as follows:

- “Do nothing” option: not to make the 30% savings and continue to support the organisation as it delivers the required 30% savings across other services. This is clearly not tenable and was not taken forward. Support functions cannot be immune to the financial challenges faced by the organisation as a whole.
- Retain and redesign in-house and reduce costs by 30% over 4 years
- Joining the Orbis Partnership
- Outsourcing

The three options being taken forward are described below.

- **In-house** – retaining services within BHCC and delivering savings through radical service redesign. We have concluded that the required 30% savings can be secured but that the impact on the organisation means that this is unlikely to be sustainable for all support functions, reducing their resilience and capacity to support change.
- **Joining a shared service (including the Orbis partnership)** - Partnerships work with a common goal to collaborate on and integrate services to provide support functions across all partner bodies. There are benefits from creating efficient joint management structures, sharing systems and investment, and through standardised processes. Consideration has been given to the possibility of joining existing shared services and creating our own. Our initial analysis suggests that Orbis is probably the only one that can:
 - deliver savings in time (because it is already in place with significant momentum, having already received expert external advice on its development, structure, legal make-up and financial business case);
 - work effectively with local partners from Greater Brighton to support Greater Brighton Devolution;
 - retain talent locally and so support the local economy;
 - provide a similar environment and culture through local authorities working together.

Note that Greater Brighton devolution can be developed and delivered through partnership in Orbis.

Orbis covers most of the support functions included in the review, but not Performance, Improvements and Programmes (PIP) or currently Revenues and Benefits, although adding Revenues and Benefits to the Orbis portfolio, would provide a complete service and function offer.

Through its member authorities Orbis will also retain the ability to contract externally for services within its overall business strategy by taking a partnership approach to such

decisions to secure skills, capability and capacity where appropriate. In order to determine the appropriate delivery model, a rigorous evaluation of current services across the Partnership will be undertaken, to create modern, resilient, agile and cost effective business services contributing to enhanced public value for our residents. It should be noted, however, that the stated aspiration is for Orbis to become the compelling alternative to the private sector and that there are no plans for large-scale outsourcing of its services.

- **Out-sourcing** – Services are delivered by an external provider, for example, contracting out services or through a joint venture with the private sector. Based on professional advice received, the review has concluded that options are limited to pursuing existing outsourcing frameworks that are in place locally. This is because:
 - the complexity and scope of services under review, means that the timescales to fully establish a new outsourcing framework are estimated at 18 months to select a new partner under European tendering rules and a further extended period of time to negotiate the framework;
 - This would not fit with the need for these services to be delivering savings throughout the period;
 - the number of frameworks joined would need to be limited to keep down the cost overhead of managing these;
 - the ability of staff to transfer to a new provider would depend on the location of the provider.

4.3 Conclusions

- **In-house**

Services would be retained within BHCC and savings delivered through far-reaching service redesigns. Analysis shows that whilst for some services there are advantages for remaining in-house, there are clear disadvantages identified with this option. For example, the impact of achieving 30% savings in-house would mean that support functions would need to reduce capacity and would be likely to lose expertise and become much less resilient. This means that over time some functions may not be able to provide effective or quality services, may not meet customer requirements and this may impact on the services resilience to support change across the council.

It would be very challenging for support functions to achieve 30% savings under this option and would significantly reduce their capacity to support other services. It could ultimately lead to costs growing back elsewhere as services would look to plug gaps in support service provision. The in-house option also misses out on benefits achieved through economies of scale and any investment would be borne solely by the council at a time when there are substantial competing demands for limited investment capital. The council will also struggle to develop broader commercial opportunities under this option including increased trading.

- **Joining a shared service (including the Orbis partnership)**

The Orbis business plan is committed to 12.8% savings from removal of duplication as services integrate, and through process improvements and technology enabled service streamlining. This saving is shared by all partners and is not expected to have any

impact on services provided. Further savings are expected through transformational change, realised by working in partnership across Orbis. Whilst transformational change may not provide all of the remaining 17.2% saving to meet the 30% requirement of BHCC, initial discussion with colleagues from Orbis indicate that the remaining saving could be achieved and mitigated by reviews of service pressures, reviews of service offer and service levels and the identification of opportunities that may be specific to Brighton & Hove. As a result, the impact of 30% savings delivered through Orbis on the effectiveness, quality and resilience of the services provided is likely to be much less than the in-house and outsourcing options. Developing this option would require a complex programme of work and investment in programme resource would be needed. Acknowledging the need for each Partner to be able to operate in partnership and also as sovereign organisations is an important and recognised characteristic. Strategic influence and oversight of the services and support provided by Orbis will be managed through:

- membership of Joint Committee
- agreement of Orbis Business Plans
- membership of Joint Management Board and Policies
- development of Partner specific strategies e.g. information management and communications strategy, employment policies etc.

Appointment to positions in the Partnership will be evaluated as part of the due diligence process (see below). It needs to be recognised that appointments to a number of roles have already been made in order to enable Orbis to deliver the Business Plan recently agreed by ESCC and SCC Cabinets. Early confirmation of BHCC as a founding Partner will enable the council to be integral to the implementation of the operating model for Orbis and the further design of management and service structures and recruitment to roles. If we were to delay any decision to join Orbis, we would risk losing the opportunity to shape the development of the service and there would be fewer opportunities for our staff to apply for management posts.

The scale of Orbis, and its ambition for business growth, would provide increased commercial leverage and offer economies of scale to drive down costs and simultaneously increase sustainability and service resilience.

Through its member authorities Orbis will also retain the ability to contract externally for services within its overall business strategy by taking a partnership approach to such decisions to secure skills, capability and capacity where appropriate. In order to determine the appropriate delivery model, a rigorous evaluation of current services across the Partnership will be undertaken, to create modern, resilient, agile and cost effective business services contributing to enhanced public value for our residents. It should be noted, however, Orbis is described as the compelling alternative to the private sector and there are no plans for large-scale outsourcing of its services.

Joining the Orbis partnership does not commit the council to adopting their business management software or other systems, but does offer more efficient use of resources and shared resilience. There may be opportunities to invest in a common system in the future and any investment would be subject to a separate business case. Regardless, some level of investment would be required to integrate services.

Partnerships require all parties to work closely together to achieve common goals. This includes shared decision-making and common timelines. While this can provide great

strength it would mean that the council would not have sole control over developing services. Orbis would require partners to enter in to a pooled budget arrangement. This could be realistically achieved by April 2017.

- **Out-sourcing**

Research on local frameworks to which the council could have access, indicates potential for savings of up to 15-20%. Large providers can provide speed and depth of expertise while keeping costs down. With an existing outsourced arrangement, these could be accessed substantially quicker than developing a brand new contract.

Substantial preparation is still required before entering into an outsourced arrangement. Investment in systems would be significant and development of a strong commercial client-side function would be required to manage the contract, and prepare the council for change.

Based on the experience of others, there is also a substantial risk that transferring services to an outsourced framework, which has not been designed around the council's needs, would severely restrict those functions' ability to support the council through change and meet its savings targets.

This option would likely require a significant number of staff to be transferred to other work locations, often outside of the local area or region. While there may be the possibility of negotiating a Brighton & Hove location this would be expected to reduce the level of saving due to increased overheads.

Evaluation

A detailed evaluation of options is located in Appendix B.

Conclusion

The conclusion is that BHCC should commit those services, currently included within the Orbis model, together with Revenues & Benefits, to joining Orbis as a founding partner.

Partnering with Orbis is the only option that is likely to be able to provide the level of savings required while maintaining strategic influence and alignment and providing resilient, sustainable services to support the council through transformational change. The addition of Revenues & Benefits presents an opportunity for the council to lead on provision of a centre of excellence in this area, increasing commercial opportunities for growth and adding resilience to the service offer.

Due Diligence

Any decision to join Orbis would need to be followed by a period of due diligence where further detail of how the partnership will operate would be agreed, and assurance provided that BHCC membership of the Partnership remains the best option for supporting the council's organisational objectives. Specifically, achievement of 30% savings for BHCC in line with 4 year savings plans would need to be an important focus area. The due diligence phase would also confirm the likely investment required and any changes to the current systems and how these changes could impact on our ability to deliver 30% savings across the council as a whole. The Section 151 officer would lead the Due Diligence process in consultation with Members through a working group.

Due diligence will also need to be undertaken by the Orbis Partnership as part of any process for integrating a new founding partner into the Partnership.

Exit Arrangements

While those joining Orbis are committing to long-term partnership in shared services, exit arrangements are a feature of the current Orbis agreement. Further details relating to this would be developed during the due diligence phase described above. Additionally, Orbis will need to undertake its own due diligence over coming months to determine whether to formally extend the Partnership to include the council.

5. Risks and opportunities

What are the high level risks and opportunities associated with the programme or project?

A delay in making a decision on the recommendations could lead to a number of risks. For example:

- that the savings are not delivered in the required timescales
- that the council is not supported in delivering its transformation agenda
- that the council's ability to influence the development of Orbis will be significantly reduced, the longer the decision to join is delayed
- that appointments to the management structure of Orbis are made before BHCC joins which could mean a loss of strategic capability in the organisation at a critical stage of its transformation journey.
- that there will be continued uncertainty for staff and the risk that this may impact on morale.

6. Costs and resources

What are the capital and revenue costs of the programme or project?

Costs will vary between both services and options. However there will be programme level costs throughout including

- Specialist support is likely to be required to carry out a due diligence review, including a financial impact assessment.
- Transformational costs such as potential redundancies
- Investment costs including IT
- Future Business cases may be developed

These costs will be confirmed as part of due diligence phase.

What staffing resources (fte, costs and skills) are required to deliver the programme or project?

- Programme manager
- Senior officer time, particularly heads of service for each of the areas in scope.

Which support services (Finance, Legal, HR, etc) have been consulted on the development of this business case? What was their advice?

Procurement

Outsourcing options would need to be run in accordance with the Public Contracts Regulations 2015. Under the Local Government Act (2000) Local Authorities have a duty to ensure value for money. Based on the research performed to date, this cannot be guaranteed and as such would require a robust market test.

As previously stated a full tender process is expected to take 18 months. In the interest of pace of change, this would only leave the potential to join an existing framework arrangement. Careful consideration would need to be given to how any new service would be effectively contract managed to ensure requisite service delivery and optimal value for money

Legal

The initial intention was to enter into a memorandum of understanding with ESCC and Surrey County Council regarding a shared services agreement. However, given the evolving nature of the project and lack of specificity of terms this proved difficult. In addition, a Memorandum of Understanding, by its nature, is not binding. It only records the parties' intentions and is not a prerequisite to pursuing the objective of exploring shared services with the two partners. It was therefore not pursued.

Legal advice on shared services arrangements with the Orbis partners:

Contracting authorities regularly enter into collaborative arrangements with each other and with other public bodies. The general rule is that public contracts between contracting authorities are subject to the procurement rules ([Commission v Spain \[2005\] ECR I-139](#)) However, two exceptions have been established in case law:

The in-house, or Teckal, exception.

The co-operation, or Hamburg, exception.

This case law has been codified in Article 12 of the Directive 2014/24/EU on Public Procurement (Public Contracts Directive 2014). The Public Contracts Directive 2014 is implemented into UK law by the [Public Contracts Regulations 2015 \(SI 2015/102\)](#) (PCR 2015)).

It is likely that the proposals with Orbis will come within the cooperation (Hamburg) exception, but the structure of the proposed shared services and the likely customers and recipients of its services will need to be considered in detail as part of the due diligence exercise before agreement is entered into.

The current terms of reference of the Orbis Joint Committee are drafted on the assumption that the constituent authorities have an executive system (and hence the reference to the Leader appointing Members.) It will need to be modified to reflect the changed membership and the different governance systems.

The report deals with principles and provides high level information only. Although the Business Case agreed by the Surrey and East Sussex Joint Committee in September gives useful information, a significant amount of detail work will have to be undertaken to address issues as they affect Brighton & Hove, including savings, localisation of services, consistency of employment practices while employees remain employed by

their respective organisations, dispute resolution and arrangements for termination. All these need to be addressed as part of the due diligence exercise and incorporated into the inter authority agreement.

A shared services option called Orbis Public Law is being explored for Legal Services and this will be the subject of a separate report in January.

Lawyer Consulted: Name Abraham Ghebre-Ghiorghis Date: 06/11/2015

7. Recommendations, timescales and milestones

What is the overall timescale for the programme or project? What are the key milestone dates?

7.1 Recommendations

1. That the council enters into an intra-authority agreement with the Orbis partners.
2. That the following BHCC services partner with Orbis:
 - ICT
 - Internal Audit
 - Human Resources & Organisational Development
 - Property & Design
 - Finance & Procurement
 - Revenues & Benefits
3. That these services are delivered through Orbis as soon as practicable, with the timing of operational changes being subject to due diligence.
4. Recommends to Full Council that:
 - Brighton & Hove City Council joins the Orbis Joint Committee as a founding partner, with the terms of reference as set out in appendix 2 (as they now stand) subject to necessary modifications to reflect expanded membership and the Council's committee system.
 - It appoints a Member to the Orbis Joint Committee.
5. Subject to Council agreeing to recommendation 4 above and satisfactory due diligence, delegate the power to enter into the inter-authority agreement and the power to make the final decision on operational changes to the Chief Executive, Section 151 Officer and the Monitoring Officer and authorise the same to take all steps necessary or incidental to the implementation of the recommendations.

A progress report will be brought to the Policy & Resources Committee in March 2016.

7.2 Timescales and milestones

- 3rd December Policy & Resources Committee Paper
- 17th December Full Council approval, subject to P&R outcome

- Assuming recommendations are agreed, due diligence process begins as soon as possible. This includes:
 - Financial baselining
 - Scoping of services
 - Developing the plan of implementation for Brighton & Hove to join the Orbis partnership
 - Agreeing the decision making process and 'rules of engagement' for the partnership with common policies and strategies
- March 2016 paper to Policy & Resources Committee giving further detail in due diligence actions and timeline
- Orbis Joint Committee will need to accept BHCC as a partner, expected January 2016
- Post April 2016, operational partnership of functions as appropriate and subject to due diligence process

8. Decision making and governance

What decision making group will this business case be presented to?

The business case will be presented to Corporate Modernisation Delivery Board to agree its progress to Policy & Resources Committee.

The agreed recommendations are put forward to Policy & Resources Committee. The decision to join the joint committee would need to be taken by Full Council. Other bodies will be consulted as appropriate, for example, the Audit & Standards Committee will need to consider the options for Internal Audit.

It has also been recommended that the final decision on operational change is delegated to the Chief Executive, S151 and Monitoring Officer.

What decision making group will monitor the programme or project during its lifetime and ensuring the quality of its outcomes?

The decision making group monitoring this programme is the Corporate Modernisation Delivery Board.

9. Next steps

If this Outline Business Case is agreed, what immediate activities will follow to develop the Full Business Case/Options Appraisal (e.g. more detailed planning and costing, discussions with/involvement of others)?

- That a recommendation is placed before Full Council that Brighton and Hove City Council joins the Orbis Joint Committee as a founding partner.
- That the process of Due Diligence is commenced and a detailed implementation plan is developed to enable the relevant support functions to join Orbis.

- That the chief executive, section 151 officer and monitoring officer exercise their delegated authority on operational changes.

Meeting where authority to proceed was obtained	Date of meeting
ELT Meeting with CMDDB Members	11/11/2015

Appendix A: Communications and Engagement plan – Support Functions Review

Strategy

Engage with staff and keep them informed about the progress of the Support Functions Review and how it will affect them and their teams. Being open honest and treating staff with respect, will help them to understand what is happening and minimise anxiety, stress and service disruption.

Key Communications Issues

Uncertainty can lead to low morale and affect customer service, leading to lower morale

Objectives/Outcomes

1. Staff feel well informed and understand what the review is aiming to achieve
2. Staff have an opportunity to ask questions in more than one forum
3. Staff are given service specific briefings about how the review will affect their area of work
4. Staff have access to well briefed representatives, to support them

Key Audiences

- Staff directly affected by the review
- Unions
- All staff
- Residents
- Media

Key messages

- These are the options we are investigating.
- Whichever option is chosen
 - Nothing will stay the same
 - We have to make 30% budget savings
- These are the recommendations going to committee
 - They may or may not be approved.
 - Confidential until papers published on 26 November.
- If the recommendations are approved
 - Officers will investigate Orbis thoroughly (legal and finance) prior entering into a partnership (due diligence)
 - Staff joining Orbis will still be employed by the council
- This is the outcome of the committee
- This is what it means for you and your team
- You have a role to play in helping us shape the future of the service

Communications and engagement schedule

Date	Activity	Channel	Audience	Delivered by
w/c 19 October	General update	F&R Staff Roadshows	Staff	GL
12 November	DCG meeting with unions to discuss proposals	Meeting	Unions	F&R DMT
12 November	Director of F&R to send email to all teams giving headline overview	Email	Staff	RM/SM
12 November	Briefing to heads of service to use in briefing meetings	Email	Heads of Service	RM / SM /GL
12 – 20 Nov	Heads of Service hold staff briefing sessions	Meeting	Staff	Heads of Service
26 November	P&R papers published	Website	Public	Democratic Service
26 November	Message on Wave	Website	Staff	Comms
26 November	Media release	Email / website	Media / public	Comms
2 December	Brief unions	Meeting	Unions	RM / SM /GL
3 December	P&R committee	Meeting	Public	Councillors / RM
4 December	Brief staff on outcome of committee	Email / Wave	Staff	RM/SM/GL/ Comms
4 December	Detailed briefing for Heads of Service	Email and meeting	Heads of Service	RM/SM/GL
7 – 11 Dec	Staff briefing meetings	Meetings	Staff	Heads of Service

Appendix B: Support Functions Review Evaluation of Options

This document summarises detailed work carried out by each of the services to appraise each of the options. For the purposes of this analysis we have made a distinction between transactional services that process at high volume such as payroll and accounts payable and professional service teams that typically provide advice such as accountancy support.

