



# BRIGHTON & HOVE CITY

## COUNCIL MEETING

Date: **25 July 2019**

Time: **4.30pm**

Venue **Council Chamber, Hove Town Hall**

Members: **Councillors:** Phillips (Chair), Robins (Deputy Chair), Simson, Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hill, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, Mears, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Pissaridou, Platts, Powell, Rainey, Shanks, C Theobald, Wares, West, Wilkinson, Williams and Yates

Contact: **Mark Wall**  
Head of Democratic Services  
01273 291006  
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# AGENDA

## PART ONE

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### 12 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 Monitoring Officer or Democratic Services Officer preferably before the meeting.

### 13 MINUTES

11 - 58

To approve as a correct record the minutes of

- (a) The last Council meeting held on the 28<sup>th</sup> March 2019 and
- (b) The Annual Council meeting held on the 22 May 2019.

Contact Officer: Mark Wall  
Ward Affected: All Wards

Tel: 01273 291006

### 14 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

### 15 TO RECEIVE PETITIONS AND E-PETITIONS.

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

### 16 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of 12noon on the 19 July 2019 will be circulated separately as part of an addendum at the meeting.

## **17 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

A list of deputations received by the due date of 12noon on the 19 July 2019 will be circulated separately as part of an addendum at the meeting.

## **18 PETITIONS FOR COUNCIL DEBATE**

**59 - 62**

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

**(1) Adopt the Homeless Bill of Rights for Brighton and Hove.** Lead petitioner Barry Hughes.

**(2) Stop the theft of Brighton General Hospital site: Keep it Public!** Lead petitioner Diane Montgomery.

*Contact Officer: Mark Wall*

*Tel: 01273 291006*

*Ward Affected: All Wards*

## **19 CALL OVER FOR REPORTS OF COMMITTEES.**

(a) Call over (items 22 - 29) 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 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.

## **20 WRITTEN QUESTIONS FROM COUNCILLORS.**

**63 - 68**

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*

*Tel: 01273 291006*

## **21 ORAL QUESTIONS FROM COUNCILLORS**

**69 - 70**

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*

*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.

### **REPORTS FOR DECISION**

#### **22 REVIEW OF THE CONSTITUTION - JULY 2019**

**71 - 132**

Extract from the proceedings of the Policy, Resources & Growth Committee meeting held on the 11<sup>th</sup> July 2019 (to follow); together with a report of the Executive Lead Officer for Strategy, Governance & Law (Monitoring Officer).

*Contact Officer: Elizabeth Culbert*  
*Ward Affected: All Wards*

*Tel: 01273 291515*

#### **23 APPOINTMENT OF CHAIR, DEPUTY CHAIR AND OPPOSITION SPOKESPERSON AND PROPOSED ALLOCATION OF SEATS FOR THE TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE**

**133 - 134**

Subject to Item 22, Review of the Constitution being approved:

(1) To appoint Members to the following roles and to the TECC Committee with nominations to be confirmed by the Group Leaders:

Chair of the Tourism, Equalities, Communities & Culture Committee;

Deputy Chair of the Tourism, Equalities, Communities & Culture Committee;

Opposition Spokesperson for the Tourism, Equalities, Communities & Culture Committee;

(2) To confirm the allocation of seats to committees as detailed in the spreadsheet.

*Contact Officer: Abraham Ghebre-Ghiorghis*  
*Ward Affected: All Wards*

*Tel: 01273 291500*

#### **24 REVIEW OF MEMBERS ALLOWANCES**

**135 - 140**

Extract from the proceedings of the Policy, Resources & Growth Committee meeting held on the 18<sup>th</sup> July (to follow); together with a report of the Executive Lead Officer for Strategy, Governance & Law (Monitoring Officer).

*Contact Officer: Mark Wall*  
*Ward Affected: All Wards*

*Tel: 01273 291006*

**25 GREATER BRIGHTON ECONOMIC BOARD – ADMISSION OF NEW MEMBER TO THE BOARD 141 - 158**

Extract from the proceedings of the Policy, Resources & Growth Committee meeting held on the 18<sup>th</sup> July 2019 (to follow); together with a report of the Executive Director for Economy, Environment & Culture.

*Contact Officer: Andy Hill*  
*Ward Affected: All Wards*

**26 APPOINTMENT OF LEAD MEMBER ROLES**

To approve the additional appointments of Lead Member roles for 2019/20 as designated by the Leader of the Council and detailed below:

- (1) Lead Member for Equalities - Councillor Grimshaw
- (2) Lead Member for Homelessness - Councillor Brennan

**REPORTS REFERRED FOR INFORMATION**

**27 PURCHASE OPTIONS FOR SHORT TERM TEMPORARY ACCOMMODATION 159 - 170**

Extract from the proceedings of the Housing & New Homes Committee meeting held on the 19<sup>th</sup> June 2019 (to follow), together with a report of the Executive Director for Neighbourhoods, Communities & Housing.

*Contact Officer: Sylvia Peckham Tel: 01273 293318*  
*Ward Affected: All Wards*

**28 MADEIRA TERRACE RESTORATION - PETITION RESPONSE AND NEXT STEPS 171 - 216**

Extract from the proceedings of the Tourism, Development & Culture Committee meeting held on the 20<sup>th</sup> June; together with a report of the Executive Director for Economy, Environment & Culture.

*Contact Officer: Abigail Hone Tel: 01273 29*  
*Ward Affected: East Brighton; Hanover & Elm Grove; Queen's Park; Rottingdean Coastal*

**29 REPORT OF THE EAST SUSSEX FIRE AUTHORITY 217 - 220**

Report of the East Sussex Fire Authority meeting held on the 13<sup>th</sup> June 2019.

*Contact Officer: Abraham Ghebre-Ghiorghis Tel: 01273 291500*  
*Ward Affected: All Wards*

## NOTICES OF MOTION

### 30 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION: 221 - 228

- (1) **A Safe Home Campaign.** Proposed by Councillor Williams on behalf of the Labour Group.
- (2) **Sustainable Adult Social Care Funding.** Proposed by Councillor Apich on behalf of the Labour Group.
- (3) **Economic Impact of Brexit and Settled Status for EU Citizens.** Proposed by Councillor Hugh-Jones on behalf of the Green Group.
- (4) **Support for Youth Strikes and Other Climate Action.** Proposed by Councillor Clare on behalf of the Green Group.

### 31 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:-*
  - (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.*

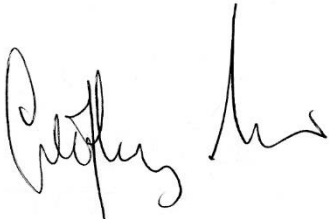
*The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.*
  - (c) *Following completion of the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

## **FOR INFORMATION**

Listed at the end of the agenda papers are responses from Government Departments and other Bodies which have been written to by the Chief Executive following the approval of Notices of Motions at previous council meetings.

Date of Publication - Wednesday, 17 July 2019



Chief Executive  
Hove Town Hall  
Norton Road  
Hove  
BN3 3BQ

## **PUBLIC INVOLVEMENT**

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

## **WEBCASTING NOTICE**

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Therefore, by entering the meeting room and using the seats in the chamber 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.

## **ACCESS NOTICE**

The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. There is an accessible lift to the first floor and ramped access to the public gallery. However, the lift cannot be used as part of a managed evacuation and therefore anyone unable to use the stairs or transfer to an evac chair should not use the public gallery but seek assistance from reception.

We have made a number of adjustments to make the venue as accessible as possible and the seated spaces available in the public gallery can be used by disabled people who are not wheelchair users.

Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

If you wish to attend a meeting but are unable to use stairs please contact the Democratic Services Team (Tel: 01273 291066 or Email: [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)) 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.

If the public gallery is full, Room G87 on the ground floor can be used as an inclusive space with video conferencing facilities and AV links to the council chamber, level access, and nearby WC facilities, including wheelchair accessible provision. From this room you can watch the meeting and take part in proceedings, for example if you have submitted a public question.



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- 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.

### **FURTHER INFORMATION**

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



**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30pm 28 MARCH 2019****COUNCIL CHAMBER - BRIGHTON TOWN HALL****MINUTES**

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

**PART ONE****83 DECLARATIONS OF INTEREST**

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

**84 MINUTES**

84.1 The minutes of the last ordinary meeting held on the 31<sup>st</sup> January 2019 were approved and signed by the Mayor as a correct record of the proceedings.

84.2 The minutes of the Budget Council meeting held on the 28<sup>th</sup> February 2019 were approved and signed by the Mayor as a correct record of the proceedings.

84.3 The minutes of the Special Council meeting held on the 5<sup>th</sup> March were approved and signed by the Mayor as a correct record of the proceedings.

**85 MAYOR'S COMMUNICATIONS.**

85.1 The Mayor stated that she was pleased to announce that the Tenancy Services Team had won the Elderly Accommodation Counsel Older People's Awards. The team had received Gold for Hazelholt and Bronze for Churchill House. The award was based on resident feedback and in addition, Hazelholt had also been selected as one of 27 schemes in the UK for a national award. She stated that the team were particularly pleased given some of the challenges seen in the city to be recognised by our residents in these schemes. Scheme manager, Kathy Boyce had done a fantastic job of developing the scheme and community into the vibrant one it was today. The Mayor

then invited Councillor Hill to come forward with members of the Team to collect the award.

- 85.2 The Mayor noted that today's meeting was the last full Council meeting for a number of councillors who would be retiring in May and wished them well for the future and thanked them for their services over the years to the Council and the city. She hoped to see them at future civic events.
- 85.3 The Mayor then reminded councillors of the sleep out at the i-360 on the 6<sup>th</sup> April in aid of her charities and noted that Councillor Druitt had volunteered to join her for the duration of the event.

## **86 TO RECEIVE PETITIONS AND E-PETITIONS.**

- 86.1 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.
- 86.2 Councillor Wealls presented a petition on behalf of Mr. Hawtree and signed by 105 residents concerning the Hove Library.

## **87 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.**

- 87.1 The Mayor reported that one written question had been received from a member of the public and invited Mr. Hawtree to come forward and address the council.
- 87.2 Mr. Hawtree asked the following question; "Would Councillor Daniel please tell us the current state of the earlier decision to stock our libraries with every classic work?"
- 87.3 Councillor Daniel replied; "A few years ago the library service carried out a project to fill gaps in the stock of classic literature and purchase replacement copies where needed. Libraries continue to fill gaps where they are identified and often appreciate the help we get from readers with this through their suggestions for purchase."
- 87.4 Mr. Hawtree asked the following supplementary question; "This arose originally when Councillor Carol Theobald pointed out the lack of Charles Dickens in the Jubilee Library and so now all these years later in light of what you have just said and in preparing for this brief, perhaps salient, encounter did you think to ask what instructions have been given about this nature of classic books selection to the book selectors at Bertrams who carry out the bulk of this work how do they keep track of the books that we need?"
- 87.5 Councillor Daniel replied; "Yes I can give some explanation. It would be impossible for us to ever claim to stock every classic work for a number of reasons. One it is defining classic, what is a classic? and I think we could probably speak for some hours on that. Not all titles are in print, although libraries do attempt to get hold of some works which would be maybe considered classic we can't always get hold of them and we balance the purchase throughout the council's financial year between purchasing classics and also responding to new published literature to meet the tastes of a wide-ranging audience. So, as you know from previous questions/ exchanges that we have had both

here and in committee the library service already retains the responsibility for books selection and carries out that role in a number of ways. The technical thing is called purchasing profiles for obvious book buying such as, again, the latest publications and so forth and also the library staff themselves select some more specialist and not forgetting that we want locally focused stock in our libraries as well. They retain that control and what we welcome is any public feedback if there is a work that they are looking for and can't find to let us know, that is the best thing that anyone can do."

87.6 The Mayor thanked Mr. Hawtree for attending the meeting and putting his questions and noted that concluded the item.

## **88 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

88.1 The Mayor reported that two deputations had been received from members of the public and invited Ms. Borrill as the spokesperson for the first deputation to come forward and address the council.

88.2 Ms. Borrill thanked the Mayor and stated that "On behalf of Brighton and Food Partnership I am requesting that the city of Brighton and Hove becomes a signatory to the Milan Urban Food Policy Pact. The Milan Urban Food Policy Pact is an international voluntary agreement. There is no financial contribution needed, and no specific obligation to do anything as a result. It is a pledge, if you like, with the core message that we will seek to develop "sustainable food systems that are inclusive, resilient, safe and diverse." It was initially signed by over 100 international cities in Milan in 2015, and now has been signed by 181 cities. The existing UK signatories are London, Birmingham and Bristol.

We are recommending that Brighton & Hove becomes a signatory as the aims and ethos closely reflect the city's existing approach, as set out in our city-wide Food Strategy, and our city's vision of developing a 'healthy, sustainable fair food for all.' Becoming a signatory will add value and prestige to our existing local activity and be a chance to promote it to a wider audience. Signing up will also support our city's bid to become the first Gold Sustainable Food City in the UK, which we are on track to achieve in 2020.

Finally, becoming a signatory will showcase our city's approach and achievements to an international audience. With 200 actions and 100 partners, and with cross-party support, our city's Food Strategy Action Plan has been described by Sustainable Food cities as the most ambitious example of a food partnership approach in the UK. Indeed, we are sometimes asked why, given our leading global position on a joined-up citywide approach to food, Brighton & Hove is not already a signatory.

Thank you for your consideration."

88.3 Councillor Mitchell thanked Ms. Borrill for presenting the deputation and for all the work with the Food Partnership in raising awareness and helping to tackle social inclusion. She noted that many of the proposals outlined were already part of the citywide Food Strategy and she hoped that these and the others would be taken forward and that a report could be brought to the Environment, Transport & Sustainability Committee in June in relation to the deputation and the suggestion to sign up to the Milan Pact.

- 88.4 The Mayor thanked Ms. Borrill 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 Environment, Transport & Sustainability Committee on the 25<sup>th</sup> June 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.
- 88.5 The Mayor then invited Mr. Stack as the spokesperson for the second deputation to come forward and address the council.
- 88.6 Mr. Stack thanked the Mayor and stated, he had circulated information to all councillors prior to the meeting and noted that he had previously attended a council meeting to seek support and a willingness from the council to work with him and other local music venues. He stated that Grassroots Brighton & Hove was a new organisation which had come together in the hope to make a collaborative association for the benefit of all. Its objective was to provide a focal point and facilities to foster greater local community activity and bring residents, the local business community, artists and smaller organisations together to improve the quality of life in Brighton & Hove. It offered strong working relationships with other local community services and a base for outreach and signposting people to other local services. He noted that Live music in Brighton generated an estimated £112m per annum for the local economy and was an essential force in giving the city its dynamic and vibrant edge. This deputation sought to make councillors and council staff aware the unique and pivotal role that Grassroots Brighton & Hove undertakes, our important role as community hubs and what we will now bring to the city as a formal association. He hoped that the council would now work with the organisation to support local venues and help to ensure their viability and the city's economy.
- 88.7 Councillor Robins thanked Mr. Stack for attending the meeting and acknowledged the role of music venues in the city. He welcomed the fact that the local live music organisations and stakeholders were coming together in partnership, to support each other and to help grow and sustain the industry in this city. He noted that was why the Live Music Venue Roundtable was set up, in response to a petition that you yourself brought to this meeting some years ago. As the Roundtable included elected members, council officers and stakeholders from across the live music industry in the city, including yourself, it would therefore be the ideal place to bring your Grassroots Brighton & Hove Action Plan and discuss your ideas. The next meeting was in June and he wanted to thank Mr. stack for his continued enthusiasm for live music in the city and looked forward to hearing progress about this from the Roundtable.
- 88.8 The Mayor thanked Mr. Stack 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 Tourism, Development & Culture Committee on the 20<sup>th</sup> June 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.

**89 PETITIONS FOR COUNCIL DEBATE**

- 89.1 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. She had been made aware of three such petitions, however since the publication of the agenda she had been notified of the withdrawal of one of the petitions, Item 89 (3) Youth 4 Strike Action for Climate Change. She would therefore take the remaining two petitions in turn.
- 89.2 The Mayor then invited Mr. Wright to come forward to present the petition relating to Madeira Arches.
- 89.3 Mr. Wright thanked the Mayor and stated that 2,908 online signatures had been obtained., along with 210 on paper in only two months, which he believed showed the strength of feeling for this issue. He stated that whilst there had been consultation it appeared that the council was seeking to renovate one of the arches at Madeira Drive that was not typical of those along the Drive. The tenants and business at Madeira Drive all believed that it would be better to restore one of the other arches east of Royal Crescent as it would not affect the others. The tenants had also spoken with the owners of Concorde 2 who were interested in having an arch restored closer to the venue. He therefore asked for further consideration of the options and discussions with tenants before a final decision was taken.
- 89.4 Councillor Robins thanked Mr. Wright for presenting the petition and acknowledged the views that had been made in relation to the renovation of the arches. He noted that there had been a successful lottery bid for the western end and that crowd funding had been sought to support the improvements for the eastern end. He also noted that any restoration to the arches would require enabling work and from a structural perspective it was felt that this should start at one end. He was happy to ask officers to continue discussions with the tenants the lead petitioners and hoped that they could work together to find an agreed way forward.
- 89.5 Councillor A. Norman thanked Mr. Wright and stated that she believed the issues raised concerned many of those in the chamber and hoped that the necessary repairs could be started and the arches restored to their former status. She felt that if the restoration started at the western end then it was more likely to encourage footfall along the arches as more people would see the improvements being made.
- 89.6 Councillor Druitt stated that the campaign to restore the arches was close to his heart and he fully supported the petition. He had previously raised the issue at the Tourism, Development & Culture Committee and was disappointed to see the proposed three arches that would be restored initially. They were not typical examples of the arches and he hoped this could be reconsidered. He noted that the local traders supported the renovation of the arches and felt their views should be taken into consideration. The crowd funding project had been successful but had been based on the restoration programme that was different to what was being proposed.
- 89.7 Councillor Robins noted the comments and stated that he was keen for the council and traders to work together to find the best way forward for the restoration programme. If the arches near to the Concorde 2 were more typical examples then they could be

considered, and he therefore hoped that further information could be brought to the Tourism, Development & Culture Committee in June.

- 89.8 The Mayor thanked Mr. Wright for attending the meeting and presenting the petition and put the recommendation listed in the covering report to the vote which was carried unanimously.
- 89.9 **RESOLVED:** That the petition be noted and referred to the Tourism, Development & Culture Committee meeting on the 20<sup>th</sup> June 2019.
- 89.10 The Mayor then invited Mr. Noble to come forward to present the petition relating to Valley Gardens Phase 3.
- 89.11 Mr. Noble thanked the Mayor and stated that 1,426 people had signed the petition and noted that residents and local businesses wanted to have a say in how Valley Gardens was developed. The area was likely to change for ever and everyone wanted to see investment in the Old Steine area, but it was felt that the current plan failed to deliver. He stated that the consultation to date had been inefficient and had not involved those directly affected. There was a clear need for more open dialogue and to enable all interested parties to engage in the development of a design plan for Valley Gardens Phase 3. He believed that there was no reason not to engage with everyone and for the plans to be delayed until a full consultation had been undertaken.
- 89.12 Councillor Mitchell thanked Mr. Noble for presenting the petition and noted that a full and open consultation had been held the previous Spring. There had been no preconceived view on the plan for Valley Gardens and options were taken forward with over 800 responses and a preferred design developed. There was further consultation on the preferred design and this was then reported to committee and refined before being submitted to the Local Enterprise Partnership (LEP). The design was then approved to go forward to the next stage and she did not see the need to pause the work or put the £6m government funding at risk. The council would continue to involve stake-holder groups and have discussions with event organisers. The plan put people first and balanced transport, public and economic benefits.
- 89.13 Councillor Wares welcomed the petition and noted that there were a number of groups and people who had an interest in the project and the majority had taken action to get their views heard. However, the council was not listening to stake-holders which was clear from the petition and at the last committee meeting. If the project went ahead based on the current design, it was likely to harm the economic prosperity of the area.
- 89.14 Councillor Littman thanked the petitioner for attending the meeting and noted that the proposals were not universally welcomed, but he believed positive amendments had been achieved and the work should not be delayed.
- 89.15 Councillor Mitchell stated that the revised preferred design had been democratically agreed at the Environment, Transport & Sustainability Committee and there was a clear commitment to continue with consultations going forward to the design stage. She wished to thank everyone who had contributed to the project to date and hoped that it would be taken forward.



89.16 The Mayor thanked Mr. Noble for attending the meeting and presenting the petition and put the recommendation listed in the covering report to the vote which was carried unanimously.

89.17 **RESOLVED:** That the petition be noted and referred to the Environment, Transport & Sustainability Committee meeting on the 25<sup>th</sup> June 2019.

## **90 CALL OVER FOR REPORTS OF COMMITTEES.**

### **(a) Callover**

90.1 The following items on the agenda were reserved for discussion:

Item 98 - Valley Gardens Phase 3 (Royal Pavilion to Seafront) Results of Public Consultation and Approval of Final Preliminary Design.

Item 99 - Procurement of Assessment Service for Rough Sleepers.

Item 100 - Contract Award for the Provision of a "Safe Space to Stay" Service Funded from the Ministry of Housing Communities and Local Government.

Item 101 - HRA Borrowing Cap.

### **(b) Receipt and/or Approval of Reports**

90.2 The Head of Democratic Services confirmed that Items 98 - 101 had been reserved for discussion; and

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

Item 93 - Appointment of an Independent Person.

Item 94 - Pay Policy Statement 2019/20.

Item 95 - Code of Conduct for Employees.

Item 96 - Review of Parts of the Constitution including the Code of Conduct for Members and related Arrangements.

Item 97 - Reports of the East Sussex Fire Authority.

### **(c) Oral Questions from Members**

90.3 The Mayor noted that there were no oral questions in relation to those items that had not been called.

**91 WRITTEN QUESTIONS FROM COUNCILLORS.**

91.1 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 prior to the meeting as detailed below:

**(1) Councillor: Druitt**

91.2 What measures are being taken in advance of the summer to maintain safety in the city centre, most especially in and around Regency Square, Clarence Sq., Bedford Sq., Norfolk Sq., St Nicholas' green spaces, Duke Street and Western Terrace which suffer high levels of anti-social behaviour, drug taking and even public defecation for much of the year but most especially during the summer, bearing in mind neither the council nor the police have been able to do very much about the problems in previous years?

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

91.3 The council works closely with partners to ensure that issues such as those described by Cllr Druitt are addressed as quickly and appropriately as possible.

Monthly partnership tactical tasking and co-ordination meetings are held to discuss and adopt solutions for issues / individuals / locations that are causing particular concern in the city. Relevant council departments are also involved.

I will ensure that that the locations identified by Cllr Druitt are included in these discussions and actions identified to address them.

**(2) Councillor Druitt**

91.4 The independent traders in the city centre are much of what gives Brighton & Hove its vibe and its appeal for visitors. Yet many continue to struggle with high rents, unfair business rates, and antisocial behaviour on their doorsteps. Many of the issues (e.g. rents and rates) are not ones the council has direct control over, but the council does have control over other things such as street cleanliness, graffiti, levels of anti-social behaviour and the way it collects business rates and enforces arrears. What is the council doing to support businesses struggling to stay afloat, especially those in areas that have faced declining trade such as Preston Street and Duke Street?

**Reply from Councillor Robins – Chair of the Tourism, Development & Culture Committee****City Environment**

91.5 Preston Street and Duke Street are visited on a daily basis and cleaned both by a street cleansing operative on foot and by the mechanical sweeper.

The Environmental Enforcement Service has joined the council, having previously been delivered by an external contractor. City Environment has been reviewing their future deployment arrangements, as well as coming up with new ideas on how to tackle

environmental offences, including littering, fly-tipping and graffiti. Environmental Enforcement Officers have also recently completed a series of educational visits to businesses across the city to remind them of their responsibilities with regards waste management.

A Graffiti Reduction Strategy was agreed at Environment, Transport & Sustainability Committee in January 2019. City Environment is currently developing an action plan detailing how the strategy will be delivered by the council and its partners. The Strategy focuses on four key areas to reduce and remove graffiti to enhance the local environment through: prevention, enforcement, removal, and monitoring and measuring.

### **Brighton BID**

91.6 The Council also works with the Brighton BID which is a private limited company that supports 517 businesses in the BID area. Preston Street is in the BID but Duke Street is not. The BID levy is 1.25% of a businesses' rateable value, currently bringing in £1.8m over five years. The BID delivers projects which include the provision of on street City Centre Ambassadors and a range of additional services to help make the BID levy as cost neutral as possible, for example, negotiated reductions with NCP car parking, a business cost reduction services to bring down utilities outgoings as well as discounts on professional services and advertising. In terms of the key issues raised:

- **Street Cleansing:** Since the BID came in to being in 2006, there has been an 'agreement' with the City Clean for additional cleansing in the city centre. The BID Ambassadors are in regular contact with the team at City Clean and call in issues as and when such as fly tipping, homeless community paraphernalia etc.
- **Graffiti removal:** The BID does not get involved with direct removal of graffiti but suggests to its members to get private sector support or to ask the council for help.
- **Anti-Social Behaviour:** The City Centre Ambassadors are at the front end of managing anti-social behaviour on a daily basis with excellent links with Sussex Police and the Business Crime Reduction Partnership and regularly attend agency meetings convened to support the street community. An increasing amount of work is spent engaging with the Street Community at around 50% of their time.

