

BRIGHTON & HOVE CITY COUNCIL
POLICY, RESOURCES & GROWTH COMMITTEE

4.00pm 14 JUNE 2018

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

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

PART ONE

1 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

1.1 Councillor Meadows was present in substitution for Councillor Daniel.

(b) Declarations of Interest

1.2 Councillor Mac Cafferty declared a pecuniary interest in Item 11: Update on Royal Pavilion and Museums Governance as a current member of the Royal Pavilion and Museums Trust Shadow Board. Councillor Mac Cafferty explained that the Monitoring Officer had provided dispensation to speak but not to vote on the matter.

(c) Exclusion of Press and Public

1.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

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

2 MINUTES

2.1 It was noted that the decision listed for Item 127 was incorrect and it should read:

That the Committee:

- (i) Approved the procurement of a new transport professional services and modelling framework contract;*

- (ii) *Grants delegated authority to the Executive Director of Economy, Environment & Culture to -*
- (a) *Carry out the procurement of the framework contract referred to (i) above;*
 - (b) *Agree the term of the framework contract;*
 - (c) *Award and let the framework contract;*
 - (d) *Award and let call-off contracts under the framework contract.*

2.2 **RESOLVED:** That the Minutes of the meeting held on 29 March 2018 be agreed (as amended) and signed as a correct record.

3 CHAIR'S COMMUNICATIONS

3.1 The Chair gave the following communication:

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

Today was the first anniversary of the fire at Grenfell Tower, and as we know it raised some serious concerns about the quality and the nature of local authority and social housing, and those matters were being dealt with through a public enquiry which was currently being held. The fire had a huge impact on those the family and friend of those seventy two people who perished in the fire. I would propose that we have a seventy two second period of silence in their honour, and have asked that flags fly at half-mast on Council buildings.

There were two items on the agenda relating to the i360 but, in order to give partners more time to consider the proposals put to them, I have decided to withdraw the items 10 and 17 on the agenda. The matter will come back to a future meeting of the Policy Resources & Growth Committee, which maybe a Special or Urgency meeting, but that decision will be taken once officers have had an opportunity to discuss the matter further with the partners.

Councillor Janio accepted the decision to withdraw the item, and suggested that as the next payment from the i360 was due on 30 June 2018, that a Special or Urgency meeting of this committee be arranged before that date. The Chair agreed.

4 CALL OVER

4.1 The following items on Part One the agenda were reserved for discussion:

- Item 7 – Targeted Budget Management Provisional Outturn 2017/18
- Item 9 – Charter for the Construction Sector
- Item 11 – Update on Royal Pavilion & Museums Governance
- Item 12 – Our People Promise – Developing Our Employer Offer
- Item 13 – Taking of Lease for GP Hub at Preston Barracks
- Item 14 – Longley Industrial Estate and New England House

4.2 The following reports on Part One the agenda were agreed without discussion:

Item 8 – Education Basic Needs – Allocation of £15m Previously Earmarked for Purchase of a Site for a New Free School

Item 15 – Update on Housing Options Programme for Future Delivery of Housing Repairs and Maintenance.

5 PUBLIC INVOLVEMENT

5 (a) Petitions

5.1 There were none

5 (b) Written Questions

5.2 The following question was submitted by Ms K Garrett-Gotch:

Discretionary Housing Payments

At the last committee meeting (14.3.18) the Chairperson, in response to a question, stated that “Discretionary Housing Payments are funded through government grant which was £1.133m in 2017/18”. The Council is allowed to top up this fund. Could the committee provide details of the annual budget allocated by the Council each year since the fund was introduced and how much of this allocation has been spent. Could figures also be provided as to the maximum allowed from council funds under the DWP formula?

5.3 The person asking the question was not able to attend the meeting, and the Chair read out the following response:

The Discretionary Housing Payment scheme has been running for many years in different forms, but the figures for the last three years show that the council is spending the full allocation of funds from the DWP. The council can indeed top up this fund from its own budget as long as the overall expenditure, including the DWP element, is not greater than 2.5 times the amount allocated by the DWP. This would theoretically have allowed for a maximum £1.7m extra in 2017/18 on top of the DWP grant of £1.133m. In 2016/17, the DWP fund allocation was £0.776m, so the maximum allowable extra top up was £1.16m. In 2015/16, the DWP fund allocation was £0.611m, so the maximum allowable top up that year was £0.92m. For each of the last three years back to 2015/16, an amount of £75,000 was allocated from the HRA as a contingency fund. In 2015/16 and 2016/17, none of the contingency was used, but in 2017/18, £36,000 HRA money was spent on Discretionary Housing Payments.