Issue	In-house	Orbis	Outsource
<p>What will the services look like in four years' time?</p>	<p>Services delivered primarily by in-house teams.</p> <p>To achieve a 30% cost reduction, support functions would require far-reaching reviews which would result in significant reduction in service levels.</p> <p>A number of services identify the difficulty of attracting and retaining staff leading to reduced resilience.</p>	<p>Services delivered in partnership with other local authorities.</p> <p>30% saving could be achieved through:</p> <ul style="list-style-type: none"> • Savings of 12.8% from management integration, process improvement, de-duplication and self-service. • Economies of scale and other efficiencies (e.g. through greater ICT and systems development resources). • Accepting lower service levels. <p>Staff remain employed by BHCC, working together with staff from partner councils in a shared service.</p>	<p>Services delivered by a private sector supplier.</p> <p>The level of saving achievable is likely to be in the range of in the range 15% to 20%.</p> <p>Significant changes to processes.</p> <p>Would likely require a large number of staff to be transferred to other work locations, often outside of the local area. While there may be the possibility of negotiating a Brighton & Hove location this would be expected to reduce the level of saving due to increased overheads.</p>
<p>What would the impact be on the wider council?</p>	<p>Reduced support leading to poorer financial management and decision making and less effective help for services seeking to make savings and modernise.</p> <p>Less effective control environment leading to an increased risk of non-compliance. For example, ICT reports that this option would result in a significant risk to business continuity and information security.</p> <p>Could lead to service directorates developing their own support functions to plug gaps and costs growing back..</p>	<p>Some reduction in support to services but not as much as for the in-house option because significant savings achievable without impacting on service levels.</p> <p>Council would be supported by a broader pool of professional support service staff which would introduce greater depth and breadth of expertise, improving resilience.</p>	<p>Standardisation of transactional support services.</p> <p>Professional services teams may have reduced understanding of the needs of BHCC and so less able to support transformational change.</p>
<p>What are the benefits for this option?</p>	<p>Control of support functions kept within BHCC.</p> <p>Dedicated professional service teams with deep knowledge and understanding of BHCC and customer requirements.</p> <p>Potentially reduced upheaval and/or investment costs.</p>	<p>Strategic influence and oversight of the support functions through joint committee, business plan, joint management board, BHCC specific strategies (e.g. employment policies)</p> <p>Opportunities for growth, increased commercial leverage and economies of scale to drive down costs means that 12.8% savings should be achievable without impacting on service levels.</p> <p>Professional service teams with good knowledge and</p>	<p>Control of support functions through detailed specification and client side management.</p> <p>Resilient professional service teams with good knowledge and understanding of public sector</p> <p>Can drive savings in transactional services through economies of scale which reduces the impact of savings on services.</p> <p>Resilience through national/ global operations.</p>

		<p>understanding of BHCC together with shared learning from other local authorities.</p> <p>Resilience through shared service.</p> <p>Standardisation and consistent customer service.</p> <p>Continuity of employment status for BHCC employees.</p>	<p>High level of standardisation and consistent quality with monitored KPIs.</p> <p>Maintaining updated systems and IT due to economies of scale.</p>
What are the disadvantages?	<p>Significant reduction in service levels which could lead to:</p> <ul style="list-style-type: none"> increase risks (e.g. managing commercial contracts, business continuity, information governance) service directorates developing their own support functions to plug gaps and costs growing back <p>Any investment borne entirely by BHCC. Transactional services do not achieve the economies of scale to make required savings.</p> <p>Lack of resilience/capacity to support changing organisation and customer requirements.</p>	<p>Some reduction in service levels but less than for the in-house option</p> <p>Loss of BHCC control over how support functions are developed, but strategic influence maintained.</p> <p>Need to manage transition to partnership working while delivering remainder of councils change programmes.</p>	<p>Unlikely to be able to deliver 30% savings in time required.</p> <p>Need to develop a robust client side function to manage the contract.</p> <p>Professional service teams have limited understanding and knowledge and understanding of BHCC and so are less able to support the council to achieve transformational change.</p> <p>Upheaval and investment costs including initial reworking of processes. This would be repeated if, for example, a provider performs poorly and re-tender is necessary every 5 years or so.</p>
What are the critical success factors to make this happen?	<p>Retention of high-performing innovative staff whilst reducing overall workforce.</p> <p>Buy in and support from senior management for service reviews.</p> <p>Improved IT infrastructure and systems including basic digital services, easy-to-create and integrated web services.</p> <p>Improved compliance with corporate processes.</p>	<p>Early agreement of formal partnership arrangement with Orbis to provide opportunities for BHCC staff to apply for management posts.</p> <p>Adequate investment in due diligence and transition planning.</p>	<p>Successful transfer of staff.</p> <p>Effective transition planning.</p> <p>Development of robust client side function to manage the contract.</p>
Delivery risks	<p>Lack of resilience (e.g. service vulnerable to key staff leaving or being on long-term sick, leave and to peaks in demand).</p> <p>Workload outstrips capacity and service reviews are delayed due to capacity.</p> <p>Could be mitigated through use of agency staff/ call-off contracts with the private sector, but this would increase risk that savings would not be achieved.</p>	<p>Orbis fails to deliver on expected savings.</p> <p>Lack of understanding by Orbis of needs of BHCC.</p> <p>Could be mitigated through:</p> <ul style="list-style-type: none"> BHCC influence at joint committee early commitment to join Orbis as a founding partner (and so provide opportunities for BHCC staff to apply for management posts in Orbis) investing in due diligence. 	<p>Outsourced provider does not meet expectations.</p> <p>Could be mitigated through strong client management and, if necessary, retendering (although likely to be costly and legally challenging).</p>
When could this	From April 2016 – would provide sufficient time for	From April 2016 – liaison with potential Orbis partners	During 2016/17 if joining an existing framework.

option be realistically implemented?	consultation on restructuring.	sufficiently far advanced to implement.	
Investment and other costs of implementation	<p>Low staff turnover in some services so that redundancy costs could be significant.</p> <p>There will need to be some investment in digital, self-service linked to current IT programmes and developing existing systems.</p>	<p>As for in-house option redundancy costs could be significant.</p> <p>Professional advice for due diligence may be required.</p> <p>Investment in integration processes.</p> <p>As for the in-house option there will need to be some investment in digital, self-service linked to current IT programmes and developing existing systems. There may be opportunities to share these costs across Orbis.</p>	<p>Risk of incurring redundancy costs would be expected to be passed on to the outsourced provider and so reflected in the contract price.</p> <p>Professional advice would be required to negotiate the best deal for BHCC</p> <p>Investment in a robust client side function.</p>
Overall evaluation of each option	<p>While control would remain solely in the hands of BHCC there are significant drawbacks to the in house option:</p> <ul style="list-style-type: none"> • our professional service teams, which are critical to supporting transformational change, would have severely reduced capacity and be vulnerable to unexpected increases in demand or loss of key staff • Transactional services would also be reduced in line with savings targets and we would miss out on the opportunity to mitigate some of the reduction in service. 	<p>Partnering with Orbis would achieve some savings without impacting on service levels and so makes achieving 30% savings much more realistic. Orbis has other key advantages:</p> <ul style="list-style-type: none"> • our professional service teams would be drawn from staff from BHCC and across the Orbis partnership. As a result, they would be more resilient than the in-house option and also be better placed to share learning. • transactional services would have opportunities to gain economies of scale <p>This option would require:</p> <ul style="list-style-type: none"> • early commitment to join Orbis as a founding partner in order to provide opportunities for BHCC staff to apply for management posts in Orbis • external support to carry out due diligence • investment to realise integration opportunities 	<p>While outsourcing provides opportunities to drive savings in transactional services through economies of scale, there are some significant disadvantages:</p> <ul style="list-style-type: none"> • It is unlikely that outsourcing could deliver 30% savings in the timescale required. • It is likely that that professional service teams would not have the depth of knowledge or understanding of BHCC to help services achieve transformational change. • The council would need to invest in a strong client side function.

Appendix 2 – Orbis Joint Committee Terms of Reference

Orbis Joint Committee Terms of Reference

Membership:

1. The Committee shall comprise no more than six members, being an equal number of East Sussex County Council Cabinet Members (appointed by the Leader of East Sussex County Council) and Surrey County Council Cabinet Members (appointed by the Leader of Surrey County Council).
2. Each Council's Leader may nominate one substitute Cabinet Member to attend meetings of the Joint Committee, should an appointed member of the Committee be unavailable or unable to attend a meeting of the Joint Committee. A substitute Cabinet Member attending in the absence of an appointed member will have full voting rights.

Terms of Reference:

The Orbis Joint Committee will:

1. Oversee the delivery of the services delivered jointly through the Orbis partnership of East Sussex County Council and Surrey County Council ('Orbis').
2. Recommend proposals to meet the annual budget for Orbis, set by each of East Sussex County Council and Surrey County Council.
3. Approve the Orbis Business Plan and performance measures
4. Monitor the Orbis Business Plan and performance of Orbis
5. Approve revisions to the Terms of Reference of the Orbis Joint Committee

Meetings of the Committee:

The Orbis Joint Committee will meet on four occasions a year, unless a different number of meetings is determined by the Committee

Council	Agenda Item 66
17 th December 2015	Brighton & Hove City Council

Subject:	Extract from the Proceedings of the Housing Committee meeting held on the 11th November 2015 - Response to Scrutiny Panel Report on Private Sector Housing		
Date of Meeting:	11 November 2015		
Report of:	Acting Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Caroline De Marco	Tel: 01273 291063
	E-mail:	Caroline.demarco@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

<i>Action Required of the Council:</i>
To receive the item referred from the Housing & New Homes Committee for information:
Recommendation:
That Council note the report referred for information from Housing & New Homes Committee.

BRIGHTON & HOVE CITY COUNCIL

**HOUSING & NEW HOMES COMMITTEE
11 NOVEMBER 2015**

MAIN MEETING ROOM – THE FRIENDS MEETING HOUSE

Present: Councillor Meadows (Chair) Councillors Hill (Deputy Chair), Mears (Opposition Spokesperson), Gibson (Group Spokesperson), Atkinson, Barnett, Lewry, Miller, Moonan and Phillips.

PART ONE

41 RESPONSE TO SCRUTINY PANEL REPORT ON PRIVATE SECTOR HOUSING

41.1 The Committee considered the report of the Acting Executive Director Environment, Development and Housing which informed members that in 2014 a request was

received from the Citizen's Advice Bureau to look at the private rented sector using a scrutiny panel, because of the '...worrying increase in the number of people seeking advice from the CAB' in relation to the private rented sector and letting agents. A Scrutiny Panel was established and the Panel's formal report and recommendations were published in March 2015 and presented to the Housing and New Homes Committee on 17 June 2015 with a proposal that officers bring a report back to the Committee with a formal response to the recommendations.

- 41.2 The current report was the formal response. It was proposed that the scrutiny recommendations within the remit of Housing & New Homes Committee were taken forward as part of the development of the Housing Strategy Action Plan. The report was presented by the Interim Head of Property & Investment and Head of Housing Strategy, Development & Private Sector Housing.
- 41.3 Councillor Hill stated that as lead councillor for private rented sector housing she had participated with some of the task and finish groups with the universities. She hoped to see work with various organisations in the city in terms of areas outside the remit of the council. A task and finish group could be set up with the strategic housing partnership. A workshop had been held on HMOs which highlighted a number of issues. There needed to be closer working with community groups such as LATs.
- 41.4 Councillor Mears referred to paragraph 3.12 (number 7 – Improve the identification of empty private sector homes and voids, and maximise the use of these properties). She asked how this could be achieved. The Interim Head of Property & Investment and Head of Housing Strategy, Development & Private Sector Housing replied that the council had a successful empty properties service. The council were looking to review the enforcement protocol to ensure that it was using all the protocols available.
- 41.5 Councillor Mears referred to page 55 of the agenda in relation to Article 4 directions. She felt that there was not a clear policy on student housing. She recommended that the council looked at this matter carefully and brought forward a policy.
- 41.6 The Chair shared the concerns that prime spots were taken for student accommodation.
- 41.7 Councillor Miller referred to page 84 of the agenda relating to selective licensing. Would these options be taken back for committee consideration? The Interim Head of Property & Investment and Head of Housing Strategy, Development & Private Sector Housing replied that further reports would be brought back to the committee.
- 41.8 Councillor Atkinson referred to page 78 which referred to intermediate rents and housing market intervention and increasing the supply of more affordable homes. He asked for more information about these matters. Councillor Atkinson referred to page 80 which referred to exploring ways of increasing the supply of affordable social housing for key workers. Councillor Atkinson could not see much information about key workers.
- 41.9 The Interim Head of Property & Investment and Head of Housing Strategy, Development & Private Sector Housing replied that these issues were linked. The Housing Strategy identified a gap with regard to key worker housing. In October 2014, a report was taken to Policy & Resources Committee about the potential of the council

having options to buy and build homes off plan for key workers. The council had received some funding from DCLG to investigate this matter.

- 41.10 Councillor Gibson thanked officers for a thorough report. With regard to recommendation 1 (to support a strong and buoyant local private sector housing market); Councillor Gibson felt that in reality the private rented market in the city was overheated. There needed to be a focus on working with the private sector. There were different ways of dealing with this issue. Councillor Gibson referred to page 64 which referred to the loss of student accommodation. He asked if there was any evidence for that statement. Page 63 referred to pressure points. Councillor Gibson asked where these were. Councillor Gibson welcomed the idea of living wage rent models. The average rent in the private sector was 50% of a person's income. Councillor Gibson suggested that due to the housing shortage in the city, couples with a spare room should be encouraged and supported to take in a lodger. Councillor Gibson suggested a review in 6 months.
- 41.11 Councillor Miller concurred with Councillor Gibson with regard to his comments about spare rooms. He stated that people should be encouraged to downsize in both the council's own stock and the owner occupied sector. He stressed that one way of making the Private sector work more functionally was to have a smaller private sector. Councillor Miller stressed that the most security someone could have was to own their own home. He asked what work was going on to help people buy their own homes.
- 41.12 Councillor Hill referred to Councillor Mears' comments on the need for a policy on student housing. The report did refer to some research being done at the moment which would lead to a student housing strategy. She agreed that there needed to be a much clearer idea about how to deal with this situation. Councillor Hill considered that a progress report on the HMO licensing scheme was a really good idea. Councillor Hill also considered that the report should be reviewed again in six months and broken up into themes.
- 41.13 The Interim Head of Property & Investment and Head of Housing Strategy, Development & Private Sector Housing stated that in terms of lost student housing, comments had been incorporated in the report from a number of different people. Some of the comments had been from students at risk of losing their accommodation because landlords continued to let it despite not having planning permission. The Council had therefore agreed with the universities to have a much more proactive protocol around article 4, so that students did not rent properties that were not compliant with planning permission. With regard to pressure points, a great deal of work had been carried out with the universities with regard to encouraging more head leasing schemes.
- 41.14 The Chair stressed that a progress report would need to be submitted to a future committee.
- 41.15 **RESOLVED:-** That the proposed response to Scrutiny Panel Report on Private Sector Housing (Appendix 1) in relation to matters within the remit of the Housing & New Homes Committee, be approved. Other non-Housing matters will be reported to the relevant policy committee for consideration.

Subject:	Scrutiny Panel Report on Private Sector Housing		
Date of Meeting:	11 November 2015		
Report of:	Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Martin Reid	Tel: 29-3321
		Andy Staniford	29-3159
	Email:	martin.reid@brighton-hove.gov.uk	
		andy.staniford@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF THE REPORT AND POLICY CONTEXT**

- 1.1 In 2014, a request was received from the Citizen's Advice Bureau to look at the private rented sector using a scrutiny panel, because of the '...worrying increase in the number of people seeking advice from CAB' in relation to the private rented sector and letting agents.
- 1.2 The request to set up a Panel was approved at the council's Overview and Scrutiny Committee on 20th October 2014. The Panel members were Professor Darren Smith, Professor of Geography, Loughborough University (Chair); Councillor Chaun Wilson and Councillor Phélim MacCafferty.
- 1.3 The Scrutiny Panel's formal report and recommendations were published in March 2015 and presented to the Housing and New Homes Committee on 17 June 2015 with a proposal that officers bring a report back to the Housing & New Homes Committee with a formal response to the recommendations for member consideration.
- 1.4 This report is the formal response to members of Housing & New Homes Committee. It is important to note that not all Private Sector Housing Scrutiny recommendations fall within the remit of the Housing & New Homes Committee. The report and Appendix identifies and recommends acceptance of Scrutiny Panel recommendations that align with Housing Strategy 2015 agreed at Housing Committee (14 January 2015), Council (29 March 2015) and Brighton & Hove Connected (Sept 2015). This encompasses most of the Scrutiny recommendations. Housing Committee and Council agreed to adopt the Housing Strategy and authorised the Executive Director take all steps necessary to implement the Strategy. The latter includes development of a detailed Action Plan for the Housing Strategy. It is proposed that the scrutiny recommendations within the remit of Housing & New Homes Committee are taken forward as part of the development of the Housing Strategy Action Plan.

2. RECOMMENDATIONS

- 2.1 That the Housing & New Homes Committee approves the proposed response to Scrutiny Panel Report on Private Sector Housing (Appendix 1) in relation to matters within the remit of the Housing & New Homes Committee. Other non

Housing matters will be reported to the relevant policy committee for consideration.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In 2014 a request was received from the Citizen's Advice Bureau to look at the private rented sector using a scrutiny panel, because of the '*...worrying increase in the number of people seeking advice from CAB*'¹ in relation to the private rented sector and letting agents.
- 3.2 The request to set up a Panel was approved at the council's Overview and Scrutiny Committee on 20th October 2014. The Panel members were Professor Darren Smith, Professor of Geography, Loughborough University (Chair); Councillor Chaun Wilson and Councillor Phélim MacCafferty. The panel set their terms of reference to:
- Understand the current private sector housing market in the city, and how it has changed since 2011;
 - Consider the best ways of managing private sector housing and improving standards in this sector;
 - Determine whether the relevant actions identified for private sector housing in the Draft Housing Strategy 2015 tie up to the evidence gathered by the panel. Where possible the panel will suggest how these actions could be practically implemented.
- 3.3 The Panel's formal report and recommendations were published in March 2015. Members recognise that there is a lot of good practice in the city, particularly in terms of organisations joining forces in new and innovative ways.
- 3.4 The recommendations were presented to the Housing & New Homes Committee on 17 June 2015 and officers were asked to prepare a formal response.
- 3.5 Following the June committee, the recommendations were discussed at the Strategic Housing Partnership which agreed to a series of Task and Finish groups to consider in more detail those that were beyond the remit of the local authority or had a wider partnership impact.
- 3.6 As outlined below, Task and Finish groups have been held with Planning, the University of Sussex, Brighton University and Student Union representatives.
- 3.7 Three Task and Finish groups have meet during September and October 2015:
- 10 September the first meeting took place with Martin Reid, representing Housing and Sandra Rogers, representing Planning in attendance.
 - 6 October the second meeting took place with Councillor Tracey Hill, Martin Reid representing Housing, Sandra Rogers and Steve Tremlett representing Planning, Charles Dudley, Dean Spears representing the University of Sussex and Sarah Gibbons representing the University of Sussex Student Union in attendance.

