

BRIGHTON & HOVE CITY COUNCIL
POLICY & RESOURCES COMMITTEE

4.00pm 15 OCTOBER 2015

AUDITORIUM - THE BRIGHTHELM CENTRE

DECISION LIST

Part One

49 TARGETTED BUDGET MANAGEMENT (TBM) 2015/16 MONTH 5

Contact Officer: Nigel Manvell

Tel: 01273 293104

Ward Affected: All Wards

- 1) That the Committee note the forecast risk position for the General Fund, which indicates a budget pressure of £7.658m. This consists of £7.203m on council controlled budgets and £0.455m on the council's share of the NHS managed Section 75 services.
- 2) That the Committee note the forecast for the Housing Revenue Account (HRA), which is an underspend of £0.529m.
- 3) That the Committee note the forecast risk position for the Dedicated Schools Grant which is an underspend of £0.015m.
- 4) That the Committee note the forecast outturn position on the capital programme.
- 5) That the Committee approve the capital programme variations and reprofiles in Appendix 3 and new capital schemes in Appendix 4.
- 6) That the Committee approve the Virements from Housing Related Support Services as set out in paragraph 6.2.
- 7) That the Committee approve delegated authority to the Executive Director of Finance & Resources and the Head of Law to make a loan of £0.061m to the Brighton Open Market Community Interest Company (CIC) as set out in paragraphs 6.3 and 6.4 subject to satisfactory terms and a Recovery Plan being agreed.

50 INTRODUCTION OF CHARGES TO COVER COSTS FOR PRE-APPLICATION PLANNING ADVICE, PLANNING PERFORMANCE AGREEMENTS AND DESIGN REVIEW

Contact Officer: Jeanette Walsh
Ward Affected: All Wards

Tel: 01273 292098

That the Committee:

- 1) Agree to the two stage phased approach to the introduction of charges for pre-application advice as set out in paragraphs 3.11 and 3.12.
- 2) Grants delegated authority to the Executive Director Environment, Development & Housing to negotiate the terms of bespoke, cost neutral PPAs on major development schemes as part of a pre-application advice service.
- 3) Grants delegated authority to the Executive Director Environment, Development & Housing to proceed with the procurement and subsequent award of a contract to provide cost neutral, multidisciplinary expert design review advice to the LPA.

51 PROPOSED SUBMISSION EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS SITES PLAN

Contact Officer: Steve Tremlett
Ward Affected: All Wards

Tel: 01273 292108

That Policy and Resources Committee is asked to recommend to Council to:

- 1) Note 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);
- 2) Agree and publish 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);
- 3) Subsequently submit the document 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) Authorise the Head of City Planning & Development 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 and Resources Committee for

approval;

- 5) Note that all modifications to the Sites Plan will be presented to the Policy and Resources Committee and Full Council in due course as part of the adoption process of the Plan;
- 6) Approve the following background studies as supporting evidence for the Sites Plan (see Appendix 2 for a summary):
 - Sustainability Appraisal;
 - Habitats Regulations Assessment;
 - Strategic Flood Risk Assessment;
 - Site Selection and Methodology Document;
 - Schedule of Suitable Industrial Estates;
 - Detailed Site Assessment Document.

52 CUSTOMER FIRST IN A DIGITAL AGE

Contact Officer: Mark Watson
Ward Affected: All Wards

Tel: 01273 291585

That the Committee:

- 1) Approves the three year investment in the proposed Customer First in a Digital Age (CFDA) Programme as set out in this report at paragraphs 4.12-4.20.
- 2) Approves the use of a CFDA Investment Fund, CFDA Investment Reserve and the associated revenue and capital expenditure for 2016/17.
- 3) Notes that expenditure after 2016/17 will be subject to available funding and approval of fully funded annual Capital Investment Programmes by Budget Council in February 2016.
- 4) Grants delegated authority to the Chief Executive and Section 151/Chief Financial Officer to implement the programme including authorisation of the use of the investments approved at recommendation 2.1, subject to Contract Standing Orders.

53 REVIEW OF THE LONG LEASE HELD BY THE BRIGHTON LIONS AT LIONS COURT

Contact Officer: Simon Pickles
Ward Affected: East Brighton

Tel: 01273 292083

- 1) That the Policy and Resources Committee approves the Housing & New Homes Committee's recommendation to sell the freehold of Lions Court to the Brighton Lions for a consideration equal to its market value, in the sum of £670,000, subject to the Lions allocations scheme stating that

new tenants will be on the council's housing register.