5 (c) Deputations

5.4 There were none

6 MEMBER INVOLVEMENT**6a Petitions**

6.1 There were none.

6b Written Questions

6.2 There were none.

6c Letters

6.3 There were none.

6d Notices of Motion

6.4 Two Notices of Motion were referred to the Policy Resources & Growth Committee from Council held on 19 April 2018.

(i) Unite Construction Charter

(ii) Women in Government and Politics

6.5 Unite Construction Charter – The Chair referred the Committee to Item 9, which had been prepared in response to the Notice of Motion

6.6 Women in Government and Politics – The Chair suggested that the Committee request a report as detailed in the Notice of Motion. The Committee agreed.

7 TARGETED BUDGET MANAGEMENT (TBM) PROVISIONAL OUTTURN 2017/18

7.1 The Committee considered the report of the Executive Director for Finance & Resources, which set out the provisional outturn position on the Council's revenue and capital budgets for the financial year 2017/18.

7.2 Councillor Sykes referred to paragraph 3.30 of the report, and noted that the overall deficit for collection of business rates was higher than forecasted, and asked why that was. The Executive Director for Finance & Resources said that he would get further information on the reasons and would advise the Councillor in due course.

7.3 Councillor Sykes referred to the Parking Service budget and the virement of £867k, and asked for more information. He added that parking was an issue within the city, and he had received many complaints about both the high cost of parking and the lack of available spaces. The Executive Director for Economy, Environment & Culture said that paragraph 6.2 of the report provided information about the virement. A significant number of new schemes within parking had been introduced, which were set out in the report, and which would increase the revenue from parking. The net cost of the changes was £550k, which would be funded from the increase in income. The restructure would not impact on the overall budget for the service which would be able

to meet its 2018/19 budget target. Councillor Mitchell (Chair of Environment Transport & Sustainability Committee) said that the virement would be used to support a partial restructure of the city's parking services and functions. A business case has been developed and would put residents first, such as Blue Badge fraud.

- 7.4 Councillor Sykes referred to the cost of temporary accommodation which continued to rise. The Green Group had put forward a budget amendment and a Notice of Motion, which would have mitigated that, but there had been no follow up in response to that Notice of Motion. The Executive Director for Neighbourhoods, Communities & Housing said that the use of temporary accommodation was falling as a result of the Trailblazer fund, and the overspend was due to de-camps from long term temporary accommodation. The Housing Leadership Team were putting in place plans to address the overspend, and a report would come to the Housing & New Homes Committee in September 2018. Councillor Meadows (Chair of Housing & New Homes Committee), said that there were high numbers of people accessing our temporary accommodation which had had an impact. However, the Council were looking at innovative ideas and for the first time were looking at Council rented temporary accommodation, and now had ten two-bed units at Stonehouse Court, with twelve additional properties due to be available in Oxford Street. It was the hope that more temporary accommodation could be provided which would help keep costs down.
- 7.5 Councillor Wealls referred to the overspend for Able & Willing and asked where the authority were with the business plan. The Executive Director for Families, Children & Learning said that a cross party working group were currently considering that and looking at a range of options. It was initially hoped that the working group would conclude in the summer, but that it may take slighter longer.
- 7.6 Councillor Wealls noted that there was an underspend for Libraries of £270k and that £40k had been raised through two leases. He said that there had been a recent meeting at Hove Library to discuss changes made to the library, the nursery provision there and the café, and asked why the changes were necessary given the underspend this year. The Executive Director for Neighbourhoods, Communities & Housing said that the underspend was due to funding for new kiosks which had been set aside as money had been provided from elsewhere, and therefore it wasn't an on-going saving. Councillor Wealls asked where the overspend would be spent, and the Executive Director Finance & Resources that it would be used to ease pressure elsewhere. Councillor Janio said that if the Conservative Group were in administration from 2019, they would keep Hove Library at the Carnegie Building.
- 7.7 **RESOLVED:**
- (i) That the Committee note that the provisional General Fund outturn position is an underspend of £1.392m (including release of the risk provision) and that this represents an improvement in resources of £0.008m compared to the projected and planned resource position at Month 9 taken into account when setting the 2018/19 budget.
 - (ii) That the Committee note the provisional outturn includes an overspend of £0.219m on the council's share of the NHS managed Section 75 services.