¹ [http://present.brighton-hove.gov.uk/Published/C00000726/M00005368/AI00042816/\\$LettingAgentsPrivateRentalsFINAL.docx.pdf](http://present.brighton-hove.gov.uk/Published/C00000726/M00005368/AI00042816/$LettingAgentsPrivateRentalsFINAL.docx.pdf)

- 22 October the third meeting took place with Councillor Tracey Hill, Martin Reid representing Housing and Julie Barker and Sabina Wagner representing the University of Brighton in attendance.
- 3.8 The table below summarises the scrutiny recommendations and our proposed response, with many of them aligning with the Housing Strategy 2015 (see Appendix 1 for a more detailed analysis):
- 3.9 It is important to note that not all Private Sector Housing Scrutiny recommendations fall within the remit of the Housing & New Homes Committee.
- 3.10 Recommendations identified as ‘accepted’ align to City-wide Housing Strategy and / or recommendations of previous reports to Housing Committee and Housing & New Homes Committee.
- 3.11 Specific actions or initiatives within the remit of Housing will be subject to more detailed reports for consideration to future Housing & New Homes Committee meetings as part development of the Housing Strategy 2015 Action Plan.
- 3.12

Scrutiny Panel Recommendations: Summary

Key: Accept: / Partially Accept: ≈ / Reject: B

1	Support a strong and buoyant local private sector housing market
2	Understand the city’s changing housing market and evidence the influence of additional purpose – built student accommodation
3	Conduct regular reviews of the Housing Strategy’s evidence-base
4	More effectively regulate the conversion properties to HMOs
5	Consider the effects of the Article 4 Direction on the city’s HMOs, and the use of licensing schemes and other legislative powers
6	Increase the supply of affordable owner-occupied housing
7	Improve the identification of empty private sector homes and voids, and maximise the use of these properties
8	Joint working with neighbouring local authorities to strategically plan housing supply and demand in a regional context
9	Allow the universities to continue to grow their student populations across the Greater Brighton area
10	Consider the effects of the densification student accommodation on university campuses and the Lewes Road corridor
11	Identify/develop sites for affordable student housing developments in other parts of the Greater Brighton area
12	Promote the development of student union and/or university letting agencies
13	Promote the development of university-endorsed landlords and letting agents, and encourage these to be championed
14	Promote the use of a city-wide rate-my-landlord scheme

15	Develop ethical models for letting agents, estate agents and landlords, and publish these organisation on a website	
16	Development and promote the uptake and benefits to landlords of registration to PRS accreditation schemes	
17	Create a register of landlords proven to have undertaken retaliatory evictions	≈
18	Increase the supply of private sector housing with rental costs that are affordable	
19	Increase the supply of affordable 'social housing' for key workers and vulnerable people	
20	Foster joined-up working between city council departments and other relevant organisations	
21	Set up a living rent commission (Not Scrutiny, but request at Housing & New Homes Committee)	Fairness Commission≈
22	Set up a register of all private rented sector landlords (Not Scrutiny, but request at Housing & New Homes Committee)	Review options
23	Petition government to allow a rent cap to be introduced (Not Scrutiny, but request at Housing & New Homes Committee)	Full Council

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 An analysis of each recommendation is contained in Appendix 1.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The Panel held three public evidence-gathering sessions in January 2015 and also attended the Strategic Housing Partnership. The Panel also received some verbal and written evidence submitted in confidence from people in the city living in the private sector housing.

5.2 Further discussions and Task and Finish groups have been held with the Strategic Housing Partnership, Planning, University of Sussex and University of Sussex Student Union and Brighton University.

6. CONCLUSION

6.1 Scrutiny Panel investigations provide a useful independent insight into areas of concern. It is appropriate that the findings of these investigations are considered to assess their appropriateness in determining the future strategic direction.

6.2 We have discussed the recommendations with partners to help shape our formal response and, subject to approval, will implement the recommendations as per the analysis in Appendix 1.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 Any costs associated with Implementation of the recommendations of the Scrutiny Panel for Private Sector Housing are expected to be met from current

budgetary resources. If implementing any of these recommendations would lead to a budget pressure, then further budget approval would be sought in advance of any commitment to spend.

Finance Officer Consulted: Monica Brooks

Date: 29/10/15

Legal Implications:

7.2 At its meeting in March 2015, the Overview and Scrutiny Committee resolved that the Scrutiny Panel Report on Private Sector Housing be endorsed and referred to the relevant policy committee(s) for consideration. The Overview and Scrutiny Terms of Reference and Procedure Rules require policy committees to prepare a response to the recommendations detailing whether each recommendation is agreed or not. To the extent that the recommendations fall within the remit of the Housing and New Homes Committee, this report satisfies that requirement.

7.3 Legal advice will be available as and when required to implement any of the recommendations.

Lawyer Consulted: Liz Woodley

Date: 30/10/15

Equalities Implications:

7.4 The Scrutiny Panel was held as a result of inequalities in the Private Rented Sector with recommendations developed to address these inequalities. Where an accepted recommendation leads to a significant change in strategy, policy or service delivery that has wider impacts, the specific equalities implications of this will be assessed as part of the change.

Sustainability Implications:

7.5 A well managed affordable high quality private rented sector is essential to support the households living in the city's 34,000 private rented homes.

Crime & Disorder Implications:

7.6 A number of recommendations relate to taking a more proactive stance against rogue landlords to help ensure that private rented tenants live in good quality well managed homes.

Risk and Opportunity Management Implications:

7.7 The private rented sector is essential to provide housing solutions and reduce homelessness pressures.

Public Health Implications:

7.8 The Housing Strategy 2015 recognises that poor quality and badly managed homes are detrimental to health and wellbeing.

Corporate / Citywide Implications:

7.9 A well managed affordable high quality private rented sector is essential to support the wellbeing of those living in the city's 34,000 private rented homes to maintain health, sustain a workforce and support children's education.

SUPPORTING DOCUMENTATION

Appendices:

1. Analysis of Recommendations from the Scrutiny Panel Report on Private Sector Housing

Documents in Members' Rooms

None

Background Documents

1. Scrutiny Panel Report on Private Sector Housing, Housing & New Homes Committee, 17 June 2015

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Scrutiny Panel Recommendations: Summary Sheet

1	Support a strong and buoyant local private sector housing market
2	Understand the city's changing housing market and evidence the influence of additional purpose –built student accommodation
3	Conduct regular reviews of the Housing Strategy's evidence-base
4	More effectively regulate the conversion properties to HMOs
5	Consider the effects of the Article 4 Direction on the city's HMOs, and the use of licensing schemes and other legislative powers
6	Increase the supply of affordable owner-occupied housing
7	Improve the identification of empty private sector homes and voids, and maximise the use of these properties
8	Joint working with neighbouring local authorities to strategically plan housing supply and demand in a regional context
9	Allow the universities to continue to grow their student populations across the Greater Brighton area
10	Consider the effects of the densification student accommodation on university campuses and the Lewes Road corridor
11	Identify/develop sites for affordable student housing developments in other parts of the Greater Brighton are
12	Promote the development of student union and/or university letting agencies
13	Promote the development of university-endorsed landlords and letting agents, and encourage these to be championed
14	Promote the use of a city-wide rate-my-landlord scheme
15	Develop ethical models for letting agents, estate agents and landlords, and publish these organisation on a website
16	Development and promote the uptake and benefits to landlords of registration to PRS accreditation schemes
17	Create a register of landlords proven to have undertaken retaliatory evictions
18	Increase the supply of private sector housing with rental costs that are affordable
19	Increase the supply of affordable 'social housing' for key workers and vulnerable people
20	Foster joined-up working between city council departments and other relevant organisations
21	Set up a living rent commission
22	Set up a register of all private rented sector landlords
23	Petition government to allow a rent cap to be introduced

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing Scrutiny Recommendation 1	Council Service Lead(s)	Executive Leadership Team (ELT) Lead
To have a commitment to support a strong and buoyant local private sector housing market in the city	Martin Reid (Housing & Strategic Housing Partnership) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted (and achieved by the publication of the Housing Strategy 2015 and the City Plan Part 1)</p> <p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>The findings from the consultation undertaken during the development of the Housing Strategy 2015 saw clear feedback that <i>we had a thriving private rented sector that generally delivered good quality vital housing but there were ongoing concerns around rising costs and affordability.</i></p> <p>It is the private sector that will deliver the majority of new homes being planned for over the city plan period and the Plan recognizes that this will contribute to a strong and prosperous city.</p> <p>The Private Rented Sector and Houses in Multiple Occupation are priority themes in the Housing Strategy 2015. To ensure we have a strong private rented sector, our strategic actions focus on improving management and housing quality in the sector.</p> <p>The Greater Brighton Devolution Prospectus includes raising standards in the Private Rented Sector in the Living Wage Housing ambition and offer. In particular, interventions to improve the management of the existing private rented stock, combined with the opportunity to bring significant investment into the sector for new private rented homes could transform the tenure into one which fully delivers for the local communities of Greater Brighton, providing high quality, easy-access housing for those working in a growing economy.</p> <p>We have met with the National Landlords Association and they are positive about working with us both in improving quality and management of the city's private rented sector with a track record in work strategically and with government including looking at ways of investing in home energy efficiency. Our Strategic Housing Partnership includes representatives from the local private sector housing market including Southern Landlords Association, Brighton & Hove Estate Agents Association and Brighton & Hove Economic Partnership.</p>		

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- 7. Work with the local business sector to maximise housing on mixed use developments incorporating homes, offices and retail.
- 9. Where compatible with local and national planning policy, increase housing supply through the conversion of unused and unneeded properties.
- 11. In accordance with City Plan policy, support taller buildings and higher density development in appropriate locations of the city.
- 40. Support a register of landlords in the city.
- 41. Support for landlords to better manage properties.
- 42. Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.
- 43. Up skill small and accidental landlords to improve tenancy management.
- 46. Promote the HMO licensing scheme so that we can ensure that unlicensed HMO's are reported and licensed properties are of standard.
- 47. Consult on extending HMO licensing to other areas where there is an identified need.

In addition the City Plan Part 1, together with its evidence base, recognises that the Private Sector plays an important role in the city's housing market and is likely to continue to do so.

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing Scrutiny Recommendation 2	Council Service Lead(s)	ELT Lead
To more fully understand how the local private sector housing market has changed in Brighton and Hove since 2011, and to evidence the impacts of new purpose-built student accommodation on the wider private sector housing market	Andy Staniford (Housing) Steve Tremlett & Sandra Rogers (Planning)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted (Part 1 achieved by the publication of the Housing Strategy 2015)</p> <p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <ol style="list-style-type: none"> 1. Housing Market Understanding: the new Housing Strategy 2015 was supported by an extensive analysis of housing data: http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/2%20HS2015%20Supporting%20Data%20Analysis.pdf 2. It is useful to look at the changes since the Census in 2001 and that in 2011. Owner occupation in the city fell by 8% between the 2001 and 2011 Census from 61% to 53%. Households in the private rented sector increased from 20% (2001) to 29.6% (2011). The private rented sector plays a wider role than just the accommodation of the city's students. This sector is also important for many working people and families unable to purchase owner-occupied housing and for those choosing not to purchase owner-occupied housing. 3. The Planning Policy and Housing Strategy teams have just commissioned new research to investigate more fully the supply and demand for student accommodation in the city including the needs from the Universities, the Music School and from Language Schools. This work will include looking at the impacts of new purpose built student housing on the wider private sector housing market. This work is expected to be completed in November 2015. 4. The University of Sussex has worked collaboratively with the researcher commissioned to complete the study into supply and demand for student accommodation and will continue to support the project to its completion. <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions: Continue to support the development of new affordable purpose built student accommodation in a range of locations within the city in accordance with City Plan policies.</p>		

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing Scrutiny Recommendation 3	Council Service Lead(s)	ELT Lead
To provide more regular systematic reviews of the evidence-base underpinning the Housing Strategy	Andy Staniford (Housing)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted</p> <p>Regular reviews are already undertaken with provision for additional reviews to be commissioned to meet identified needs and / or specific requirements, for example research into student accommodation supply and demand.</p> <p>This work is already in place:</p> <ul style="list-style-type: none"> • Housing Joint Strategic Needs Assessment updated annually • Housing Statistics Bulletin updated quarterly • Housing Market Report updated quarterly • Rent & Local Housing Allowance Report updated monthly • HMO data (from all sources) for the 5 wards covered by the Article 4 Direction are monitored and mapped by Planning. • From 2014/15 the number of applications for HMO's approved and refused in the five wards will be monitored and reported in the Authority Monitoring report produced by planning <p>These reports are available at:</p> <ul style="list-style-type: none"> • http://www.bhconnected.org.uk/content/local-intelligence • http://www.brighton-hove.gov.uk/content/housing/general-housing/housing-strategy-statistical-bulletins • http://www.brighton-hove.gov.uk/content/housing/general-housing/housing-market-reports <p>In addition, housing supply and demand issues are regularly reviewed to support the development of the city plan:</p> <ul style="list-style-type: none"> • Objectively Assessed Need for Housing Report June 2015: http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/GL%20Hearn%20HSG%20OAN%20Rprt%20%20Jun%202015.pdf <p>It is considered that the data collection and analysis carried out at present is the most appropriate given the resources available.</p> <p>The Planning Policy team already provides a significant amount of evidence that can also be used to help monitor and inform the Housing Strategy. This includes residential development monitoring, including for affordable housing; regular reviews of the Strategic Housing Land Availability Assessment, which indicates how much new housing is likely to be built in the city, the types and tenures of housing; updates to the need for affordable housing, monitoring student HMOs etc. Much of the ongoing</p>		

Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015

monitoring is reported through the Authority Monitoring Report.

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing Scrutiny Recommendation 4	Council Service Lead(s)	ELT Lead
To more effectively regulate the conversion of owner-occupied, family dwellings into shared private rented housing in relevant areas of the city, using licensing schemes and other legislative powers, to assess and improve the management and standards in HMOs	Mike Slagter (Housing) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Article 4 Direction Order introduced in 2013 which brought into control changes of use from family homes to small HMO's (normally permitted development not requiring consent) will have some impact on the number of family dwellings being used for shared private sector housing. Policy CP21 in the City Plan Part 1 sets out the thresholds for HMO's where controls apply and as the plan approaches adoption the policy has gained greater weight and is now being used more successfully at appeal. As of October 2015 about 45-50 properties were under investigation. It is anticipated that notices will continue to need to be served over the next few months. In the past notices gave 6 month compliance this is now being reduced to 3 months. As notices take one month to come into effect this gives 4 months from the date the notice is served to find alternative accommodation.</p> <p>Policies in the currently adopted 2005 Brighton & Hove Local Plan resist the loss of smaller sized family homes where sub-division is of such properties are proposed. This is in recognition of the city's need for family housing. These policies will be reviewed under Part 4 of the City Plan.</p> <p>HMO licensing cannot regulate or prevent conversion of family dwellings to HMOs. It does, however, impact on how properties are managed, especially in terms of recommended levels of safety and amenities. It also places licence holder details in the public domain so people can see who is responsible for running any licensed HMO. Though mainly intended for the benefit of occupiers, there are Management Regulations that apply to all HMOs and these contain provisions, for example in terms of keeping shared areas tidy, that can impact on neighbourhoods as a whole.</p> <p>Following the introduction of additional licensing for smaller HMOs in 5 wards identified as having high levels of the smaller HMO in November 2012, the scheme will be extended to 7 other wards in the city on 2 November 2015. Discretionary licensing will be kept under review and subject to proliferation of smaller HMOs and any issues arising with management and standards.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> Promote the HMO licensing scheme so that we can ensure that un-licensed 		

Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015

HMO's are reported and licensed properties are of standard. Respond to issues where legal standards are not being met.

- Consult on extending HMO licensing to other areas where there is an identified need.

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing Scrutiny Recommendation 5	Council Service Lead(s)	ELT Lead
To consider the effects of the Article 4 Direction on the proliferation of HMOs in the city, and the use of licensing schemes and other legislative powers	Mike Slagter (Housing) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Monitoring is already in place within the planning team which will help consider the effects of Article 4 Direction. The results of monitoring will be reported annually in the Authority Monitoring Report. The Authority Monitoring report produced by planning monitors development retrospectively. From 2014/15 the number of applications for HMO's approved and refused in the five wards will be monitored. HMO data (from all sources) for the 5 wards covered by the Article 4 Direction is monitored and mapped by the planning team and is updated monthly.</p> <p>The Article 4 Direction covers only the 5 wards along the Lewes Road corridor and not the additional 7 city centre wards where additional HMO licensing is to be extended.</p> <p>HMO licensing does not impact on the upward proliferation of HMOs as it is not a tool that can be used to control HMO numbers. There is no evidence to suggest that HMO licensing has affected the numbers of HMOs in the city, either upwards or downwards. It has brought about many safety and amenity improvements, as reported to Housing Committee on a number of occasions. Though licence holders are not directly responsible for the behaviour of their tenants, licensing can have an impact in requiring licence holders to engage in terms of possible breach of licence conditions or tenancy agreements if their tenants' behaviour causes problems for neighbouring residents.</p> <p>New research commissioned by the Planning Policy and Housing Strategy teams will help identify student demographics, the impact of projected changes to student population and housing supply. This work will be completed in November 2015.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • 46. Promote the HMO licensing scheme so that we can ensure that unlicensed HMO's are reported and licensed properties are of standard. • 47. Consult on extending HMO licensing to other areas where there is an identified need. • 48. Respond to issues where legal standards are not being met. 		

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing Scrutiny Recommendation 6	Service Lead(s)	ELT Lead
To explore ways to increase the supply of affordable owner-occupied housing for first-time-buyers and key workers in the city	Martin Reid (Housing) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & new Homes Committee.</p> <p>Recommendation Accepted</p> <p>Planning policy is currently to secure up to 40% affordable housing in new developments and to secure citywide a split of 55:45 affordable rent to intermediate (e.g. shared ownership) – this will assist getting people on the housing ladder including key workers. We are also looking at more innovative ways to increase supply of affordable housing e.g. incorporating a ‘review mechanism’ in S106 agreements where viability is an issue and also in City Plan Part 1 there will be sliding scale of affordable housing requirements so that we can ask for affordable housing contributions on smaller sites.</p> <p>There is also a need to continue to explore and support innovative affordable housing products e.g. ‘Pocket Housing’ in London which secures a significant first time buyer discount on housing for local people who must be on or below the average income of a London Borough and the scheme retains the housing in perpetuity (residents have to sell to someone in a similar position).</p> <p>The recently developed Greater Brighton Devolution Prospectus seeks to pursue models for housing delivery that delivers greater numbers of new and more Living Wage homes through a pilot Joint Venture to deliver 1000 affordable homes with a local housing association, the proposal would be to establish a new Greater Brighton Living Wage housing model. This would involve innovative approaches to providing more affordable housing to working people in Greater Brighton through a new Living Wage Rent Model and a Living Wage Homes Ownership Model.</p> <p>We are reviewing options for the local authority to intervene in the housing market as a potential purchaser / lessee of new accommodation being brought forward on development sites in the City or sub-region in order to meet identified housing needs. This is in addition to affordable housing deemed to be viable for the developer to deliver on site through the Planning process.</p> <p>This includes the procurement off-plan of residential accommodation on private sector housing developments with developers entering into arrangements with us to offer residential units for sale and/or lease at discounted rates on the basis of potential leaseback arrangements. This discounted sale option has previously been</p>		

Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015

explored on the most recent Anston House Planning application and we have also submitted a letter reserving our option to buy off-plan on the forthcoming Preston Barracks scheme.