- 2) That the Policy and Resources Committee approves that the capital receipt be used to support the Housing Revenue Account (HRA) capital programme.
- 3) That the Policy and Resources Committee notes that a restrictive covenant will be placed on the land for social housing use only.

54 PLAYING FIELD AT OLD SHOREHAM ROAD

Contact Officer: Michael Nix
Ward Affected: Goldsmid

Tel: 01273 290732

- 1) That the Committee note that the land is a school playing field maintained in part by Cardinal Newman Catholic School in accordance with the Local Management of Schools and in part by BHASVIC.
- 2) That the Committee agree to allow responsible informal access to the field by the community until half an hour before the beginning of the school day and from an hour after its end on weekdays during term time and at any time during weekends and school holidays, provided that the fields are not required by the schools.
- 3) That the Committee agree that dogs are to be excluded from the field at all times except in that part of the field that the council (through the Executive Director of Children's Services), the schools and Friends of the Field, agree can be used by dog walkers.
- 4) That the committee agree that if any use of the field prevents the school or college from delivering its curriculum or other activities or causes safeguarding issues in relation to pupils, students or staff that the particular informal user can be excluded from the field.
- 5) That the Executive Director of Children's Services apply to the Environment, Transport & Sustainability Committee to implement an appropriate form of Dog Control Order.
- 6) That the Committee agree to the proposal to fence off an area to the western end of the field to allow dog walking and to provide access to Dyke Road Park as set out in Appendix 3.
- 7) That the committee notes that there are no plans either of the Council or of the college to develop or change the usage of the field. If at some future time such plans are considered there will first be consultation with Friends of the Field and / or neighbours of the field prior to it being considered by an appropriate Council committee. Any such proposals would also need full planning consent.

55 SEAFRONT INVESTMENT PROGRAMME: LANDSCAPING ADJACENT TO BRIGHTON I360

Contact Officer: Mark Ireland, Katharine Pearce *Tel:* 01273 291240, *Tel:* 01273 292553
Ward Affected: Regency

- 1) To agree that the landscaping scheme is added into the 2015/16 Capital Investment Programme and is funded as set out in paragraphs 7.3 and 7.4.
- 2) To authorise the Executive Directors of Finance & Resources and Environment, Development & Housing, after consultation with the Chair of Policy and Resources Committee, to take all steps necessary for the successful construction of the works to ensure completion is achieved as soon after opening of Brighton i360 as possible.
- 3) To authorise the Head of Legal and Democratic Services to complete any necessary documentation and to take such legal steps as they see fit to procure completion of the works.

56 REVIEW OF THE COUNCIL'S CONSTITUTION - OCTOBER 2015

Contact Officer: Elizabeth Culbert *Tel:* 01273 291515
Ward Affected: All Wards

That Policy & Resources Committee:-

- 2.1 Approves the proposals set out at paragraphs 3.7 to 3.8 (Realignment of Finance & Resources Functions), 3.10 (Senior Information Risk Officer) and 3.11 (Assets of Community Value).
- 2.2 Recommends to Full Council 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).

That Full Council:-

- 2.3 Approves and adopts the proposed changes to the Council's constitution recommended in paragraph 2.2 above.

Both P&R and Full Council:-

- 2.4 Authorise the Acting Chief Executive and Monitoring Officer 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.

- 2.5 That the changes come into force immediately following approval by Policy & Resources Committee and, for matters requiring Council approval, following approval by Council.

57 UPDATE ON WASTE JOINT WORKING AGREEMENT BETWEEN BRIGHTON & HOVE CITY COUNCIL AND EAST SUSSEX COUNTY COUNCIL

Contact Officer: Richard Bradley

Tel: 01273 294701

Ward Affected: All Wards

- 1) That the Committee approves the revised Joint Working Arrangement between Brighton & Hove City Council and East Sussex County Council described in this report and presented in the Part 2 paper;
- 2) That the Committee grants delegated authority to the Executive Director Environment, Development and Housing, following consultation with the Chair, to approve future amendments to the Joint Working Agreement.