- (iii) That the Committee note the provisional outturn for the separate Housing Revenue Account (HRA), which is an underspend of £0.644m.
- (iv) That the Committee note the provisional outturn position for the ring-fenced Dedicated Schools Grant, which is an underspend of £0.201m.
- (v) That the Committee approve carry forward requests totalling £1.578m as detailed in Appendix 4 and included in the provisional outturn.
- (vi) That the Committee approve the Parking Virement detailed in paragraphs 6.2 and 6.3.
- (vii) That the Committee approve the creation of 3 earmarked reserves as set out in paragraph 6.44.
- (viii) That the Committee note the provisional outturn position on the capital programme which is an underspend variance of £4.429m.
- (ix) That the Committee approve the capital budget variations and slippage requested in Appendix 6 and new capital schemes detailed in Appendix 7.

8 EDUCATION BASIC NEED - ALLOCATION £15MILLION PREVIOUSLY EARMARKED FOR PURCHASE OF A SITE FOR A NEW FREE SCHOOL

8.1 RESOLVED: That the Committee

- (i) Agreed allocation of the final School Condition Allocation and the Healthy Pupil Capital Allocation as detailed in paragraphs 3.17 to 3.22 of the report (detailed below); be included within the Council's Capital Investment Programme 2018/19;
- (ii) Agreed that delegated authority be granted to the Assistant Director of Property & Design to procure the works and enter into contracts within these budgets, as required, in accordance with Contract Standing Orders in respect of the entire Educational Capital Programme.

9 CHARTER FOR THE CONSTRUCTION SECTOR

9.1 The Committee considered the report of the Executive Director Finance & Resources regarding the Construction Charter.

9.2 Councillor Wealls said that the Conservative Group were not hostile to the vast majority of the aims of the Unite Construction Charter, and the proposed amendments were to be sure that by directing the Procurement Advisory Board to look at the provisions of the Charter to make sure that the concerns for small and middle size enterprises were explicitly dealt with. He noted that the Procurement Strategy of the Council was being reviewed and asked that the Unite Construction Charter be included in that. He also asked the Procurement Advisory Board consult with groups such as the Federation of Master Builders. Councillor Wealls formally proposed the following amendment to the recommendations in the report (the changes are shown in italics).

2.1 That Committee notes the provisions (see Appendix 1) of the UNITE Union Construction Charter.

2.2 That Committee approves the aims of the Charter, *but expresses particular concern regarding: the potential impact on SMEs of clause 1, Clause 6, in regard to 'national industry' collective agreement', and Clause 7, in regard to 'All trade union accredited representatives will be granted appropriate time and facilities to carry out their responsibilities'.*

2.3 That Committee delegates the power to the Executive Director, Finance & Resources, after consultation with the Procurement Advisory Board, to take all steps necessary for the implementation of the Construction Charter provided those steps are consistent with the advice or recommendations of the Procurement Advisory Board.

2.4 Remove the term 'blacklist' from clause 9 and replace with 'illegal list'.

Councillor Bell formally seconded the amendment, and reserved his right to speak.