The delivery of Major Project / Strategic Development Sites which achieve citywide regeneration provides additional affordable housing within the development brief, for example Circus Street, Brighton Marina, Preston Barracks, Pelham Street etc.

If enacted, the Housing and Planning Bill 2015 will create a new duty on all local authority planning departments to promote the supply of starter homes in their area. The Bill also proposes allowing the government to set regulations requiring starter homes to be included on residential sites as a condition of securing planning permission. If agreed these regulations will be issued at a later date. In terms of starter homes, it is not yet clear whether this will be in addition to or as a replacement for affordable homes. The Bill still has to be debated. There will need to be a change in National Planning Policy framework for starter homes to be counted as affordable housing. Starter homes do not currently fit the formal definition of affordable housing for planning purposes.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- 1. Prioritise support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where feasible, Social Rented housing.
- 2. Continue work with a range of partners including Homes Communities Agency, housing associations and the community housing sector to develop more affordable housing.
- 3. Directly provide more council housing, such as by developing ourselves through our New Homes for Neighbourhoods programme, buying new homes off-plan or by supporting others to build and manage on our behalf.
- 4. Use Right To Buy receipts and developer contributions to fund new housing.
- 5. Maximise housing provided from best use of the Council's Housing Revenue Account (HRA) investment, land and buildings.
- 6. Support housing associations and community housing organisations with their proposals to deliver affordable homes.
- 7. Work with the local business sector to maximise housing on mixed use developments incorporating homes, offices and retail.
- 8. Continue to look at alternative use of public assets including land, with a focus on maximising the social value of opportunities where appropriate.
- 9. Where compatible with local and national planning policy, increase housing supply through the conversion of unused and unneeded properties.
- 10. Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area.
- 11. In accordance with City Plan policy, support taller buildings and higher density development in appropriate locations of the city.

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing Scrutiny Recommendation 7	Council Service Lead(s)	ELT Lead
To further improve the identification of empty homes and voids within private sector housing, and to maximise the use of private sector housing in more efficient ways	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted</p> <p>Identification and contact system in relation to empty homes within private sector housing is fully in place, as reflected in Performance Indicators around bringing empty private sector homes into use and New Homes Bonus income for past years.</p> <p>Our Empty Property Enforcement Protocol is in development during 2015/16 to further clarify and strengthen use of enforcement action in bringing private sector empty homes back into use.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • 35. Continue successful system of making and maintaining contact with all owners of empty property. • 36. Update the Empty Property Enforcement Protocol to encourage an increase in the number of properties being returned to use. • 39. Consider empty commercial property as a potential source of new housing. 		

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Private Sector Housing Scrutiny Recommendation 8	Council Service Lead(s)	ELT Lead
To work in a more joined-up way with neighbouring local authorities to strategically plan housing supply and demand in a regional context	Rob Fraser / Sandra Rogers (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Duty to Cooperate has brought us together with neighbouring local authorities and other organisations to develop strategic planning policies for the area that will meet existing and future needs of the residents and workforce in the area.</p> <p>Greater Brighton is a partnership made up of the local authority areas of Brighton & Hove, Adur, Worthing, Lewes and Mid Sussex. The recently published Greater Brighton Devolution Prospectus - Platforms for Productivity, forms the bases of a longer dialogue with government and partners. This document focuses on three areas that include increasing economic productivity through the provision of infrastructure, housing and employment land and enterprise support. To accelerate housing delivery to meet and surpass our planned housing supply of 22,500 homes it proposes to create a Greater Brighton Housing Company. Alongside this it is proposed to create a Joint Property Board with the HCA and develop a Greater Brighton Housing & Property Investment Plan – in conjunction with the Coast to Capital LEP and 3SC – to provide a strategic delivery plan to deliver more housing across the region.</p> <p>Any building developments will balance the need for general needs housing against student housing need to ensure the right mix for housing on any new development. The University of Brighton already works closely with the local authorities and other local stakeholders in their 3 campus areas. This includes close collaborative work with housing strategies and engaging with local community groups and initiatives through the work of the Community Liaison team.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • 10. Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area. • 22. Continue to support the development of new affordable purpose built student accommodation in a range of locations within the city in accordance with City Plan policies. 		

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Private Sector Housing Scrutiny Recommendation 9	Council Service Lead(s)	ELT Lead
<p>To have a commitment to allow the universities to continue to grow their student populations across the Greater Brighton area, in recognition that they operate in a context of uncertainty and a more competitive (inter)national environment within higher education.</p>	<p>Martin Reid (Housing & Strategic Housing Partnership)</p> <p>Rob Fraser Planning.</p> <p>Universities.</p>	<p>Nick Hibberd</p>
Council Response October 2015		
<p>This recommendation is not within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Subject to the universities continuing to acknowledge and work in partnership with the Council and other parties to mitigate the impact of their growth on the local housing market, in particular in areas of high concentrations of student populations.</p> <p>The City Plan allows the Universities to grow in a managed way through site allocations and through a criteria based policy that seeks new purpose built accommodation for students and academic space subject to assessment.</p> <p>Growth in student numbers has been significant e.g. estimated that between 2001 to 2013 student numbers increased by 37% for Brighton University and 50% for University of Sussex. Clearly this will have impact on the city's housing market if there is insufficient purpose built student housing. City Plan seeks to ensure there is sufficient purpose built accommodation and Part 2 (Site Allocations and Development Management Policies) will consider the allocation of further sites and the need to align more closely the University's growth plans and student accommodation strategies. It is recognised that the growth of the Universities across Greater Brighton area has many benefits for city and wider sub-region and is to be supported. A duty to cooperate would be triggered if a local authority is unable to meet its housing demand within its own area.</p> <p>The University of Brighton already has campuses located in Brighton, Eastbourne and Hastings. The Greater Brighton Devolution Prospectus acknowledges the contribution made by the universities, supporting around 12,000 jobs, contributing nearly £1bn to the South East economy, and providing opportunities and expertise to support and grow local businesses. The prospectus outlines its commitment to extend the presence of the universities and further education colleges throughout the region, northwards into Burgess Hill and along the coast to Newhaven and Worthing.</p> <p>Additional information on how universities manage their PRS accommodation</p>		

needs.

University of Sussex advise that all 1st year undergraduates who require it are being accommodated in University managed housing as well as all 1st year overseas Postgraduates. University of Sussex currently own and manage 5000 bed spaces. Although additional purpose- built student accommodation is being developed, we are advised that this will not meet all the future demand.

The University of Sussex also runs a successful head-leasing scheme. All the properties, which are directly managed by the university, are located in the city. It is a requirement of the university that all new head-leased properties have HMO licences. The university is seeking to increase the number of head-leased properties and identifying where the pressure points are in the city and focusing on these areas. At present the head-leasing schemes provides 271 bed-spaces and the university is looking to increase this figure by a further 100 minimum. The university will work with the council to make sure it does not compete for the same properties in the city and mitigate any detrimental effect their head-leasing scheme has on the council's potential supply of private rented sector family housing.

The availability and cost of public transport is key to the location of student housing especially when looking to increase accommodation to the east and west of the city. Work would need to be undertaken with the council's Transport team, Brighton & Hove Bus Company etc. to see if transport links could be extended and improved to make locations away from the Lewes Road corridor more viable and attractive for students to live in.

In addition to concerns regarding transport, the Students' Union at the University of Sussex raised a concern around whether the University were adequately prepared for the arrival of increased number of students, including housing as one example of this.

Students are finding it more difficult to acquire affordable housing in the city's private rented sector, which highlights the citywide problem of capacity in the private rented sector. The problem of affordability may result in students looking for accommodation outside the city-centre area, although students are attracted to the nightlife, cafes, retail, etc. in the city which is lacking in other more affordable areas.

The University of Brighton accommodates a significant number of their first year students in halls accommodation, and the ongoing redevelopment of the University's Varley Park hall site will have created an additional 300 beds by the end of the current building phase.

The University has operated a successful head lease scheme in Brighton and Eastbourne for over 13 years, and more recently, the head lease scheme has grown significantly in Hastings providing quality and affordable accommodation to students.

The University recognises that affordability is key and therefore do not charge any fees to students, do not require a guarantor and do not require a damage deposit to be paid up front. The properties are well maintained, checked regularly and comply with all necessary legislation (including Article 4 and all relevant planning permission surrounding appropriate use of the property).

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The university have established strong working relationships with property owners and neighbours.

Currently, there are over 230 head lease bedspaces in Brighton, Eastbourne and Hastings.

With such a diverse student population to support, the University of Brighton are keen to expand and manage a range of properties, from 1 bedroom flats up to 6 bedroom homes. They are also keen to explore the use of head-lease accommodation for students with families.

In addition, the University has successfully expanded their Homestay scheme in Brighton and there are now over 100 bedspaces available for students either for a short term or long term stay.

The impact of Article 4 has seen a loss of some student accommodation in the 5 wards where it is in operation. The council and universities will make sure that students do not move into properties that do not have an HMO licence by making it easier for information on whether HMOs do have planning permission to be shared.

The reality is that universities will be competing with each other, with the local authority and others including BIMM and City College, over family sized housing in the private rented sector.

The University of Brighton is exploring any viable opportunities to increase the number of purpose built student accommodation in addition to the Preston Barracks site. It is looking at the possibility of further increasing capacity at Varley Park, and looking at sites owned by the university to identify any opportunities to build.

The University of Brighton academic profile review is now due to be completed in the Spring 2016. .

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- 26. Work with bordering authorities to support satellite campuses.
- 10. Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area.

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Private Sector Housing Scrutiny Recommendation 10	Council Service Lead(s)	ELT Lead
To consider the effects of the densification of affordable, purpose-built, student accommodation on university campuses within the city, and outside the Lewes Road corridor	Steve Tremlett (Planning) Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Student Housing is a priority theme in the Housing Strategy 2015, which recognises that:</p> <p style="text-align: center;"><i>We need a wider range of affordable accommodation options for students to take pressure off the existing housing stock and we need to work with landlords to improve the quality of accommodation and ensure student housing does not cause disruption in our neighbourhoods.</i></p> <p>In a city with a very constrained land supply there is a need to ensure that the best use is made of limited site opportunities but also that developments are of a high quality. Any potential adverse impacts need to be mitigated through good design and also through effective management agreements.</p> <p>The Planning Policy and Housing Strategy teams have just commissioned new research to investigate more fully the need for student accommodation in the city including the needs from the Universities, the Music School and from Language Schools. This work will include looking at the impacts of new purpose built student housing on the wider private sector housing market. This work is expected to be completed in November 2015. The projected student housing need and the cumulative impacts of purpose-built student accommodation including concentrations will inform the Student Housing Strategy refresh and City Plan.</p> <p>In addition, one of the key recommendations of the previous Student Housing Strategy was support for expansion of head leasing schemes where the Universities have responsibility for management of private sector homes leased from landlords and agents on behalf of students.</p> <p>As outlined in the response to Recommendation 9, University of Sussex is seeking to increase the number of head-leased properties and identifying where the pressure points are in the city and focusing on these areas. University of Sussex also commit to work with the council to make sure it does not compete for the same properties in the city.</p> <p>The University of Brighton is also actively seeking to develop their head lease</p>		

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portfolio to assist students secure private sector accommodation without having to face expensive upfront costs, such as fees, deposits and providing a guarantor.

In addition, and also reflecting one of the key priorities of the original Student Housing Strategy, we have in the past entered into a joint head-leased property agreement with the universities in order to avoid competition for the same dwellings and to attempt to manage acquisition of family and shared occupancy homes in areas of high concentrations of student housing. Properties were shared 50/50 under the scheme.

While this scheme is no longer in operation we propose to review options for this being re-considered, subject to any future joint head leasing initiative being financially viable and beneficial for the council to participate in.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Reduce the impact of student lets on neighbourhoods through managing the concentration of student lets (City Plan policy) and other measures such as requiring safe bicycle storage, communal bins and working with letting agents to reduce signage.

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Private Sector Housing Scrutiny Recommendation 11	Council Service Lead(s)	ELT Lead
To explore the potential to identify/develop sites of opportunity for affordable student housing developments in other parts of the Greater Brighton area, which will appeal to students alongside the development of student-oriented infrastructures (i.e. transport, services)	Rob Fraser / Sandra Rogers (Planning) Universities	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not within the remit of the Housing & New Homes Committee</p> <p>Recommendation Accepted</p> <p>This is an issue that could be explored further through sub-regional planning and economic development forums – Coastal West Sussex and Greater Brighton Strategic Planning Board and Economic Board. Growth Plans of both Universities may lead to additional premises in wider Greater Brighton area e.g. University of Brighton had plans to locate additional accommodation outside the city. Part 2, City Plan will also look for additional sites within the City.</p> <p>The Greater Brighton Devolution Prospectus outlines its commitment to extend the presence of the universities and further education colleges throughout the region, northwards into Burgess Hill and along the coast to Newhaven and Worthing. Alongside this, is the commitment to deliver an intelligent transport network across the region that supports the business and tourist economy, and people travelling to work and learn.</p> <p>This strategic action to work with bordering authorities to support satellite campuses is included in the Housing Strategy 2015.</p> <p>The commitment to work with bordering authorities in the development of satellite campuses is welcomed by the University of Brighton (should there be any). Proximity to academic site remains a key priority for both the university and its students.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Work with bordering authorities to support satellite campuses. • Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area. 		

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Private Sector Housing Scrutiny Recommendation 12	Council Service Lead(s)	ELT Lead
To promote the development of student union and/or university letting agencies	Martin Reid (Housing & SHP) Universities	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Housing Strategy 2015 supports improvements in the letting and management of student accommodation both for the benefit of students and local communities.</p> <p>The Students' Union at the University of Sussex, run a letting agency for student accommodation. At present the agency has approximately 50 properties, 35 of which are fully managed. There is huge demand for these properties and the scheme is very popular with students and rated very highly. It is an aspiration of the Students Union to expand this scheme but funding, staffing and other resources such as a lack of an alternative location in the centre of Brighton, is a barrier to this. The current location is limited by lack of walk by traffic of landlords, who may not aware that Sussex Student Lettings exists.</p> <p>Students from the University of Brighton use Sussex Student Lettings and feedback from students has been very positive.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability. 		

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Private Sector Housing Scrutiny Recommendation 13	Council Service Lead(s)	ELT Lead
To promote the development of university-endorsed landlords and letting agents, and encourage the universities and student unions to champion these landlords to students	Martin Reid (Housing & SHP) Universities	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>We have met with the National Landlords Association and they are positive about working with us both in improving quality and management of the city’s private rented sector with a track record in work strategically and with government including looking at ways of investing in home energy efficiency.</p> <p>New legislation makes it a legal requirement for all lettings agents and property managers in England to join one of three Government approved redress schemes; Ombudsman Services Property, Property Redress and the Property Ombudsman. In Brighton & Hove the requirement is enforced by our Trading Standards team.</p> <p>One of the strategic actions in the Housing Strategy 2015 is to promote the Student’s Union “Rate Your Landlord” report across the city and the idea of rented accommodation that is ‘fit for study’.</p> <p>The introduction of additional licensing for smaller HMOs in 5 wards identified as having high levels of the smaller HMO in November 2012 and the extension of the scheme to 7 other wards in the city on 2 November 2015 will improve the conditions and management of these types of properties.</p> <p>Article 4 – See Recommendations 4 and 5</p> <p>Research into the need for student accommodation in the city commissioned by Planning and Housing will provide evidence on projected student housing need, the cumulative impacts of purpose-built student accommodation and privately rented accommodation.</p> <p>Head-leasing schemes – see Recommendation 10</p> <p>The University of Sussex has a Sussex Studentpad website providing information on private rented sector accommodation to let and guidance for students. There are around 600 landlords advertising properties on the website who have agreed to abide by the UUK Accommodation Code and all new properties are inspected by the university.</p> <p>The University of Brighton has an accommodation service in Brighton, Eastbourne</p>		

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and Hastings. There are over 1600 places in halls in Brighton, 230 university-managed rooms in shared homes across Brighton, Eastbourne and Hastings and about 100 rooms in homestays. The University has a dedicated website for students to search for accommodation that must conform to a Code of Standards before it is registered with the University. The website also includes student message boards and lots of helpful information about house hunting, www.brightonstudentpad.co.uk. New and existing properties registered on the website are inspected by the Accommodation Service team.

The University of Brighton also has a dedicated Housing Advice Officer who supports and advises students the about private rent sector accommodation.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.
- Promote the Student's Union "Rate Your Landlord" report across the city and the idea of rented accommodation that is 'fit for study'.

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Private Sector Housing Scrutiny Recommendation 14	Council Service Lead(s)	ELT Lead
To promote the use of a city-wide rate-my-landlord scheme for all private sector housing	Martin Reid (Housing & SHP)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>One of the strategic actions in the Housing Strategy 2015 is to promote the Student's Union "Rate Your Landlord" report across the city and the idea of rented accommodation that is 'fit for study'.</p> <p>A rate-my-landlord scheme could only be run externally and not as a council function.</p> <p>The University of Sussex Students' Union run a successful rate-my-landlord scheme.</p> <p>Rate Your Landlord is an annual online survey conducted by the University of Sussex Students' Union. First launched in 2009, the survey looks at the experience of students living in private rented property in and around Brighton and Hove, and is used to create a better understanding of the issues that face students who rent privately. This includes identifying problems where they exist, recognising good practice when it occurs and informing recommendations that seek to drive up standards in the sector and improve the experience for students.</p> <p>Rate Your Landlord Survey is a way of encouraging students to express their views and participate in the University of Sussex Students' Union. This survey, however, is not based on a scientific, representative sample and the results are vulnerable to manipulation by individuals with an interest in the outcome. All information is independently collated from student responses to the Rate Your Landlord Survey and is in no way the opinion of the University of Sussex or the University of Sussex Students' Union.</p> <p>One element of the survey involves students being asked to rate letting agents on a 5 point scale ranging from strongly agree to strongly disagree against 5 questions:</p> <ul style="list-style-type: none"> ● Provides a good level of customer service (i.e. helpful, polite, easy to get hold of etc) ● Has low upfront fees (e.g. admin fees) ● Provides clear information about costs and the terms of the tenancy agreement ● Acts in a timely and reasonable way to resolve any problems that are reported (e.g. repairs, complaints etc) 		

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- Provides a property that is comfortable and safe (e.g. free from mould & damp, well insulated & draught-free, has a smoke alarm fitted, has a current gas safety certificate etc.).