### **Economic Strategy**

91.7 The Council has recently agreed a new Economic Strategy and Visitor Economy Strategy as part of creating the conditions for businesses to thrive. Our vision for the Economic Strategy is underpinned by five themes which are vital to delivering economic growth and providing a greater quality of life for residents. A diverse set of actions have been identified to support the delivery of this strategy over the next five years.

The five themes are:

- **A growing city** that unlocks its capacity for growth, through the delivery of homes, space, and infrastructure and through the evolution of a better connected economy.
- **An open city** that achieves its potential evolving as an attractive, welcoming and modern place for investors and visitors alike

- **A talented city** which recognises the role that skills and the labour market has to play in driving economic productivity and inclusive growth outcomes.
- **A fair city** which is inclusive and responsible, encouraging engagement and participation across our communities and working to ensure the benefits of growth are distributed fairly.
- **A sustainable city** which looks to the future, focusing its economy on sustainable solutions to future challenges in order to protect and enhance the health and wellbeing of its residents and act as a leader in developing a robust response to climate change.

### **Living Wage Campaign and Campaign to End Unpaid Work Trial Shifts**

91.8 The work the Council is doing around the Living Wage campaign and the campaign to end unpaid trial shifts supports the end to any form of exploitation within the city. By making this a priority within the city's economy the council is ensuring that through decent wages there is more money circulating and therefore more spend with local businesses.

### **(3) Councillor Janio**

91.9 At the last Full Council, I asked why the Labour Administration did not attempt to remove Hangleton Bottom from the Waste and Mineral Sites Plan. Her answer informed me who the other partners were in the plan, when it was signed and what period it covers. It did not answer the question. I am not permitted to ask the same question again, but could Cllr Mitchell explain any investigations that the Labour Administration has taken to identify other sites that could be safeguarded for use as a Waste Transfer Site in preference to Hangleton Bottom – an area that is more suitable for mixed use Development.

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

91.10 The site at Hangleton Bottom is allocated for waste management use in the East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan 2017. It is important that we have an up to date Waste and Minerals Sites Plan in place.

You can be assured that during the preparation of this Plan, officers did review the allocation. A comprehensive site search exercise was undertaken with 97 potential locations across Brighton & Hove and East Sussex which were assessed in detail against 29 different criteria. This process led to three safeguarded site allocations included in the Plan – Hangleton Bottom is the only waste allocation in Brighton & Hove. The other are two sites in East Sussex (at Lower Dicker and Hailsham).

The site allocations proposed were carefully considered by the independent Planning Inspector during the Public Examination of the Sites Plan and were considered 'sound'.

The need for waste management sites and the site allocations will be next revisited at the review of the Sites Plan before 2026.

**(4) Councillor West**

91.11 The Local Cycling & Walking Infrastructure Plan offers a considerable opportunity to support an increase in active travel with all the clear benefits that will bring, including: reducing carbon footprint, traffic congestion, air pollution and the cost of travel, while also improving health and road safety.

It's very clear in the DfT guidance that the LCWIP should be a collaborative project with stakeholders fully engaged in the process, and not merely seen as consultees to a consultant led plan.

The first stage of the LCWIP process is to agree on governance. That should rightly be done by a steering group comprising members, including our cross-party cycle champions, and at least two co-optees representing local cycling and walking organisations. A key initial task for this group should be to develop with officers the LCWIP brief for consultants. It should also be tasked with informing spending priorities for additional LTP funds and development of a multi-million-pound capital bid to the LEP for active travel funding.

Would Councillor Mitchell agree that such an inclusive approach, ensuring the strengths of our active travel community are properly embraced in shaping and delivering investment in active travel, is the best and right approach; and will Councillor Mitchell therefore take the opportunity to initiate this?

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

91.12 The Government's recommendation that councils should develop a Local Cycling & Walking Infrastructure Plan (or an L C WIP as it has become known) is fully recognised and, as I have confirmed on previous occasions, I am pleased to be able to report that work is now underway to enable the plan to be produced in a timely manner.

And I can fully reassure you that the work is being led by officers; but support from consultants will need to be sought at the appropriate time, especially to fulfil the technical requirements and techniques that the Government would like to see included, such as the use of modelling tools. The £75,000 pounds that has been secured within the Budget for 2019/20 will enable this to happen, and also ensure that the process is fully resourced to enable a comprehensive plan to be produced – a comprehensive plan that will be based on good governance, and informed and shaped by stakeholder engagement and public involvement. These will be a critical part of the first stage of the process and they will be set out, within an anticipated timescale, in a Scoping Report that will be brought to the next meeting of the Environment, Transport & Sustainability Committee in June to enable members to consider it and approve it. At that point, we will also know which Administration will be leading this work, and which councillor will be in roles that will enable them to be fully briefed about the L C WIP, and to also participate in the process as it moves forward.

Officers will therefore be following the approach set out in the Governments' guidance document– scoping the plan, gathering information, planning cycling and walking networks, and proposing prioritised improvements – and, through the agreed governance arrangements, they will be ensuring that each stage is fully completed.

They will therefore leading the strategic planning that is required and are already developing the brief that we will need consultants to follow to help us develop the plan. The brief will be significantly shaped by the technical guidance issued by the Government, and that work needs to be started now to enable us to develop the plan and be ready at the earliest opportunity to bid for external funding, or allocate our own budgets, to invest in the cycling and walking infrastructure improvements that the city's residents and visitors both need and deserve.

I hope that I have therefore reassured you that this will not be a consultant-led plan which excludes or marginalises stakeholder input from any sector within the city, but that it will be a plan that draws on all the local knowledge and experience that exists amongst people, organisations and communities within the city which will provide safe, high quality and accessible routes and facilities that allow people to make walking and cycling their first choice for local journeys.

**(5) Councillor Gibson**

91.13 If all projected (received up till April 1<sup>st</sup>, 2023) and usable RTB receipts (already received) were utilised to build new council homes at the 30% rate allowed by government what would the estimated total spend be? If this total spend produced new council homes at an average cost of £220,000 a home how many new council homes would this yield?

**Reply from Councillor Hill, Chair of the Housing & New Homes Committee**

91.14 The total usable RTB receipts received and those projected up to 1st April 2023 total £87.266m. This level of receipts would support the delivery of 396 homes assuming an average cost per property of £0.220m. At this point in time receipts assumed for quarter 4 of 2018/19 and beyond are based on projected receipts, therefore the total usable receipts are subject to change.

**(6) Councillor Gibson**

91.15 What is the total number of homes sold under the RTB so far this financial year (as of 20<sup>th</sup> March 2019)? And adding this total for this year so far to RTB sales in previous years since 1<sup>st</sup> April 2015, how many homes had been sold as of the 20<sup>th</sup> March (between 1<sup>st</sup> April 2015 and 20<sup>th</sup> March 2019)?

**Reply from Councillor Hill, Chair of the Housing & New Homes Committee**

91.16 The total number of homes sold under the RTB as at 20th March 2019 is 55. Since 1st April 2015 the council has sold a total of 232 homes under the RTB

**(7) Councillor Gibson**

91.17 Can you confirm that the table which collates rough sleeper count and estimate data below is correct and given that the table that rough sleeper estimates in the same year have been consistently higher than counts undertaken in the same year was it wise to switch from estimates to counts in November 2018 (in an election year)?

**Rough sleeper counts and estimates**

Year	10/11	2011	12/13	2013	2014	15/16	16/17	17/18	18/19
<b>Rough sleeper count</b>	14	36	43	50	41	?	?	?	64 (Nov)
<b>Rough sleeper estimate</b>		76		90	132	78	144	178	?
<b>% of estimate that is a count in the same year</b>		47%		56%	31%				

**Reply from Councillor Moonan, Lead Member for Rough Sleepers**

91.18 The official November count is not the way Brighton & Hove City Council monitors levels of rough sleeping. Other ongoing robust methods are used throughout the year, which enable us to say with confidence that the number of rough sleepers has reduced significantly.

These methods are the B'think multi agency IT system which records rough sleepers as well as those in supported accommodation. This system allows us to look at the changing picture of rough sleepers over weeks, months and years.

The cumulative number of individuals recorded on Bethink for at least one night per month is below. It does not mean that all of these number of people were rough sleeping every night of the month, many will have been on the streets for a much shorter period of time. There is a constant change of individuals within the rough sleeping community as people are supported off the streets, and as more arrive. The number of rough sleepers also includes those who are known to have accommodation but have been found rough sleeping.

March 2019 (to date): 85 individuals  
 February 2019: 72 individuals  
 January 2019: 78 individuals  
 December 2018: 67 individuals  
 November 2018: 118 individuals  
 October 2018: 96 individuals

This data is used in conjunction with the regular street counts undertaken by St Mungo's and as set out below.

March 2019            66 people found  
 January 2019        30 people found  
 November 2018     64 people found (national count)  
 September 2018    78 people found

This data is part of the monitoring agreed with the Ministry of Housing Communities and Local Government as part of our grant funding. The November national count represents a one-day snapshot within these wider data gathering activities.

The table is not wholly correct as the estimates undertaken in 2013 and 2014 were not undertaken in November, they were undertaken in March so they are not directly comparable with the count figures which were undertaken and verified in November.

The official counts and estimates undertaken in November have all been undertaken to strict guidance laid down by the Ministry of Housing Communities and Local Government and independently verified by Homeless Link. Both methods have their limitations and only seek to produce a one night snapshot of the situation in the city.

The guidance provided is clear on who can be counted and the definition of rough sleeping that is to be used. We have been clear that the count in 2018 and the estimate in 2017 are not comparable to each other due to the different methodologies used.

**(8) Councillor Gibson**

91.19 The much heralded, very welcome and desperately needed additional 10 (government funded) Housing First Placement support packages are due to start 3 days after full council on Monday 1<sup>st</sup> of April. Can you confirm that 10 additional properties have been identified along with 10 (“revolving door”) homeless clients are lined up to go and ready to move in as soon as the money is available?

**Reply from Councillor Hill, Chair of the Housing & New Homes Committee**

91.20 Officers from Health and Adult Social Care and Housing are working through options to secure the 10 units of accommodation to support the expansion of Housing First. Officers are currently reviewing 4 units of temporary accommodation that could be utilised to support the expansion and looking at other options.

Where individuals are eligible under the housing allocation policy will also be supporting people to access properties through the Council Interest Queue.

**(9) Councillor Gibson**

91.21 If 10 Housing First placements are not yet ready to move into accommodation, how many properties and people have been identified so far?

**Reply from Councillor Hill, Chair of the Housing & New Homes Committee**

91.22 There are a number of suitable clients identified and the sources of accommodation as set out support those who would be eligible through the housing allocations policy and the Council’s Interest Queue and also those that currently do not but who might benefit from the Housing First Model.

The support for those people placed into accommodation under the Housing First model will be provided by St Mungo’s who are mobilising staff teams in preparation for the expansion of the service. The support that is offered under the Housing First model provides a highly personalised approach to working with individuals often with multiple



and complex needs and the existing housing first units have demonstrated the positive impact this model can have on outcomes for those in the service.

**(10) Councillor Gibson**

91.23 Given that BHCC has had many months to make arrangements for Housing first placements and given that they will make an important contribution to helping 10 individuals and easing pressure on supported accommodation at a time when the closure of the West Pier project is putting services under strain, how do you think the MHCLG will react if we do not have the placements up and running on the 1<sup>st</sup> of April? Will failure to do this on schedule damage our credibility with MHCLG and jeopardise our prospects for securing further funding?

**Reply from Councillor Hill, Chair of the Housing & New Homes Committee**

91.24 The Council has been successful in securing significant additional investment from the Ministry of Housing Communities and Local Government (MHCLG) and Council Officers are in regular contact with them regarding progress on the mobilisation and outcomes of this funding.

Any expansion of Housing First needs to be carefully managed and units of accommodation scaled up in a planned way.

The plans submitted to the MHCLG reflects the needs to expand this model in a planned way and ensure that individuals are settled in well to their property and accessing the support provided, the MHCLG are fully supportive of this approach.

**(11) Councillor Gibson**

91.25 Given Housing and New Homes Committee's desire to redress the under allocation of properties to the council interest queue and given that over the period since the commencement of the allocations plan the queue has been under allocated, can this under allocation be redressed by making Housing First allocations with immediate effect in conjunction with an associated support package?

**Reply from Councillor Hill, Chair of the Housing & New Homes Committee**

91.26 The Council has taken action to redress the previous under-allocation to the Council's Interest Queue through working with Health and Adult Social Care and Families, Children's and Learning and we are on target to achieve the full 10% this year. We work more closely now with colleagues in Health and Adult Social Care and Families, Children and Learning to ensure that we are maximising the Council Interest Queue. We are currently actively looking to see how many of the properties in the Council Interest Queue we can use for Housing First. We need to do this alongside other schemes which, for example, use the Council Interest Queue to prevent children being looked after by the Local Authority. Housing First clients placed in council properties through the Council Interest Queue will need to be eligible under the housing allocation policy and have substantial support in place right from the beginning of their tenancy.

**(12) Councillor Gibson**

91.27 Given that the very welcome all year night shelter is funded to open from 1<sup>st</sup> April 2019, can you confirm that a building has been obtained for use? And if it is not ready, when you plan for the shelter to open?

**Reply from Councillor Moonan, Lead Member for Rough Sleepers.**

91.28 We are very pleased that due to careful financial management we were able to identify funding, approved last month, for an all year-round night shelter for rough sleepers for the coming year. This will complement our current SWEP provision, which operates on one of the lowest triggers in the country. We hope to open the all year-round night shelter as soon as possible, so officers are working to identify an appropriate property at the moment. Once a suitable building has been identified officers will work to procure a service provider with experience of running homeless services. Opening the all year-round night shelter is a high priority, but we do have to find a building that is suitable so that a really effective service can be provided.

**(13) Councillor Gibson**

91.29 National figures on how well councils used their borrowing opportunities (under the cap) reveal that on 1<sup>st</sup> April 2018, Brighton and Hove Council were in the top quarter of councils failing to spend the borrowing available under the cap and that neighbouring councils of Lewes, Eastbourne, Adur and Wealden had all used proportionately more of the borrowing available. Having not made the most of borrowing opportunities so far and given the housing crisis in our city, (given we now have a new chair of housing) will you undertake to use the 31m + unused borrowing under the previous cap and more to ramp up the council house building programme so that it achieves its potential in the future?

**Reply from Councillor Hill, Chair of the Housing & New Homes Committee**

91.30 The borrowing cap sum for each authority was calculated by the Government back in 2011 using a complex set of calculations which were in part based on assumed levels of debt for each authority at that time. It is therefore very difficult to make comparisons between authorities and the use they have made of the borrowing available to them. Since self-financing was introduced for HRA's in 2012, Brighton & Hove City Council's HRA has only needed to borrow in order to increase the supply of new homes (new build or purchase). Conversely, many other authorities have needed to borrow to fund their own capital programme and will therefore always have higher levels of new borrowing. It is also the case that the HRA has made efficiency savings and in-year cost savings which have enabled it to fund more works directly from revenue rather than needing to borrow. In summary, to use the amount of new borrowing as a measure of investment in new homes will not give an accurate picture. Overall, a better measure is how many new homes have been delivered. Since the council started building council homes again it has developed 197 new homes across around 16 projects. It has another 12 currently under construction at Kensington Street, and sites are currently identified for a total of around 500 more homes.

The council is committed to increasing the supply of affordable housing in the city as demonstrated in the recent report 'HRA Borrowing Cap' to Housing and New Homes

Committee on 13<sup>th</sup> March 2019. This outlines the work to date and the ongoing pipeline of projects for building and purchasing new affordable homes as well as the resources being invested for supporting such an ambitious programme. Also, Budget Council recently approved the HRA capital Investment Programme for 2019/20, and indicative budgets for 2020/21 and 2021/22, with a total investment of £53.6m in new homes, £37m of which is estimated to be funded through borrowing. This exceeds the £31m which the council had available to it before the removal of the borrowing cap.

#### (14) Councillor Deane

91.31 How many prosecutions against perpetrators of tagging and graffiti have there been during the past year, two years and five years?

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

91.32 Over the last five years, the following have been issued:

Year	Number of Fixed Penalty Notices Issued	Number of Prosecutions
2014/15	0	0
2015/16	1	0
2016/17	17	0
2017/18	2	0
2018/19	3	0

One of the issues with tagging and graffiti is identifying the offender. The police and the council do attempt to identify and prosecute; however, it can be difficult to identify those responsible as they are often well practiced at avoiding detection by tagging at night and keeping hidden from CCTV cameras.

If an alleged offender does not pay their Fixed Penalty Notice, the case may go to prosecution. The case may go straight to prosecution if the offence is major e.g. racist graffiti. For both situations, the offender needs to be identified.

## 92 ORAL QUESTIONS FROM COUNCILLORS

92.1 The Mayor noted that 14 oral questions had been received, although Councillor Deane had notified her that she wished to withdraw her question. The Mayor stated that 30 minutes were set aside for the duration of the item and she hoped to get through all the questions on this occasion. The Mayor then called on Councillor Janio to put his question to Councillor Yates.

92.2 Councillor Janio asked the following question, "The GMB have called for the resignation of the Council's Chief Executive and the Executive Director of Economy, Environment & Culture over "The Failure of city Clean" I seek clarification regarding Labour's leaked manifesto it shows the GMB logo on the front and I believe several Labour councillors are sponsored by the GMB, does the Leader of the Council support his paymaster's in the GMB or the senior officers and especially the crews that have kept his administration along for the last few years?"

92.3 Councillor Yates replied “I don’t know whether I am declaring an interest or not, as there is not a decision I won’t, but I will declare I am a member of the GMB and proud to be so. I will also be very clear to Councillor Janio this is an opportunity for people to ask for matters of general council policy not of detail and not of general political interest because he doesn’t understand what is going on in the city. He also clearly doesn’t understand it would be entirely inappropriate for me to make comments about the employment of individual Members of this council and in fact it would be against the constitution of this council for me to do so. So I won’t be giving a response on that.”

92.4 Councillor Janio asked the following supplementary question, “Does the Leader of the Council support his paymasters in the GMB or the senior officers and especially the crews who have kept his administration going over the last few years?”

92.5 Councillor Yates replied, “I don’t intend to get into political point scoring.”

92.6 Councillor Mac Cafferty asked the following question, “The communal bins in my ward aren’t overflowing I have read that City Clean have either re-located 3 of them one on Western Street and two in Wilbury Road. I have now sent over 30 emails in the course of the past 24 months about the relocation of these and made a question to Full Council a year ago I have been passed from pillar to post none of this has involved complex committee decisions but are sadly symptomatic of this administration’s inability to get the basics right.

Residents have waited for two years in some cases for these bins to be moved. Will Councillor Mitchell instruct officers to move these bins?”

92.7 Councillor Mitchell replied, “I am very pleased to answer Councillor Mac Cafferty’s question. There are two issues here as I think you are well aware, there are the location of some of the bins and there is a problem with containment capacity across the area. The service is currently reviewing the question of capacity in other areas of the city as well to ensure that it is adequate, and I think as you know we are considering using 3200 litre size bins and are looking for the location of those. This has got to be done in a planned way it isn’t just the case of ‘bunging’ in additional bins all over the show. We are thinking that perhaps streets across a wider area that currently do not have communal bins are consulted on having them because we know those residents use the communal bins in other areas. I am hoping when this piece of work is done we will be able to relieve the current pressures.”

92.8 Councillor Mears asked the following question, “Can the Chair of Housing give any reassurance that after the raid on the HRA budget of nearly £20m that this Administration will ensure that only money earmarked for investment in the housing stock is used properly as intended and not siphoned off to prop up the General Fund?”

92.9 Councillor Hill replied, “The HRA is self-financing and ring fenced in law. Any transfers to or from the HRA to our General Fund are subject to specific guidance and scrutiny and this is to ensure that the HRA does not subsidise the General Fund or vice versa. Transfers between the HRA and The General Fund are subject to review by the Council’s auditors internal and external as are the wider accounts. Finance always ensures that any payment made to the General Fund by the HRA are appropriate and

justifiable and therefore I can re-assure councillors that there has been no raiding of the HRA.”

- 92.10 Councillor Mears asked the following supplementary question, “Following on from Budget Council when Labour voted with the Greens to ensure their budget went through now with the response from the Secretary of State that there is no flexibility on Right to Buy receipts, what step has this Administration taken to address the money taken from reserves for emergency accommodation capital build using Right to Buy receipts as stated in the budget. Will the Chair of Housing give a commitment to actually repay the HRA for the money that has been taken out?”
- 92.11 Councillor Hill replied, “I am not able to give a detailed response to that right now it is quite a detailed question so I will supply a written response, but I will assure Cllr Mears once again that our treatment of Right to Buy receipts and of the HRA is above board it is all scrutinised.”
- 92.12 Councillor Wares asked the following question, “One of the key reasons for bringing litter enforcement in house was so that the rest of the city can have effective enforcement of which deterrent is one. Please could the Chair through you Madam Mayor confirm that the suburbs will see as much litter enforcement activity as the city centres.”
- 92.13 Councillor Mitchell replied, “Yes Madam Mayor I can.”
- 92.14 Councillor Phillips asked the following question, “Now the government has committed to double the number of places on the prep impact trial when will those places be available in Brighton & Hove?”
- 92.15 Councillor Barford replied, “As you are probably aware as you have just mentioned the NHS is looking to expand the trial but at the moment we haven’t had confirmation of the numbers so as soon as we get that then we will be able to give you more detail around that. We are thinking it is probably going to be around doubling the capacity, at the moment they have currently put 235 places available and approximately 204 residents taking part in the trial and we do have to look at the cost impact that it will be because even though the trial is going to be covered by the NHS then we have the clinic appointments that aren’t covered. We think that might be around £63k cost pressure but we do have as you will be aware the additional £93k from sexual health in the budget so that we will be able to manage that but as soon as we actually have confirmation of numbers we will be able to confirm exactly when we can start that.”
- 92.16 Councillor Phillips asked the following supplementary question, “As relationships in sex education is a key element of HIV prevention can this cohort of labour’s councillors confirm that they are in support of this new subject when not all Labour MPs yesterday voted in favour of RSA?”
- 92.17 Councillor Barford replied, yes I can confirm that.
- 92.18 Councillor Nemeth asked the following question, “I think it took a lot of guts for a former labour councillor Andy Winter, the Chief Executive of Brighton Housing Trust to point out the dangers of tents on streets to both those occupying and particularly vulnerable women and to those housing support officers and volunteers helping the unfortunate

occupants. In the real short term as in days a tent can, of course, save a life and this is the compassionate position that any longer can lead to tragedy. We all know this, but it is hard to say publicly especially with the abuse that Mr Winter inevitably received in mind. What is the Administration's position on this matter and in particular on the safety of the more vulnerable occupants and volunteers in mind?"

92.19 Councillor Moonan replied, "Our position on tents is that we are working very hard over the last four years to reduce the number of rough sleepers in the city so that people aren't having to sleep on the streets whether they are in a tent or out of a tent. We have introduced a whole number of new services including our night shelter, our no second night out hub, we have new accommodation services, we have lowered the figure for our SWEP service and a lot of other services all of which have contributed to significantly reduce the number of rough sleepers within the city. That is our aim that no one has to sleep out and we will continue to work towards that. Regarding tents we have two different tent protocols depending on the land where tent might be found, our first approach is to engage with the individuals in that tent, understand their circumstances. If necessary if the tent is causing a danger, then it has been removed and I think everyone in the city will know that we have worked consistently over the last few years to remove tents within the city."

92.20 Councillor Nemeth asked the following supplementary question, "I do acknowledge that there have been improvements in the number of services. I am specifically after an answer rather than the actual protections that are in place. Because the number of tents has increased, we can argue separately about the number of rough sleepers, different question. But the number of tents had definitely increased, and I am really asking what protections are in place because this is a newer conundrum and challenge to tackle. I am asking what protections are in place as in a newer policy that is emerging, newer practises to actually protect the workers, volunteers and those inside the tents?"

92.21 Councillor Moonan replied, "As I tried to explain we have a protocol for our approach that works with tents. It has been agreed across all the council departments in consultation with partners, such as the police, our street outreach service it includes how the staff will engage with the rough sleepers, how the tents or any other paraphernalia is removed. The priority of course is the individual in the tent and we engage with them in an attempt to move them on and into our city support services and then tents are removed and, if necessary, they are stored and then returned to that individual. It has been very carefully thought through and I can certainly provide you with more information if necessary."

92.22 Councillor Gibson asked the following question, "Whilst it is very welcome that there has been lots of Government funds and there has been very good promotion of action of intervention such as the proposed year round night shelter and the expansion of Housing First, my question relates to the actual practical action that has happened particularly in the context of the 24 homeless beds lost by the closing of the West Pier and the fact that our winter night shelter is now closed, the church's night shelter is now closed and we have two means of alleviating this loss of provision, of which one is Housing First expansion and the other is the all year round night shelter, I am concerned that there is insufficient progress has been made I am aware that Housing First we have known about for six months and we are told that four properties are being reviewed, potentially there should be ten, we have a budget from the Government

similarly with the night shelter we have been promised an all year round night shelter and the building has not yet been found. My question is around the need for a bit of urgency to deliver for people who desperately need these services, will you as Lead for Rough Sleepers pledge that by 1 May to have at least five of the ten Housing First placements in place for rough sleepers with the support that we have go funds for already and to pledge also that a night shelter which we have been told is happening is all the year round and that a building has been identified for that?"