- 9.3 The Monitoring Officer noted that 2.2 stated 'That the Committee approves the aims of the Charter...' and said that the original report said 'That the Committee notes the aims of the Charter', and the change of 'approved' from 'notes' had not been included in the proposed amendment. Councillor Wealls agreed that the wording should read 'notes'.
- 9.4 The Executive Director Finance & Resources referred to the points made by Councillor Wealls, and confirmed that consultation would be held with various parties including other councils who had adopted the Charter, the unions, and representatives from the sector.
- 9.5 Councillor Mitchell requested that the Chair take the votes on the amendments separately, as the group would support amendment 2.2, but not 2.4 as 'black listing' was the specific term set out in the regulations, and was therefore legally correct.
- 9.6 Councillor Sykes suggested that some elements of the Charter could be strengthened, for example where it duplicates current legislation. He said that the Green Group would support the amendment to 2.2, but for the reasons given by Councillor Mitchell would not support amendment 2.4.
- 9.7 Councillor Bell agreed to remove 2.4, but said it had been put forward as the Charter referred to 'any' form of black list, and there was concern that there wasn't any definition of what 'any' would mean. He said that the reason the amendment had been proposed was to protect small and medium size businesses and that they fully supported the unions and the workers. Councillor Yates said that at the last Full Budget Councillor Morgan had said that the Council were looking at more ways to encourage small and medium size enterprises to access the Council's procurement process.
- 9.8 The Chair agreed to accept the slight change of wording to 2.2 and noted that amendment 2.4 had been withdrawn.
- 9.9 The committee voted on the proposed amendments and they were agreed.

9.10 The Committee agreed to formally note the Notice of Motion.

9.11 **RESOLVED:**

- (i) That Committee notes the provisions (see Appendix 1) of the UNITE Union Construction Charter.
- (ii) That Committee notes the aims of Charter, but expresses particular concern regarding: the potential impact on SMEs of Clause 1, Clause 6, in regard to 'national industry collective agreement', and Clause 7, in regard to 'All trade union accredited representatives will be granted appropriate time and facilities to carry out their responsibilities'.
- (iii) That Committee delegates the power to the Executive Director, Finance & Resources, after consultation with the Procurement Advisory Board, to take all steps necessary for the implementation of the Construction Charter provided those steps are consistent with the advice or recommendations of the Procurement Advisory Board.

10 BRIGHTON I360 UPDATE

10.1 This item was withdrawn.

11 UPDATE ON ROYAL PAVILION & MUSEUMS GOVERNANCE

- 11.1 The Committee considered the report of the Executive Director for Economy, Environment & Resources, which set out the proposed timescale and process for the external review, and content of the 'ready for change' programme.
- 11.2 Councillor Sykes referred to paragraph 3.5 of the report, which said that managers had identified a number of key issues for the service, and asked for more information on what those issues were. The Head of Culture said that those issues did not relate to the governance issues per se, but were more to do with the operational side, for example the outdated IT equipment being used by the service.
- 11.3 The Chair noted that an amendment had been received from the Conservative Group.
- 11.4 Councillor Bell formally proposed the following Conservative Group amendment to the recommendations (changes in italics):
- 2.1 The Committee REVOKES its decision taken on 25th January 2018 to move the management of the service to a single cultural trust in one stage rather than two stages with a transfer date of 1st July 2018.*
- 2.2 The Committee proposes that the management of RPM is transferred to a single purpose trust as set out in the PWC Report 'Royal Pavilion & Museums, Phase 2' 13th December 2016.*

2.3 That a report is brought to this Committee on the 11th October 2018 setting out a plan for the establishment of the single status trust, and that the transfer of the RPM into the management of the trust is completed by the 5th December 2018. The report should include a high level financial plan for the trust and the financial support required from BHCC to support the establishment of the trust, and on-going financial support thereafter.

2.4 That consultation with the workforce and The Trades Unions is undertaken urgently, so that the trust is established with the full confidence of all stakeholders.