Finally students are asked to give their opinion of their overall experience, again on a 5 point scale ranging from very good to very poor. Each response was allocated and scored. Due to the variability in the numbers of responses across letting agents, a Bayesian average is taken to avoid unfairly advantaging or disadvantaging letting agents with fewer responses. An example formula for the Bayesian average is:
$$\frac{\text{mean number of responses across letting agents} \times \text{mean score across letting agents} + (\text{individual letting agent response count} \times \text{individual letting agent score})}{\text{mean number of responses across letting agents} + \text{individual letting agent response count}}$$

Full details can be found in the full report.

<http://www.sussexstudent.com/asset/News/6412/RYL2014.pdf>

These scores then translated into a key rating score which is available to students. The key ratings ranged from 0 keys, representing poorly performing letting agents based on student survey responses, and 5 keys representing well performing letting agents based on student survey responses.

The data we gather in the survey is used for a variety of different purposes, this includes being used as the basis of our guarantor scheme proposal and to inform our responses to consultations.

The Rate my Landlord scheme also includes feedback from University of Brighton students and has proven to be a useful source of information for students when looking for a property via letting agents.

There are two websites that are also popular with students for accommodation reviews/feedback; Whichpad, www.whichpad.com and Move'm, www.movem.co.uk

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Promote the Student's Union "Rate Your Landlord" report across the city and the idea of rented accommodation that is 'fit for study'.

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Private Sector Housing Scrutiny Recommendation 15	Council Service Lead(s)	ELT Lead
To develop ethical models for letting agents, estate agents and landlords, and create a website with a list of these ethical organisations	Martin Reid (Housing & SHP). Sylvia Peckham (Housing)t	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Housing Strategy 2015 supports the development of an ethical standard for letting agents including a commitment to equalities and diversity, a ‘living rent’ scheme where rents are linked to wage inflation, and longer tenancies to support family stability.</p> <p>We are at the early stages of engaging in research to inform potential options for review of models of arms length letting agents that will be fair and transparent. In our research to identify how to take this forward examples we will be looking at include the <u>Haringey</u> and Westminster models.</p> <p>The Students’ Union at the University of Sussex has its own letting agency. It is no longer managed under the commercial services arm but instead is run as a social enterprise. As a social enterprise all profits after operating costs are spent on providing a range of advice & support services for students.</p> <p>Being part of the Students’ Union means that the students already have an on-going relationship with the letting agency through using the range of services the Union provides, which creates an element of trust and familiarity that they are unlikely to have with other agencies. They also don’t charge any administration fees to the students, making Sussex Student Lettings their financial preference also.</p> <p>Sussex Student Lettings are able to provide four services to landlords; ‘Room Only’ ‘Let Only’ ‘Rent Collection’ and ‘Full Management’.</p> <p>The staff are employed on a fixed salary rather than commission on, it is believed that this supports the kind of culture the agency wish to promote. The agency is staffed by people who genuinely want to provide good customer service throughout the whole process of searching for a property, moving in, and during the tenancy itself.</p> <p>We propose to support exploration of options as to whether the scope of this model</p>		

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can be widened to expand beyond student housing and encompass a greater range of private rented housing.

The University of Brighton supports the development of a city-wide ethical standard for letting agents.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Support for landlords to better manage properties.
- Up skill small and accidental landlords to improve tenancy management.
- Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.

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Private Sector Housing Scrutiny Recommendation 16	Council Service Lead(s)	ELT Lead
To consider the development, and promote the uptake and benefits to landlords of registration to PRS accreditation schemes	Martin Reid (Housing & SHP) Alan Davis (Housing Acquisitions Team)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted</p> <p>In a high demand housing market developing voluntary landlord accreditation schemes can be challenging. Our existing private rented sector accreditation scheme is not currently active as in a buoyant housing market and with the end of private sector housing renewal funding there are limited incentives for landlords to join a voluntary accreditation process.</p> <p>Following extensive consultation our Housing Strategy 2015 commits us to a number of strategic actions aligned to improve tenancy management and support landlords to better manage their homes. We therefore propose to review accreditation options and / or options for agreeing standards / codes of conduct for agents and landlords to be developed on a partnership basis in the city.</p> <p>This is distinct from consideration of often time limited regulatory responses such as discretionary licensing schemes that may be applied to private rented homes subject to Housing & New Homes Committee approval aligned to Housing Act requirements concerning evidence, consultation and resources.</p> <p>The council is exploring the viability of introducing selective licensing and the introduction of any type of accreditation scheme needs to be balanced against this work. It is important to identify how an accreditation scheme would be different and what it would achieve compared to selective licensing e.g. the benefits and limitations.</p> <p>University managed properties have to be operated under an externally audited code.</p> <p>University of Brighton - standards are defined by the Student Accommodation Code (Universities UK) and a Code of Standards that we have developed for owners, resident landlords, head lease and homestay accommodation.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Support for landlords to better manage properties. 		

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- Up skill small and accidental landlords to improve tenancy management.

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Private Sector Housing Scrutiny Recommendation 17	Council Service Lead(s)	ELT Lead
To create a register of landlords who have been proven to have undertaken retaliatory evictions	Mike Slagter (Housing)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Partially Accept (subject to Housing & Planning Bill 2015)</p> <p>The Government’s new Housing and Planning Bill 2015 includes a proposal to create a national database of rogue landlords/letting agents, which will be maintained by local authorities.</p> <p>The Housing & Planning Bill includes the measure to set up of a national database of rogue landlords which will be maintained, updated and edited by local authorities and every local authority will have access to it. In addition there are measures allowing local authorities to apply for banning orders which will ban a person from letting or managing property or acting as a letting where they have committed housing offences. A person subject to a banning order will not be able to hold an HMO licence and not be able to dispose of any properties to family or friends. Councils will be able to grant management orders for these properties.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> ● Review evictions from the private rented sector to analyse the underlying reasons behind homelessness. 		

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Private Sector Housing Scrutiny Recommendation 18	Council Service Lead(s)	ELT Lead
To explore ways to increase the supply of private sector housing with rental costs that are affordable (e.g. for key workers in the city) and in line with representative household incomes in the city	Martin Reid (Housing) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Planning policy for housing seeks a mix of housing tenures and types/sizes of residential units that helps to respond to different local needs. Affordable housing supply can come forward as a mix of affordable housing tenure types (e.g. affordable rented, shared ownership, intermediate rents). We will continue to explore more innovative housing products that might be able to help address this issue.</p> <p>The Housing Acquisitions Team runs schemes where it takes on privately own properties and leases them to local families in need of accommodation. Under the scheme the council is responsible for managing the property and guarantees rental income to the property owner.</p> <p>Although the Acquisitions team has successfully taken on a significant number of properties, the city's a buoyant market and market forces make it difficult to negotiate rents within affordable levels. Schemes like the accreditation scheme are no longer in existence as they proved not to be an incentive for landlords to engage but we could consult with landlords and review whether this scheme would again be viable.</p> <p>Housing Market intervention – see Recommendation 6 In order to further increase the supply of new affordable homes additional funding options are being actively investigated with Savills & Trowers and Hamlins funded by DCLG, including buying new homes off plan and other SPV / Joint Venture options.</p> <p>Within the Greater Brighton Devolution Prospectus there is the proposal for a pilot Joint Venture to deliver 1000 homes with a local housing association, the proposal would be to establish a new Greater Brighton Living Wage house model.</p> <p>There has also been an increase in development including Build-to-Rent coming through Planning.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> ● Prioritise support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where 		

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feasible, Social Rented housing.

- Continue work with a range of partners including Homes & Communities Agency, housing associations and the community housing sector to develop more affordable housing.
- Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area.

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Private Sector Housing Scrutiny Recommendation 19	Council Service Lead(s)	ELT Lead
To explore ways to increase the supply of affordable 'social housing' for key workers and vulnerable people (i.e. older people living in PRS housing which is not suitable for them and not readily adaptable, and/or people with mental health conditions who might previously have been accommodated in social housing)	Martin Reid (Housing) Rob Fraser (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>There is an opportunity to explore this through the preparation of and consultation on Part 2 of City Plan with regard to looking at policies to promote housing for particular needs groups. Planning officers work closely with the Housing officers of the Council and those in the 'New Homes for Neighbourhoods' team. Teams are exploring whether development of some council owned sites would be suitable for particular needs groups.</p> <p>Under the New Homes for Neighbourhoods Programme over 500 additional council homes are projected to be built over the next 5 years. A range of homes will be built from larger family homes to 1-bed room flats, they will be accessible and adaptable, with some built for wheelchair uses. The specification will meet high standards that will reduce fuel bills and carbon emissions. The proposal that some homes will be to Passivhaus principles which potentially reduce construction time and costs whilst delivering a super insulated homes that reduces energy use and lowers emissions. The rent levels for the new homes will be 80% Market Rents capped at Local Housing Allowance. In addition to general needs homes, the programme will be delivering an extra care scheme providing 45 flats for older people that will be built to a high standard (BREEAM) standard 'Good' and be appropriate for people suffering with dementia</p> <p>Housing Market Intervention – see Recommendation 6</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> ● Prioritise support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where feasible, Social Rented housing. ● Continue work with a range of partners including Homes & Communities Agency, housing associations and the community housing sector to develop more affordable housing. ● Directly provide more council housing, such as by developing ourselves through our New Homes for Neighbourhoods programme, buying new homes off-plan or 		

Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015

by supporting others to build and manage on our behalf.

- Use Right To Buy receipts and developer contributions to fund new housing.
- Maximise housing provided from best use of the Council's Housing Revenue Account (HRA) investment, land and buildings.
- Support housing associations and community housing organisations with their proposals to deliver affordable homes.
- Reinvigorate the Home Ownership for People with Long-term Disabilities scheme.
- Prioritise family housing in our housing investment plan and in enabling work with Homes & Communities Agency, Registered Providers and other partners.
- Look to new developments to deliver family housing as part of the affordable housing requirement.

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
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Private Sector Housing Scrutiny Recommendation 20	Council Service Lead(s)	ELT Lead
To further foster joined-up working between city council departments (e.g. housing, public health) and other relevant organisations (e.g. Southern Landlords' Association, CAB, Community Housing Network, Brighton Housing Trust, city universities)	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>There is already good partnership working with stakeholders in the city, e.g. the city's Strategic Housing Partnership (SHP) and also the Affordable Housing Delivery Partnership in the city. Membership of the SHP includes representatives from the health sector, landlords associations, universities and Brighton Housing Trust). Consultation on Part 2 of the City Plan will review and explore whether planning could build better planning relationships with some of the city's stakeholders.</p> <p>We will keep the composition of existing partnerships under review and encourage more integrated partnership working across the city, in particular with a review to implementation of some of the recommendations in this report.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Continue work with a range of partners including Homes & Communities Agency, housing associations and the community housing sector to develop more affordable housing. • Promote the concept of Community Housing. • Explore the viability of Community Land Trust and wider community housing development options when land is available with a focus on maximising the social value of new developments where appropriate. • Explore the use of commercial properties for co-operatives where compatible with City Plan policies. 		

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing PRS Deputation to Housing Committee – June 2015: Request 1	Council Service Lead(s)	ELT Lead
To set up a living rent commission	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>Given the Living Rent report has been submitted to the Fairness Commission there is no need for a separate commission on the Living Rent.</p> <p>The findings on research into living rents were presented to the Housing & New Homs Committee in September 2015. The Committee agreed to refer living rents to the Fairness Commission with a recommendation that the Commission looks into this further.</p> <p>The Greater Brighton Devolution Prospectus seeks to address the need for ‘living wage housing’ through developing a mechanism to re-establish the crucial links between housing and the labour market, rents and ownership and the ability of people on low incomes to afford them and the creation of a Greater Brighton Housing Company that will deliver greater numbers of new and more affordable homes. The offer within the prospectus is:</p> <ul style="list-style-type: none"> • A pilot Joint Venture to deliver 1,000 homes with a local housing association, the proposal would be to establish a new Greater Brighton Living Wage house model. • Raising standards in the private rented sector. Interventions to improve the management of existing private rented stock, combined with the opportunity to bring investment into the sector for new private rented homes could transform the tenure into one which fully delivers for the local communities of Greater Brighton. <p>The prospectus will also pursue innovative models for housing delivery, for example rapid-build programmes that will deliver housing at reduced costs.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Develop an ethical standard for letting agents including a commitment to equalities and diversity, a ‘living rent’ scheme where rents are linked to wage inflation, and longer tenancies to support family stability. 		

Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015

Private Sector Housing PRS Deputation to Housing Committee – June 2015: Request 2	Council Service Lead(s)	ELT Lead
To set up a register of all private rented sector landlords	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>Request subject to review of options</p> <p>The consultation for the Housing Strategy 2015 identified that a large majority of respondents wanted us to introduce a register of all private sector landlords to help support efforts to maintain and improve standards. In response to this one of the strategic actions in the strategy is to support a register of landlords in the city</p> <p>The 3 main options have been identified:</p> <p>Selective Licensing: To adopt selective licensing a local authority has to demonstrate not only that an area has larger than average private rented sector but is also experiencing a number of issues (low housing demand, anti-social behaviour, poor property conditions, an influx of migration, a high level of deprivation, high levels of crime.) Although we do have a large private rented sector market, evidence will be required prior to any consultation on options for any selective licensing. It is proposed that research will be undertaken to explore options.</p> <p>Additional Licensing: Following the introduction of additional licensing for smaller HMOs in 5 wards identified as having high levels of the smaller HMO in November 2012, the scheme will be extended to 7 other wards in the city on 2 November 2015. Discretionary licensing will be kept under review and subject to proliferation of smaller HMOs and any issues arising with management and standards.</p> <p>Voluntary Accreditation: Also see response to Recommendation 16 above. This scheme recognises and rewards good landlords / agents. As the city has a very buoyant, high demand private rental market an accreditation scheme is unlikely to be attractive to landlords / agents unless high level incentives could be offered. We propose to consult with landlords and other interested parties and review whether this scheme would be viable.</p> <p>These 3 main options and any further will be considered as part of review into the city's private rented sector.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> ● Support a register of landlords in the city. 		

**Private Sector Housing Scrutiny Panel Recommendations: March 2015
Report: October 2015**

Private Sector Housing PRS Deputation to Housing Committee – June 2015: Request 3	Council Service Lead(s)	ELT Lead
To petition government to allow a rent cap to be introduced	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
Full Council would have to make such a recommendation.		

Council17th December 2015**Agenda Item 67**

Brighton & Hove City Council

Subject: Extract from the proceedings of the Neighbourhoods, Communities & Equalities Committee meeting held on the 23rd November 2015 - Welfare Reform : Responses to Recommendations Made By the Centre for Economic & Social Inclusion

Date of Meeting: 17 December 2015

Report of: The Head of Legal & Democratic Services

Contact Officer: Name: Penny Jennings Tel: 01273 291065

e-mail: penny.jennings@brighton-hove.gcsx.gov.uk

Wards Affected: All

FOR GENERAL RELEASE***Action Required of the Council:***

To receive the item referred from the Neighbourhoods, Communities & Equalities Committee for information:

Recommendation:

That Council note the report referred for information from the Neighbourhoods, Communities & Equalities Committee.

BRIGHTON & HOVE CITY COUNCIL**NEIGHBOURHOODS, COMMUNITIES & EQUALITIES COMMITTEE****4.00pm 23 NOVEMBER 2015****ST RICHARD'S CHURCH HALL, EGMONT ROAD, HOVE****MINUTES**

Present: Councillors Daniel (Chair), Moonan,(Deputy Chair), Simson (Opposition Spokesperson), Littman (Opposition Spokesperson), Bell, Gibson, Hill, Horan, Lewry and Taylor

Invitees: Claire Holloway (Clinical Commissioning Group), Hanan Mansi (HOPE Sussex), Joanna Martindale (HK Project) and Nev Kemp (Sussex Police).

PART ONE**36 WELFARE REFORM: RESPONSES TO RECOMMENDATIONS MADE BY THE CENTRE FOR ECONOMIC & SOCIAL INCLUSION**

- 36.1 The Committee considered a joint report of the Director of Public Health and the Executive Director of Finance and Resources the purpose of which was to set out the council's response to the recommendations contained in the Centre for Economic and Social Inclusion's (CESI) independent report into the impacts of the welfare reform measures which were due to take effect. This work had been undertaken in order to inform commissioning decisions and development of strategies to support those citizens who would face the most significant impacts as a result of the changes, also, to provide context and information to inform policy development and budget decisions generally.
- 36.2 It was explained that purpose of the report was also to detail the broader actions and activities the council was undertaking in order to respond to the issues raised by the Government's welfare reform programme and to highlight the key impacts and considerations resulting from the changes set out in the July 2015 summer budget. In summary the changes would be as follows:
- Freezing most working age benefits for four years from April 2016;
 - Reducing Social Sector Rents by 1% for four years;
 - Limiting benefits in general to the amount for a family with no more than two children from 2017(would not apply to families with more than 2 children born before April 2017);
 - Reducing the benefit cap from £26,000 to £20,000 outside London;
 - Reducing the Employment and Support Allowance for people able to do some work to the same rate as Job seekers allowance;
 - Reductions in tax Credits and Universal Credit from April 2016 for working people (subject to change, more detail would be known after announcement of the autumn statement on 25 November 2015).
- 36.3 Tony Wilson was in attendance from the CESI and gave a presentation highlighting the key impacts arising from welfare changes which had already occurred which had been identified in relation to Brighton and Hove. Households claiming benefit would be on average £2,300 per year (£44 per week) worse off which represented one of the largest impacts outside of London, a break-down of the financial, impact by ward was also included. It was explained that three distinct areas of impact had been identified, financial; going without, cutting back, borrowing, arrears, health and well-being, anxiety and stress; and family and community which could be both strengthening but could also create divisions and tensions. Details were also given based on the feedback received of how those who were/would be affected were responding to date.
- 36.4 Mr Wilson explained in response to questions that so far there were structural barriers in terms of access to affordable housing, increasing demands on the council's own housing stock, stable employment and flexible employment. Those who were likely to be impacted could be categorised as those who were coping/struggling; (most of those impacted), often working households with smaller losses, those at risk; disabled people, large families (particularly lone parents) and or with a range of contributory factors,

private renter, mental health or with poor networks and those in crisis; where multiple reforms or factors combined often linked to health/housing issues, crisis/debt. Measures were being put into place to monitor the impacts of the changes and to identify key groups in order to communicate effectively with those at the greatest risk to provide targeted support to manage and mitigate the impact of the reforms, also to seek to build resilience into longer term responses, financial employment and housing.