92.23 Councillor Moonan replied, "Housing First, we have had a number of conversations about this and there is a lot of detail in the written question which I am sure you have read carefully. For Housing First there are two elements to it, the support element and the property. The support element funding only comes available in the next financial year, so we have not been able to fulfil those ten places until the support is there because you cannot place these very high needs, vulnerable people into the property without the support. The support is there it is ready, we have the service who are going to run it they are mobilised in terms of the staff. On the property side we have been looking actively at properties, we don't just have four that we are looking at, we have four that we are looking at actively under our temporary accommodation, we are also looking at other social interest queue and the private rented sector etc. We are very close, we can't get the people in yet, but we are very close to placing those ten individuals. They won't all be there on day one, we need to carefully work with each individual client, but we will mobilise the project very swiftly, with a serious sense of urgency.

The same applies to all year round night shelter as the funding becomes available we are actively looking at buildings. There are a number that are being considered at the moment, it does need to be the right building that we can provide the right service in at the right location that will need to be carefully thought through we can't just pick the first one, but we are dealing with it with a very real sense of urgency."

92.24 Councillor Gibson asked the following supplementary question, "I welcome the sense of urgency and therefore invite a statement that the Housing First for which the funding will very shortly be in place and answer the original question and pledge that at least five of those ten places will be in place by 1 May and being realistic I could have said the same about the night shelter but I know there is not a chance of that happening but there is a chance that you might have found a building I am asking you to be ambitious to show some urgency, to concentrate on action and make those pledges, I will support you in trying to achieve them?"

92.25 Councillor Moonan replied, "I can make a pledge, but we are dealing with individuals and you have to look at each case, each piece of accommodation. I would hope that we would have more than five, but we need to deal with it on a case by case basis. I am happy to communicate more information with you as those places get filled. I will certainly, as I have said be, be working as hard as I can with officers in Housing and Adult Social Care and we will get there."

92.26 Councillor Bell asked the following question, "As you well know we welcome the Government funding for the hospital in Brighton which is greatly needed and will be used by all of us. In the original plans for that the traffic was originally going to be coming down the A23 and has been mentioned many a time in this chamber unfortunately the

traffic appeared to be diverted again through Woodingdean which created us quite a few problems, with pollution etc. Since then due to the Lewes Road works and that is forcing more traffic now through Woodingdean which is making it over used and causing traffic jam in a little village a green part of the city as we are an island which is getting really clogged up. I would like to know what as in the Administration you are going to do to relieve the traffic from us because at this moment of time it is continually getting worse and worse?”

- 92.27 Councillor Mitchell replied, “It is the case and in other areas of the city there has been an increase of actually 2.5% in the amount of daily 2-way traffic in Woodingdean over the past seven years along the Falmer Road and during this period there has indeed been a lot of development related activity in the city that has had an effect on traffic patterns and can affect areas away from the city centre. In addition to welcoming the huge investment in the city that these developments are bringing in terms of jobs and homes we have to in turn continue in our efforts to ensure that as many of the car trips as possible can be made by sustainable public transport especially for local journeys that will reduce air pollution for communities and so that is why we have a sustainable transport theme that runs through our local transport planning.”
- 92.28 Councillor Bell asked the following supplementary question, “We have unfortunately experienced on the Falmer Road two fatalities over the past few months, not necessarily due to the heavy load of traffic but unfortunately due to speeding and people using it as a rat run trying to beat the traffic and to get into the city and this is causing us concerns for the safety of our local residents. Could you give me some update on what we can do on that?”
- 92.29 Councillor Mitchell replied, “In the past three years there have been 15 injury causing accidents along the whole length of the Falmer Road. The majority of those collisions did occur at junctions where the main causation factor was “driver failed to look properly”, others had been under the influence of drugs and using a mobile phone while driving. Therefore, while all of those are very regrettable incidents, they are down to driver error rather than the physical layout of the Falmer Road and actually that does have a better record than some other roads in the area. The Aquarium roundabout for example is the highest accident spot in the city. We are working as you possibly know with the Rottingdean Parish Council to look at traffic speeds and to look at how those can be mitigated but also just to generally raise awareness of road safety I think on the part of drivers.”
- 92.30 Councillor Littman asked the following question, “At the meeting of Full Council on 31 January councillors unanimously voted for a motion requesting that the Electoral Registration Officer worked with the council’s Communications Team to run a specific campaign informing all residents of the city including potentially under represented communities of their right to both vote and stand in the local elections to be held on 2 May. That was two months ago there is now less than six days for those who wish to stand to delivery their completed nomination forms and only two weeks left for residents to register to vote in the elections three weeks thereafter. May ask what form the information campaign has taken and if we have any feedback on how success it has been at reaching our most hard to reach residents?”



92.31 Councillor Hamilton replied, “Electoral Services have been undertaking the necessary campaign by ensuring that under-represented groups, including EU citizens, are made aware of their right to vote and stand for elections at the forthcoming local elections.

We have a year-round approach to asking people to register to vote – with a particular emphasis on re-registering when you move house. This is shared directly with residents when they are setting up new council tax or housing benefit accounts, as well as with new council tax bills and through letting agents to new renters.

Register to vote notifications are sent to every single household in the city as part of the electoral canvass. Household notification forms are again sent to every household (in excess of 130,000) in mid-February as initial details of the local elections are shared. 2,600 additional non-statutory email prompts were sent at the end of March to those who have not responded to invitations to register or requests to provide documentary evidence.

Information was shared in the city explaining the registration deadlines and detailing who could register – including EU and Commonwealth citizens who live in the city, and students who are also registered at another address – which is different to national election eligibility.

Resources including posters, news stories, specialised briefings, screen images, and social media are being shared with council services, local media, education providers, community & third sector partners, and community networks across the city – particularly those known to have a high proportion of residents likely to be non-UK national, such as the universities, language schools, large employers and community groups. Communications include posters on all bus routes with a potential reach of 1 million journeys, in 15 busy council-run customer service locations throughout the city, as well as regular social media posts with an average reach of 2.2k.

With around a month to go before the local election, we will continue to communicate the register to vote details alongside the publication of the election notices, the issue of poll cards, key deadlines for postal and proxy voting, how to vote, what you need and where to go. This will include a film on how to complete a postal vote and a reminder to all, but particularly the most vulnerable, that your vote is your own. In addition to this, specialist information such as easy read guidance will be shared with, and from partners.

Members may be aware that, in addition to the Brighton & Hove specific information, the Electoral Commission are running a national local election campaign that includes TV ads, digital and printed posters, news stories and social media. Election information has been supported by promoting Gov.uk’s EU exit campaign which locally has been displayed on bus shelters in the city. Communications on the council website homepage and through our social media channels has included practical information for EU voters including an additional focus on elections and registering to vote.

As of beginning of March, 202,450 are registered to vote in Brighton & Hove – including 16,366 of a possible 19,000 EU citizens. The figure of 19,000 includes EU citizens of all ages. If one were to look at those of voting age only and exclude those under 18, this suggests a healthy level of registration to vote among EU citizens. We will however

continue to encourage people register and vote. Our approach has been and remains purely factual and non-political throughout, focusing on who can register to vote, how and key deadlines.”

- 92.32 Councillor Littman asked the following supplementary question, “Some of the response seemed to reply to the usual ongoing campaign which was referred to in the Motion so that doesn’t count towards the new specific campaign that we asked for. The numbers that you quoted were very healthy and I am pleased to hear that. Is there any indication of what affect the stand alone new campaign that was set up as a result of the Motion has had in addition to what we were doing year round anyway?”
- 92.33 Councillor Hamilton replied, “I gave you the figures for the European Union residents I don’t off hand have the other figures but I am sure that I can get a response and send it to you in writing.”
- 92.34 Councillor Wealls asked the following question, “In your Lead role for Public Health would you agree to ask officers to write on behalf of the council to the Head of CAMHS requesting that they invite and listen to the views of as many of their service users and their families as possible in order to inform their forthcoming review of their services across Sussex and for an update to be provided to the next Health & Wellbeing Board?”
- 92.35 Councillor Barford replied, “It may be useful to know that following discussions with the alliance of CCGs and the three Local Authorities covering the greater Sussex area a review of CAMHs has just started. The Executive Director for Families, Children and Learning is a member of the Oversight Group that will ensure the review is kept on track, together with the statutory Directors of Children’s Services for both East and West Sussex. An Independent Chair has been appointed and also part of the review team are the Lead Manager for Children’s Mental Health & Wellbeing, Brighton and Hove Clinical Commissioning Group and the Council’s Assistant Director for Health covering special educational needs and disability. The Terms of Reference for the review have been agreed and it is clear that there will be engagement with service users. The detail of how this will take place has yet to be discussed.

However, the Council are committed to ensure that the voice not only of service users, but families and carers are heard as part of this review so council officers have sought to engage with the review as well as offering opportunities for the reviewing officers to engage with councillors shortly after the elections. In addition, council officers have been asking to ensure that the Youth Council is also engaged in this process, so I am happy to formally request that the Executive Director for Families, Children & Learning passes on your request to the Oversight Group seeking assurance that any service user engagement would include their families and carers. I am aware that officers have already forward plans items about the CAMHS Review to both the Health & Wellbeing Board and the Health Overview & Scrutiny Committee to keep the Council up to date with progress and final outcome. I hope this goes someway of reassuring you that the Administration shares you views in terms of affective stakeholder engagement.”

- 92.36 Councillor Wealls asked the following supplementary question, “I appreciate that response and we have worked together to make sure that we have co-ordinated on this because it is an incredibly important issue for families and their service users of CAMHs across the city and there is an incredible amount of frustration about this current service

level. It is vitally important that we do this, so my question is just to re-iterate would you join me and Councillor Nick Taylor in writing a hand-over letter to the incoming Chair of the Health & Wellbeing Board requesting they receive reports on the feedback CAMHs has received from their service users and their families and how this feedback has been incorporated into their planned service levels. I suggest that our letter requests that the performance of CAMHs is closely monitored as part of the regular work stream of CAMHs?”

92.37 Councillor Barford replied, “I will be very happy to do so, and I would also like to add that I would also like it to go to HOSC.”

92.38 Councillor Page asked the following question, “I have been in communication with the GMB today and they have confirmed to me that street cleaning services in the suburbs and residential areas, not the city centre and the seafront, have been reduced in the last four years and I know there are various plans and modernisation in City Clean but can Cllr Mitchell clarify whether there are any plans to restore the cuts in street cleaners in residential areas because I think many of us hear from our residents that their family and friends come to visit Brighton & Hove and they say ‘this city is a mess’?”

92.39 Councillor Mitchell replied, “I can give you that assurance because in our budget we have put in an additional £1.4m into City Environment and a lot of that will go into streets and then of course in addition there was the £55k that came from the Amendment that was agreed at Budget Council so I can fully assure you that the street sweeping services in the city will not suffer.”

92.40 Councillor Page asked the following supplementary question, “I thought that was good news but Cllr Mitchell ended by saying the street cleaners won’t suffer. I was asking if the services would be restored at least to their previous level outside the city centre and the seafront.”

92.41 Councillor Mitchell replied, “That is the idea, I didn’t say that the street sweepers would suffer, street sweeping will not suffer.”

92.42 Councillor Druitt asked the following question, “What guidance has been given by the council to the city’s schools around how to deal with the Youth Strikes for Climate?”

92.43 Councillor Hamilton replied, “A letter was sent to all the head teachers of schools and this is a summary of what it said:

*Following discussion with schools the council provided a communication to all schools on 12 March. This message noted that we, as a council, are encouraging young pupils to be engaged in both local and global matters and that we also recognise the opportunities for children and young people to express their views about the issues important to them are beneficial to their development as conscientious citizens. The message stressed it was a matter for individual schools to consider, because it is the head teacher and the governors who decide these things, how they respond to the specific proposal for another protest on Friday 15 March and re-iterated the council’s clear expectation that all pupils should attend school every school day as made clear in the recent Miss School Miss Out Campaign. The message highlighted the concerns about pupils leaving the school site during the school day to attend the march especially if they are un-supervised and the attendance of a protest that may involve a procession*

*on roads which are not formerly closed. It was important to remind schools that the council's drive to approve attendance and by inference the legal responsibility for parents to make sure that their children attend school. It was important to advise them with both the clarity, but it was ultimately a decision for individual head teachers to make and reminded them of some of the risks that their young people could encounter should they attend the march unsupervised."*

92.44 Councillor Druitt asked the following supplementary question, "It was a slightly odd answer like the council was 'hedging its bets', on the one hand we encourage students to engage in politics and political involvement but on the other hand there are laws and responsibilities and so on. That is all true but the outcome of that leaves confusion everywhere.

Does Cllr Hamilton agree that we should actually be working with schools to facilitate the safe engagement of school pupils in the climate protests without any fear of retribution?"

92.45 Councillor Hamilton replied, "As Chair of the Children & Young People & Skills Committee I think you would not be surprised that I see, hear and agree with the officers and their recommendations because children are placed in a situation – have a day off school and go to the march or miss a day off school. I don't know why it wouldn't be possible to arrange the march at 4pm on that Friday, or on a Saturday morning or on an inset day or during the school holidays. Children shouldn't be placed in a position where if they want to go on a march they have to take a day off school.

We are below the national average in secondary school attendance and I would not therefore in my role want to do anything that would reduce those figures even further"

92.46 Councillor Sykes asked the following question, "I have a written question to January Full Council about this matter and the answer which is in today's minutes on page 28 is 'a response to the written question will be sent directly to Cllr Sykes as soon as possible'. I didn't get a response to that written question. This surprised me as these used to be figures that the council published as part of its KPIs on the website, so you could just go to the website and pull them down. I wonder if Cllr Mitchell has any figures on residual waste arisings?"

92.47 Councillor Mitchell replied, "I remember you asking the question and we have been trying to get to the bottom of being able to give you a definitive response. We have to do that in conjunction with East Sussex County Council who can provide us with the information and the issue comes down to what happens to wood and until we know that and can absolutely bottom that out we are not quite there with the response. What kind of wood? Is it MDF? Is it other kinds of wood because all the different kinds of wood go to different places to be recycled, some goes to bio mass but not wood that contains glue, other kinds of wood are sent to different places and so I am afraid I still can't give you a definitive answer on that but what I can tell you on the latest figures I have got the amount of was sent for energy recovery overall is down and recycling rates are up."

92.48 Councillor Sykes asked the following supplementary question, "The result of high recycling rates should logically be reducing residual waste and so reducing cost to this council. We know that in recent budget rounds we have been asked for extra money to dispose of waste, and now we can't get hold of the waste figures. We should have been able to do this in two months. We can't get hold of the waste figures before an election.

Are this Labour council's boasts about high recycling rates just 'smoke, mirrors and garden waste'?"

92.49 Councillor Mitchell replied, No they are not the full figures for 2017/18. The percentage of waste sent to energy recovery 69.75%.the percentage of household waste sent for reuse, recycling or composting 28.6% not including wood for bio mass and textiles and the percentage of municipal waste sent to landfill 5.3%"

92.50 The Mayor noted that concluded the item and adjourned the meeting for a refreshment break at 6.10pm.

92.51 The Mayor reconvened the meeting at 6.40pm.

### **93 APPOINTMENT OF AN INDEPENDENT PERSON**

#### **93.1 RESOLVED:**

- (1) That the appointment of Helen Aston as Independent Person and co-opted member of the Audit & Standards Committee be approved; and
- (2) That the appointment be made for a period of 4 years, and that the Monitoring Officer be granted delegated authority to implement a 2-year extension at his discretion, after consulting with the Chair of the Audit & Standards Committee.

### **94 PAY POLICY STATEMENT 2019/20**

94.1 **RESOLVED:** That the pay policy statement for 2019/20 as attached in Appendix 1 to the report be adopted.

### **95 REVIEW OF THE CODE OF CONDUCT FOR EMPLOYEES**

95.1 **RESOLVED:** That the revised Code of Conduct for Employees as set out in Appendix 1 to the report be approved with immediate effect; and that the Monitoring Officer be authorised to publish the revised Code in the Council's Constitution.

### **96 REVIEW OF PARTS OF THE CONSTITUTION INCLUDING THE CODE OF CONDUCT FOR MEMBERS AND RELATED ARRANGEMENTS**

#### **96.1 RESOLVED:**

- (1) That the appendices 1, 2 and 3 to the report referred by Audit & Standards Committee be approved with immediate effect; and
- (2) That the Monitoring Officer be granted delegated authority to publish the changes in the Council's Constitution and to make any necessary or incidental changes he considers necessary to give effect to them.

**97 REPORT OF THE EAST SUSSEX FIRE AUTHORITY**

97.1 **RESOLVED:** That the reports from the meetings of the East Sussex Fire Authority held on the 18<sup>th</sup> December 2018 and the 14<sup>th</sup> February 2019 be noted.

**98 VALLEY GARDENS PHASE 3 (ROYAL PAVILION TO SEAFRONT) RESULTS OF PUBLIC CONSULTATION AND APPROVAL OF FINAL PRELIMINARY DESIGN**

98.1 Councillor Wares stated that he had referred the report to highlight the impending harm that approval of the scheme would cause for the area and residents. He stated that the need for improvements to the area was recognised however, the level of opposition to the current proposals needed to be considered and taken into account. He stated that a number of the leading event organisers in the city had expressed their concerns and the impact on being able to book beyond 2020. He also suggested that the project would go over budget and there were questions about that could be accounted for. He believed that there should be further consultation and a delay to the project in order to give further consideration to the best way forward.

98.2 Councillor Littman noted that improvements to Valley Gardens had been a long-standing issue and previous Administrations had either begun to review it or delayed matters rather than seeking to bring forward a project plan. The project had now been through a review process and a preferred design plan agreed, which he believed needed to be progressed and supported.

98.3 Councillor Mitchell stated that the proposed plan had been adapted following consultations and should now be taken forward. It met the requirements of all concerned and she hoped it could be supported and the funding utilised to enable the project to come to fruition.

98.4 The Mayor noted that it was likely to be Councillor Mitchell's final speech as she was standing down and wished to offer the council's congratulations and thanks for her service over the years.

98.5 The Mayor stated that the report had been referred for information and moved that it be noted.

98.6 **RESOLVED:** That the report be noted.

**99 PROCUREMENT OF AN ASSESSMENT SERVICE FOR ROUGH SLEEPERS**

99.1 Councillor Meadows stated that it appeared Adult Social Care were operating a different housing policy for allocations to that used by housing officers and referred to pages 270 and 275 of the agenda. She was concerned that this was the case as she believed only one policy should be used. She also questioned whether tenants had been made aware of the situation and why there was no equality impact assessment to the report. She also questioned how the Housing & New Homes Committee was able to have any oversight on the matter and the use of HRA funding to support budgets that were overspent.

- 99.2 Councillor Moonan stated that the supported accommodation provided was completely separate to tenant housing and did not affect the HRA. The criteria used for allocating the supported housing was different to the Housing Policy and did not impact on that. The supported housing service provided an excellent service for people with complex needs and it was a good report which she hoped would be supported.
- 99.3 The Mayor stated that the report had been referred for information and moved that it be noted.
- 99.4 **RESOLVED:** That the report be noted.

**100 CONTRACT AWARD FOR THE PROVISION OF A “SAFE SPACE TO STAY” SERVICE FUNDED FROM THE MINISTRY OF HOUSING COMMUNITIES AND LOCAL GOVERNMENT**

- 100.1 Councillor Mears stated that she had referred the report to the council as an example of a matter that had come to the Housing & New Homes Committee seeking approval to delegate authority to the Executive Director for Health & Adult Social Care. She believed that it showed the need for an Adult Social Care Committee as in delegating authority to the Executive Director, the Housing & New Homes Committee had no control over the contracts or any feedback. There was a clear need for Members to have oversight of such matters and therefore a need to review arrangements and have an Adult Social Care Committee.
- 100.2 Following requests for clarification, the Monitoring Officer confirmed that the Health & Wellbeing Board was a Joint Committee with decision-making powers for adult and social care functions and therefore effectively an Adult Social Care Committee.
- 100.3 Councillor Page stated that the Members of the Health & Wellbeing Board worked with their Health counterparts and he believed the Board had been effective. The report referred for information was about housing support and it was appropriate for the Housing & New Homes Committee to consider it. The report had been well debated and he believed current decision-making arrangements were appropriate.
- 100.4 Councillor Moonan noted that the matter had concerned the use of funding that had been provided by government funding for a scheme to prevent homelessness. As such it was appropriate for the Housing & New Homes Committee to consider the report and be aware of the overall context for support to rough sleeping.
- 100.5 The Mayor stated that the report had been referred for information and move that it be noted.
- 100.6 **RESOLVED:** That the report be noted.

**101 HRA BORROWING CAP**

- 101.1 Councillor Gibson stated that the provision of new homes in the city had to be a priority and whilst he welcomed the up-scaling of the ambition to increase the number of new homes, he did not feel it was enough. There had been 232 homes sold under the right to buy scheme with less than 200 replacing them. He also noted that less than a quarter of

the right to buy receipts had been used and believed that double the number of houses could be added to the available supply. He hoped that the council would do better during the next term and that a clear plan would be identified.

101.2 Councillor Mears welcomed the Government's decision to remove the restriction on the borrowing rate and stated that the council could be more creative in identifying sites for housing. There was a clear deficit of affordable housing in the city and this needed to be addressed, but she was only concerned about the HRA and use of funds for the General Fund rather than the HRA and hoped that the use of right to buy receipts would be allocated to the HRA.

101.3 Councillor Hill welcomed the referral of the report and noted how much had been achieved over the last four-years and work undertaken across various areas to enable the provision of new homes in the city. She noted that the Borrowing Cap had been lifted which was helpful and that the process for utilising right to buy receipts needed to be addressed. She hoped that going forward the Groups would be able to work together to ensure that available funds were used, and new homes provided.

101.4 The Mayor stated that the report had been referred for information and moved that it be noted.

101.5 **RESOLVED:** That the report be noted.

## 102 CLOSE OF MEETING

102.1 The Mayor thanked everyone for attending the meeting and following a request from Councillor Peltzer Dunn, noted that the Council agreed to record a vote of thanks to the following retiring councillors:

Councillor Allen	Councillor Marsh
Councillor Barford	Councillor Mitchell
Councillor Bennett	Councillor Morgan
Councillor Bewick	Councillor Morris
Councillor Chapman	Councillor A. Norman
Councillor Gilbey	Councillor K. Norman
Councillor Greenbaum	Councillor Page
Councillor Horan	Councillor Sykes
Councillor Hyde	Councillor G. Theobald
Councillor Inkipin-Leissner	Councillor Wealls
Councillor Knight	

The meeting concluded at 7.25pm

Signed

Chair

Dated this

day of

2019







**BRIGHTON & HOVE CITY COUNCIL****ANNUAL COUNCIL****4.30pm 22 MAY 2019****COUNCIL CHAMBER - BRIGHTON TOWN HALL****MINUTES**

**Present:** Councillors Simson (Chair), Phillips (Deputy Chair), Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Henry, Hill, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, Mears, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Pissaridou, Platts, Powell, Rainey, Robins, Shanks, C Theobald, Wares, West, Wilkinson, Williams and Yates.

**PART ONE****1 COUNCIL BUSINESS - NEWLY ELECTED COUNCILLORS**

- 1.1 The Mayor welcomed everyone to the meeting stated that she intended to invite the Group Leaders to introduce the newly elected councillors for their Groups in turn who would then come forward so that she could receive them and invite them to take their seat in the Council Chamber. She also noted that the Deputy Mayor would introduce the Independent Member.
- 1.2 Councillors Platts, Mac Cafferty, Bell and the Deputy Mayor then announced the new Members for the following wards:

Councillor Platts introduced:

Councillor Allcock	Goldsmid Ward
Councillor Appich	Westbourne Ward
Councillor Brennan	East Brighton Ward
Councillor Childs	Queen's Park Ward
Councillor Evans	Queen's Park Ward
Councillor Fowler	Hollingdean & Stanmer Ward
Councillor Grimshaw	Moulsecoomb & Bevendean Ward
Councillor Henry	Westbourne Ward
Councillor Knight	Moulsecoomb & Bevendean Ward
Councillor Pissaridou	North Portslade Ward
Councillor Wilkinson	Central Hove Ward
Councillor Williams	East Brighton Ward

Councillor Mac Cafferty introduced:

Councillor Clare	Brunswick & Adelaide Ward
Councillor Davis	Withdean Ward
Councillor Ebel	Goldsmid Ward
Councillor Heley	Preston Park Ward
Councillor Hills	Hanover & Elm Grove Ward
Councillor Hugh-Jones	Preston Park Ward
Councillor Lloyd	Withdean Ward
Councillor Nield	Withdean Ward
Councillor Osborne	Hollingdean & Stanmer Ward
Councillor Powell	Hanover & Elm Grove Ward
Councillor Rainey	Queen's Park Ward
Councillor Shanks	St Pater's & North Laine Ward

Councillor Bell introduced:

Councillor Bagaeen	Hove Park Ward
Councillor McNair	Patcham Ward

The Deputy Mayor introduced:

Councillor Fishleigh	Rottingdean Coastal Ward
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- 1.3 The Mayor welcomed the newly elected Members to the Council and wished them well in their terms of office.