- 11.5 Councillor Bell said that the most important thing was the workforce, and there had been a lot of uncertainty over their jobs, and whether their employment status would change, and the amendments put forward were trying to bring some stability back to the table to take this forward. There would also be protection for the Pavilion, and allow them to get funding from other areas, such as grants or gift aid etc. The matter was currently in limbo, with no timescales of when it would be resolved. The workforce had wanted to stand alone, and be able to do their own thing. We had a duty of care, not just for the workforce, but for the Pavilion too.
- 11.6 Councillor Janio seconded the amendment.
- 11.7 Councillor Mitchell referred to the amendment, and said that there was a process currently in place, with an expert review underway, which had to be completed. The Workforce was expecting all the issues to be discussed, and we needed to abide by that, and therefore the Labour Group could not support the amendment.
- 11.8 Councillor Janio agreed that there was a process in place, but it was taking too long and the matter needed a resolution. Moving to a trust would enable the Pavilion to access other streams of funding, and it was important that the matter be concluded as soon as possible. In addition, the threat of staff being moved to the Dome had been removed. He said that if the amendments were agreed, there could be a viable stand-alone Trust by the end of the year.
- 11.9 Councillor Sykes said it was frustrating on long this matter was taking to resolve, there was uncertainty and a resolution was needed. He asked for advice from the Monitoring Officer as the legality of amendment 2.2. The Monitoring Officer said that that amendment asked the Committee to 'propose', and in legal terms that meant the same as 'suggest'. His understanding of the intention of the amendment 2.3 was not to rule out all options, and therefore the work of the experts could be taken into account when the matter came back to the committee later this year. Therefore the amendment was not giving instructions to officers to implement the transfer to a single status trust. To make a decision today on transferring to a trust would be inappropriate without a detailed report, giving full information on the financial and legal issues.
- 11.10 Councillor Hamilton said he was surprised at the proposed amendments as the Council were still in consultation with staff and union, and he would therefore vote against the amendment.

- 11.11 The Monitoring Officer suggested that in order to make the report more robust, the proposed amendment 2.4 be removed, as it suggested that a decision had already been taken to move to a trust.
- 11.12 Councillor Bell accepted the Monitoring Officer's comments and proposed the following re-wording of amendment 2.4:
- 2.4. That consultation with the workforce and the Trade Unions is undertaken urgently, so that should the trust be established it would be with the full confidence of all stakeholders.*
- 11.13 Councillor Janio said that creating a Trust would create a lot of opportunities, and would benefit the workforce, the city and the Royal Pavilion and Museum. He said that the current process was taking far too long. Amendment 2.1 made sure that any threats to the workforce of moving to the Dome were removed. Amendment 2.2 was a statement of intention of what we would like to happen, and Amendment 2.3 was how that would be delivered and consultants who were appointed could work on the proposed new plan. For clarity this would provide an end date for the process, not that it was stating that this would bring an end to the process by agreeing to transfer to a trust.
- 11.14 The Executive Director for Economy, Environment & Resources said that an expert had been appointed to review all of the options, and the report which would come to the Committee in October would set out their analysis of those options.
- 11.15 Councillor Mitchell confirmed that the options considered by the expert would include a review of a stand-alone trust.
- 11.16 The Chair said that the Unions had said that if the amendment was passed, it would be a breach of the current arrangements that the Unions had reached with the Chief Executive, and would no doubt bring us back to the same industrial position we were in earlier as the workforce were expecting all options to be explored. Therefore members should consider whether agreeing the amendments would be negative to trade unions relations, and bring us closer to a difficult industrial position. Councillor Bell said that he had spoken to the Unions, and after discussion they understood the implications of what the amendments were intending, and did not feel that what the Chair said would come to fruition.
- 11.17 The Committee voted on the proposed amendments (Councillor Mac Cafferty did not vote), and they were agreed.
- 11.18 **RESOLVED:**
- (i) The Committee revokes its decision taken on 25th January 2018 to move the management of the service to a single cultural trust in one stage rather than two stages with a transfer date of 1st July 2018.
 - (ii) The Committee proposes that the management of RPM is transferred to a single purpose trust as set out in the PWC Report 'Royal Pavilion & Museums, Phase 2' 13th December 2016.

- (iii) That a report is brought to this Committee on the 11th October 2018 setting out a plan for the establishment of the single status trust, and that the transfer of the RPM into the management of the trust is completed by the 5th December 2018. The report should include a high level financial plan for the trust and the financial support required from BHCC to support the establishment of the trust, and on-going financial support thereafter.
- (iv) That consultation with the workforce and the Trades Unions is undertaken urgently, so that should the trust be established it would be with full confidence of all stakeholders.