- 36.5 In conclusion, the Head of City Services (Revenues and Benefits), Graham Bourne, explained that responses to the recommendations would continue to be developed and current service offerings aligned to meet those challenges. Where responses required additional resources a full business case would be developed to support that process.
- 36.6 Councillor Taylor broadly welcomed the measures being undertaken in order to mitigate people into work in so far this was practicable. Universal Credit had in his view helped to remove barriers to work. He also considered that more should be done to assist and encourage home ownership. He certainly did not consider that the picture was “all doom and gloom”.
- 36.7 The Chair, Councillor Daniels stated that many of those who were coping/struggling were from working households, high rents and the shortage of affordable housing in the city presented a major challenge. The cost of housing available under right to buy/shared ownership schemes was such that even when discounts were applied it remained beyond many people’s financial means.
- 36.8 Councillor Moonan was in agreement that access to affordable housing was a key factor and asked for confirmation as to whether this report had been presented to the Housing Committee given its integral role in helping to facilitate future provision. The Welfare Reforms Programme Manager, John Francis, explained that information was provided to the housing colleagues periodically, however, the information contained in the report before the NCE Committee contained the most up to date information available. In response Councillor Moonan stated that she considered it appropriate for the report to go to the Housing Committee and proposed that copies of this report accompanied by an extract from the minutes be forwarded to the Housing Committee for their information and note. This proposal was seconded by Councillor Gibson, the Committee also indicated their agreement that this would be appropriate.
- 36.9 Councillor Moonan also referred to the potential knock-on impact of the reforms on homelessness in the city and to the forthcoming Rough Sleeping summit which was due to take place considering that this information and details of proposed mitigation measures needed to feed into that forum too in order to inform any debate there.
- 36.10 Jo Martindale, Hangleton & Knoll Project referred to measures being undertaken by the Community and Voluntary Sector to dovetail with other measures being put in place across the city. For example, following their encouragement British Gas would be making £395,000 available to be paid out in the form of crisis loans over the coming winter months.
- 36.11 In answer to questions the Head of Legal and Democratic Services and Monitoring Officer, Abraham Ghebre-Ghiorghis, confirmed that that the Committees’ Terms of Reference had been drawn such that they permitted referral to other Committees.

- 36.12 Following the presentation and Members' initial discussion in relation to the report the following amendment was put by Councillor Littman on behalf of the Green Group and seconded by Councillor Gibson. It was noted that the amendment, circulated immediately prior to the meeting had been amended further to reflect the fact that as this fell outside this committees' financial responsibilities it was unable to make a direct recommendation to the Policy and Resources Committee on this matter related to the budget setting process. It was proposed that an additional recommendation be added as follows:
- “2.5 That, in the spirit of fairness, the Policy and Resources Committee be requested to consider the possibility of recommending to Council that it limits the percentage increase in Council Tax paid by the City's poorest households to no more than that faced by the City's other households to the extent it is permitted by law and having regard to available resources.”
- 36.13 The Chair, Councillor Daniel, responded that she did not support the addition of a further recommendation referring this matter to Policy and Resources Committee, given that all aspects of the 2015/16 budget would be considered fully at that Committee by those who were members of it. It would be far more appropriate for the Green Group representatives who sat on that Committee express their views directly at the relevant meeting, particularly given that this fell outside the budgetary responsibility of NCE Committee. Councillor Daniel also considered that it was very important to point out that the Council had not imposed these changes or removed funding from any individual.
- 36.14 Councillor Simson agreed wholeheartedly with the Chair that comments relating to the budgetary process should to be raised directly at Policy and Resources Committee as part of the debate and decision making process.
- 36.15 Councillor Littman whilst noting all that had been said expressed concern that the impact of these changes which would have a deeply negative impact on large numbers of people across the city needed to be highlighted fully. A reference from this Committee would in his view give this issue greater prominence.
- 36.16 A vote was taken on the proposed Green Group amendment but it was lost on a vote of 8 to 2.
- 36.17 The Chair then put the substantive recommendations set out in the report to the vote including the request by the Deputy Chair, Councillor Moonan that the report also be circulated to the Housing Committee. Members voted unanimously that the recommendations set out in the report be agreed and also that a copy of the report accompanied by an extract from the minutes should be forwarded to the Housing Committee for information and noting
- 36.18 Councillor Gibson also requested that the report and accompanying extract also be forwarded to Full Council for information.

36.19 RESOLVED:

- (1) That the Neighbourhoods, Communities and Equalities Committee endorses the responses to the recommendations set out in the CESI independent report into the impacts of welfare reform in Brighton and Hove;
- (2) Notes the current mitigation strategies which are in place to manage the impacts of welfare reform in the city;
- (3) Notes the work of the council and partners around employment and apprenticeships;
- (4) Directs officers to report to the City Management Board to highlight key impacts and considerations arising from the provisions set out in the Government's July 2015 budget and the CESI report to generate a city wide response. Subsequently the City Management Board's response be reported back to this committee; and
- (5) That a copy the report accompanied by an extract of the minutes from this Committee be forwarded to the Housing Committee for information and noting.

36.20 RESOLVED TO RECOMMEND: That the report also be forwarded to Full Council for information and note.

38. ITEMS REFERRED TO FULL COUNCIL FOR INFORMATION

38.1 RESOLVED: That item 36, Welfare Reform: Response to the recommendations made by the Centre for Economic and Social Inclusion be referred to the council for information.

Subject:	Welfare Reform, responses to recommendations made by the Centre for Economic and Social Inclusion		
Date of Meeting:	23rd November 2015		
Report of:	Director of Public Health and the Executive Director of Finance and Resources		
Contact Officer:	Name:	John Francis	Tel: 01273 291913
	Email:	John.Francis@Brighton-Hove.gcsx.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to set out the council's responses to the recommendations contained in the Centre for Economic and Social Inclusion's (CESI) independent report into the impacts of welfare reform in Brighton and Hove. This report was commissioned by Public Health to provide detailed information on the impacts of welfare reform in Brighton and Hove to, inform commissioning decisions; help develop strategies to support citizens who have faced the most significant impacts of the changes; and, to provide context and information to inform policy development and budget decisions generally.
- 1.2 The purpose of the report is also to set out the broader actions and activities the council is undertaking to respond to the issues raised by the Government's welfare reform programme.
- 1.3 The purpose of the report is also to highlight the key impacts and considerations resulting from the welfare changes set out in the July 2015 summer budget.

2. RECOMMENDATIONS: That the Committee:

- 2.1 endorses the responses to the recommendations set out in the CESI independent report into the impacts of welfare reform in Brighton and Hove.
- 2.2 notes the current mitigation strategies which are in place to manage the impacts of welfare reform in the city.
- 2.3 notes the work of the council and partners around employment and apprenticeships
- 2.4 Directs officers to report to the City Management Board to highlight key impacts and considerations arising from the provisions set out in the Government's July 2015 budget and the CESI report to generate a city wide response. Subsequently the City Management Board's response be reported back to this committee.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Reform of the welfare reform system was a key area of policy for the coalition Government between 2010 and 2015.
- 3.2 The first phase of welfare reform involved making reductions and changes to nearly every working age benefit; localisation of Council Tax Benefit and Social Fund; the introduction of Personal Independence Payments to replace Disability Living Allowance; sanctions reform; and, the early introduction of Universal Credit in some parts of the country.
- 3.3 A further series of welfare changes were announced in the July 2015 national budget. These will have key regional impacts as well impacts in the City due to the high cost housing market in the south east. This will mean we will have to work with other local authorities, especially in the Greater Brighton area to manage this.
- 3.4 The CESI report sets out in detail how the impacts are affecting citizens whose benefits have changed or been reduced; and, sets out who is managing, who is struggling and who needs support. In turn the changes have had impacts across council services including Housing, Children's Services, Adult Social Care and Revenues and Benefits.
- 3.5 Brighton & Hove has particular characteristics which have exacerbated the impacts in some areas for the city.
 - The city has recovered strongly in comparison with other areas of the country from recession with labour market near historic highs, however benefit receipt has not reduced proportionally.
 - Like many other seaside cities Brighton & Hove has a number of areas with high concentrations of disadvantage and deprivation. As a result some areas have a high percentage of households claiming out of work benefits.
 - The housing market in Brighton and Hove is characterised by high prices and high rents in the private sector and with very strong demand for limited stock in the public sector.
- 3.6 To plan and respond to these changes the council introduced a welfare reform programme to work with partners across the council and the city; to work with customers who have been most significantly impacted by the changes; to commission support for people affected by these changes from the community and voluntary sector (Moneyworks), to manage the localisation of services (Council Tax Reduction and Social Fund); to research and provide accurate information about the changes and the impacts of the changes including commissioning the research undertaken by CESI; and to prepare for the introduction of Universal Credit.
- 3.7 Community and Voluntary Sector Partners providing advice and support have reported an increase in the level and complexity of demand for their services. The external funding context has made this particularly challenging them. (For example, in 2008-9 BHT and Citizens Advice Bureau were able to assist 3,416

residents with social welfare related issues under the Legal Aid scheme which provided financial support per case. By 2014-15 this number had fallen to 590 although overall demand and numbers through the door had increased).

- 3.8 Nevertheless there have been a number of successful new initiatives that have seen advice agencies work in partnership with each other and the council to respond to the changes. These include the development of the Council Commissioned 'Moneyworks' programme, which has integrated money advice, financial capability and skills and learning and the forthcoming 'Warmth for Wellbeing' fuel poverty programme funded by British Gas Energy Trust.
- 3.9 There are currently 15 food banks in the city most of which are run by community and faith groups, prior to 2012 there were 2.
- 3.10 The council has a programme in place to support customers who are affected by the benefit cap. This includes intensive one to one support provided by family coaches based on the troubled families model (locally stronger families stronger communities) for families with complex needs. At present this is funded until May 2016. Tenants affected by the social sector size criteria and the benefit cap who live in Council Housing accommodation have been visited. Other families and households are supported by discretionary funds and Moneyworks provides budgeting and finance advice in the community.
- 3.11 The Council works closely with the Job Centre to coordinate and provide employment support in the city

Recommendations from CESI report

- 3.12 A series of recommendations have been made as a result of the research into the impacts of the welfare reform in Brighton and Hove undertaken by the Centre for Economic and Social Inclusion (CESI). These recommendations drew particularly on workshops with Council staff and stakeholders undertaken during the period of research. The recommendations and responses are set out in Appendix 1.
- 3.13 The recommendations and subsequent required actions meet council priorities and provide options for meeting financial pressures which may occur as a result of the changes in welfare benefits. Some current threads of work capture the recommendations and plans for new areas of work are also set out but these will be subject to budgetary approval. These work streams include:
 - Creating an early warning system for households who may face crisis in the future as a result of the welfare reforms and an increase in intensive support for those families based on the model currently being used with families affected by the benefit cap
 - Continuing the financial inclusion commission through until April 2017 when a comprehensive third sector commission will commence
 - Enabling council staff and members of the third sector who work with households affected by welfare reform to have honest and open conversations about where they can afford to live and employment support
 - Preparations for the introduction of Universal Credit

- Promotion of the CCG commissioned wellbeing service to customers affected by welfare reform
- Employment support at a strategic and practical level including partnership working with Job Centre Plus and other local partners.

Key considerations and impacts of July 2015 budget

3.14 The recommendations set out above were made in response to the first wave of welfare reform. In the July 2015 budget the government set out a further programme of reform. A full breakdown of these changes are in appendix 2, but the main areas and themes are:

- Freezing most working age benefits for four years from April 2016
- Reducing Social Sector Rents by 1% for four years
- Limiting benefits in general to the amount for a family with no more than two children from 2017. (Will not apply to families with more than 2 children born before April 2017)
- Reducing the benefits cap from £26,000 to £20,000
- Reducing Employment and Support Allowance for people able to do some work to the same rate as Job Seekers Allowance
- Reductions in Tax Credits and Universal Credit from April 2016 for working people (Further to a vote in the House of Lords on 26th October this is now subject to change, further information will be made available in the autumn statement, 25th November)
- An increase in the minimum wage (living wage) to £7.20 from April 2016 (currently £6.70) rising to £9 per hour by 2020.

(Announced separately Income Tax tax-free personal allowance is due to increase from £10,800 to £11,000 from April 2016)

3.15 The high cost of private sector rents and the relatively high percentage of private rents as a part of the housing market will mean that Brighton and Hove will be one of the most heavily impacted authorities in the country by the reduction of the benefit cap to £20,000 (In London authorities families will be capped by £23,000). It is currently estimated this will affect around 650 families in the city, families who are currently capped (120) will lose a further £120 per week, and other families will lose up to £120 per week.

3.16 Private sector rents have been increasing by approximately 10% a year in the city over the last four years. If this trend continues freezing LHA rates (housing benefit in the private sector) will mean the gap between rents and LHA will increase to between £500 and £600 per month by 2019/20. This is likely to mean that private sector rents are largely unaffordable to people on benefits and lower incomes.

3.17 High rents in the City mean it is becoming harder for Housing to secure accommodation in the City to house homeless people and the cap and the freeze on LHA rates will mean that this is likely to become an issue for large areas of the South East. A report was agreed at the Housing and New Homes Committee

on 23rd September 2015 titled Allocation of Temporary Accommodation Policy which set out the council's approach to allocating accommodation within and outside the City. A copy of this report has been put in the members' room.

- 3.18 Any family who has a third or subsequent child after April 2017 will not receive an increase in benefits to reflect the extra outgoings that child will need. For cases affected this will mean a loss of at least £53 per week for the entire period of childhood. There are approximately 100 third or subsequent children born to families who are reliant on benefits a year in Brighton and Hove. It is currently unclear what the government is intending to do to publicise this change. It will be essential that this is clearly understood in the community by mid 2016. The council and partners may have to undertake a local communication drive to ensure this is the case and for that reason it is recommended a report is taken to the City Management Board to propose a plan for this.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The quality of life of residents and the life chances of their children as well as a drive to reduce inequality are central to the priorities of the council. In addition the implications of the changes to the benefit cap, the freeze in LHA rates and the restriction of benefit levels to two children from 2017 all have direct financial implications for council costs specifically around rent collection, homelessness costs and costs to children's services. Were the council not to put in place mitigations, including those based in the recommendations set out in the CESI report, then the costs are likely to be far greater than they would be otherwise. Due to the current financial situation and appropriate business controls a full business case will be undertaken for each area of work if extra resources are identified as being necessary.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The BHCC welfare reform programme team holds regular meetings with city representatives to share information and draw feedback about the impacts of welfare reform. The group represents the community and voluntary sector, advice services, Job Centre Plus, and social and private sector landlords. This allows the council to stay in touch with city groups as representatives of customers who are affected by the reforms and to understand the impact of the reforms from the perspective of people working directly with customers affected.
- 5.2 In developing policy responding to the changes around Council Tax Reduction and the replacement of the Social Fund the council has regularly undertaken extensive consultation with customers who may be affected by those changes as well as with groups and organisations which work with and represent those customers
- 5.3 The research from the Centre and Social and Economic Inclusion has provided in depth insight into the impacts of individuals in the community which has led to a greater depth of understanding about how customers are responding to these changes which have informed planned mitigating actions

6. CONCLUSION

- 6.1 As has been set out in the CESI report the impacts on citizens of the welfare reforms can be profound and specific groups have been identified as being at more risk than others in this analysis.
- 6.2 The practical impact of these changes can in the most significantly affected cases lead to families falling behind with rent and becoming at risk of homelessness. This in turn may lead to financial pressure to the council around rent collection and homeless costs.
- 6.3 The impacts of these changes may have broader impacts in terms of the overall economy of the city and the region if high housing costs impact of the ability of low paid workers to live within travelling distance of the City. Information about these changes are being shared with the economic development team so the potential impact can be analysed
- 6.4 The responses to the recommendations will continue to be developed, current service offerings will be aligned to meet these challenges and where the responses may require extra resources a full business case will be developed to support this.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The changes to welfare benefits have both direct and indirect implications for council budgets. The benefit cap means that a person's housing benefit is withdrawn which in turn creates a direct pressure on rental income for temporary accommodation and council housing. Significant reductions in housing benefit for other customers increase the risk of homelessness and hence service pressures on housing and social care services. The council has had access to limited discretionary funds and has had a programme of work in place designed to help households affected by these provisions which has been successful in reducing these costs to date.
- 7.2 Two of the major general discretionary fund allocations from the Government were reduced considerably in 2015/16. The budget for Discretionary Housing Payments (DHPs) was reduced from £1.014m in 2014/15 to £0.611m in 2015/16 and the Local Discretionary Social Fund allocation was reduced from £0.629m to zero over the same period. This has restricted the ability of the council to provide support in these areas
- 7.3 The change in the benefits cap to £20k from Autumn 2016 has the capacity to increase the pressure on rental income and service costs significantly. Over time as housing benefit rates are frozen, and assuming the rental market continues to match recent inflationary trends these pressures will be exacerbated from 2016/17 and in future years.
- 7.4 A business case was agreed for the current intervention work. Any extension of the intervention programme to help people will require a revised business case to demonstrate a spend to save benefit of undertaking any further preventative

work. This will be subject to normal budgetary approval and will need to be met from identified resources.

Finance Officer Consulted: Anne Silley Date: 22nd October 2015

Legal Implications:

- 7.5 The proposed responses to the CESI independent report in Appendix 1 are within the council's powers. Many of the actions can be linked to the prevention of homelessness. The council is under an express duty in Section 179 of the Housing Act 1996 to secure that advice and information about homelessness and the prevention of homelessness is available free of charge to any person in their district.

Lawyer Consulted: Name Liz Woodley Date: 23/10/15

Equalities Implications:

- 7.6 The CESI report identified particular household types who are more likely to have seen large reductions in their income as a result of the welfare reforms so far. It also identified household types who are more likely to be subject to crisis as a result of these changes.
- 7.7 The groups that have been specifically identified as being key affected groups are disabled people and people with health conditions; lone parent households and large families living in the private sector. Living in a private sector irrespective of which household type a person lived in makes it more likely that household will have faced larger reductions in benefits than those living in the social sector.
- 7.8 Of those affected the CESI report identifies those at risk as being disabled people, large families - particularly lone parents - and people with a range of factors including renting privately, mental health and poor networks.
- 7.9 People identified as being in crisis tend to be those who have been impacted by multiple reforms or combined factors often linked to health, housing, crisis and debt
- 7.10 This information is actively informing the approach of teams currently supporting those impacted by the reforms, it is also driving the preventative strategies currently in planning to manage the changes set out in the July 2015 budget.