## 2 DECLARATIONS OF INTEREST

- 2.1 There were no declaration of interest in the matters appearing on the agenda.

## 3 MAYORAL REPORT 2018-19

- 3.1 The Mayor formally moved that the report on the mayoral year 2018/19 be noted.

- 3.2 **RESOLVED:** That the report be noted.

## 4 MAYOR'S THANKS AND PRESENTATIONS

- 4.1 The Mayor then stated that prior to the formal process of appointing the new Mayor, she wished to say a few words about her year in office and to acknowledge the support she had received.

“Deputy Lieutenant, Aldermen, councillors, ladies and gentlemen, special guests; well where have the past 53 weeks gone? And yes, it is 53 weeks, as somehow, I managed to get an extra week. It doesn't seem possible that a year ago I was sitting here giving my acceptance speech at the start of my Mayoral Year and now, here I am at the end. But what a year it has been. Right at the start I set myself some challenges. I knew this was a once in a lifetime experience and I did not want to waste a minute of it, so my first

challenge was to do everything that was asked of me, to accept all invitations, to refuse nothing unless I physically could not be in two places at the same time and I have done that. I have worked right through without a break clocking up an average of 10 engagements a week.

Obviously, weeks have varied, some quieter especially at the beginning but others were manic. There were several weeks when I did 17 engagements and on Remembrance Day – 7 in one day including 4 church services and 3 wreath layings.

The second of my challenges was to have fun and make sure everyone I came into contact with enjoyed the experience as much as I did, and I hope I have done that. I have been to some amazing places and met some truly great people and always with a smile on my face. The next was to take as many photos and tweet as much as possible and I have now got hundreds of photos and have increased the Mayor's followers on Twitter to over 1100 allowing all those and beyond to know what a wonderful place Brighton and Hove is.

The last was to set myself a personal fundraising challenge. There were lots of suggestions, abseil off the i-360, run a marathon or sleep out.

People often ask me what have been the highlights of the year but it is impossible to say as there have been so many, but one that always comes to mind was right at the start of my year. I was invited to Preston Park Fire Station Open Day. It was a lovely day and there were hundreds of families enjoying themselves. I had not been there long when I was asked by an officer how I was with heights. Well I've been up the i-360 a few times I said and before I knew it I was wearing a fireman's jacket and helmet and was heading towards the sun on an aerial platform ladder. When we stopped at 60ft I was asked if I wanted to go all the way, well I've come this far so I might as well I thought. The view over the viaduct at 100ft was spectacular but it wasn't until I saw the photos afterwards that I realised just how we were.

Anyway, not content with that they brought me back down, put me in a full fireman's outfit together with size 12 boots, put me in the driver's seat of a car and sliced the top off. I think you'll understand why that one was memorable.

I've been to garden parties, fetes, carnivals, I attended over 20 summer and winter graduation ceremonies for both Sussex and Brighton universities. Several 100yr old birthday parties, even 101 and 102. I never realised there are so many that old in the city.

Some of my most enjoyable times have been with children. I'll never forget the six little 3-year old boys from a small nursery in Withdean who came to the parlour to give me a poppy they'd made for Remembrance Day from a paper plate with cake cases painted red round the edge or the young girls from Whitehawk who tried to teach me to hula hoop. They thought it was great that they could do something the Mayor couldn't.

I've welcomed so many groups into the parlour including local schools, language schools, scouts, guides, women's groups and several business delegations, some from as far away as China. Being invited to business conferences in the city has been very important this year as they've allowed me to use the Mayoralty to promote the city and

show what a wonderful offer we have for both business and tourism. Thanks to Visit Brighton for all they do.

Over the year, I've exercised, I've boxercised, I've line danced and waltzed. I've even tried my hand, or should I say feet at Samba and Bollywood. I have played table tennis, litter picked and bowled. In fact, it was while I was bowling the first woods at Hollingbury Park Bowls Club as Deputy Mayor, that I found out they were having a friendly bowls match with a team of Chelsea Pensioners later in the year; so I invited myself and spent one of my most memorable afternoons with them. What characters they are. I don't think I have ever laughed so much. By the time I left my face and stomach were aching.

I've driven a Volks Railway carriage along seafront, ridden on the back of a Harley Davidson, and even milked a pantomime cow. I've given out dozens of trophies and awards to both young and old. I've been entertained by singers from Russia, China, Japan and our own Gay choruses in the city.

I think I've been in almost every church in the city and I have to say we have the most beautiful and stunning churches and really lovely clergymen and women.

I've walked at the front of several parades, Pride, Burning the Clocks and Children's Parade and once again I was determined not to waste the opportunity and so walked all the way to the end of each one. Pride was particularly challenging as I had bought myself a very heavy rainbow sequined jacket which I was determined to wear till we reached Preston Park and of course it was a very hot day, but I kept it on – stubborn to the end.

December was a special month. Apart from the round of lovely carol services, I got to welcome the REAL Father Christmas from Finland to the city, along with the Finnish Ambassador from the Embassy in London. We visited some very sick children in the Royal Alex hospital and then went on the pier to meet children from two local schools. We all had chips and juice and the children had a fabulous time questioning Santa about his home in Lapland. I actually went back to the hospital on Christmas Day, visiting families in the Alex and also the dementia ward in the Sussex County, where the senior consultant was feeding everyone with pakoras that he had made himself. Apparently, it is a tradition that has gone on for many years.

During my year I have been extremely lucky to have welcomed four Royal visitors to the city, Princess Anne to the Annual Townswomen's Guild Convention at the Dome, Harry and Megan to the Royal Pavilion on that wonderful day when they visited Sussex for the first time as Duke and Duchess of Sussex and only last week I welcomed Camilla, Duchess of Cornwall to the East Sussex Women of the Year lunch at the Amex.

After all this, if you ask me what is the one thing I'm going to miss, it's being able to walk into a room full of people I've never met before, just mingling and being treated as an old friend because of the Chains.

As you may know, I chose four main charities to support this year, the Martlets, Rockinghorse, Off the fence & Grace Eyre Foundation. But as well as these I have supported and promoted lots of other fund-raising activities for many more charities and community organisations. It has been a really successful year and we have organised

many events including a Caribbean night, fish and chip supper, variety show, a Christmas music evening and a banquet in the Royal Pavilion. There have been several bucket collections, at the cricket ground, the Amex and on Easter Monday Robbie and I joined a group of volunteers and walked up and down the pier. And then of course there was my personal challenge, the sponsored sleep-out at the i-360. For someone who had never even slept in a tent, it was a quite scary thought but luckily it did not rain although it was cold and windy, but my flattened cardboard box and sleeping bag allowed me to get some sleep whilst others who were taking part didn't find it quite as easy. It was only afterwards I found out there had been a mouse running around all night.

At the start of the year, I asked each of my charities for a wish list, the things they wanted to buy with the funds we raised and this is what we will be buying:

- 2 x TV's for a drop-in centre
- Hygiene packs for homeless women
- Community hour for homeless, 4 times a week for a month to include bingo, quizzes and discussions
- Training for volunteers on outreach and hygiene vans
- 2x laptops
- Furnishings for drop-in centre, client one to one rooms
- Hygiene items for all projects
- Wellness day out for female clients to include venue, transport, lunch & workshop facilitators
- Shed for storage of craft materials for creative workshop therapy
- Interpreter to provide practical assistance for women where English is their 2<sup>nd</sup> language
- 1:1 monitoring for school students in Brighton & Hove Schools & Youth Project
- Reflection Spaces support equipment pop-up tents/bubble tubes/display stands etc.
- Reflection spaces resource packs for schools
- Equipment for multi-purpose training room for clients and volunteers.

Grace Eyre Foundation are going to use their share to hire sports venues, pay sports coaches and cover the co-ordination which includes employing people with learning disabilities to have key roles so that others with learning disabilities can take part in really exciting sports and social activities across Brighton and Hove. These important projects have offered hundreds of people broader friendship groups and reduced social isolation.

The Martlets are going to use theirs to provide additional day services including:

- Physiotherapy
- Occupational therapy
- Complementary therapies such as acupuncture, massage, aromatherapy, reflexology, reiki and shiatsu
- Tai chi
- Hair dressing
- Singing in a Choir
- Gardening

- Art therapy
- Social coffee mornings

Rockinghorse will use the money raised to buy at least one ventilator for the High Dependency Unit at the Alex, and to make sure every ward and waiting area has toys, games and books.

This is an amazing list and I would like to thank my charities committee, especially Karl our treasurer for all the help and support they have given me during the year. Also thanks to everyone who donated prizes and all those who attended the events and made them so successful.

There are a few people I would like to thank. Firstly, the Civic Office staff, Michaela, Minna, Elaine, Vicky, Anoushka and Ruby for their continual support and for making sure my year ran very smoothly. There are the drivers, Darren, Paul, Danny and Robbie. Where would you be without Robbie? He has never failed to pick me up at the right time, take me exactly to where I needed to go and made sure I was briefed on everything I needed to know. Thank you so much Robbie, it would not have been the same without you.

Now to my daughter, Sam who has been amazing, chairing my charities committee and keeping us all in order. Thank you so much for all your hard work. Can I ask you to come forward to collect a bouquet of flowers as a mark of my appreciation.

Next, my husband and consort, Paul Simson, thank you for your support during the year, please can you come forward to be presented with your commemorative badge.

I would now like to invite my chaplain, Helen Rose to come forward to collect her bouquet of flowers. Helen has not only delivered prayers at all full council meetings but has accompanied me to many other events. Her friendship and support has been invaluable. Thank you so much Helen.

I would also like to thank the Deputy Mayor, Councillor Alex Phillips for attending engagements on my behalf over the past year when I was available and to wish her every success during her mayoral year.”

## **5 ELECTION OF THE MAYOR OF BRIGHTON AND HOVE FOR THE MUNICIPAL YEAR 2019/20**

- 5.1 The Mayor invited nominations for the position of Mayor of Brighton & Hove for the municipal year 2019/20.
- 5.2 Councillor Alex Phillips was proposed by Councillor Phelim Mac Cafferty and seconded by Councillor West.
- 5.3 Councillors Platts and Bell supported the nomination of Councillor Phillips as Mayor for 2019/20.
- 5.4 The Mayor declared that, there being no other nominations, Councillor Alex Phillips had been duly elected Mayor of Brighton & Hove for the forthcoming municipal year.



5.5 **The motion was agreed.**

5.6 The Mayor then adjourned the meeting at 5.00pm in order for Councillor Phillips as the incoming Mayor to be robed and to take the Chair for the meeting.

**Councillor Phillips in the Chair**

5.7 Councillor Phillips reconvened the meeting at 5.10pm and then made and signed her Declaration of Acceptance of Office.

5.8 The Mayor then thanked the Council for her appointment and gave the following speech;

“Deputy Lieutenant, High Sheriff, Councillors, Ladies and Gentlemen, distinguished guests. This is such a privilege - to be chosen to take on this highest civic office and represent the people of Brighton and Hove.

When I arrived in this fabulous city 11 years ago, I little imagined that I'd have the unique honour of being given this title in the tradition of so many important and illustrious people – not least my predecessor, Councillor Dee Simson – and to wear this mayoral chain and robe – both of which have been handed down since 1855.

The robe in particular means a great deal to me, because it was presented in that year by – and I quote – ‘some ladies of Brighton’. And amongst the charities I hope to help this year are those that support women. Indeed, I hope to use the next 12 months to celebrate the achievements, great and small, of not only the women of this area, but of children and young people as well.

There are many people I need to thank; and first, the council for appointing me, with special thanks to Phelim Mac Cafferty and Pete West for your kind words today.

Then of course, my family: my nan, who sadly passed away last year, would I know, have been immensely proud; my mother, Maggie, has been an absolute rock these past months and there is no way I could have coped without her unfailing help. And I'm so happy Tom has agreed to be my consort during this Mayoral year. But above all, my 19-month-old son, Rafi who has been so good – never screamed, never shouted, never demanded my attention, slept through every night, almost changed his own nappies – if only!

Thanks also to all my other family members and friends who are here to support me - not least Munmun and Bikash, our next-door neighbours, when I was growing up in Liverpool.

There are three other people who have been so brilliantly supportive: Carol Bullock, who went above and beyond to help bring success in Regency Ward; Cath Miller and, of course, Caroline Lucas, who were directly responsible for bringing me to this wonderful, quirky, vibrant City, and pushing me along the political path.

So, what do I want to do in this coming year, and what charities do I want to support? I've already mentioned women – and there are many such charities I'll be trying to help; and as regards young people, I want them to be involved and understand what we do here in the council to improve the lives of the people we represent. So, at the beginning of each council meeting, I've asked a different secondary school to put forward a young person to come here and read a poem to us that means something to them, or has a message for us from them. I hope it'll remind us that the decisions we make will ultimately affect those young people more than anyone else in Brighton and Hove.

Beyond the charities, I want to do everything I can to promote this great city. Not only great, but a fun city, which I want everyone to enjoy; it's truly a unique place to be, whether you're living here, working or just visiting. I want people to come and see what all the exciting things on offer, so they come back over and over again and tell their friends to visit as well. I want to support the economic development of the city by welcoming conferences and delegations and showing them what an amazing place it is to do business with.

Brighton & Hove has a long and well-established history of being a city that is open to visitors and investors alike. I want to develop that as much as possible. As a city we're looking to grow new ties overseas and attract investment into the city, while helping our businesses here to export to new markets. I'll therefore be working during my time as Mayor to promote the city where I can; building on the fact the role of Mayor is internationally recognisable. And, I hope, contributing to the work the council is already doing to strengthen Brighton and Hove's economy.

Brighton and Hove's motto translated from Latin to English is "Between Downs and Sea We Flourish". We have an amazing resource in the seafront; indeed, it was on the seafront – on the bandstand - that I got married to Tom. If you go anywhere in the world and mention you're from Brighton, they immediately say "oh yes by the sea" with a Pier. But they also talk about the beauty of the Downs – the softness of the landscape – the marvellous walks – the Devil's Dyke. And between the two, they know all about the Royal Pavilion, the Brighton Fringe, the Lanes. We've got it all here and I want to spread the word even further.

As for my Charities – well, I've got 20 in all, a number which may seem slightly absurd. But I wanted, as I mentioned, to focus on women, children and young people. And I've come across so many charities working in those fields that I decided to try and help them all. I've learnt so much from Dee – and one thing she did in particular, I want to continue. That's to concentrate less on the money and more on the need. So, as she did, at all the events, the raffles, the bucket collections, we'll be explaining exactly what it is we're raising the money for – whether that be a nicely decorated room in a women's hostel, or toys for disadvantaged youngsters, or whatever.

I do hope as many of you as possible will get your friends and relatives to come along to as many of these events as you can, so we can buy what's needed for these charities. But if you're not one of those charities, I shall still be working for you. I want to support as many other charities, clubs & associations in the City as possible, so please tell any organisations you're involved with to invite me to attend events to help raise their profile and increase their fundraising.

And, as far as possible, when I make visits, I intend to travel across the city by bus, bike or walking: I want it to be a year of active travel, where I can engage directly with as many people as possible. At some events, it may be appropriate to bring Rafi along with me – and I think that can be very important: to get the message across to girls and young women that you can hold positions such as this as a woman, as well as raising a family.

Just before I close, can I invite you all to join me at Brighton Museum for drinks and canapés. It's a great place for children and young people to broaden their minds and learn. The wonderful daytime community Wham Jam choir will be there to entertain us – and by the way, they're on the lookout for new members and there are no auditions – so even my father could join them; or maybe not!

I want to end by congratulating Councillor Alan Robins, assuming we all agree shortly, whom I know will make an excellent Deputy Mayor and I'm looking forward to working with him. I also want to offer my thanks again to Councillor Dee Simpson who has selflessly allowed me to attend many events during her Mayoral year so I have some idea about what lies ahead. It really will be hard to fill her shoes – she has been such an excellent mayor – but I'll do my best.

I'm really looking forward to starting my mayoral engagements; three events I'll be attending shortly, are:

- 'Hove Carnival' – a great free fun day with a host of events, including belly dancing, which I won't be doing(!) - all to raise funds for Martlets which cares for people living with a terminal illness in Brighton and Hove;
- 'Faith in Action', which supports faith groups that deliver social welfare and community building projects in this city;
- and 'A Better World: a celebration of Sussex', which will be showcasing how this county is helping to shape the world around us.

Very different visits in a very special city to get my year underway.  
Please do enjoy the rest of the day with family, friends and colleagues.

Thank you all once again.

I'm very happy that my partner Councillor Tom Druitt has agreed to be my Consort during my Mayoral year, so I'd like to thank him again and ask him to come forward to be presented with the badge of office."

## **6 VOTE OF THANKS TO THE RETIRING MAYOR**

- 6.1 The Mayor invited Councillor Bell to move a vote of thanks for the previous Mayor, Councillor Dee Simson.
- 6.2 Councillor Bell moved a vote of thanks to Councillor Simson as the retiring Mayor for her services during her term of office.
- 6.3 Councillor Janio formally seconded the motion and this was supported by Councillors Platts and Mac Cafferty.

6.4 The Mayor put the motion to the vote.

6.5 **The motion was carried.**

6.6 The Mayor presented Councillor Simson with a commemorative badge in recognition of her year of office.

## **7 APPOINTMENT OF THE DEPUTY MAYOR FOR BRIGHTON AND HOVE FOR THE MUNICIPAL YEAR 2019/20**

7.1 The Mayor moved that the Council appoint Councillor Alan Robins as Deputy Mayor for the forthcoming municipal year.

7.2 The Motion was seconded by Councillor Platts.

7.3 Councillors Mac Cafferty and Bell supported the nomination of Councillor Robins as Deputy Mayor.

7.4 The Mayor declared that, there being no other nominations, Councillor Alan Robins be duly elected as Deputy Mayor of Brighton & Hove for the forthcoming municipal year 2019/20.

7.5 The motion was **agreed**.

7.6 Councillor Alan Robins made and signed his Declaration of Acceptance of Office as Deputy Mayor and was presented with his badge of office by the Mayor.

## **8 APPOINTMENT OF THE LEADER OF THE COUNCIL FOR 2019/20**

8.1 The Mayor invited Councillor Childs to propose the appointment of the Leader of the Council.

8.2 Councillor Childs proposed that Councillor Platts should be appointed as the Leader of the Council for the municipal year 2019/20.

8.3 Councillor Yates formally seconded the proposal.

8.4 The Mayor noted that there were no other nominations and put the motion to the vote which was agreed.

8.5 **RESOLVED:** That Councillor Platts be appointed as the Leader of the Council for 2019/20.

8.6 The Mayor then invited Councillor Platts to address the council.

8.7 Councillor Platts thanked the Mayor and offered her congratulations on the Mayor's appointment and to all the newly elected councillors. She then stated that she wished to thank the Leaders of the other Groups for their support following the elections and the constructive discussions that had been held to date. She hoped that this collaborative

approach for the benefit of all those that lived and worked in the city would continue and that all councillors would work to ensure that the needs of the city were put first. There were issues which needed to be addressed and she hoped could be supported by all Members such as meeting the housing need, climate change, austerity and remaining a city of sanctuary.

## 9 APPOINTMENTS FOR 2019/20

9.1 The Mayor moved that for the municipal year 2019/2020 the following appointments be agreed:

- (i) Deputy Leader of the Council, Councillor Nick Childs; and
- (ii) Leader of the Official Opposition, Councillor Phelim Mac Cafferty.

9.2 The Mayor also moved that for the municipal year 2019/2020 the following appointments to the positions as agreed by the various Groups represented on the Council be noted:

- (i) Leader of the Labour Group -  
Councillor Nancy Platts;
- (ii) Deputy Leaders of the Labour Group -  
Councillors Nick Childs and Daniel Yates (Finance);
- (iii) Convenor of the Green Group –  
Councillor Phelim Mac Cafferty;
- (iv) Deputy Convenors of the Green Group –  
Councillors Hannah Clare and Sue Shanks
- (v) Leader of the Conservative Group -  
Councillor Steve Bell;
- (vi) Deputy Leaders of the Conservative Group –  
Councillors Mary Mears and Lee Wares;

9.3 The motion was **carried**.

## 10 REVIEW OF POLITICAL BALANCE 2019/20

10.1 The Mayor moved the recommendations as listed in the report of the Chief Executive which had been circulated as part of the addendum papers.

10.2 **RESOLVED:**

- (1) That the appointment of the committees with the sizes and allocation of seats between political groups as detailed in the report and in appendix 1 to the report be approved;

- (2) That the allocation of seats as detailed in the report and appendix 2 to the report be approved;
- (3) That having received nominations for the municipal year 2019/2020 to the following Committees from the 3 political groups as detailed in appendix 2 to the report, these Committees and Sub-Committees be constituted and appointed to hold office until the next Annual Meeting of the Council and the number of Members and allocation of seats to the Party Groups (apart from co-opted Members) as detailed in appendix 1 to the report and as specified below be agreed:

**Policy, Resources & Growth Committee** – Councillors Platts (Chair), Yates (Deputy Chair), Bell, Childs, Clare, Gibson, Janio, Mac Cafferty (OS), Moonan, and Shanks.

**Children, Young People & Skills Committee** – Councillors Childs (Chair), Knight (Deputy Chair), Brown, Clare, Hamilton, Hills (OS), McNair, Nield, Simson and Wilkinson.

**Environment, Transport & Sustainability Committee** – Councillors Pissaridou (Chair), Wilkinson (Deputy Chair), Brown, Davis, Fowler, Heley, Lloyd, Robins, Wares and West (OS).

**Housing & New Homes Committee** – Councillors Allcock (Chair), Brennan (Deputy Chair), Atkinson, Barnett, Fowler, Gibson (OS), Heley, Hugh-Jones, Mears and Osborne.

**Neighbourhoods, Inclusion, Communities & Equalities Committee** – Councillors Knight (Chair), Moonan (Deputy Chair), Bagaeen, Deane, Ebel, Evans, Hill, McNair, Powell (OS) and Simson.

**Tourism, Development & Culture Committee** – Councillors Robins (Chair), Grimshaw (Deputy Chair), Druitt (OS), Ebel, Evans, Mac Cafferty, Mears, Nemeth, Rainey and Williams.

**Audit & Standards Committee** – Councillors Littman (Chair), Appich, Hamilton, Hugh-Jones, Nemeth, Peltzer Dunn, Robins and West.

**Health Overview & Scrutiny Committee** – Councillors Deane (Chair), Barnett, Druitt, Evans, Grimshaw, Hills, Lewry, McNair, Powell and O'Quinn.

**Licensing & Licensing (2003) Committee** – Councillors O'Quinn (Chair), Henry (Deputy Chair), Appich, Atkinson, Bagaeen, Davis, Deane (OS), Ebel, Fowler, Hill, Lewry, Osborne, Rainey, Simson and Wares.

**Planning Committee** – Councillors Hill (Chair), Williams (Deputy Chair), Fishleigh, Littman (OS), Mac Cafferty, Miller, Shanks, Simson, Theobald and Yates.

**Licensing 2003 Sub-Committee** (3 from the parent committee with designated reps) – Councillors O'Quinn (Chair), Deane (OS) and Simson.

**Personnel Appeals Sub-Committee** – (3 from a pool of Members with designated reps) Councillors Pissaridou, Littman and Wares.