12 OUR PEOPLE PROMISE - DEVELOPING OUR EMPLOYER OFFER

- 12.1 The Committee considered the report of the Executive Director Finance & Resources, which updated the Committee on the development of the Council's People Promise.
- 12.2 Councillor Janio thanked the administration for pursuing this, and said that the workforce was the Council's greatest asset and so it was important that they were happy and motivated. The programme needed to be meaningful and asked that if it were not working that it come back to this Committee so it could be reviewed.
- 12.3 Councillor Mac Cafferty agreed that staff were the Council's greatest asset, and said that they were being asked to work harder and under more pressure as a direct result of austerity. He said that some staff did not have access to laptops and asked how they would be included. The Executive Director Finance & Resources confirmed that they would be given paper copies. Councillor Mac Cafferty said that First Care had been appointed to try to reduce the level of days lost through staff sickness, and asked if there had been any impact. The Executive Director Finance & Resources said that the number of return to work interviews had increased significantly, but the stats were a bit skewed and whilst some types of absence had reduced, many staff were choosing not to say what was wrong with them.
- 12.4 Councillor Sykes noted that there would be a staff benefits portal offering a range of discounts on shopping, days out and financial advice etc, and asked if the Council could try to engage local suppliers in the offers to staff. The Head of HR said that an organisation the Council were working with called My Staff Shop, were liaising with local businesses re offers for staff.
- 12.5 Councillor Mitchell welcomed the report, and agreed with Councillor Mac Cafferty that all staff should have access to the People's Promise.
- 12.6 Councillor Hamilton referred to paragraph 3.14, and said that it wasn't just this authority but other Orbis partners and so some of the offers would be for national companies but some would be for local businesses. He added that the benefit package would also include staff working at schools in the city.
- 12.7 Councillor Peltzer Dunn noted that the programme was to benefit all staff, and it was important to consider the minority groups and that diverse staff felt comfortable within the organisation. He noted that there was a target, and asked if that target were set against the makeup of the city, or those of working age in the city, and was advised it was those

of working age. The Chief Executive said that the organisation was working with HPO, and they were looking at recruitment and retention of BME staff, and a report would come back to the Committee in the future.

12.8 **RESOLVED:** That the Committee approve the on-going programme of work to improve our employer offer, and provide member endorsement for Our People Promise as our employer brand.

13 TAKING OF LEASE FOR GP HUB AT PRESTON BARRACKS

13.1 The Committee considered the report of the Executive Director Economy Environment & Culture regarding a lease for a new primary healthcare centre on the Preston Barrack site. The Chair noted that this matter also included information within Part Two (Item 18), and asked that the Committee avoid discussing issues covered in Item 18, whilst the meeting was being held in public.

13.2 Councillor Janio said he supported the proposal.

13.3 Councillor Mac Cafferty asked for assurance that the CCG will manage the hub and that the centre will actually go ahead. The Executive Director Economy Environment & Culture said that all the indications were that it would happen and there were GP practices who wanted to move into the new healthcare centre.

13.4 Councillor Meadows welcomed the report, and said that there were residents living in that area who had problems accessing primary healthcare.

13.5 The Monitoring Officer said that before the Committee consider the recommendations they must agree that the information within Item 18 had been taken into account. The Committee agreed that it had.

13.6 **RESOLVED:** That the Committee:

- (i) Authorises entering into an agreement for lease which commits the council to taking a lease of the proposed primary healthcare centre on market terms subject to securing an indemnity from BHCCG to cover any costs which the council incurs, including rent, arising from the taking of the lease.
- (ii) Grants delegated authority to the Executive Director for Economy, Environment & Culture and the Assistant Director of Property & Design to negotiate and enter into the agreement for lease, the lease and the indemnity from BHCCG and take any other necessary steps to secure the delivery of a new primary healthcare centre

14 LONGLEY INDUSTRIAL ESTATE AND NEW ENGLAND HOUSE

14.1 The Committee considered the report of the Executive Director Economy, Environment & Culture, regarding the Longley Industrial Estate. The Chair noted that this matter also included information within Part Two (Item 19), and asked that the Committee avoid discussing issues covered in Item 19, whilst the meeting was being held in public.