Sustainability Implications:

- 7.11 None

Public Health Implications:

- 7.12 The CESI report identified the link between the impact of welfare reform and health.
- 7.13 The majority of residents who participated in the research reported significant effects on their health and wellbeing including stress, anxiety and in some cases

insomnia and low level depression. For those with pre-existing conditions, financial strains exacerbated these or made them harder to manage. The responses reflect these issues, for example by raising awareness of the NHS Wellbeing Service.

SUPPORTING DOCUMENTATION

Appendices:

1. The Centre for Economic Inclusion recommendation and responses.
2. A detailed breakdown of the July 2015 reforms and analysis

Documents in Members' Rooms

1. Full copy of the CESI report
2. Copy of Development of a new City Employment & Skills Plan (2015-2020) report to Children and Young People & Skills committee 20th July 2015
3. Copy of Allocation of Temporary Accommodation Policy report to Housing Committee 23rd September 2015

Background Documents

None

Appendix 1

Centre for Economic and Social Inclusion recommendations and draft responses

1. A series of recommendations have been made as a result of the research into the impacts of the welfare reform in Brighton and Hove undertaken by the Centre for Economic and Social Inclusion (CESI). These recommendations drew particularly on workshops with Council staff and stakeholders undertaken during the period of research. The responses to the recommendations set out below describe the current work which is happening in the City around welfare reform and planning for future impacts. The ongoing work will be subject to budgetary approval.

CESI recommendation A

Consideration should be given to developing an ‘early warning system’ for identifying residents that are at risk of crisis or falling into crisis.

A more intensive, caseworker-led housing support for those affected by LHA reforms and at risk of eviction should be considered.

2. The decrease in the benefit cap to £20k and the freezing on housing benefit rates for four years will have a key impact in Brighton and Hove because of the proportion of households who live in the private rented sector in the City and because of high rents in this sector. These changes may lead to pressures relating to collecting rents in temporary accommodation and council housing and pressures on homeless services.
3. In preparation for these changes officers from relevant council services are developing an early warning and early intervention programme to prevent people falling into crisis with particular focus on rent arrears and prevention of homelessness. An initial workshop for these officers and representatives from the third sector was held on 15th October. Subject to further development and budgetary approval of any extra resources required the outcome of this work will meet recommendations A and C.

CESI recommendation B

The Moneyworks ‘community frontliner’ model and ‘Money Mentors’ in Council housing should be built on to try to engage residents earlier and to link them up with support services.

4. A report on Third Sector Investment to this committee on 20th July 2015 set out how a new Communities and Third Sector Commission would commence in April 2017. Subject to budgetary approval this report also sought agreement to extend the current Moneyworks commission until this date. The Communities and Equalities Team, the Welfare Reform Team and Moneyworks are working closely together to ensure key priorities around welfare reform are addressed. The learning from this work will be fed into the new full commission from April 2017 to build upon experience and best practice.
5. Using our European Learning Cities funding, Housing provided Money Mentor training for 25 staff from a wide range of agencies across the city to enable them to support and train volunteers to become Money Mentors. Working in conjunction with the Womens' Centre, Trust for Developing Communities and Brighton Housing Trust, the Housing Inclusion Team then advertised citywide and recruited learners for three x 10 week programmes from May to September 2014. These courses were accredited and externally verified by Toynbee Hall/OCN. All residents who completed the coursework/assessments passed and have received their certificates, providing a citywide cohort of Money Mentor volunteers who have used their new skills with neighbours, friends, and family. In addition, some have used their links in the community to help other residents eg at lunch clubs, food banks, school/playgroups, BHT drop in centre etc.
6. Housing were unable to sustain funding and co-ordinating the citywide Money mentor programme beyond the end of the Learning Cities project in September 2014. Moneyworks have continued to provide support to resident volunteers and are delivering a programme of financial capability through the community hubs.

CESI recommendation C

Raise awareness of the Wellbeing Service among those affected by reforms, and to improve signposting to support to deal with welfare reforms

7. The Clinical Commissioning Group commission the wellbeing service. The wellbeing service are currently undertaking pilot work with the Job Centre Plus to support claimants with mental health needs. The service can be accessed either via a referral from a GP or through self-referral, the service is undertaking a drive to promote self-referral. Information about the service and who it supports has been circulated to front line staff in the council who in

particular deal with customers who may be affected by welfare reform. This information will also form a part of new staff induction training. Awareness of the wellbeing service amongst the advice sector is good but information about the service has been re-circulated to ensure coverage is comprehensive.

CESI recommendation D

Residents at risk of homelessness from the private rented sector with shortfalls between Housing Benefit and rent should be encouraged to have difficult conversations earlier.

8. The recommendation refers to having difficult conversations with customers at an early stage around choice of where to live and how to sustain employment.
9. It has been identified in the CESI research that households affected by the reforms have not in the main seen moving as something they would do to counteract the impact of decreasing benefit levels. However with the gap between benefit levels and market rents likely to widen failure to consider this option at an early point made lead to hardship or crisis.
10. These conversations are already starting to be had in some services where these issues are key, particularly around housing. This is a significant shift in service provision and is clearly not an easy message to give or to receive. To be effective this message will have to be consistent across all services, including those provided by the third sector and other public statutory providers. To achieve this will require a cultural shift across the city in the way customer service is provided.
11. This will mean council staff and perhaps members of the third sector having honest and open conversations about how realistic the prospect of families being able to live in appropriately sized accommodation in the city over the period of the next few years if they are reliant on benefits. This may include providing advice about which areas of the country are affordable to live in.
12. The impact of the benefit cap at £20k and the freezing of LHA rates will mean that for many families living in the city on benefits will not be a financially viable option in anything other than the short term. Council staff will be central to promoting this understanding and therefore the organisation as a whole, including members, will need to understand the context in which this advice is being provided and understand that this level of cultural shift is likely to lead to an increase in customer dissatisfaction and complaints.
13. It is recommended this issue is addressed in a report to the City Management Board and monitored as a welfare reform impact thereafter.

CESI recommendation E

As part of preparations for Universal Credit rollout, a joint taskforce should consider how services may need to respond in order to improve triage, budgeting support, digital support and partnership working for residents entering the benefits system.

14. Universal Credit is due to start to rollout in Brighton and Hove on December 14th 2015. The rollout will initially be for a narrow segment of single customers only. It is not clear when the rollout will widen. Between December 15 and March 2016 between 500 and 1000 claims are expected to be made. Once Universal Credit has been fully rolled out it will be paid to at least 20,000 households in the city. The council has visited other authorities where the rollout has already started and met with representatives of the Department for Works and Pensions (DWP) to understand the provisions which will need to be in place in the city to support people who will be claiming Universal Credit. This work is being overseen by the Welfare Reform Programme Board and the welfare reform city wide group. The work is on track to ensure triage, digital access and financial advice is available to claimants of Universal Credit when it goes live. This support will be funded by DWP, commissioned by the council and is likely, at least in part, to be carried out by the third sector.

CESI recommendation F

There should be consideration of joint commissioning of intensive employment support for residents that are out of work, want to work and affected by welfare reform.

15. There are a number of areas where Job Centre Plus (JCP) and Brighton & Hove City Council are working closely together and sharing resources in order to improve the employment prospects for people who have been affected by welfare reform.
16. JCP have provided funding to support the work of the team which supports people who have been affected by the benefit cap. One of the key outcomes that this team is set to achieve is to move people into work. JCP have also supported this work by providing visiting staff to assist in making contact with customers affected. Job Centre plus have also provided funding for the Moneyworks commission which covers community learning as well and employability as well as financial advice via community education service.
17. JCP have also provided funding for work focussed activities specifically for tenants of the council's housing stock.
18. The council is committed to maximising the number of apprenticeships it can offer as a large employer. To enable this JCP have provided funding for the council to employ an apprenticeship coordinator

19. JCP have provided two members of staff to work alongside the Stronger Families Stronger Communities programme to provide employment advice to families engaged with the programme and to fellow professionals within the programme itself.
20. More broadly locally the JCP and the City Council are committed to work in partnership with each other in order to meet their joint objectives of maximising employability in the City, the employment and skills agenda, accessing and helping vulnerable groups and issues relating to devolution. This has included members of JCP staff sitting on council commissions (drug and alcohol), working within the local economic partnership together and working to draw down funding focussed on third sector organisations to target hard to reach vulnerable groups who form a priority for both organisations. An example of this is a work club run for people on employment and support allowance (ESA) which is hosted by the library service in partnership with JCP, the Federation for Disabled People and the National Careers Service to assist ESA customers into work via digital inclusion and employability skills.
21. It should be noted that despite all of the above for those in low paid employment, with or without a residual element of benefit support, the conversation around affordability of the city (points 8 to 13) may still be relevant.

Work of the Third sector

22. Partners from the community and advice sector are active in providing employment skills in the community. Specifically the Community Learning Hubs The Bridge, The Whitehawk Inn and the Hangleton and Knoll project with funding via the Skills Funding Agency. Funding post March 2016 is as yet unconfirmed.

Council Approach to Employment and Skills

23. A report titled Development of a new City Employment & Skills plan (2015-2020) was taken to the Children and Young People and Skills committee on 20th July 2015. This report set out the council's main strategic approach to employment and apprenticeships. A full copy of the report has been placed in the members room. The new City Employment & Skills plan will have a particular focus upon actions which aim to eliminate long term youth unemployment in the city and create new apprenticeship opportunities across the city. The key priorities are:
 - Establishing an Employer Skills Task Force to provide the vital business leadership to support both the development and delivery of the new Plan
 - Exploring new delivery models for boosting the number of apprenticeship opportunities across the city and the Greater Brighton

city region, with a particular focus upon high quality skilled apprenticeships, for 16-24 year olds.

- Creating a step change in how the City Council creates apprenticeship opportunities as a major employer
- Explore initiatives which aim to eliminate long-term youth unemployment in the city through new ways of working in partnership with DWP, the council and the private sector, and ensuring that the City Council uses our procurement process to maximise employment, work placement and training opportunities ; and
- Supporting those marginalised from the labour market into jobs.

24. The last point is a key element in the plan which will focus on a number of areas including mitigating the impact of welfare reform and helping those who are affected by welfare changes to get closer to the workplace. This may be achieved through the individuals getting training, an apprenticeship, traineeship, work placement and/or education. This will involve working closely with the Fairness Commission to ensure that the new plan is aligned with wider initiatives that aim to promote fairness and equality in the labour market. It will explore how those marginalised from the labour market can access employment and better jobs through a number of pathways including Pre-employment entry, staying in work and in work progression.

25. The report also sets out the council and city wide approach to apprenticeships. The local authority currently employs 46 apprentices. 48 have completed their apprenticeship programme since November 2012. This includes some individuals who have progressed to advanced levels. 5 care leavers have become apprentices. A key element of the development of the new City Employment & Skills Plan will be working with the Employers Task Force and key supply-side partners to explore new models of delivering an increase in the apprenticeship opportunities across the city and wider city region.

European Funding

26. The Economic Development Team are also leading on European Social Fund (ESF) bids with other neighbouring authorities to create employment support training provision to be provided by training providers in the region. The outcome of this will be dependent on when the calls for the ESF are made.

26. A separate bid is being made in conjunction with European partners for Interreg funding. The basis of this bid is to create a longer term funding base to bring together different teams in the council which currently provide employment support and guidance.

Appendix 2

Summary and analysis of welfare measures announced in the July 2015 budget

Below is a table which sets out the detail of the budget as it relates to welfare reform and related issues.

The main themes of the budget in this area are:

- 1) Freezing most working age benefits for four years from April 2016
- 2) Reducing Social Sector Rents by 1% for four years
- 3) Limiting benefits in general to the amount for a family with no more than two children from 2017. (Will not apply to children born before April 2017)
- 4) Reducing the benefits cap from £26,000 to £20,000
- 5) Reducing Employment and Support Allowance for people able to do some work to the same rate as Job Seekers Allowance.
- 6) Reductions in Tax Credits and Universal Credit from April 2016 for working people
- 7) An increase in the minimum (living) wage

Group	Details	From
18-21 year olds:	Youth obligation 18-21s must be in work or training.	April 2017
Tax Credits and Universal Credit (note: A vote in the House of	Taper increased from 41% to 48% (the amount which is withdrawn in tax credits as income goes above minimum income threshold).	April 2016

Appendix 2: July 2015 budget welfare changes with local analysis
Welfare Reform, responses to recommendations made by the Centre for Economic and Social Inclusion

<p>Lords on 26th October may mean some of the provisions relating to tax credits are changed or delayed. Detail will be known after the Autumn Statement on 25th November 15)</p>		
	Income thresholds in Tax Credits reduced from £6420 to £3850	April 2016
	Work allowances in Universal Credit will be abolished for non-disabled childless claimants, and reduced to £192 per month for those with housing costs and £397 per month for those without housing costs. Claimants earning below these amounts will retain their maximum award.	April 2016
	Child element of Tax Credits and Universal Credit will no longer apply to third or subsequent children born after April 2017 – there will be exceptions	April 2017
	The amount by which a persons income can change for tax credits before their award is adjusted will be reduced from £5000 to £2500	April 2016
	Family premium will no longer be awarded for new claims or new births	April 2017
<p>Employment and Support Allowance (ESA)</p>	New claimants of ESA in the Work Related Activity Group will receive the same amount of money as people on JSA, a reduction of about £30 per week	April 2017
<p>Housing Benefits</p>	Family premium will no longer be awarded for new claims or new births	April 2016

Appendix 2: July 2015 budget welfare changes with local analysis
Welfare Reform, responses to recommendations made by the Centre for Economic and Social Inclusion

	Backdating restricted to 4 weeks	April 2016
	Working age HB rates frozen for four years	April 2016
	Child elements will no longer apply to third or subsequent children born after April 2017 – there will be exceptions	April 2017
	LHA rates frozen for four years	April 2016
(benefit cap)	Benefit Cap reduced from £26,000 to £20,000 in Brighton & Hove Reduced from £18,200 to £13,400 for single people	Not specified
	National Discretionary Housing Payment budget of £800million over five years. The national budget will be about the same as it was in 14/15 when the BHCC budget was £1.014million, however because the city is likely to be one of the most significantly impacted by the introduction of the £20k cap then the BHCC allocation may increase to account for that. Details are likely to be known in December 2015.	April 2016
Social Sector Rents	Will be reduced by 1% a year for four years	April 2017
	People earning over £30,000 will pay higher rents up to market rents	April 2017
Mortgage interest relief	Will become a loan	April 2018
Benefit upratings	Most working age benefits will be frozen for four years. Excludes some disability related and statutory schemes eg statutory sick pay	April 2016
National minimum wage/living wage	Increased to £7.20 for over 25s, £9 by 2020	April 2016 (2020)
Child Care	All 3 and 4 year olds will receive up to 30 hours child care per week	April 2017
	Parents of young children will be expected to undertake work readiness activities once the child is 2 and look for work when they are 3.	April 2017

Analysis

The reduction of the cap from £26,000 to £20,000

At present the cap set at £26k affects approximately 115 cases in Brighton and Hove. The full financial impact is approximately £335,000

When the cap is reduced to £20k we estimate this will affect around 650 cases which will face reductions in their housing benefit between a few pounds and £450 per week. The full financial impact of this is estimated to be around £2.3million. Of this just under 50% is likely to be a direct reduction in rental income to the council.

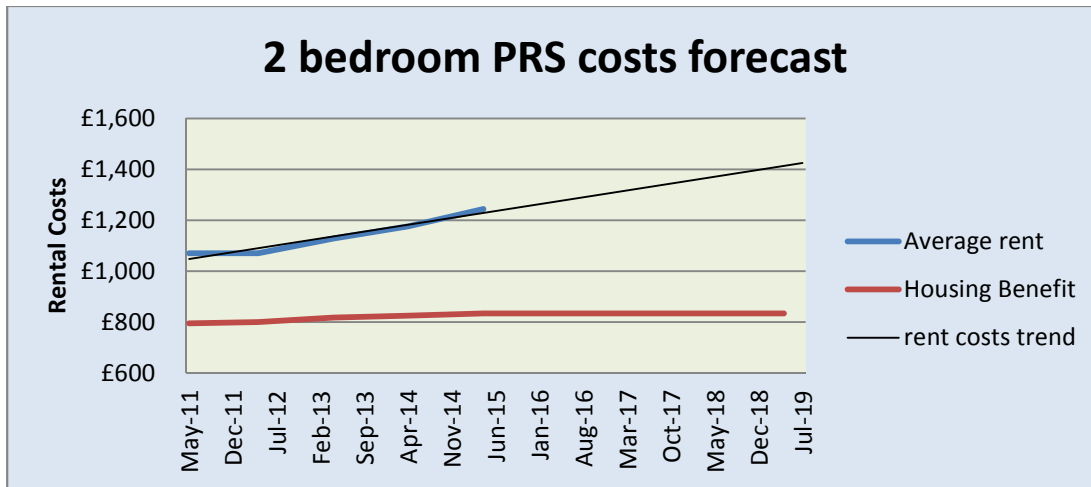
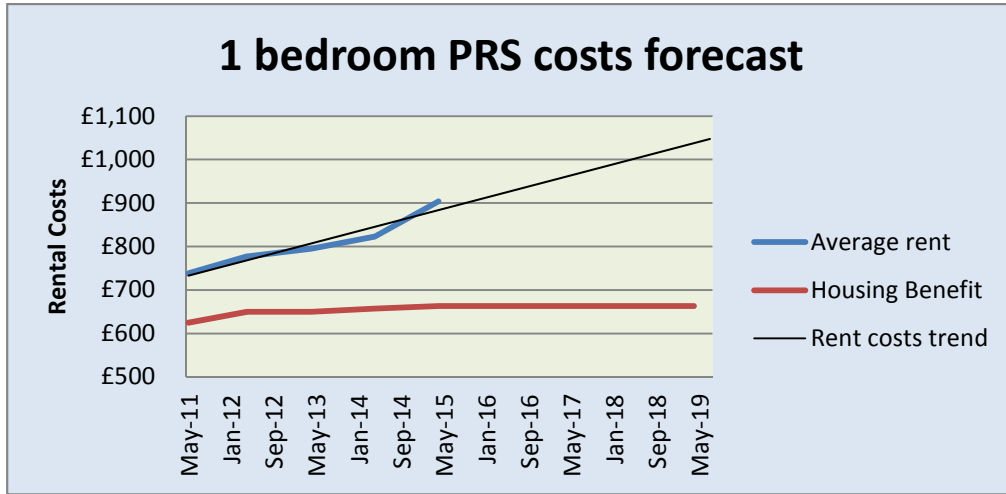
Freezing of working age benefits