**Health & Wellbeing Board** – Councillors Moonan (Chair), Appich (Deputy Chair), Bagaeen, Nield and Shanks (OS).

**Asset Management Board** – Councillors Williams (Chair), Gibson, Knight, Mears and West.

**Corporate Parenting Board** - Councillors Childs (Chair), Brown, Hamilton, Hugh-Jones and Nield.

**Procurement Board** – Councillors Williams (Chair), Druitt, Janio, Osborne (OS) and Pissaridou.

**Strategic Delivery Board** – Councillors Platts (Chair), Bell, Childs, Gibson and Mac Cafferty (OS).

**Greater Brighton Economic Board** – Councillors Platts and Mac Cafferty.

**Great Brighton Economic Board Call-in Panel** – Councillor Bell.

**Orbis Joint Committee** – Councillors Yates and Gibson.

**Orbis Law Joint Committee** – Councillor Yates

**Royal Pavilion Shadow Trust Board** – Councillors Robins, Mac Cafferty and A. Norman.

- (4) That in having regard to (3) above, those Members listed as Chair, Deputy Chair and Opposition Spokesperson (OS) of the respective Committees, Sub-Committees and Forums as detailed in appendix 2 to the report be agreed;
- (5) That in having regard to (2) above, an Urgency Sub-Committee for each Committee be approved in accordance with Procedure Rule 22 (such committee being politically balanced but not included in the total number of seats for the purpose of allocating seats);
- (6) That in having regard to (2) above, it be agreed that for the purpose of enabling meetings of the Personnel Appeals Panel (sub-committee) to be convened without disproportionate difficulty, the make-up of such panels need not be politically balanced although every effort would be taken to achieve it and that it also be agreed that:
  - (a) Although the Panel has the Members referred to in Appendix 2 as its standing Members, where any of the 3 Members is not available, any Member of the Council who has received appropriate training shall be eligible to sit on the Panel;
  - (b) The Head of Democratic Services be authorised to set up the Panel, as and when needed with the permanent Members or, where any of them is not

available, by including any other eligible Member of the Council, having regard to the need, where possible, to secure cross party representation;

- (c) The above arrangements and those set out in paragraph 2.5 of the report are intended to operate as “alternative arrangements” for the pursuant to section 17 of the Local Government (Committees and Political Groups) Regulations 1990.
- (7) That the appointment of the various Lead Members’ roles and the designated Members listed against those roles as detailed in Appendix 3 to the report and specified below be agreed; and

	<b>Lead Member</b>	
1	Adult Social Care	<b>Councillor Appich</b>
2	Children in Care	<b>Councillor Hamilton</b>
3	Community Wealth Building	<b>Councillor Evans</b>
4	Planning Policy	<b>Councillor Williams</b>

- (8) That the appointment of representatives to various bodies listed in Appendix 4 of the report be agreed;

### **Name of Organisation**

### **Term of Office**

### **Appointments 2018/19**

#### Appointments to Council Bodies

1	Members Advisory Group on Grants (MAG)	Annual	<b>Cllrs Hamilton, Littman, Simson</b>
2	Brighton & Hove Legacy fund	Annual	<b>Cllrs O’Quinn, Littman, Lewry</b>
3	The Brighton Fund	Annual	<b>Cllrs Phillips (Mayor), Appich, Brennan, Lloyd, Barnett</b>
4	Open Market Community Interest Company	4 Years	<b>Cllr Evans</b>
5	Patrol Adjudication Joint Committee	4 Years	<b>Cllr Pissaridou</b>
6	SACRE	4 Years	<b>Cllrs Hamilton, Wilkinson, Hugh-Jones, McNair</b>

#### Appointments to Partnerships

7	Arts & Creative Industries Commission	Annual	<b>Cllrs Robins, Rainey, Theobald</b>
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8	Brighton & Hove Armed Forces Community Covenant	4 Years	<b>Cllrs Grimshaw, Druitt, Mears</b>
9	Brighton & Hove Connected	Annual	<b>Cllrs Platts, Mac Cafferty, Bell</b>
10	Brighton & Hove Economic Partnership	4 years	<b>Cllrs Platts, Druitt, Nemeth</b>
11	Brighton & Hove Food Partnership	4 years	<b>Cllr Pissaridou</b>
12	Coast to Capital Local Enterprise Partnership	4 years	<b>Cllr Platts</b>
13	Equalities and Inclusion Partnership	4 years	<b>Cllr Knight</b>
14	Transport for the South East	4 years	<b>Cllr Pissaridou</b>
15	Transport Partnership	4 years	<b>Cllrs Pissaridou, West, Wares</b>
16	Quality Bus Partnership	4 years	<b>Cllrs Pissaridou, Davis</b>
Appointments to Outside Bodies			
17	Brighton & Hove Estates Conservation Trust	4 years	<b>Cllrs O'Quinn, West</b>
18	Brighton & Hove Music Trust	Annual	<b>Cllrs Hill, Hugh-Jones, Miller</b>
19	Brighton & Hove Seaside Homes Ltd	4 years	<b>Cllrs Allcock, Gibson, Mears</b>
20	Brighton Dome & Festival Ltd	3-years	<b>Cllrs Grimshaw, Mac Cafferty</b>
21	Coastal West Sussex Strategic Planning Board	4 years	<b>Cllr Pissaridou</b>
22	East Sussex Fire Authority	4 years	<b>Cllrs Evans, Hamilton, Ebel, Powell, Peltzer Dunn, Theobald</b>
23	East Sussex Pension Board	Annual	<b>Cllr Appich</b>
24	Eurocities	4 years	<b>Cllr Platts</b>
25	Gorham's Gift	4 years	<b>Cllrs Fishleigh, Deane, Miller</b>
26	Homes for the City of B&H LLP	4 years	<b>Cllrs Allcock, Gibson, Mears</b>
26	Homes for the City of B&H	4 years	<b>Cllrs Allcock, Gibson, Mears</b>
27	Local Government Association	Annual	<b>Cllrs Platts, Childs, Mac Cafferty, Bell</b>
28	Police & Crime Panel	4 years	<b>Cllrs O'Quinn, (Sub Knight), Deane</b>
29	Race Ground Lessees	4 Years	<b>Cllrs Williams, West</b>
30	Shoreham Port Authority LA Liaison	4 years	<b>Cllr Hamilton</b>

Committee

31	South Downs National Park Authority	4 years	<b>Cllr Henry</b>
32	Southern Regional Flood & Coastal Committee	4 years	<b>Cllr Pissaridou</b>
33	Sussex IFCA	4 years	<b>Cllr Littman</b>
34	The Royal Pavilion and Museums Foundation	4 years	<b>Cllr Robins</b>
35	The West Pier Trust Board	4 years	<b>Cllr Robins</b>
36	University of Sussex Court	4 years	<b>Cllr Childs</b>

**11 CLOSE OF MEETING**

11.1 The Mayor thanked everyone for attending the meeting and hoped to see all those invited over at the Brighton Museum for her reception.

The meeting concluded at 5.35pm

Signed

Chair

Dated this

day of

2019

<b>Subject:</b>	<b>Adopt the Homeless Bill of Rights for Brighton &amp; Hove - Petition for Debate</b>		
<b>Date of Meeting:</b>	<b>25 July 2019</b>		
<b>Report of:</b>	<b>Executive Lead Officer for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	Mark Wall	Tel: 01273 291006
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

**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 The e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 2,475 signatures confirmed at the time of printing the report.

**2. RECOMMENDATIONS:**

- 2.1 That the petition is noted and referred to the Housing & New Homes Committee for consideration at its meeting on the 18<sup>th</sup> September 2019.

**3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:****3.1 The Petition****Adopt the Homeless Bill of Rights for Brighton and Hove.**

Lead Petitioner – Barry Hughes

Additional Information:

Brighton & Hove is in the top ten local authorities in the country for numbers of rough sleepers. These are just the ones you can see. There are thousands more people living in tents, cars, boats, hostels, and emergency and temporary accommodation.

All people, homeless or not, are free and equal in dignity and rights. But in truth, rough sleepers are treated at best as a problem and at worst as a nuisance to be cleared away. The Homeless Bill of Rights

(<http://www.homelessrights.org.uk>) tries to make human rights real for those of us who are unfortunate enough to be homeless, by giving them respect, dignity and help in their struggle to survive.

The most important right is the right to housing; but at the very least no-one, ever, should be forced to sleep rough.

It has been adopted by six European cities including Barcelona. We want Brighton & Hove to become the first British city to adopt the Homeless Bill of Rights.

<https://you.38degrees.org.uk/petitions/adopt-the-homeless-bill-of-rights-for-brighton-hove>

#### **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 open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Committee Chair to respond to the petition and move a proposed response. The Mayor will then call on those councillors who have indicated a desire to speak in the matter, before calling on the relevant Committee Chair to respond to the debate;
- (iii) An amendment to the recommendation in paragraph 2.1 of the report or to add additional recommendations should be submitted by 10.00am on the day of the meeting; otherwise it will be subject to the Chair's discretion as to being appropriate. Any such amendment will need to be formally moved and seconded at the meeting;
- (iv) After the 15 minutes set aside for the debate, 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).

<b>Subject:</b>	<b>Stop the Theft of Brighton General Hospital Site: Keep it Public! - Petition for Debate</b>		
<b>Date of Meeting:</b>	<b>25 July 2019</b>		
<b>Report of:</b>	<b>Executive Lead Officer for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	Mark Wall	<b>Tel:</b> 01273 291006
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

**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 The e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 2,475 signatures confirmed at the time of printing the report.

**2. RECOMMENDATIONS:**

- 2.1 That the petition is noted and referred to the Policy, Resources & Growth Committee for consideration at its meeting on the 10<sup>th</sup> October 2019.

**3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:****3.1 The Petition****Stop the Theft of Brighton General Hospital Site: Keep it Public!**

1. Conduct a more meaningful and extensive public consultation on the potential uses for this site - NHS, housing and community.
2. Explore further NHS uses for this site - such as community beds.
3. Brighton and Hove city to purchase the site.
4. Ensure any housing built on this site includes housing for social rent, keyworker housing and addresses the needs of homeless people in the city.

Lead Petitioner – Diane Montgomery

Additional Information:

### **Why is this important?**

Sussex Community NHS Foundation Trust plan to sell the Brighton General Hospital and develop a new Community Health Hub. Brighton General Hospital Action Group believe that this public land must remain a public asset for the people of Brighton and Hove. We believe that this site redevelopment offers the opportunity to address some of the much needed, and urgent, health, social care and housing needs in the city and are concerned that current proposals are inadequate.

<https://you.38degrees.org.uk/petitions/stop-the-theft-of-brighton-general-hospital-site-keep-it-public>

## **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 open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Committee Chair to respond to the petition and move a proposed response. The Mayor will then call on those councillors who have indicated a desire to speak in the matter, before calling on the relevant Committee Chair to respond to the debate;
  - (iii) An amendment to the recommendation in paragraph 2.1 of the report or to add additional recommendations should be submitted by 10.00am on the day of the meeting; otherwise it will be subject to the Chair's discretion as to being appropriate. Any such amendment will need to be formally moved and seconded at the meeting;
  - (iv) After the 15 minutes set aside for the debate, the Mayor will then formally put:
  - (v) (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:

**(1) Councillor: Ebel**

The council is currently replacing the old seafront bins with new ones. After the transition period, what is the council intending to do with the old seafront bins? Can the old bins be re-purposed and placed across the city in places where there is a need for additional bins? Is there any consultation planned for the future use of the old seafront bins that the public and the councillors can engage in?

Given that there are many overflowing bins across the city and that many residents have to walk long distances to reach their nearest bin, it would be a positive step to re-allocate the old seafront bins quickly to ease one of the city's most pressing issues.

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

**(2) Councillor Ebel**

In the last few months we have been contacted by several residents who are concerned about the welfare of the animals used for racing at the Brighton and Hove Greyhound Stadium.

How many incidents where animals were injured or have died as a result of the sport have occurred at the Brighton and Hove Greyhound Stadium in the last year?

Reply from Councillor Robins – Chair of the Tourism, Development & Culture Committee.

**(3) Councillor Hills**

My residents want to know answers to the following:

- (a) When improvements to recycling in the city will be made.
- (b) When will the range of items collected be widened to include recyclable plastics other than bottles?
- (c) When might their recycling be collected weekly?
- (d) When will the waiting list for food waste collections be reduced?

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

**(4) Councillor Davis**

Since its introduction to our city the 20mph limit has helped to reduce fatalities and accidents but it could have a much bigger effect. Car ownership increases every month and with that drivers are using our rat run side streets like race tracks. I receive regular complaints from residents in my ward about the dangers and problems caused by speeding motorists.

What work is the Administration pursuing with Sussex Police to ensure 20mph is enforced?

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

**(5) Councillor Hugh-Jones**

I understand the Council recently awarded its Public Toilet Cleansing and Maintenance Contract to a new contractor, Healthmatic Limited. A ward resident has raised a number of issues specifically about the toilets in Blakers Park, i.e. that they:

1. Are frequently closed during the winter months (resulting in children defecating in the nearby bushes)
2. Staff who do visit are not reporting problems (including damage to the fabric of the building)
3. Contain offensive graffiti (including a swastika) and tags
4. Are filthy.

Given these concerns could you tell me

(a) What system is in place to manage and monitor the performance of the new contractor and

(b) Whether the level of service has been deliberately cut out of financial considerations?

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

**(6) Councillor Clare**

Would the Administration like to congratulate Love George Street and the Red Box Project Brighton on their successful roll out of 'red boxes' to all schools in Brighton and Hove?

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



**(7) Councillor Clare**

The road layout around the floral clock roundabout leading into St Johns Road is at an angle which is dangerous to both pedestrians and road users alike due to the angle of entry. In addition, the business owners by the entrance would like some additional space for outdoor seating and for the location of the recycling point to be moved.

What could be done to make this area safer and more friendly to all who need to access it?

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

**(8) Councillor Mac Cafferty - Community safety**

Will the Administration lead for community safety write to the Sussex Police and Crime Commissioner asking:

- when the precept increase from council tax bills this year will be used to recruit police and PCSOs, as promised, and
- will we have PCSOs attending community Local Action Team meetings as routine once again?

Reply from Councillor Knight, Chair of the Neighbourhoods, Inclusion, Communities & Equalities Committee

**(9) Councillor Mac Cafferty - Preston Twin elms**

Given the significant loss to the city's elm collection with the necessary destruction of one of the 'Preston Twin' elms, when will the Administration be reinstating online reporting forms for the public to report elms suffering Dutch Elm disease? When a resident in my ward reported a suspected elm with the disease just weeks ago on Brunswick Road, the facility to report wasn't possible at the time. This still isn't available. Brunswick Road has now lost four elms in quick succession. What evidence is there that the Dutch Elm disease has struck harder this year than last and for the past five years?

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

**(10) Councillor Mac Cafferty - Construction projects**

Further to the shock news that the construction firm performing the works at the restored Corn Exchange has folded, how is the council ensuring that any replacement firm isn't given carte blanche to finish the works at significantly increased cost to the council and public purse. What internal auditing is the council conducting in its other construction projects to ensure we minimise similar problems.

Reply from Councillor Robins, Chair of the Tourism, Development & Culture Committee

**(11) Councillor Theobald**

When is the dreadful state of the carpark opposite Hove Town hall going to be tidied up?

The piece of land in front of the car park is overgrown and full of weeds. Also grass and weeds are growing along the walls and paths.

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

**(12) Councillor Theobald**

When will the children’s playgrounds in the City that are in need of refurbishing and upgrading going to be improved? Equipment in Hove Park and Patcham has been out of order for some time. Is there not a rolling programme for children’s playgrounds?

Section 106 money is infrequent, and action needs to be taken now.

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

**(13) Councillor Druitt - Pesticides:**

The council’s recent commitment to phase out the use of pesticides within three years is to be welcomed wholeheartedly. However, in the council’s press release of 27 June Cllr Pissaridou is quoted saying “we should achieve in excess of 95 per cent reduction in the use of glyphosate by the council this year as compared to last year”.

If this is the case, why can’t we go all the way and reduce it by 100%? What is the 5% that will still be treated with glyphosate and why can’t it be managed any other way?

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

**(14) Councillor Druitt - 5G**

Due to the public interest in 5G and a number of concerns raised by residents that that there may be health risks associated with the technology can the council satisfy councillors that the science of 5G is well understood and the technology does not pose any health risks to residents?

Reply from Councillor Moonan – Chair of the Health & Wellbeing Board

**(15) Councillor Druitt - Trees**

As we all know, urban trees have a huge number of benefits; they are crucial habitats for wildlife, they improve air quality and mental health and are critical assets in the fight against climate change. I'm delighted that the council is bidding for funding from the government's Urban Tree Challenge Fund to plant more trees in Brighton & Hove and wonder if the council can give more information on where these will go, how allocations will be made and whether this initiative can be accompanied by a comprehensive Tree strategy for the city?

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

**(16) Councillor Osborne**

Is there a charge levied to your phone network for calling the parking enforcement team? If so, how much is this charge?

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

**(17) Councillor Osborne**

When parking permits are started in an area is there a plan to protect those on low incomes/benefits that still require the use of their car? Has there been a consideration for a more gradual implementation to ease the transition or additional schemes to encourage the uptake of more sustainable forms of transport when the permits are brought in?

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

**(18) Councillor Shanks**

What is the council doing to progress development on derelict sites in the city? In my ward alone, we have Buckingham Road and Portland road both are brownfield sites ideal for housing. Will the council look at using CPOs to acquire these sites and others like it throughout the city and develop them for social housing?

Reply from Councillor Allcock – Chair of the Housing & New Homes Committee

**(19) Councillor Deane**

Will this Council sign-up to the Councils for Fair Tax Declaration, which was launched on the 12<sup>th</sup> July?

Reply from Councillor Platts – Leader of the Council



**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:

**(1) Councillor Mac Cafferty**

*Subject matter: Communal Bins*

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

**(2) Councillor Theobald**

*Subject matter: Patcham Roundabout*

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

**(3) Councillor Heley**

*Subject matter: Climate Change Emergency*

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

**(4) Councillor Fishleigh**

*Subject matter: Member Working Groups*

*Will the Chair of the Planning Committee agree to set up a cross-party working group to examine how the advice provided to the Planning department by the District Valuers Service can be supplemented by advice from other sources?*

Reply from Councillor Hill, Chair of the Planning Committee

**(5) Councillor Mears**

*Subject matter: Latest KPI report regarding the City's Economy*

Reply from Councillor Robins, Chair of the Tourism, Development & Culture Committee

**(6) Councillor Davis**  
*Subject matter: School Run*

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

**(7) Councillor Clare**  
*Subject matter: Communal Bins Suppliers*

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

**(8) Councillor Nield**  
*Subject matter: Arms Factory*

Reply from Councillor Platts, Leader of the Council

**(9) Councillor Shanks**  
*Subject matter: Primary School Places*

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

<b>Subject:</b>	<b>Review of the Constitution – July 2019</b>		
<b>Date of Meeting:</b>	<b>25 July</b> 11 July 2019 – Policy, Resources & Growth Committee		
<b>Report of:</b>	<b>Executive Lead Officer for Strategy, Governance &amp; Law (Monitoring Officer)</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Elizabeth Culbert</b>	<b>Tel: 01273 291515</b>
	<b>Email:</b>	<b>elizabeth.culbert@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>(All Wards);</b>		

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

- 1.1 This report proposes changes to the Council's Constitution for approval by Policy, Resources & Growth Committee and (where relevant) Full Council. The proposals set out in the report have been considered by the cross party Constitutional Working Group and by Leaders Group.

**2. RECOMMENDATIONS:****Policy, Resources & Growth Committee:**

- 2.1 That the proposal in paragraph 4.8 of the report that elected members be encouraged to provide sufficient detail so that the nature and parameters of oral questions to Full Council are clear be noted;
- 2.2 That the principles relating to elected member working groups as set out at paragraphs 4.9 to 4.10, the list of permanent working groups as set out in Appendix 1 and the Terms of Reference as set out at Appendix 2 be agreed;
- 2.3 That the amendments to officer delegations as set out at paragraphs 4.16-4.18 and the approach to the inclusion of Brexit implications as appropriate in committee reports as set out in paragraph 4.19 be agreed;
- 2.4 That Full Council be recommended to approve the proposed changes to the Council's Constitution set out at paragraphs 4.1-4.4 (Planning Committee delegations); 4.5-4.7 (Written Questions); 4.11-4.13 (Committee Delegations); 4.20 (reporting by sub-committees to parent committees) 4.21 (External bodies reporting to Full Council); 4.22 (Alliances, Charters and Pledges); 4.23 (Council Procedure Rules – definition of Council meeting); and 4.26 (discontinuation of the Orbis Public Law Joint Committee.)
- 2.5 That the Executive Lead Officer for Strategy, Governance & Law be authorised to agree necessary modifications to the inter-authority agreement between Brighton & Hove, East Sussex County Council, Surrey County Council and West Sussex County Council

## **Full Council**

- 2.6 That the proposed changes to delegations to Planning Committee as set out in paragraphs 4.1 to 4.4 of the report be approved;
- 2.7 That the proposal to clarify the mechanism for responding to written questions from elected members at Council Committees (and sub-committees) set out in paragraph 4.5-4.7 of the report be agreed;
- 2.8 That the review of Committee functions as set out at paragraphs 4.11 to 4.13 including the establishment of a new Tourism, Equalities, Communities & Culture Committee and the discontinuation of the Orbis Joint Committee (as set out in paragraph 4.26) be agreed;
- 2.9 That the changes to Council Procedure Rules to reflect the approach to reporting by sub committees to parent committees as set out at paragraph 4.20 of the report be agreed;
- 2.10 That it be agreed to invite both East Sussex Fire and Rescue Service and the Sussex Police and Crime Panel to present an Annual Report to Full Council as set out at paragraph 4.21 of the report;
- 2.11 That decisions to commit the Council to the principles or membership of alliances, charters and pledges should be reserved to Full Council and that this approach be kept under review and any impact on Council business assessed as set out at paragraph 4.22 of the report;
- 2.12 That the Council Procedure Rules be amended to ensure a consistent definition of "Council meeting" as set out at paragraph 4.23 of the report.

## **Policy, Resources & Growth Committee and Full Council**

- 2.13 That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy, Resources & Growth Committee and by Full Council, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes;
- 2.14 That the proposed changes come into force immediately following their approval by Policy, Resources & Growth Committee or adoption by Full Council, as appropriate.

## **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Council is required to keep its Constitution under review with a view to achieving efficiency, economy and effectiveness. The Cross-Party Constitutional Working Group (CWG) was set up to assist with this by considering proposals and advising the Council on proposed changes to the constitution. The current members of the CWG are Councillors Moonan (Chair), Littman and Wares . The proposals set out in the report were agreed by the CWG on 6th June 2019 and discussed by Leaders Group on 1 July 2019.



## 4. PROPOSALS

### Planning Committee and Officer Delegations

- 4.1 The cross party Planning Working Group received a request from the Tourism, Development and Culture Committee in June 2018 to review the officer delegations in relation to Listed Building applications. This followed concerns that elected members were not always aware of planning applications relating to Listed Buildings in their wards.
- 4.2 Under current arrangements planning applications relating to Listed Buildings are determined by officers unless either:-
- a) 5 or more objections are received; or
  - b) A ward Councillor requests that the matter be determined by Planning Committee.
- 4.3 The Planning Working Group have proposed that these arrangements are strengthened and that any application relating to the following Council-owned buildings should be determined by Planning Committee rather than by officers:-
- Booth Museum, 194 Dyke Road
  - Brighton Bandstand, Kings Road
  - Brighton Corn Exchange
  - Brighton Dome Theatre, Church Street
  - Brighton Museum and Art Gallery
  - Duke of Yorks Cinema, Preston Circus
  - Hove Library, Church Road
  - Hove Museum and Art Gallery
  - Saltdean Lido
  - Royal Pavilion
  - Preston Manor
- 4.4 The Planning Working Group identified the above Council owned buildings on the grounds that they are Listed Buildings that attract significant public interest.

### Written Questions from elected members to Council Committees

- 4.5 The proposal is to clarify the arrangements for dealing with written questions from elected members to Committees. At Committee the intention is that written questions are answered verbally at the meeting or, at the discretion of the Chair, by way of a written response circulated after the meeting. One supplementary question is allowed for written questions to Committees.
- 4.6 The current rules do not clearly reflect the intended approach and it is proposed to amend the wording specific to Committees to clarify the above arrangements.
- 4.7 Written questions from elected members to Full Council follow a different procedure and are required to be answered with a written answer and no supplementary question is allowed. No change is proposed to this arrangement for Full Council.

## **Oral Questions from elected Members at Full Council**

- 4.8 A period of not more than 30mins is set aside for oral questions from Members at Full Council. Council Procedure Rule 9.7 requires notice of the 'subject matter' to be given. This was intended to enable a question and answer at a general policy level without officer briefings or going to technical detail. However the way it has worked in practice means Members to whom the question is asked at times feel the subject description is too vague and the questioner may feel the question is not addressed adequately. The CWG recommended that elected members should be encouraged to provide sufficient detail so that the nature and parameters of the question are clear.

## **Review of elected member Working Groups**

- 4.9 A review of elected member working groups has been undertaken. It is proposed that a number that have completed their work will cease to operate. The remaining groups have revised and updated their terms of reference, using a consistent format. A list of the current elected member groups is attached as Appendix 1. Those that are proposed to cease are highlighted in Appendix 1.
- 4.10 The proposed principles governing elected member working groups are that they are established as either 'task and finish' or 'permanent' groups. Task and finish groups may be established on the following basis:-
- A cross party member working group that is established by either a service committee or by Audit and Standards Committee will be known as a 'task and finish' group;
  - They will be set up for 6 months with the possibility of an extension of up to a further 6 months;
  - They will be expected to report back to the committee which established them on a regular basis;
  - Their terms of reference will need to be agreed by the committee, using the Council's template;
  - The task and finish groups should include the Chairs or Deputy Chairs of the relevant committee to ensure oversight and a strong link to that committee.

Permanent groups must be established by Policy, Resources and Growth Committee. It is proposed that the Terms of Reference of all those permanent elected member working groups identified as continuing in Appendix 1 – as well as any new permanent elected member working groups agreed by PRG – be included in the Council's Constitution and that they are reviewed annually. PR&G is recommended to approve the terms of reference for the existing Working Groups as set out in Appendix 2.