- 14.2 The Executive Director Economy, Environment & Culture proposed the following amendment to Recommendation 2.1.4 (changes shown in italics):

2.1.4 *Delegates authority to the Executive Director for Economy, Environment & Culture to appropriate the Longley Industrial Estate for planning purposes; once the council has received an appropriate indemnity from L&G in relation to any costs associated with overriding third party rights; and agrees in principle that the council will authorise the use of S203 and delegates the final decision to authorise the use of S203 powers to the Executive Director for Economy, Environment & Culture*

The reason for the proposed amendment was that officers were expecting the indemnity referred to in the report to have been signed prior to the meeting, but it had not been and so the recommendation was amended to give the Executive Director for Economy, Environment & Culture delegated authority to appropriate the Longley Industrial Estate once that indemnity had been received. The Committee noted the proposed amendment.

- 14.3 Councillor Mac Cafferty thanked officers for the work undertaken. He referred to paragraph 1.2, and asked how the Authority would ensure that the proposed development went ahead on that site. The Executive Director Economy, Environment & Culture said that the proposals did not place any legal obligation on Legal & General to build the proposed development. If the Council did place a legal obligation on them, it would amount to a works contract which the Council would have to procure, but the proposal was to enter into a new lease arrangement, and if they chose to develop they would have to do so in such a way to meet the Council's planning requirements.
- 14.4 Councillor Mac Cafferty noted that the rent at New England House was reasonable, and asked that when the rent increases were considered that they were modest. The Executive Director Economy, Environment & Culture said that New England House had market rent, but due to the nature of the building they were quite low rents, and if they increased it would be at a reasonable level.
- 14.5 The Committee accepted the amendment to recommendation 2.1.4 as proposed by officers.

The Committee noted the information contained in Item 19.

- 14.6 **RESOLVED:** That the committee:

- (i) Approved the Heads of Terms appended to this report for an agreement for lease and new lease on the Longley Industrial Estate;
- (ii) Granted delegated authority to the Executive Director for Economy, Environment & Culture, Assistant Director Property & Design and the Executive Lead Officer Strategy, Governance & Law to enter into an agreement for lease and a lease with Legal & General that will secure a premium in respect of the Longley Industrial Estate;

- (iii) Granted delegated authority to the Executive Director for Economy, Environment & Culture, Assistant Director Property & Design and the Executive Lead Officer Strategy, Governance & Law to make minor amendments to the Heads of Terms, settle all the legal documents and take any other necessary steps required to implement the recommendation at 2.1.2;
- (iv) Delegated authority to the Executive Director for Economy, Environment & Culture to appropriate the Longley Industrial Estate for planning purposes, once the council has received an appropriate indemnity from L&G in relation to any costs associated with overriding third party rights; and agrees in principle that the council will authorise the use of S203 and delegates the final decision to authorise the use of S203 powers to the Executive Director for Economy, Environment & Culture;
- (v) Agreed to ring-fence the premium received for the extension and refurbishment of New England House;
- (vi) Noted the work which is progressing in relation to New England House and notes that there will be a further report brought to Committee to seek approvals in relation to that project.

15 UPDATE ON OPTIONS PROGRAMME FOR FUTURE DELIVERY OF HOUSING REPAIRS AND MAINTENANCE

15.1 RESOLVED:

That committee notes progress with the options programme for the future delivery of repairs, planned maintenance and capital works for the council's housing stock, as detailed in the body of this report.

16 ITEMS REFERRED FOR COUNCIL

16.1 RESOLVED: That no items be referred to Council

17 BRITISH AIRWAYS I360 LIMITED – RESTRUCTURE PROPOSAL - EXEMPT CATEGORY 3

17.1 This item was withdrawn from the agenda.

18 TAKING OF LEASE FOR GP MEDICAL CENTRE AT PRESTON BARRACKS - EXEMPT CATEGORY 2

18.1 This matter was considered under Item 13

19 LONGLEY INDUSTRIAL ESTATE AND NEW ENGLAND HOUSE - EXEMPT CATEGORY 2

19.1 This matter was considered under Item 14.

20 PART TWO MINUTES - EXEMPT CATEGORY 3

20.2 **RESOLVED:** That the Part Two Minutes of the meeting held on 29 March 2018 be agreed and signed as a correct record.

21 PART TWO PROCEEDINGS

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

The meeting concluded at 6.00pm

Signed

Chair

Dated this

day of