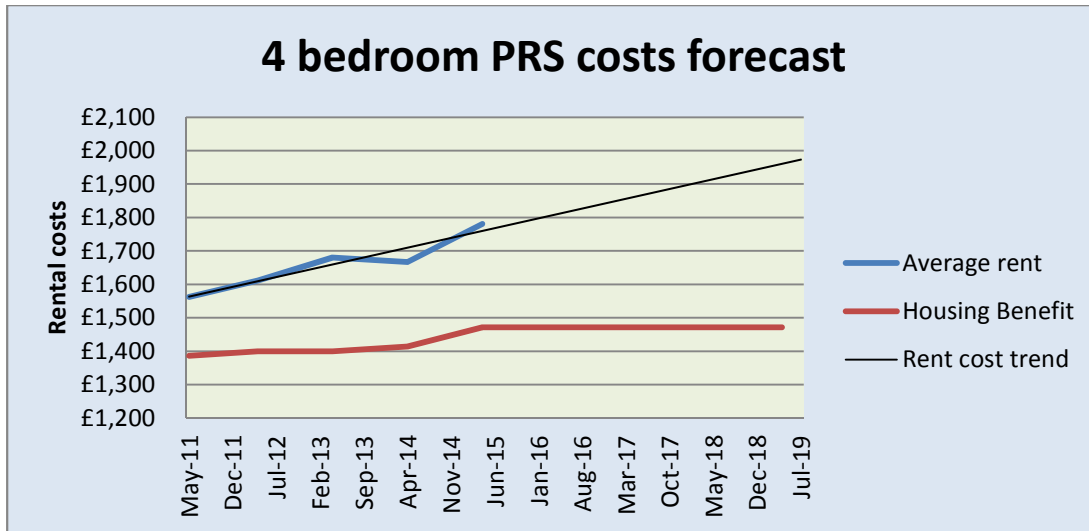
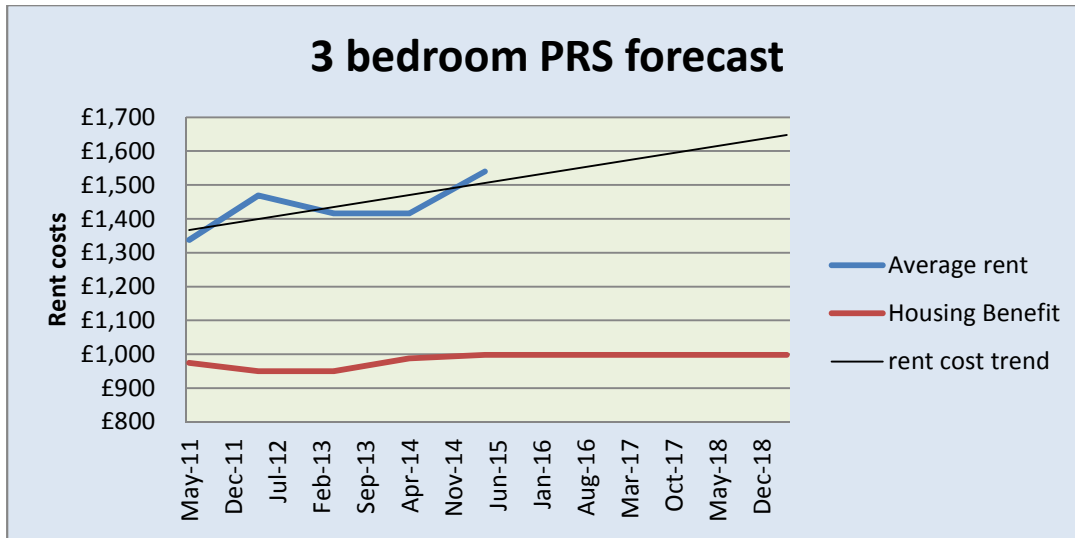
The freeze in working age benefits will affect 20,000 working age families who claim housing benefit from the council in the city, there are also a number of families who will be affected because they claim other benefits but not housing benefit for which the council does not hold figures. This will create pressure on the general cost of living for those families and assuming the private rental market continues to increase the city will become increasingly unaffordable for families who rent in this sector to live in. The report published by the Centre for Social Inclusion (CESI) looking at the impact of welfare reform in Brighton and Hove showed that the benefit freeze was one of the highest contributors to the overall relative reductions in income households faced during the first phase of welfare reform (2011 – 2015).

Freezing of Local Housing Allowance (LHA) rates

LHA is housing benefit in the private sector. LHA rates are due to be frozen over the next four years, the following graphs set out historic rent price increases and projections against LHA costs to demonstrate the impact this may have if these rent trends continue in the City (as the graphs demonstrate there is already a sizeable difference between average rents and LHA payable). There are currently 10,900 LHA claims in the city

(Source: BHCC Housing LHA rents report)





The consequences of this relationship between rents and benefit levels if they occur according to historical trend will mean that it will be increasing difficult to live in private sector rented accommodation if a person on household is on benefits or a low income,

Tax Credits and Housing Benefit will not increase if a third of subsequent child is born after April 2017

Approximately 100 third or subsequent children are born to families in Brighton and Hove who are living on benefits each year. The consequence of having a third or subsequent child will mean receiving £53 per week less in Child Tax Credit. It can also mean a loss of housing benefit if a household rents in the private sector of up to £100 per week (although in some circumstances LHA would not increase anyway).

Tax Credit and Universal Credit changes for people who are working (May now be delayed or amended, further detail will be given at the Autumn Statement 25th November 2015)

Around 4400 households in the City are estimated to be affected by these changes. These households are likely to see a reduction on average of £870 per year. The minimum (living) wage is due to increase from £6.70 to £7.20 in April 2016 and then to £9 by 2020.

ESA work related activity group

From April 2017 new claims for Employment Support Allowance who are in the Work Related Activity group will be paid at the same rate as people who claim Job Seekers Allowance. This means they will receive approximately £30 less per week than they would have done otherwise. In Feb 2015 there were 2520 people in the city in receipt of ESA work related activity group.

Discretionary Housing Payments

The Government has announced a national Discretionary Housing Payment allocation of £800million from April 2016 over 5 years. In Brighton and Hove this will mean funding is likely to rise to about that which it was in 2014/15 which was £1,014,000 and would mean there would be a sizable gap between need and provision given the new measures introduced in this budget. This will also depend on the distribution formula and could alter significantly. Some of the reductions will be able to be covered through these discretionary funds but this will only be a short term solution. Other mitigating actions are set out in the main report and in appendix 1.

Council	Agenda Item 68
17 th December 2015	Brighton & Hove City Council

Subject:	Extract from the proceedings of the Economic Development & Culture Committee meeting held on the 12th November 2015 – Expansion of Gatwick Airport		
Date of Meeting:	17 December 2015		
Report of:	Head of Legal & Democratic Services & Monitoring Officer		
Contact Officer:	Name: Ross Keatley	Tel: 29-1064	
	E-mail: ross.keatley@brighton-hove.gov.uk		
Wards Affected:	All		

FOR GENERAL RELEASE

Action Required of Council: To note the Notice of Motion referred to Council for information.
Recommendation: That Council note the Notice of Motion.

BRIGHTON & HOVE CITY COUNCIL

ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

4.00pm 12 NOVEMBER 2015

CONFERENCE ROOM 2, JUBILEE LIBRARY, JUBILEE STREET, BRIGHTON

MINUTES

Present: Councillor Morgan (Chair) Councillor Robins (Deputy Chair), Peltzer Dunn (Opposition Spokesperson), Druitt (Group Spokesperson), Greenbaum, Morris, Nemeth, O'Quinn, C Theobald and Yates.

PART ONE

31 MEMBER INVOLVEMENT

31.1 The Notice of Motion as listed in the addendum was proposed by Councillor Morgan, the Chair, on behalf of the Labour & Co-operative Group and seconded by Councillor Peltzer Dunn on behalf of the Conservative Group.

31.2 The Chair then put the following motion to the vote:

“The Economic Development & Culture committee notes the Government is currently reviewing the potential expansion of Gatwick and Heathrow Airports. In this regard it recognises that there are associated economic and regeneration benefits that the City and Greater Brighton Region would enjoy should Gatwick be chosen.

This committee therefore requests the Chief Executive to write to the Prime Minister and the Secretary of State for Transport expressing the Council’s support for the expansion of Gatwick Airport.”

31.3 The Chair confirmed that the motion had been **carried** by 8 votes to 2.

NOTICE OF MOTION

JOINT LABOUR & CO-OPERATIVE AND CONSERVATIVE GROUP

EXPANSION OF GATWICK AIRPORT

“The Economic Development & Culture committee notes the Government is currently reviewing the potential expansion of Gatwick and Heathrow Airports. In this regard it recognises that there are associated economic and regeneration benefits that the City and Greater Brighton Region would enjoy should Gatwick be chosen.

This committee therefore requests the Chief Executive to write to the Prime Minister and the Secretary of State for Transport expressing the Council’s support for the expansion of Gatwick Airport.”

Proposed by: Councillor Morgan

Seconded by: Councillor Peltzer Dunn

Council	Agenda Item 69 (a)
17 th December 2015	Brighton & Hove City Council

**NOTICE OF MOTION
LABOUR AND CO-OPERATIVE GROUP**

HOUSING AND PLANNING BILL

This council notes that the Housing and Planning Bill, if passed, would threaten the provision of affordable homes for rent and to buy in the city through:

- forcing 'high-value' council homes to be sold on the open market;
- extending the right-to-buy to housing association tenants; and
- undermining section 106 requirements on private developers to provide affordable homes.

This council resolves to ask the Chief Executive:

- (1) to write to the Secretary of State expressing its concerns about the Bill; and
- (2) to set up an urgent meeting between the Leader of the Council and the Chief Executive with the local Members of Parliament to raise our concerns.

Proposed by: Councillor Meadows Seconded by: Councillor Cattell

Supported by: Councillors Allen, Atkinson, Barford, Barradell, Bewick, Chapman, Daniel, Gilbey, Hamilton, Hill, Horan, Inkipin-Leissner, Marsh, Mitchell, Moonan, Morgan, Morris, O'Quinn, Penn, Robins, Yates.

Supporting information:

The Bill contains no commitment that affordable homes will be replaced like-for-like in the local area. The 'starter homes' proposals will be unaffordable to families and young people on ordinary incomes in most parts of the country; will not preserve the taxpayer investment; and will be built at the expense of genuinely-affordable homes to rent and buy.

The Bill undermines localism by establishing 32 new wide and open-ended Government powers, including the ability to override local plans, to mandate rents for social tenants, and to impose a levy on stock-holding councils, violating the terms of the housing revenue account self-financing deal.

The Bill does not help with the high rents and insecurity affecting private renters - including one in four families with children - and does nothing to help arrest the recent rise in homelessness.

**NOTICE OF MOTION
LABOUR AND CO-OPERATIVE GROUP**

TRADE UNION BILL

This Council notes with concern the Trade Union Bill which would adversely affect this Council's relationship with its trade unions and its workforce.

This Council recognises the positive contribution that trade unions and trade union members make in the workplace. The Council values the constructive relationship that it has with the trade unions and recognises their commitment, and that of staff, to the delivery of good quality public services in Brighton and Hove.

This Council is content with the arrangements currently in place for deducting trade union membership subscriptions through payroll. This is an important part of maintaining positive industrial relations and a simple way to administer a system that supports employees. This system is an administrative matter for the Council and should not be interfered with by the Government in Westminster.

This council resolves to:

- Request the Chief Executive to write to the Secretary of State for Business, Innovation and Skills stating the Council's opposition to the Government's Trade Union Bill.
- Request the Policy & Resources Committee to continue the council's own locally agreed industrial relations strategy, take every measure possible to maintain its autonomy and;
 - (i) To maintain the current facility that recognised trade unions can have subscriptions deducted through payroll, unless legally obliged not to, in which case the Council will support trade unions' efforts to move members onto direct debit.
 - (ii) Maintain an adequate level of release time for Trade Union representatives.

Proposed by: Councillor Atkinson

Seconded by: Councillor Gilbey

Supported by: Councillors Allen, Barford, Barradell, Bewick, Cattell, Chapman, Daniel, Hamilton, Hill, Horan, Inkpin-Leissner, Marsh, Meadows, Mitchell, Moonan, Morgan, Morris, O'Quinn, Penn, Robins, Yates.

**NOTICE OF MOTION
CONSERVATIVE GROUP****MULTIPLE BIRTHS**

This Council notes with regret figures from the Twins & Multiple Births Association (Tamba) which state that multiple pregnancies make up 3% of all births but account for more than 7% of stillbirths and 14% of neonatal deaths.

This Council notes the £3.8bn of additional funding for the NHS allocated for 2016/17 announced by the Chancellor of the Exchequer and resolves to:

1. Call on NHS England to consider the allocation of funds for further assistance to parents who have experienced multiple births and investigate improvements in care to reduce the number of stillbirths and neonatal deaths.
2. Request the Chief Executive to write to NHS England to ask to what degree the clinical guidance and quality standards published by the National Institute for Health and Care Excellence (NICE) have been implemented in Brighton and Hove.

Proposed by: Councillor Nick Taylor Seconded by: Councillor Ann Norman

Supported by: All Conservative Group

Supporting information:

The incidence of multiple births has risen in the last 30 years. In 2008, 15.5 women per 1000 giving birth in England and Wales had multiple births compared with 9.8 per 1000 in 1980. This rising multiple birth rate is mainly because of increasing use of assisted reproduction techniques.

Multiple pregnancy is associated with higher risks for the mother and babies. Women with multiple pregnancies have an increased risk of miscarriage, anaemia, hypertensive disorders, haemorrhage, operative delivery and postnatal illness. Overall maternal mortality associated with multiple births is 2.5 times that for single births.

The overall stillbirth rate in multiple pregnancies is higher than in single pregnancies and there are additional risks to the babies include intrauterine growth restriction and congenital abnormalities.

Council	Agenda Item 69 (d)
17 th December 2015	Brighton & Hove City Council

**NOTICE OF MOTION
CONSERVATIVE GROUP**

PAYBYPHONE PARKING SCHEME

This Council notes the recurrent criticism of the Council's PayByPhone Parking Scheme, most recently as "discrimination against older people and those without smart phones".

This Council notes the £8,439,569 income generated by on street parking charges in 2014/2015 and the £0.225m saving agreed at this year's Budget Council by reducing the need to maintain, replace and collect cash from coin operated Pay & Display machines.

This Council resolves to request that officers bring a report to the appropriate Committee which, if agreed, would seek to remove the mandatory 10 pence charge for 'pay by phone' parking where currently operational in Brighton and Hove, in light of the above savings generated by the replacement of coin operated machines and the related costs associated with their servicing and maintenance.

Proposed by: Councillor Tony Janio Seconded by: Councillor Robert Nemeth

Supported by: All Conservative Group

NOTICE OF MOTION**GREEN GROUP
BOOSTING ALCOHOL-RELATED POLICING AND PREVENTION**

This council notes the proposal before the Licensing Committee to consult on introducing a Late Night Levy for the city, and the practical difficulties and costs associated with the Levy and its collection at a local level.

Therefore, the Council requests that:

The Chief Executive write to the Home Office Minister of State (Minister for Policing, Crime and Criminal Justice and Victims) and the Local Government Association requesting that, in the spirit of devolution, a proportion of revenue raised from alcohol taxation should be granted directly to local Police and Crime Commissioners and Directors of Public Health, to contribute towards the extra costs of policing and targeted support services in the night-time economy, and other preventive programmes for tackling alcohol-related harm.

Proposed by: Councillor Deane

Seconded by: Councillor Page

Supported by: Councillors Mac Cafferty, Sykes, Druitt, Gibson, Greenbaum, Knight, Littman, Phillips, and West.

Supplementary information:

A proposal was put before licensing committee on 19.11.15 to consult on introducing a Late Night Levy. Concerns were expressed by business owners regarding the impact of an additional levy on the night-time economy. A decision was deferred to gather more information regarding use of the levy in other areas.

There is a clear need for additional work to tackle harmful drinking. In June 2015, the Brighton & Hove Health Profile recognised reducing harmful drinking as a priority area. The city performs significantly worse than other local authority areas in terms of the following indicators:

- Alcohol specific hospital admissions for under 18's
- Admission episodes for alcohol-related mental and behavioural disorders due to alcohol use
- Admission for alcohol related intentional self-poisoning.
- Alcohol-related reported crime and violent crime, with the city among the worst performing 10% of CCGs for alcohol related violent crime

The impact of alcohol on public services is not exclusive to the night-time economy. Many patrons "pre-load" on cheap alcohol from supermarkets before visiting late-night pubs and clubs. Therefore it is important that any contributions to policing the night-time economy and reducing alcohol related harm are funded in a fair and proportionate manner, and that this allows for a holistic approach to addressing alcohol-related problems in the city.

**NOTICE OF MOTION
GREEN GROUP****PAYMENTS FOR VACANT HIGH-VALUE COUNCIL HOUSING
FORCED SALE OF COUNCIL HOUSING ASSETS**

This council notes proposals in the Housing and Planning Bill for Local Housing Authorities to be required to consider selling high value housing as it becomes vacant, and for a payment to be made to the Secretary of State of the market value of such housing, whether or not any sale is made.

The council further notes that if this money is lost to Brighton and Hove it could severely impair the council's ability to build affordable housing to tackle the growing housing crisis in the city. This council therefore;

- (1) Requests the Chief Executive to write to the Housing Minister, expressing its support for the principle that councils should decide on how many of their empty properties are sold off and that any payments to the Secretary of State be made only after sufficient funds have been set aside to repay debt and replace the council property with an equivalent at the same rents;
- (2) Agrees that the council will issue an immediate press release to publicise this decision.

Proposed by: Councillor Gibson

Seconded by: Councillor Phillips

Supported by: Councillors Mac Cafferty, Sykes, Druitt, Deane, Greenbaum, Knight, Littman, Page, and West

Supporting information:

The extension of the right-to-buy scheme to housing association tenants was a key pledge in the Conservative's 2015 manifesto. Ministers have said housing associations will be compensated with funds from forcing local authorities to sell their most expensive housing stock as it becomes vacant.

Section 62 of the Housing and Planning Bill currently before Parliament proposes a payment be required from council house owning local authorities to the Secretary of State, consisting of the estimated market value of any high-value housing that is likely to become vacant during the year.

Section 67 of the bill makes provision for the Secretary of State and a local housing authority to enter into an agreement to reduce the amount the authority is required to pay where the amount by which the payment is reduced is used for the provision of housing.

It has been estimated that Councils will be required to transfer £4.5 billion per year to central government, which represents a worrying return to previous government policies of seizing council tenants rents/capital receipts.