## Review of Committees and their Functions

- 4.11 The Council has an obligation to ensure that the decision making arrangements are streamlined and the number of committees and sub-committees is kept to the minimum necessary to discharge Council functions. With this in mind, a review of the current committee structure was undertaken, having regard to the volume of business and the avoidance of duplication as well as fragmentation of functions. Based on the findings, it is proposed to merge the Tourism, Economic Development & Culture Committee with the Neighbourhoods, Inclusion, Communities and Equalities Committee (NICE) to create a new merged Committee to be called the Tourism, Equalities, Communities and Culture Committee (TECC.)
- 4.12 In order to streamline the delivery of functions, the proposals include moving all housing functions relating to homelessness and rough sleeping from the NICE Committee to the Housing and New Homes Committee; the functions relating to customers and digital first and ward budgets from NICE to the PR&G Committee and the functions of major projects and economic strategy from the TD&C Committee to the PR&G Committee. A full list of the functions with the recommended destinations is set out in the structure charts in Appendix 3.
- 4.13 It is intended to retain all of the current functions of the NICE Committee relating to Communities, Equalities and Community Safety and for these to form part of the delegations to the new TECC Committee. The current arrangements for co-opting representatives of the community and voluntary sector and public services as invitees will continue in the new committee. The agenda of the new committee, ways of working and order of business will be organised so as to facilitate the input from the co-optees and ensure efficient despatch of business. A copy of the proposed Terms of Reference for the TECC Committee are attached as Appendix 4.
- 4.14 There has been ongoing discussions regarding the balance of power and volume of business between the service committees and Policy, Resources & Growth Committee. Under current arrangements:
- all business relating to a service committee always goes to the service committee, even if the final decision has to go to PR&G Committee;
  - All matters that have corporate policy or corporate budgetary implications and anything that involves the acquisition or disposal of property has to be referred to the PR&G Committee for decision; and
  - The Chief Executive and the Section 151 Officer are authorised to decide whether a proposal has corporate policy or corporate budgetary implications respectively where there is any ambiguity. They are also authorised to issue guidance on the application of the criteria. So far, no such guidance has been issued.
- 4.15 The Constitutional Working Group considered the arrangements and recommended that the Chief Executive and the Section 151 Officer issue guidance so that there is consistency and transparency in the application of the rules. The position can be reviewed again in the light of experience.

## **Officer delegations and report writing**

- 4.16 The Corporate Debt Policy was recently agreed by PRG, with a recommendation that the Constitution Working Group consider the inclusion of a specific reference to the new policy within the delegations to the Executive Director Finance & Resources. The Constitution Working Group supported this proposal on the basis that the inclusion of accountability within the officer delegations would ensure that implementation of the new policy was monitored.
- 4.17 A proposal was supported by the CWG for the function of Safety at Sports Grounds to be transferred at officer level from the Executive Director of Environment, Economy and Culture to the Executive Director of Neighbourhoods, Communities and Housing as the most logical new home following retirement of a key manager.
- 4.18 The arrangements for managing applications in relation to Assets of Community Value at officer level have been reviewed. It is proposed to widen the pool of officers who are authorised to hear appeals as this is currently limited to the Head of Planning. The new proposed list of authorised officers for this purpose will be the Heads of Planning, Property, Major Projects and Legal Services or other officers designated by the Chief Executive.
- 4.19 In December 2018, PRG agreed to refer to the CWG the question of whether Brexit implications should form part of all reports. CWG considered a range of options and concluded that a proportionate and consistent approach was needed. On this basis the CWG recommended that an additional optional implications field under 'Other Significant Implications' within the report template be included, where Brexit implications can be inserted if appropriate.

## **Rules regarding Sub Committee reporting to Parent Committee**

- 4.20 Sub-Committees are currently required to report to their parent Committee, but this does not consistently happen. The current Sub-Committees are: Personnel Appeals Panel; Licensing Panel; Standards Panel and any Urgency Sub-Committee. The CWG recommended that this requirement should be retained and clarified, to reflect a requirement for sub-committees to report once per year to their parent committee with a summary of activity and to enable an individual member of the Sub-Committee to request that a report be made to the parent Committee at any other time.

## **Annual Reports to Full Council from other bodies**

- 4.21 The Council has received a request from East Sussex Fire and Rescue Service (ESFRS) that it should receive an Annual Report from ESFRS at Full Council. CWG were supportive of this request and also considered whether there was a general application to other external bodies to which BHCC Members are appointed. The CWG recommended that ESFRS and the Sussex Police and Crime Panel be invited to present an Annual Report to Full Council.

## **Commitment to Charters, Alliances and Pledges by the Council**

- 4.22 A number of requests for the Council to 'sign up' to charters, alliances and pledges have been brought forward, including to Committees. The CWG considered whether there was a need to clarify who makes these decisions and whether they should be held corporately or by relevant policy committees. It was agreed by CWG that there is a need to ensure a consistent approach. CWG recommended that these decisions should be reserved to Full Council in order to ensure that all elected members were aware of them. CWG further recommended that this approach should be kept under review and any impact on Council business assessed.

## **Clarification of Council Procedure Rules**

- 4.23 Currently the Constitution includes conflicting definitions of 'Council meeting'. It is proposed that this be amended so that it is clear whether a specific rule applies to all meetings of the Council, its Committees and Sub-Committees or only meetings of Full Council.

## **Orbis Public Law Joint Committee**

- 4.24 Orbis Public Law was set up as a shared service between Brighton & Hove City Council and East Sussex, West Sussex and Surrey County Councils. The main purpose of the project was to increase resilience and deliver efficiencies through collaboration, integration of structures and processes and avoiding duplication. The partnership has been successful in developing joint training, joint procurement of external legal services, document bundling, work sharing and sharing expertise. The next phase of the development was intended to be integration of officer structures and finances.
- 4.25 While the above work was progressing, the partners were notified by Surrey County Council that, as they are going through a review of their internal arrangements, they would not be able to take part in the integrated structures and finances. This has made the plan to integrate the team undeliverable because on the increase in overheads and some of the underlying assumptions no longer being deliverable.
- 4.26 The Orbis Public law joint committee was set up with integrated finances and structures in mind. It was going to develop a joint budget and make recommendations to the 4 authorities. It was also intended to oversee the delivery of Orbis Public Law services. Given the developments mentioned in paragraph 4.25 above, the Committee can no longer serve the initial purpose it was set up to fulfil. It was therefore agreed, subject to the approval of each authority under its constitution, to discontinue the Joint Committee. The relevant Cabinet Members from the other authorities have passed the necessary resolution. In Brighton & Hove, as we run a committee system, the decision has to be taken by full Council and this recommendation will go to the full Council meeting on 25 July 2019.

- 4.27 The Orbis Public Law arrangements are operated under an inter-authority agreement that has detailed provisions for sharing costs, developing joint budgets etc. In view of the new development, these provisions will no longer be appropriate and it is proposed that the Executive Lead Officer for Strategy, Governance & Law be given delegated authority to agree necessary modifications to the agreement.
- 4.28 Although the planned structural and financial integration will not go ahead (which means we will operate as four legal practices rather than one fully merged team), the parties have agreed to continue aspects of the partnership that are not dependent on structural and financial integration. Some of the activities that will continue include:
- An inter-authority agreement to do work for each other at pre-agreed fees;
  - Continuing joint training;
  - joint procurement of external legal services (approved Counsel's chambers and firms of solicitors;)
  - Continue the joint case management systems, including the court bundling system;
  - General mutual support and collaboration

The partnership will therefore operate as an enhanced collaboration rather than an integrated service.

## **5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 5.1 The Committee or Council can decide not to implement the changes set out in the report.

## **6. COMMUNITY ENGAGEMENT & CONSULTATION**

- 6.1 The Cross-Party Constitutional Working Group have considered the proposals and make recommendations which are reflected in the report. Leaders Group have also considered the proposals set out in the report.

## **7. CONCLUSION**

- 7.1 The proposals reflect the Council's ongoing efforts to review and streamline its processes so as to achieve increased efficiency. It is therefore recommended that they are pursued.

## **8. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 8.1 There are not expected to be any significant financial implications arising from this report but there will be a small saving from Special Responsibility Allowances resulting from the merger of the NICE and TD&C committees.

*Finance Officer Consulted: Peter Francis*

*Date: 17/06/19*

Legal Implications:

- 8.2 Policy Resources & Growth Committee and, where specified in this report, Full Council, have the authority to make the changes to the Council's Constitution as set out in the report. The intention is for the proposals to be implemented with immediate effect unless otherwise indicated.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 13.06.19*

Equalities Implications:

- 8.3 The proposals are not considered to have adverse equalities implications. The changes to Committees that are proposed will preserve the current equalities functions that are decided at Committee and will ensure the continued representation by co-opted members in relation to equalities matters.

Sustainability Implications:

- 8.4 There are no sustainability implications in relation to the proposals contained in the report.

Any Other Significant Implications:

- 8.5 None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. List of elected Member working groups;
2. Terms of Reference for permanent elected Member working groups;
3. Tables with list of relevant Committee functions;
4. Proposed Terms of Reference for TECC Committee.

### **Background Documents**

1. None





## Appendix 1

Name of Working Group	Is Group Still Required?	Parent Committee	Membership Split pre (plain) and post (bold) May19
1. Asset Management Board	Required. Permanent.	PRG	2L/2C/1G <b>2L/2G/1C</b>
2. Budget Review Working Group	Required. Permanent	PRG	2L/2C/2G <b>1L/1G/1C</b>
3. Constitution Working Group	Required. Permanent.	PRG	1L/1C/1G <b>1L/1G/1C</b>
4. Corporate Parenting Board	Required. Permanent	PRG	2L/2C/1G <b>2L/2G/2C</b>
5. Joint Staff Consultation Forum	Required. Permanent.	PRG	2L/2C/2G <b>3L/2G/1C</b>
6. Leaders Group	Required. Permanent.	PRG	1L/1C/1G <b>1L/1G/1C</b>
7. Member Development Working Group	Required. Permanent.	PRG	2L/2C/2G <b>2L/2G/2C</b>
8. Members Advisory Group Grants	Required. Permanent	NICE	1L/1C/1G <b>1L/1G/1C</b>
9. Planning Committee Working Group	Required. Permanent.	Planning	2L/2C/2G <b>1L/1G/1C</b>
10. Procurement Advisory Board	Required. Permanent	PRG + other policy committees	2L/2C/1G <b>2L/2G/1C</b>
11. Strategic Delivery Board	Required. Permanent	PRG/EDC	2L/2C/1G <b>2L/2G/1C</b>
12. Estate Regeneration Board	Required. Permanent- rename <i>New Homes delivery board</i>	HNH	1L/1C/1G <b>1L/1G/1C</b>
13. School Organisation Working Group	Required. Permanent	CYPS	2L/2C/2G <b>1L/1G/1C</b>
14. Cross Party Members and Stakeholder Steering Group for the Disability and Special Educational Needs review	Required. <b>ad-hoc</b>	CYPS	3L/2C/2G <b>1L/1G/1C</b>

Current Elected Member Groups

<b>15. Cross Party Youth Group</b>	Required. Permanent	CYPS	1L/1C/1G <b>1L/1G/1C</b>
<b>16. Health &amp; Social Care Integration X-Party Members Working Group</b>	Not required. But needs reviewing	HWB	2L/1C/1G <b>1L/1G/1C</b>
<b>17. Performance and Information Group</b>	Will probably want to retain PIG. Permanent	HWB/HOSC	All HWB and HOSC members (inc. non-voting co-optees) <b>1L/1G/1C</b>
<b>18. Community Safety Partnership Board</b>	Required. Permanent	NICE	1L/1C/1G <b>1L/1G/1C</b>
<b>19. Cross-Party KPI Development Meeting</b>	Required. meet as necessary Permanent	PRG	2L/2C/2G <b>1L/1G/1C</b>
<b>20. Modernisation Member Oversight Group</b>	Required. Permanent	PRG	2L/2C/2G <b>1L/1G/1C</b>
<b>21. BREXIT Working Group</b>	Required Probably Ad Hoc	PRG	1L/1C/1G <b>1L/1G/1C</b>
<b>22. ICT and Digital Working Group</b>	Not required (merged with Member Development Working Group)		
<b>23. Hove Library Working Group</b>	Not required		
<b>24. Able &amp; Willing Working Group</b>	Not required		
<b>25. Night Shelter Working Group</b>	Not required		
<b>26. Leaseholder Working Group</b>	Not required		
<b>27. Neighbourhoods Member Working Group</b>	Not required		
<b>28. One Voice Partnership</b>	Members to attend as invitees- not a Working Group	NICE/Full Council	1L/1C/1G <b>1L/1G/1C</b>
<b>29. Prevent Board</b>	Members to attend as invitees	NICE/Full Council	1L <b>1L/1G/1C</b>

## Appendix 2

### Member Working Groups Terms of Reference

- 1 Asset Management Board
- 2 Budget Review Group
- 3 Constitution Working Group
- 4 Corporate Parenting Board
- 5 Joint Staff Consultation Forum
- 6 Leaders Group
- 7 Member Development Working Group
- 8 Member Advisory Group: Grants
- 9 Planning Member Working Group
- 10 Procurement Advisory Board
- 11 Strategic Delivery Board
- 12 Estate Regeneration Programme Board
- 13 School Organisation Working Group
- 14 Cross Party Member and Stakeholder Steering Group for the Disability and Special Educational Needs Review
- 15 Cross Party Youth Group
- 16 Health & Social Care Integration Cross Party Members Working Group
- 17 Performance & Information Group
- 18 Community Safety Partnership Board
- 19 Cross-Party KPI Development Group
- 20 Modernisation Member Oversight Group
- 21 Brexit Working Group

## **1 ASSET MANAGEMENT BOARD - TERMS OF REFERENCE**

### **1. Purpose**

The purpose of the Asset Management Board ('the Board') is to advise the Policy, Resources & Growth Committee and other relevant Policy Committees on policy, governance and strategies relating to the management of the Council's urban and rural estates.

### **2. Status**

The Board shall be an advisory board to Policy, Resources & Growth Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **3. Areas of focus**

- To have an oversight of the city council's operational and non-operational portfolios
- To review and monitor the management of the city council's urban and agricultural asset management policies
- To seek to maximise the use of the council's commercial assets and understand income and yield in the context of the council's budget
- To propose to PR&G an asset investment strategy for the council's urban portfolio to reduce its latent risk and consolidate its performance, which will include options of diversification and opportunities for redevelopment and economic growth
- To continue to promote regeneration in the City
- To be an advisory Board for the City council's commercial property portfolios
- To advise PR&G regarding the implications of Brexit in relation to the council's urban and rural estates
- To agree an approach to define and measure social value in relation to the council's rural and urban estates
- To review the circumstances under which agricultural land can be identified for release, alongside a wider review of the agricultural strategy in the council's Asset Management Plan (AMP) and consider the definitions of agricultural core and non-core property.
- To review the existing thresholds of the Scheme of Delegations that determine when the sale of property and land should be referred to committee and make recommendations to the Council's Constitutional Working Group.

### **4. Scope**

The AMB will need an understanding of the following topics to have an oversight on the city council's operational and non-operational portfolios:

- a. Financial and Legal

- Financial contribution of commercial investment portfolio
- Financial Performance/Objectives including investment returns
- Capital Investment Strategy, including Medium Term Financial Strategy
- Investment requirements
- Scheme of delegations

b. The Agricultural Estate

- Portfolio structure
- Policy – Downland Initiative, AMP
- Management and performance – portfolio stock condition
- Strategic development land

c. The Urban Estate

- Portfolio structure
- Policy - AMP
- Management and performance
- Asset Investment strategy – Rebalancing the urban portfolio,

d. Regeneration

- Develop or Disposal strategy
- Existing Development sites
- Special Purpose Vehicles

e. Community Engagement

- Stakeholders - tenants
- Special Interest Groups, e.g. local conservation bodies, Business representatives

f. Legislation and Political Landscape

- National Legislation
- European Legislation
- Brexit Implications

## 5. Reporting

The Board will report to the Policy, Resources & Growth Committee, or other relevant Committee, with recommendations

## 6 Membership

Membership of the Board shall consist of 5 elected Members following nominations by their Group Leader.

## 7 Quorum

A minimum of three panel members, inclusive of the Chair, are required for board meetings to proceed.

## **8 Meetings and Minutes**

- 8.1 The Chair shall be responsible for convening meetings of the Board.
- 8.2 The Panel Agenda, with attached meeting papers will be distributed at least five working days prior to the meeting.
- 8.3 Full copies of the minutes, including attachments, shall be provided to all Board members following each meeting.

## **9 Review**

- 9.1 These terms of reference may be reviewed and amended by the Policy, Resources & Growth Committee from time to time.

## **2 BUDGET REVIEW GROUP - TERMS OF REFERENCE**

**1. Name** Member Budget Review Group (BRG).

**2. Purpose** The Budget Review Group provides a forum for officers to present cross-party briefings to Lead Financial Members and Group Leaders on key financial matters including:

- The proposed approach to setting the council's budget including budget consultation, engagement and communications;
- Development and reporting of the council's annual revenue and capital budget strategy (draft and final);
- Local Government Financial Settlements and government spending reviews;
- Revisions to the council's taxbases (Annual Taxbase reports);
- Changes to Treasury Management policies or strategies;
- Government consultations on changes to LG funding;
- Financial performance (Targeted Budget Management and Treasury Management reports);
- Sharing of savings proposals (Integrated Service & Financial Plans) – BRG meetings are traditionally held on a per directorate basis around November each year to which portfolio members of all parties are also invited \*

The primary reason for having the Member Budget Review Group meetings is that key financial reports (e.g. Draft and Final Budget Reports, Taxbase reports, etc.) are often delayed due to awaiting government announcements and also due to the complexity of the reports and associated corporate processes. This means that reports can rarely be produced in time to meet the standard committee timetable and will not normally be available for the PR&G pre-meet. The Budget Review Group meetings are therefore in lieu of PR&G pre-meets and are normally set up close to the relevant PR&G meeting.

In addition, financial reports are often lengthy and complex and the Budget Review Group provides a forum in which to offer extended briefings.

### **2. Status**

The Budget Review Group shall be an advisory board to the Policy, Resources & Growth Committee. The Board will not have sub-committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

However, it is expected that the Board will be established on a cross party basis.

### **3. Areas of focus**

- Draft Revenue & Capital Budget Reports
- Final Revenue & Capital Budget Reports
- Annual Taxbase Reports
- Local Government Financial Settlements
- Government Spending Reviews
- Government financial consultations (where fundamental or significant)
- Financial performance (TBM)
- Treasury Management policy and performance

- Development of savings proposals

#### 4. Reporting

The Budget Review Group does not normally report to committee. However, where there is cross-party support it may agree approaches that can be reflected in the development or reporting of financial processes. For example:

- Agreeing the approach to budget consultation and engagement;
- Agreeing the timing of and/or approach to sharing draft proposals;
- Agreeing the frequency or format of financial performance reporting;
- Agreeing responses to government financial consultations.

#### 5. Membership

Membership of the Board shall consist of:

- The Chief Finance Officer or his/her deputy;
- The Lead Financial Member for each recognised political group.
- The Group Leader or their nominee for each recognised political group \*\*

The chair of the group has traditionally been an officer, the CFO or Deputy, however, if this is not acceptable to the group the advice of Monitoring Officer will be taken regarding appointment of a chair.

*\*\* Although always invited, custom and practice has been for the BRG to be attended by the Finance Leads.*

For annual reviews of draft savings proposals (usually November) – additional portfolio holders may be invited to BRG meetings as advised by the Chief Finance Officer.

#### 6. Meetings and ways of working

Meetings will normally be held as follows:

- In advance of the July PR&G meeting (Budget Setting Approach)
- In advance of the Nov/Dec PR&G meeting (Directorate focused review of draft savings proposals) \*
- In advance of the Nov/Dec PR&G meeting (Draft Budget)
- In advance of the January PR&G meeting (Taxbase reports)
- In advance of the February PR&G meeting (Final Budget Proposals)

\* This is an optional use of the Budget Review Group. It has been custom and practice to run one session per directorate to share and invite questions on draft savings proposals ahead of the Nov/Dec PR&G Committee where the draft budget proposals are submitted. However, this is a choice of the Administration who will determine whether or not this practice continues.

The Group will agree ways of working appropriate to the role and remit of the Group.

#### 7. Review



These terms of reference may be reviewed and amended by the Policy, Resources & Growth Committee from time to time.

### **3 CONSTITUTION WORKING GROUP - TERMS OF REFERENCE**

#### **1. Purpose**

The Council is required to keep its Constitution under review with a view to achieving efficiency, economy and effectiveness. The Cross-Party Constitutional Working Group (CWG) assists with this by considering proposals and advising the Council on proposed changes to the constitution.

#### **2. Status**

The CWG shall be an advisory board to the Policy, Resources & Growth Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

However, it is expected that the Board will be established on a cross party basis.

#### **3. Areas of focus**

The focus of the CWG is to keep the constitution under review in order to ensure that the Constitution continues to meet its objectives. These objectives are set out in the Constitution and are to:-

- (a) enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
- (b) support the active involvement of citizens in the process of local authority decision-making;
- (c) help Councillors represent their wards and local residents effectively;
- (d) enable decisions to be taken efficiently and effectively;
- (e) provide a powerful and effective means of holding decision makers to public account;
- (f) ensure that those responsible for decision making are clearly identifiable to local people and that the Council explains the reasons for decisions;
- (g) ensure that no one will review or scrutinise a decision in which they were directly involved; and
- (h) provide a means of supporting the Council to deliver its Corporate Priorities.

#### **4. Reporting**

The Board will report to Policy, Resources & Growth Committee and Full Council with recommendations as necessary.

#### **5. Membership**

Membership of the Board shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

## **6. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the CWG.

The Group will agree ways of working appropriate to the role and remit of the Group.

## **7. Review**

These terms of reference may be reviewed and amended by the Policy, Resources & Growth Committee from time to time.

#### **4. CORPORATE PARENTING BOARD - TERMS OF REFERENCE**

##### **1. Purpose**

- 1.1 The Corporate Parenting Board reports to the Policy and Resources Committee. It acts as an advisory Board to the Council, its partners and its Committees on matters related to the Council's looked after children. Its role is to ensure that the Council and its partner agencies have a joint commitment to:-
- (a) Achieving improved outcomes for children in care and care leavers;
  - (b) Developing and overseeing implementation of the Corporate Parenting Strategy to drive improved outcomes;
  - (c) Providing challenge to ensure that the Council's duties as Corporate Parent are carried out effectively and consistently.

##### **2. Objectives and Terms of Reference**

- 2.1 To assist in the development, operation, monitoring and review of the Council's policies and strategies as they affect children in care and care leavers.
- 2.2 To develop, monitor and review a Corporate Parenting Strategy and work plan.
- 2.3 To promote a co-ordinated and partnership approach to the delivery of Council services as they affect children in care and care leavers and to challenge services where this is not evidenced or effective.
- 2.4 To advise the Council and its Committees on issues relevant to children in care and care leavers and to ensure that policies implemented by the Council which affect these children and young people are effective and appropriate.
- 2.5 To review and monitor outcomes for looked after children and care leavers, including data from the Corporate Parenting Report Card and feedback from the Standards & Complaints and Quality Assurance Framework officers in respect of children in care and care leavers.
- 2.6 To ensure that clear and accessible information is readily available to children in care and care leavers on the corporate parenting they can expect from the council.
- 2.7 To ensure that systems are in place which mean that the views of children and young people are represented in the development of services that affect them.
- 2.8 To ensure arrangements are made for the training and development of Councillors (and others as appropriate) on the Corporate Parenting role.
- 2.9 To receive reports on the discharge of the Council's functions regarding the provision of accommodation for looked after children and care leavers, and to make recommendations to the appropriate body of the Council.

##### **3. Reporting**

- 3.1 To report to the Council's Policy and Resources Committee and Council on a twice yearly basis.
- 3.2 To make recommendations to the relevant Committee where responsibility for a particular function rests with that Committee.

#### **4. Membership**

4.1 Membership of the Board will consist of:-

- 6 elected Members
- 4 nominated co-optees

4.2 Invitations to attend the Corporate Parenting Board may be extended to representatives of interested groups and to additional elected Members and Officers from across Council services

4.3 The membership of the Board is subject to review by the Policy and Resources Committee

4.4 The Chair of the Board is an elected Member

#### **5. Review**

The work of the Board is subject to bi-annual review by the Policy and Resources Committee.

## **5. JOINT STAFF CONSULTATION FORUM - TERMS OF REFERENCE**

### **1. Name**

Joint Staff Consultation Forum

### **2. Purpose**

The Joint Staff Consultative Forum (“the Forum”) facilitates dialogue between the Council as employer and the Council’s employees.

### **. 2. Status**

The Joint Staff Consultation Forum shall be an advisory board to the Policy, Resources and Growth Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **3. Areas of focus**

The role of the Forum is to provide a mechanism for regular communication and consultation (a) in support of the Council’s approach to working in partnership with its recognised trade unions and professional associations and (b) to maintain a healthy employee relations climate.

### **4. Reporting**

Matters raised may become the subject of reports to committee as appropriate.

### **6. Membership**

Membership of the Board shall consist of 6 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council, and employee representatives.

### **7. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Joint Staff Consultation Forum.

The Group will agree ways of working appropriate to the role and remit of the Group.

### **8. Review**

These terms of reference may be reviewed and amended by the Policy, Resources and Growth Committee from time to time.

## **6. LEADERS GROUP - TERMS OF REFERENCE**

### **Purpose**

- To identify issues where an early degree of cross-party involvement would be beneficial and progress the same (but not to duplicate or diminish overview & scrutiny, council committees or other existing parts of the constitution).
- To review the decision making process and other democratic processes as they operate in practice with a view to improving them and address any concerns.
- To keep the Council's constitution under review and make recommendations to the Policy & Resources Committee and Full Council for changes where appropriate.
- To consider matters affecting Members as Members of the Council.
- To consider any other items that the Chief Executive considers appropriate.
- To consider any items submitted by a Group Leader for discussion.

### **Composition**

- The Leaders Group will consist of the Leaders of Political Groups recognised as political Groups under the Local Government (Committees and Political Groups) Regulations 2000.

### **Frequency of Meetings**

- The Group shall meet monthly on dates agreed in advance by the Group. The Chief Executive may convene additional meetings of the Group as she considers appropriate and, after consulting the Group Leaders, may cancel meetings if there is insufficient business or if she considers it would not be desirable to proceed with the meeting.

### **Attendance**

- All Group Leaders and the Chief Executive will attend the Group Leaders meeting. If a Group Leader is unable to attend, he or she may send their Deputy or another suitable substitute.
- The Monitoring Officer and Head of Democratic Services will be expected to attend and other Officers may also attend the meeting to present reports and answer questions.

### **Informal Meetings**

- The Chief Executive may convene informal meetings of Group Leaders in addition to the formal scheduled meetings.

### **Confidentiality**

Information shared and issues raised at leaders Group should remain confidential unless agreed otherwise.



## **7. MEMBER DEVELOPMENT WORKING GROUP - TERMS OF REFERENCE**

### **1. Name**

#### **Member Development Working Group**

### **2. Purpose**

#### **Member Support**

- To oversee the introduction of the use of electronic agendas Council and Committee meetings;
- To oversee the provision of an intranet area for Members
- To co-ordinate the use of i-casework as a case management system for Members' casework;

#### **Member Development**

- Determining and oversee the provision of a learning & development programme to meet collective and individual needs;
- Promoting a learning culture amongst Members with the use of Personal Development Planning by Leaders and Members;
- Evaluating training and incorporating the outcome of evaluations into planning future training events;
- Maintaining an overview of resource and budgetary implications;
- Overseeing the development of an induction programme for new councillors.

#### **General**

A forum for discussing all other issues affecting Members as Members of the Council where there is no other arrangement in place. (NB this does not involve decision-making or policy issues, only around support provided to Members).

### **3. Status**

The Member Development Working Group shall be an advisory board to the Policy, Resources and Growth Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **4. Membership**

Membership of the Member Development Working Group shall consist of six elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **5. Reporting**

Matters raised may become the subject of reports to committee as appropriate.

### **6. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business.

## **7. Review**

These terms of reference may be reviewed and amended by the Policy, Resources and Growth Committee from time to time.

## **8. MEMBER ADVISORY GROUP: GRANTS - TERMS OF REFERENCE**

### **1. Name**

Members Advisory Group: Grants

### **2. Purpose**

The Members Advisory Group: Grants will:

Act as a cross-party member body for the purposes of consultation on community and voluntary sector grants in relation to the Third Sector Investment Programme administered by the Executive Director Neighbourhoods, Communities and Housing.

Specifically, following the approval of such grants, the Executive Director Neighbourhoods, Communities and Housing must consult with the Members Advisory Group if proposing to amend any or all of the grants in response to budget changes.

### **3. Status**

The Members Advisory Group: Grants shall be an advisory board to the Executive Director Neighbourhoods, Communities and Housing.

The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

However, it is expected that the Board will be established on a cross party basis.

The Members Advisory Group: Grants will be established as a permanent member working group by Policy, Resources & Growth Committee.

### **4. Areas of focus**

The Members Advisory Group: Grants is focused on grants administered by the Executive Director Neighbourhoods, Communities and Housing.

### **5. Reporting**

The Members Advisory Group: Grants performs a consultative function for the Executive Director Neighbourhoods, Communities and Housing rather than reporting directly to a Committee. However, details of grants funding is reported annually to the Members Advisory Group: Grants and published on the council's website.

### **6. Membership**

Membership of the Members Advisory Group: Grants shall consist of three elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **7. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Members Advisory Group: Grants.

The Group will agree ways of working appropriate to the role and remit of the Group.

#### **8. Review**

These terms of reference may be reviewed and amended by the Policy, Resources & Growth Committee from time to time.

## **9. PLANNING COMMITTEE WORKING GROUP - TERMS OF REFERENCE**

### **1. Name**

Planning Committee Working Group

### **2. Purpose**

The purpose of the Planning Committee Working Group (“the PCWG”) is to monitor the procedures and practices of the Planning Committee to ensure that it works as effectively and as efficiently as possible, and that it makes consistent decisions.

### **. 2. Status**

The PCWG shall be an advisory board to the Planning Committee. The PCWG will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

However, it is expected that the PCWG will be established on a cross party basis.

### **3. Areas of focus**

The *PCWG* will focus on improving the functionality of Planning Committee

### **4. Reporting**

The PCWG will report to the Planning Committee with recommendations as necessary.

### **6. Membership**

Membership of the PCWG shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **7. Meetings and ways of working**

The PCWG will meet every three months at Hove Town Hall.

### **8. Review**

These terms of reference may be reviewed and amended by the Planning Committee from time to time.

## **10. MEMBER PROCUREMENT ADVISORY BOARD - TERMS OF REFERENCE**

### **1. Name**

Member Procurement Advisory Board

### **2. Purpose**

The purpose of the Member Procurement Advisory Board ('the Board') is to advise the Policy, Resources and Growth Committee and other relevant Policy Committees on procurement matters, facilitating lawful and commercially robust decisions by the Committee relating to the council's procurement of high value services, supplies or works.

### **3. Status**

The Board shall be an advisory board to Policy, Resources and Growth Committee.

The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **4. Areas of focus**

To review and advise on the procurement of council services, works or supplies where the estimated lifetime value of the contract to be awarded:

- exceeds £1,000,000; or
- where, in the judgment of the relevant Executive Director or the s151 Officer, the procurement should be referred to the Board.

To review and advise with due regard to:

- (i) the law, in particular European and UK laws relating to public procurement;
- (ii) the Council's Contract Standing Orders, Financial Regulations, and Standard Financial Procedures;
- (iii) relevant commercial considerations;
- (iv) the Council's corporate procurement strategy;
- (v) the Council's corporate priorities.

### **5. Reporting**

The Board will report to the Policy, Resources and Growth Committee, or other relevant Committee, with recommendations.

### **6. Membership**

Membership of the Board shall consist of five elected members, following nominations by their group leaders.

No member may serve on the Board, either as a substantive or a substitute member, unless they have undergone the required training for Board members.

### **7. Review**

These Terms of Reference may be reviewed and amended by Policy, Resources & Growth Committee from time to time.

## **11. STRATEGIC DELIVERY BOARD - TERMS OF REFERENCE**

### **1. Name**

Strategic Delivery Board

### **2. Purpose**

The Council has been involved and will continue to be involved in major commercial, regeneration and infrastructure projects across the city; projects that are key to the city's future success and prosperity. These projects have to date been overseen by ad hoc project boards with mixed member/officer representation.

The purpose of the Major Projects Strategic Delivery Board ('the Board') is to enable a more co-ordinated approach to the management and delivery of major projects. It will provide the strategic overview of major projects and provide a mechanism for focussed and systematic member input to ensure maximum efficiency and accountability. It will report to the Policy, Resources & Growth Committee, the Economic Development & Culture Committee or other Committees as necessary.

### **3. Status**

The Board shall be an advisory board to the Policy, Resources & Growth Committee and the Economic Development & Culture Committee. The Board will not have sub-committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **4. Areas of focus**

- To consider the progress of major projects undertaken by the Council and advise the Policy, Resources & Growth Committee, other Committees or officers as appropriate
- To review major projects having regard to capacity to deliver, corporate priorities and resources and advise the Policy, Resources & Growth Committee or other Committee as appropriate
- In exceptional cases, to establish or recommend the establishment of a project-specific Board to oversee a particular major project where this is considered necessary due to capacity, complexity of the issues or other reasons.

### **5. Definition of Major Projects**

For the purposes of the Board, major projects fall into one of two categories:

- (a) Those that involve the council either as the deliverer, a direct procurer or a facilitator of the provision of a major capital asset and / or regeneration of a site or area; or

- (b) Those not directly involving the council as landowner but which are of strategic significance to the city, such as the regeneration of a non-council owned site or the provision of major infrastructure works.

## **6. Reporting**

The Board will report to the Policy, Resources & Growth Committee, the Economic Development & Culture Committee or other relevant Committee, with recommendations as necessary.

## **7. Membership**

Membership of the Board shall consist of 5 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

No Member may serve on the Board, whether as a substantive or substitute member, unless they have undergone the required training for Board members providing that training may be provided after Members are appointed and before they take their role.

## **8. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Board.

The Board will agree ways of working appropriate to the role and remit of the Board.

## **9. Review**

These terms of reference may be reviewed and amended by the Policy, Resources & Growth Committee from time to time.



## **12. ESTATE REGENERATION BOARD - TERMS OF REFERENCE**

### **1. Name**

Estate Regeneration Board

### **2. Purpose**

#### **Background**

The Estate Regeneration Programme will provide new sustainable and affordable homes in the city and improve some of our most disadvantaged estates. The programme aims to maximise opportunities to build new homes on HRA and other council land, as well as undertake larger scale redevelopments of existing estates in need of improvement.

The New Homes for neighbourhoods programme is managed by the Estate Regeneration Team in the council's Regeneration Unit and includes:

- Former garage and car parking sites
- Infill and vacant land/buildings
- Wider estate regeneration
- Extra Care

Housing and the Regeneration Unit are working closely together to identify suitable estates and buildings for investment or redevelopment as part of our strategy to make best use of HRA assets and new opportunities.

#### **Programme Objectives**

The Estate Regeneration Programme has the following objectives:

- Develop new sustainable homes on council land
- Improve existing estates and neighbourhoods
- Ensure best use of HRA assets
- Support mixed and sustainable communities
- Help tackle inequality and support the city's economy
- Provide opportunities for local skills, training and jobs
- Reflect corporate service plan and budget objectives and priorities including health and social care

### **3. Status**

The Board shall be an advisory board to the Housing & New Homes Committee. The Board will not have sub-committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **4. Areas of Focus**

The Board shall provide the following functions:

- Provide advice and steer on key issues
- Explore development options and issues such as scheme viability and tenure mix
- Monitor progress, delivery and budget of the programme and individual projects

- Member sign-off for key documents
- Communicate programme background and progress to other members of Housing Committee, political groups and leaders
- Support high-level design standards

### **Operating principles**

A number of principles should underpin the working of the Board:

- It should operate in a spirit of partnership and attempt to reach consensus on key issues
- Council officers and external specialists should attend as required
- Administered by the council with agenda and papers generally circulated five working days prior to meetings
- Schedule of future meeting dates to be agreed at first meeting

### **Confidentiality**

The nature of the business discussed by the board may mean that some issues are of a confidential or commercially sensitive nature:

- Members should treat relevant information and that of a commercially sensitive nature as confidential
- Guidance should be given to Board members on briefing political groups and wider stakeholders on an ongoing basis

### **5. Membership**

The Board will have the following membership:

- One elected member nominated by each political group chosen from current Housing Committee members
- Chaired by an elected member appointed at inaugural meeting

### **6. Review**

These terms of reference may be reviewed and amended by the Housing & New Homes Committee from time to time.

## **13. SCHOOL ORGANISATION WORKING GROUP - TERMS OF REFERENCE**

### **1. Name**

School Organisation Working Group

### **2. Purpose**

The purposes of the Cross Party School Organisation Working Group will be:

- To keep under review pupil number projections for Brighton & Hove
- To consider actions required to ensure that the Council fulfils its duty to secure sufficient school places for children and young people and advise the Children and Young People & Skills Committee (CYPS) accordingly
- To advise the CYPS regarding the schools capital programme
- To comment on an annual five year School Organisation Plan for endorsement by the CYPS and approval by Full Council, as required.

### **3. Status**

The Board shall be an advisory board to the Children and Young People & Skills Committee. The Board will not have sub-committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **4. Operating principles**

It is intended that the Working Group operate in partnership and its goal is to attempt to reach decisions by consensus

The Working Group may call upon specialist advice from legal, financial, property and other officers of the Council, and external consultants, as it sees fit

The Working Group will meet every six to eight weeks, with a schedule of meetings for the year agreed at the start of each school year. At the end of the year the Children & Young People & Skills Committee will determine if a further schedule of meetings is required.

Administration for the Working Group will be provided by Education & Skills. The agenda and accompanying papers will normally be circulated one week in advance of meetings, but additional material may be sent later or tabled where necessary.

Papers and minutes of each meeting will be issued within seven days of the meeting and will be confidential; Members will decide at the end of the meeting those items which may be discussed more widely.

### **5. Membership and Chairing Arrangements**

Membership of the Working Group will consist of 3 elected members, nominated by group leaders.

The Working Group will be advised by the Assistant Director, Families, Children & Learning (Education & Skills), the Head of School Organisation, the Head of Education Capital (Property & Design) and other officers of the Council as may from time to time be required.

## **6. Review**

These terms of reference may be reviewed and amended by the Children & Young People & Skills Committee from time to time.

## **14. CROSS PARTY MEMBER AND STAKEHOLDER STEERING GROUP FOR THE DISABILITY AND SPECIAL EDUCATIONAL NEEDS REVIEW - TERMS OF REFERENCE**

### **1. Name**

Cross Party Member and Stakeholder Steering Group for the Disability and Special Educational Needs Review

### **2. Purpose**

The purpose of this Board is to steer and oversee the implementation of all elements of the Disability and SEN Review in Children's Services including the parallel review in Adult Services. This Cross Party Steering Group will provide a valuable place for consultation and information prior to further reporting. It would also ensure engagement of councillors (and other partners) through the lifetime of these reviews to delivery.

The intention is for this strategic governance group to work closely with the review and monitor the proposals as they progress to implementation.

### **3. Status**

The Group shall be an advisory board to the Children and Young People & Skills Committee and to the Health & Wellbeing Board. The Group will not have sub-committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **4. Accountability structure**

The group is made up of Health and Wellbeing Board members and Children Young People and Skills committee members and will be accountable to both of these committees for the relevant parts of the review.

### **5. Membership**

- 3 elected members, nominated by group leaders
- Assistant Director Children's & Adult Services
- Executive Director Children's Services
- 2 Parent & Carer Council (PACC) representatives
- Executive Director Adult Services
- Assistant Director Children's Services
- NHS representative
- Young Person representative(s)
- CCG representative
- Public Health

### **6. Role:**

To provide effective oversight of the review of disability and SEN services to achieve the following:

- To create inclusive fully integrated SEN, health, care and disability provision of outstanding quality
- Following a completed restructure of Children's and Adults learning Disability services to form one all age service. Consider any further work required towards integration of policy and process.
- To ensure excellent practice in identification and assessment of SEN and disability
- To provide a new framework for joint commissioning of services across education, health and social care
- To deliver high quality provision and services within a value for money context, acknowledging need for on-going efficiencies in council spending
- To support the aspirations of young people towards greater independence, improve transition arrangements to adulthood
- To provide choice for families and facilitate best use of integrated personalised budgets and direct payments
- To engage parents and young people effectively at all levels of strategic and decision-making forums

It is important to note that:

- This group is not a decision making group
- It is there to provide advice, guidance and challenge as the review progress to the point of implementation.
- Will not replace the role of scrutiny which will reserve the right to challenge decisions and implementation plans when they have been formally agreed

#### **This to be done by:**

- Providing effective leadership and promoting a creative approach to service redesign
- Ensuring the review is conducted fairly and with integrity
- Ensuring that full attention is paid to equalities issues in conducting the review
- Ensuring that young people, staff, and parent/carers are encouraged to play an active part in the review considering recommendations for change, finalising proposals and establishing priorities

#### **Recording and Confidentiality**

The notes of the meeting will record the decisions and key actions agreed during the meeting. The notes of the previous meeting will be reviewed at the start of the next meeting. Although the business of the Board is not exempt from the Freedom of Information Act, the chair will specify any item or details which are not for public or wider consumption.

#### **7. Review**

These terms of reference may be reviewed and amended by the Children & Young People & Skills Committee from time to time.

## **15. CROSS PARTY YOUTH GROUP - TERMS OF REFERENCE**

### **1. Name**

Cross Party Youth Group

### **2. Purpose**

The purpose of the Cross Party Working Group will be to gather the views of young people to feed into Councillors and the Director / Assistant Director of Families, Children and Learning to inform decisions.

### **3. Status**

The Group shall be an advisory board to the Children and Young People & Skills Committee and to the Health & Wellbeing Board. The Group will not have sub-committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis.

### **4. Governance and decision making**

The Children, Young People and Skills Committee is the council Committee which is responsible for education, children's health and social care services, public health for children and young people, including services to young people up to the age of 19.

The full Council is the highest decision making body for the Council and agrees the budget for the Council once a year.

Views and recommendations from the Youth Cross Party Working Group will be taken into account and will be represented at the Children, Young People and Skills Committee by the Councillors and Youth Council representative.

### **5. Membership and Chairing Arrangements**

Membership of the Working Group will include one Member from each of the three political groups in the council who attend the Children, Young People and Skills Committee, together with either the Executive Director or Assistant Director for Families Children & Learning.

The group will develop representation from young people from different areas, groups and youth services in the city. To start with this will include representatives from the Youth Council, Children in Care Council and the commissioned neighbourhood youth projects. The group will consider how to ensure the views of a wider range of young people can be gathered including whether representatives from other youth organisations should join the group

The meetings of the Working Group will be co-chaired by the chair of the Children, Young People and Skills Committee and by the Youth Council representatives on the Committee.

### **6. Operating Principles**

It is intended that the Working Group operate in partnership and its goal is to reach recommendations by agreement.

This Working Group will be the main way that young people can influence the Children, Young People and Skills Committee of the Council.

The Working Group may ask for advice from legal, financial, property and other officers of the Council, or external advice.

Any discussions and papers from this group will be open and transparent and can be shared.

## **6. Frequency of Meetings**

The Working Group meetings are to be held every 3 months for 1.5 hours and will start at 5.30pm.

The frequency of the steering group is to be reviewed and increased or decreased, as required.

## **7. Administration**

Administration for the Working Group will be provided by the Early Years, Youth and Family Support service. The agenda and accompanying papers will normally be circulated one week in advance of meetings, but additional material may be sent later or tabled where necessary. The minutes of each meeting will be issued within ten days of the meeting.

Members will decide at the end of the meeting how the discussion of the group will be shared more widely.

## **8. Review**

These terms of reference may be reviewed and amended by the Children & Young People & Skills Committee from time to time.



## **16. HEALTH & SOCIAL CARE INTEGRATION CROSS PARTY MEMBER WORKING GROUP - TERMS OF REFERENCE**

### **1. Name**

Health & Social Care Integration Cross Party Member Working Group

### **2. Purpose**

The purposes of the Cross Party Health and Social Care Working Group will be:

- To consider the consequences of the recent PR&G Committee decision about Health and Social Care integration as the work progresses
- To oversee the development of proposals and raise issues with officers

### **3. Status**

The CPH&SCIWG is not an advisory board to the Health & Wellbeing Board (HWB). It is a Working Group that allows Councillors to meet and give political insight and consideration to issues that will come to the HWB and / or PRG. The CPH&SCIWG will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the CPH&SCIWG will be established on a cross party basis. All HWB voting councillors are invited.

### **4. Areas of focus**

The CPH&SCIWG focuses on the impact of integration of health & social care and ensuring that political oversight and democratic oversight are clearly incorporated into the reports that will go to either the HWB or PRG

### **5. Reporting**

The Board will not report directly to HWB or PRG – the aim of the CPH&SCIWG is to ensure that political accountability and democratic oversight are fully reflected in reports that go to the necessary committees.

### **6. Membership**

Membership of the Board shall consist of 3 elected members nominated by group leaders.

The Working Group will be supported by an Executive Director from both the Council and the CCG. Initially this will be the Executive Director for Health and Adult Social Care. However other voting HWB members are invited and Executive Directors from BHCC and CCG will attend as necessary.

The Working Group will be advised by the Executive Director Strategy, Governance and Law, together with other officers of the council as required.

The first meeting of the Working Group will initially be chaired by the Executive Director for Health and Adult Social Care. Future meetings will be chaired by the chair of the Health & Wellbeing Board.

Quorum – to be quorate there needs to be one representative from at least two of the three political groups.

Substitutions are accepted for this meeting.

### **7. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the CPH&SCIWG

The Group will agree ways of working appropriate to the role and remit of the Group.

### **8. Review**

These terms of reference may be reviewed and amended by PR&G from time to time

## **17. PERFORMANCE AND INFORMATION GROUP - TERMS OF REFERENCE**

### **1. Name**

Performance and Information Group

### **2. Purpose**

The Performance and Information Group is a non-decision making group that is open to all members (Council, CCG and co-opted) of the Health & Wellbeing Board (HWB) and Health Overview and Scrutiny Committee (HOSC).

It was set up to provide a space for the significant amount of performance and information that does not get aired due to time constraints in the Health & Wellbeing Board but may be of interest or help provide more detailed background to both the Board and Committee.

Having information shared at the Group does not preclude that information being presented at a later date at either the Board or Committee at a later date.

Membership: All members of the HWB and HOSC including external members such as CCG, co-opted.

### **3. Status**

The Performance and Information Group is not an advisory body. It does not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

### **4. Areas of focus**

The Performance and Information Group covers in detail performance information that the HWB and HOSC do not have time to cover in general meetings.

The topics for the meeting can be generated through:

- Data being available
- HWB or HOSC Chairs or members request
- Officers wishing to present information to the Group

### **5. Reporting**

The Performance and Information Group does not report to either HOSC or HWB. At the end of the meeting the Chairs of HWB and HOSC will discuss if there are any items from the meeting that need to go to either Board or Committee for public transparency.

### **6. Membership**

Membership of the Board shall consist of three members, to be nominated by group leaders.

All members of the HWB and HOSC including external members such as CCG and other co-optees are invited to attend the PIG.

### **7. Meetings and ways of working**

The meetings are held 4 times a year with the dates set around when performance data is accessible (this is normally quarterly).

The meetings are chaired by the Head of ASC Performance & Business Improvement. (this was agreed at the first meeting by councillors).

### **8. Review**

These terms of reference may be reviewed and amended by PR&G Committee from time to time.

## **18. COMMUNITY SAFETY PARTNERSHIP BOARD - TERMS OF REFERENCE**

### **1. Name**

Community Safety Partnership Board

### **2. Purpose**

The Board is responsible for ensuring the statutory and other duties of the Community Safety Partnership are delivered effectively and efficiently by its Responsible Authorities and partners.

**The overarching duty is to reduce crime and disorder, improve community safety and reduce re-offending in Brighton & Hove.**

This duty is set out in the Crime and Disorder Act 1998 and in subsequent guidance and legislation. The Community Safety, Crime Reduction and Drugs Strategy is the city-wide strategic plan which sets out how that duty is delivered.

The Community Safety Partnership Board will comply with the requirements of Brighton & Hove Connected and City Management Board as set out in the approved Protocols.

### **3. Status**

The Community Safety Partnership Board shall be an advisory board to the Neighbourhoods, Inclusion, Communities & Equalities Committee. The Board will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply.

However, it is expected that the Board will be established on a cross party basis.

### **4. Areas of focus**

- Approve an annual strategic assessment of crime and disorder in the city
- Ensure effective consultation with elected Members, local communities, communities of interest, residents and businesses on crime, disorder and safety concerns
- Oversee effective support for the wide network of community-led Forums and Action Teams which work within the Community Safety and Safe in the City Partnership, responding to their concerns and priorities
- Approve the crime and safety priorities and delivery plans for inclusion within the three yearly Community Safety, Crime Reduction and Drugs Strategy, based on findings and recommendations from strategic assessments and consultation
- Approve annual, pooled Partnership budgets to enable the crime, disorder and community safety priorities and action plans and those of substance misuse services to be commissioned and delivered in the most cost effective way
- Approve performance indicators and targets and respond to quarterly and year end performance reports directing corrective action and interventions when necessary
- Ensure compliance with Section 17 of the Crime and Disorder Act
- Lead compliance with Section 115 of the Crime and Disorder Act to ensure information is shared for the purpose of reducing crime and disorder

- Oversee and receive progress reports from the Management Board of the Youth Offending Service and for youth crime prevention services
- Oversee and receive progress reports from the Alcohol Programme Board
- Oversee and receive progress reports for the Young People's Substance Misuse Service
- Oversee and receive progress reports from the Joint Commissioning Group, the Harm Reduction Steering Group, other adult drugs services and multi-agency working groups
- Support and jointly respond to the priorities and actions of the Local Children Safeguarding Board, the Adult Safeguarding Board and the Health and Wellbeing Board
- Receive and respond to relevant reports from Partnership steering groups, council committees, city partnerships, and other relevant sources where appropriate
- Respond to central government policy, calls for action and consultation where appropriate and required
- Comply with and respond to all relevant inspections and audit processes

## **5. Reporting**

The Board will report to Neighbourhoods, Inclusion, Communities & Equalities Committee with recommendations as necessary.

## **6. Membership**

Membership of the Board shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council. Nominees will be selected from the membership of the relevant parent committee(s).

## **7. Meetings and ways of working**

- Quarterly meetings to be chaired by the Chief Executive of the city council. Named representative to be the Divisional Police Commander (Chief Superintendent) or Strategic Director of the city council who has the lead for Community Safety
- Administration of the Safe in the City Partnership Board to be carried out by the Partnership Community Safety Team
- Reports to be submitted to the Partnership Community Safety Team ten days before the date of the meeting and to be circulated to members 7 days before the meeting.

## **8. Review**

These terms of reference may be reviewed and amended by the Neighbourhoods, Inclusion, Communities & Equalities Committee from time to time.

## **19. CROSS PARTY KPI DEVELOPMENT GROUP - TERMS OF REFERENCE**

### **1. Name**

Cross-party KPI Development Group

### **2. Purpose**

The purpose of this cross-party group is to ensure full buy-in of Members of the Corporate KPI set to ensure common understanding ahead of Policy Resources & Growth committee where the targets are agreed. The Corporate KPI set is central to the council's statutory Best Value duty to Continuous Improvement, managed through our Performance Management Framework.

The Group reviews the indicators and associated targets for the full set of corporate and directorate level KPIs. KPI targets setting guidance and timetable for the process is also agreed at this group. The level of detailed discussion would be inappropriate for PR&G committee.

### **3. Status**

The Group shall be an advisory body to the Policy Resources & Growth committee.

### **4. Areas of focus**

Corporate KPI target setting guidance and timetable

Corporate KPI set and associated targets

Directorate KPI set

Performance of comparators

### **5. Reporting**

The Group will be an advisory body to the Policy Resources & Growth committee.

### **6. Membership**

Membership of the Board shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

Officers – Chief Executive, Executive Lead Officer for Strategy, Governance & Law, Head of Performance Improvement & Programmes, Corporate Performance Lead.

### **7. Meetings and ways of working**

As a minimum, the group needs to meet:

- in March to have an initial discussion regarding the KPI set and target setting guidance.
- in June to review the indicators and targets proposed by the officers to ensure the set enables us to evidence how well we have achieved the Corporate Strategy.

## **8. Review**

These terms of reference may be reviewed and amended as needed.



## **20. CROSS PARTY MEMBER OVERSIGHT GROUP - TERMS OF REFERENCE**

### **1. Name**

Cross-party Modernisation Member Oversight Group

### **2. Purpose**

The purpose of the Modernisation Member Oversight Group is to provide cross-party oversight and constructive challenge to the modernisation programmes and projects as part of the corporate modernisation governance arrangement to ensure identified cashable and non-cashable benefits are delivered as expected.

### **3. Status**

The Group shall be an advisory body to the Policy Resources & Growth committee.

### **4. Areas of focus**

Corporate Modernisation projects and programmes.

### **5. Reporting**

The Group shall be an advisory body to the Policy Resources & Growth committee.

The Group will receive updates and recommendations from the Corporate Modernisation Delivery Board.

### **6. Membership**

Membership of the group shall consist of 3 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

Officers – Chief Executive, Executive Director for Finance & Resources, Executive Lead Officer for Strategy Governance & Law, Head of Performance Improvement & Programmes.

Other officers to be invited as necessary.

### **7. Meetings and ways of working**

Quarterly meetings for 1 hour, more time if necessary.

### **8. Review**

These terms of reference may be reviewed and amended as needed.

## **21. BREXIT WORKING GROUP - TERMS OF REFERENCE**

### **1. Name**

Brexit Working Group (BWG)

### **2. Purpose**

The BWG will maintain Member oversight of the council's actions to mitigate the strategic risks to the council and city caused by the UK's withdrawal from the EU; and will coordinate relations with city stakeholders and communities where potential impact has been identified.

### **2. Status**

The BWG will be an advisory board to the Policy, Resources & Growth Committee.. The Group will not have subcommittee status. However, it is expected that the Group will be established on a cross party basis.

### **3. Areas of focus**

The BWG will focus on maintaining oversight of actions taken in relation to mitigating potential impacts of Brexit on the city and the council as outlined in the council's Strategic Risk Register. These potential impacts include, but due to the developing nature of the subject, are not limited to:

- Fragmented communities leading to civil unrest
- Increased demand for advice services for EU residents, citizens & businesses
- Reduced city wealth
- Reduction in skills levels in the city
- Stalling of city projects due to supply chains
- Less ability to manage local environmental impacts e.g. waste disposal
- Less certainty around export/import regulations
- Impact on food safety regulations and standards inc. Export Health Certificates
- Security risk – Border controls and changed emergency planning and resilience requirement may be required

### **4. Reporting**

The Board will report to the Policy, Resources & Growth Committee with recommendations as necessary.

### **6. Membership**

Membership of the Board shall consist of three elected Members, following nominations by their Group Leaders to reflect the political composition of the Council.

### **7. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the BWG.

The Group will agree ways of working appropriate to the role and remit of the Group.

### **8. Review**

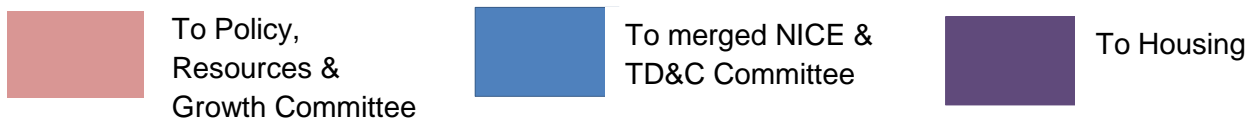
This is an ad hoc group established for a limited time. The work of the group is expected to finish by November 2019 but will be dictated by national policy decisions in relation to the UK's exit date from the EU, which is currently set to be no later than 31<sup>st</sup> October, 2019. Once there is confirmation of exit date and deal or no-deal scenario the BWG will report back to the Policy, Resources & Growth Committee.



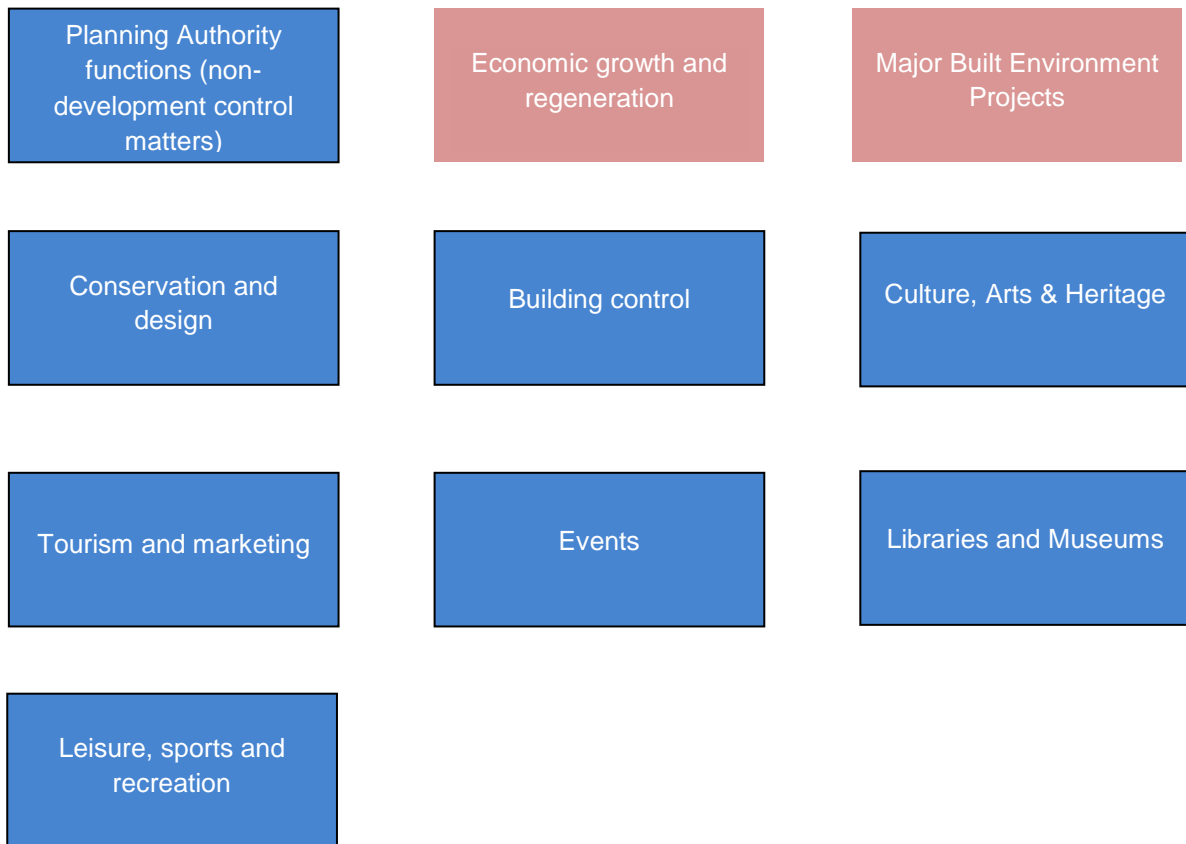
### NICE COMMITTEE - CURRENT



#### Destination key



## Tourism, Economic Development and Culture Committee - Current



### Destination key



To Policy, Resources & Growth Committee



To merged NICE & TD&C Committee

## Tourism, Equalities, Communities, and Culture Committee - Proposed



NB: These are functions as currently described in the constitution. The number of boxes relating to communities functions could be consolidated to avoid duplication so it does not look too cluttered.





## **TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE**

### **Explanatory Note**

The Committee has responsibility for co-ordinating the Council's approach to Equalities, communities, neighbourhoods and the third sector, including community safety and inclusion. The Committee is also responsible for the council's functions relating to planning policy, regeneration, culture, tourism and leisure. The Committee consists of 10 members but it may invite representatives from LATs, community groups and others to attend with speaking rights.

### **Delegated Functions**

#### **1. Active Citizenship and Community Resilience**

- a) To develop, oversee and make decisions regarding the proposals to increase active citizenship and make recommendations to Policy, Resources and Growth Committee.
- b) To develop, oversee and make decisions regarding the proposals to improve community resilience and make recommendations to Policy, Resources and Growth Committee.

#### **2. Community Wealth Building and Social Value**

To exercise the Council's functions regarding the promotion of community wealth and social value including, but not limited to the co-ordination of policies and make recommendations to the relevant committees of the Council.

#### **3. Community safety**

To discharge the Council's functions regarding community safety, crime and disorder and associated matters in particular where these require member-level engagement and consultation with the community.

NOTE: The committee will work in conjunction with the Safe in the City Partnership and the work of the two bodies will be co-ordinated to ensure that they complement each other and avoid duplication where possible

#### **4. Community and voluntary sector, including social impact bonds**

- a) To develop, oversee and make decisions regarding the implementation of the Council's Communities and Third Sector Policy, investment in and support to the community and voluntary sector.

- b) To exercise the Council's functions in relation to social impact bonds delivered by the community and voluntary sector.

#### **5. Crime and Disorder Committee**

To be the designated Crime and Disorder Committee as required under the Police and Justice Act 2006

#### **6. Equalities**

- a) To discharge the Council's functions regarding equalities and inclusion.
- b) Implementation of equalities related scrutiny or other recommendations, including Trans Scrutiny Report.

#### **7. Neighbourhood and community development**

- a) To consider options and develop proposals for neighbourhood arrangements, including capacity building, use of assets and devolving powers and services to neighbourhoods and making recommendations to the Policy, Resources and Growth Committee.
- b) To monitor and review the operation of any neighbourhood based delivery of services and make recommendations as necessary.

#### **8. Prevent duty**

- a) Carrying out its functions with due regard to the statutory Prevent duty imposed by the Counter-Terrorism and Security Act 2015, which requires the Council to have due regard to the need to prevent people being drawn into terrorism.
- b) Monitoring risk and otherwise co-ordinating Prevent activity across the Council's functions.

#### **9. Building Control**

To exercise the Council's functions regarding building control.

#### **10. Conservation and Design**

To exercise the Council's functions in relation to Conservation and Design including the Hove Borough Council Act 1976.

**11. Culture, Arts and Heritage**

To exercise the Council's functions in relation to culture, including arts, entertainment, cultural activities and heritage.

**12. Events**

To exercise the Council's functions in relation to events, including the annual programme of entertainment events (providing that if the relevant Director, or other officer with delegated powers, is of the view that the event is a major event or has corporate budgetary or policy implications the matter shall be referred to the Policy, Resources and Growth Committee).

**13. Leisure, Sports and Recreation**

To exercise the Council's functions in relation to the provision and management of leisure, sports and recreation facilities.

**14. Libraries and Museums**

To exercise the Council's functions in relation to libraries, museums, art galleries, historic buildings and their gardens and the functions of the Council regarding public records.

**15. Planning**

To exercise the Council's functions as local planning authority (to the extent that they are not development control functions delegated to the Planning Committee), including the formulation and development of the Development Plan Documents prior to their adoption by Full Council

**16. Tourism & Marketing**

To exercise the Council's functions in relation to tourism, marketing and conferences.



**Council**

**Item 23**

25 July 2019

**Brighton & Hove City Council**

**Proposed Allocations July 2019**

		<b>Labour</b>	<b>Green</b>	<b>Conservative</b>	<b>Indp</b>	No. Cllrs
No. Members 54		<b>20</b>	<b>19</b>	<b>14</b>	<b>1</b>	<b>54</b>
No. Seats to be Allocated	<b>96</b>	Allocation Split per Group				Seats allocated
	Committee Size	<b>36</b>	<b>34</b>	<b>25</b>	<b>2</b>	<b>97</b>
<i>Convention has previously given an Independent Member 1 seat on a committee</i>						
		<b>38</b>	<b>37</b>	<b>28</b>	<b>1</b>	<b>104</b>
Allocation Split per Group for each committee						
1	Policy, Resources & Growth	4	4	2	0	<b>10</b>
2	Children , Young People & Skills	4	3	3	0	<b>10</b>
3	Environment, Transport & Sustainability	4	4	2	0	<b>10</b>
4	Housing & New Homes	4	4	2	0	<b>10</b>
6	Tourism, Equalities, Communities & Culture	4	3	3	0	<b>10</b>
7	Licensing (Non 2003)*	6	5	4	0	<b>15</b>
8	Planning	3	3	3	1	<b>10</b>
9	Audit & Standards	3	3	2	0	<b>8</b>
10	Health, Overview & Scrutiny	3	4	3	0	<b>10</b>
11	Personnel Appeals Sub	1	1	1	0	<b>3</b>
	Initial Allocation	<b>36</b>	<b>34</b>	<b>25</b>	<b>2</b>	<b>97</b>
	Over allocation	<b>+2</b>	<b>+3</b>	<b>+3</b>	<b>-1</b>	
	Revised Allocations	<b>36</b>	<b>34</b>	<b>25</b>	<b>1</b>	<b>96</b>

The proposed allocations are based on the following assumptions:

Overall Allocations	<b>96</b>	<b>Labour</b>	<b>Green</b>	<b>Conservative</b>	<b>Indp</b>				
		35.55	33.77	24.88	1.77				
Rounded up		<b>36</b>	<b>34</b>	<b>25</b>	<b>2</b>	<b>97</b>			
Percentage split on Council						99.98%			
Percentage split of Seats						99.98%			
Proportional Allocations to Committees	<b>15</b>	5.55	<b>6</b>	5.27	<b>5</b>	3.88	<b>4</b>	0.27	<b>0</b>
	<b>10</b>	3.70	<b>4</b>	3.51	<b>4</b>	2.59	<b>3</b>	0.18	<b>0</b>
	<b>8</b>	2.96	<b>3</b>	2.81	<b>3</b>	2.07	<b>2</b>	0.14	<b>0</b>
	<b>5</b>	1.85	<b>2</b>	1.75	<b>2</b>	1.29	<b>1</b>	0.09	<b>0</b>
	<b>3</b>	1.11	<b>1</b>	1.05	<b>1</b>	0.77	<b>1</b>	0.05	<b>0</b>
	<b>2</b>	0.74	<b>1</b>	0.70	<b>1</b>	0.51	<b>1</b>	0.03	<b>0</b>



<b>Subject:</b>	<b>Review of Members Allowances</b>		
<b>Date of Meeting:</b>	<b>25 July 2019</b> 18 July 2019 – Policy, Resources & Growth Committee		
<b>Report of:</b>	<b>Executive Lead for Strategy, Governance &amp; Law (Monitoring Officer)</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mark Wall</b>	<b>Tel: 01273 291006</b>
	<b>Email:</b>	<b>mark.wall@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>			

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

- 1.1 The report details the recommendations of the Independent Remuneration Panel (IRP) following its review of the decision taken at the Budget Council meeting to “Remove the subsidy to Councillors’ parking at car parks at Norton Road, Hove and The Lanes, Brighton, releasing £0.038m in recurrent funding.”
- 1.2 The Panel were also minded to consider whether to make a recommendation in regard to the introduction of a maternity/paternity/adoption scheme for councillors taking into account the recommendations of the Local Government Commission’s and Fawcett Society’s report on Women in Local Government.

**2. RECOMMENDATIONS:****Policy & Resources Committee recommend to Council**

- 2.1 That the Members Allowances Scheme be amended to provide that for those councillors opting to take a car park pass for Norton Road and the Lanes car parks, a monthly contribution equivalent to that applied for councillors taking a bus pass (currently £23.09 for 2019/20), be deducted from their monthly Basic Allowance payment;
- 2.2 That the car park permit issued to councillors for Norton Road should be for Mondays–Fridays only, and
- 2.3 That the intention of the Independent Remuneration Panel to undertake a review on the establishment of maternity/paternity/adoption leave policy for councillors (in so far as it relates to allowances) and to report back in the autumn be noted.

**3. CONTEXT/ BACKGROUND INFORMATION****Car Passes**

- 3.1 At the Budget Council meeting in February it was agreed that car parking passes should not be provided to Councillors thereby providing recurrent funding of £38k

per annum to be used to support the Community Safety Team and the establishment of Community Clean-up Fund. However, the provision of the passes formed part of the Members Allowances Scheme and as such any changes to the Scheme were subject to consultation with the Independent Remuneration Panel. As such, the IRP were asked to review the recommendations and consider the implications for the Scheme.

- 3.2 The IRP met in April and invited councillors to give their views on the proposed withdrawal of the car park passes and the provision of spaces to the rear of the Norton Road car park that had been allocated for councillors. Having received comments from councillors and taking into account the impact of implementing the proposed removal of the subsidy, the Panel were minded to recommend that provision of car park passes should remain within the Scheme. The Panel also felt that the spaces to the rear of the car park should continue to be designated spaces for councillors to park.
- 3.3 The Panel noted the comments of the Chief Finance Officer to the amendment that was approved at the Budget Council meeting and that the passes did not guarantee a space at either Norton Road or the Lanes.

“Both car parks are popular and often full and therefore the risk of the forecast income not being achieved is considered to be relatively low. Members currently allocated parking spaces or passes are entitled to an alternative subsidised annual bus pass. This cost has been taken into account in estimating the potential net income generated.

The impact on Members’ ability to undertake council business is a matter for them to consider. However, the use of spaces and passes for councillors is kept under regular review to ensure that they are only issued according to reasonable business need. Spaces and passes save time for councillors, particularly when travelling between venues for different meetings. Removal of these facilities would generally mean the use of buses, cycling or other methods likely to add to travel time. Removing parking spaces and passes may ultimately cause upward pressure on allowances and expenses if alternative travel frustrates the efficient and timely operation of council meetings and other business, and/or increases councillors’ expenses.

Should the amendment be carried there will be a need for the Independent Remuneration Panel to review the Members Allowances Scheme and make recommendations to the Council.

The other increased income and savings targets in this amendment are modest and considered low risk.”

- 3.4 The Panel also noted that the car park passes were not restricted and did not guarantee a parking space hence the provision of the spaces at the rear of the Norton Road car park. As such, the Panel felt that restricting the passes to the working week, i.e. Mondays-Fridays for the Norton Road car park was justifiable as it was unlikely that councillors would be attending meetings at the Town Hall on weekends. The Panel also noted that it would be difficult to apply a similar restriction to the Lanes passes because of the different system used. However, a report on usage could be produced and included as part of the annual publication of allowances and expenses.



## **Maternity/Paternity/Adoption Leave**

- 3.5 As part of its full review of the Members Allowances Scheme in 2018, the Panel was also mindful of the Local Government Commissions report which followed the Fawcett Society's paper on Women In Local Government; the Panel noted the need to consider the Commission's recommendation, and sought agreement to bring proposals back to the council in this regard:

*“The Secretary of State for Communities and Local Government should introduce a statutory England-wide, comprehensive maternity, paternity, adoption and parental leave policy for councillors. This should be in line with leave available to employees, and ensure that cabinet members continue to receive their allowances.”*

- 3.6 The Panel have noted the change in the make-up of the Council following the elections in May and before making any recommendations for the adoption of a specific maternity/paternity/adoption policy for the council wish to consult with councillors. The Panel therefore intend to undertake a short review in September and report to full Council in October.

## **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The Panel felt that removal of the car park passes was likely to lead to councillors being directly affected and unable to fulfil their duties as they would not be able to attend meetings. There were clear difficulties for those councillors in wards on the edge of the city to use public transport as an alternative to their car, in order to attend meetings without it impacting on their time. The majority of council meetings took place in Hove Town Hall and the majority of officers who councillors may need to meet with were also based at Hove Town Hall.
- 4.2 The Panel are aware that the council does not have a stated policy for maternity/paternity/adoption leave and therefore believe it should undertake a review so that the council can then determine a clear position.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The Panel sought the views of councillors and met with a number of councillors prior to the May elections to ascertain their views on the proposed removal of the car park passes. Having received feedback from councillors, the Panel accepted that concerns around personal safety and the ability to undertake duties should be taken into consideration.
- 5.2 The Panel intend to consult all councillors on the possibility of establishing an agreed policy for maternity/paternity/adoption leave and to take into account existing schemes that may exist in other local authorities and how this relates to the Members Allowances Scheme.

## 6. CONCLUSION

- 6.1 The Panel concluded that the use of a car and the ability to park was an important factor that should be taken into account when seeking to enable councillors to undertake their role and responsibilities.
- 6.2 The need for councillors to utilise their time and attend meetings at the Town Hall meant that the use of a car was necessary, and the provision of a car park pass, whilst not guaranteeing a parking space, was justified and equitable to providing a bus pass.
- 6.3 In addition, the provision of the 12 spaces to the rear of the Norton Road car park should be maintained and further consideration given to ensuring the spaces remained available for use by councillors and/or visitors meeting with the Chief Executive and the Executive Leadership Team.
- 6.4 That a review of maternity/paternity/adoption leave arrangements for councillors should be undertaken with a report to committee in the autumn.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The proposal to remove parking permits was part of the Green Amendment 2 agreed at Budget Council in February. If the recommendation to retain permits is approved, this will apply £38k income pressure to the Parking Service, which may need to be reflected in future TBM forecasts.
- 7.2 This pressure may be partly offset by £5k contributions from Members, dependent on the numbers choosing a car park pass. The budgets would need to be realigned as part of the 2020/21 budget setting process.

*Finance Officer Consulted: James Hengeveld* *Date: 25/06/19*

### Legal Implications:

- 7.3 Changes to the Members Allowances Scheme have to be considered by the Independent Remuneration Panel and its recommendations taken in to consideration by the council in approving its Members Allowances Scheme.

*Lawyer Consulted: Abraham Ghebre-Ghiorghis* *Date: 25/06/19*

### Equalities Implications:

- 7.4 The Panel felt that the introduction of a monthly contribution for a car park pass in line with that for a bus pass was a fair and equitable approach and may encourage more councillors to opt for a bus pass.
- 7.5 The Panel also believed that enabling the councillors to park their cars met their concerns for health and safety issues where they were having to leave meetings late at night and felt vulnerable in having to wait for buses and potentially have 2 or 3 changes in order to reach their homes.

Sustainability Implications:

- 7.6 Whilst the use of a car has recognised environmental implications, these need to be taken into consideration in enabling a councillor to fulfil their duties and responsibilities and that is a personal choice for each councillor.

Any Other Significant Implications:

- 7.7 There are no other implications.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. IRP's Terms of Reference

**Background Documents**

1. Members Allowances Scheme 2019-2023

Brighton & Hove City Council appointed the following to its Independent Remuneration Panel, namely:

**Ken Childerhouse (Chair)** (retired university lecturer);

**Martin Andrews** (civil servant);

**John Bateman** (teaches Corporate Governance in the Department of Business and Management at the University of Sussex);

**Rachel Potter** (JP, Journalist and Editor specialising in local government and the public sector).

## 1 Introduction: The Regulatory Context and Background to the Report

- 1.1 The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)*. These regulations, which arise out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to set up and maintain an advisory Independent Remuneration Allowances Panel to review and provide advice on Members' allowances. All councils are required to convene their Allowances Panel and seek its advice before they make any changes or amendments to their allowances scheme, and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.
- 1.2 The Panel was given general terms of reference to make recommendations to the City Council on the appropriate form and level of remuneration:
- For all councillors (i.e. the Basic Allowance);
  - Special Responsibility Allowances;
  - Childcare and Dependant's carers' allowances for councillors;
  - Travel and Subsistence allowances;
  - Allowances for co-optees;
  - To recommend a scheme for the duration of the 4-year term of the council; subject to an annual and any other periodic reviews;
  - To consider the recommendations of the Local Government Commission and report of the Fawcett Society – Does Local Government Work for Women.

<b>Subject:</b>	<b>Greater Brighton Economic Board – Admission of New Member to the Board</b>		
<b>Date of Meeting:</b>	<b>25 July 2019</b> 18 July 2019 – Policy, Resources & Growth Committee		
<b>Report of:</b>	<b>Executive Director for Economy Environment and Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Andy Hill</b>	<b>Tel: 01273 291873</b>
	<b>Email:</b>	<b>andy.hill@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 On 29 October 2018 Arun District Council wrote a letter to the Chair of the Greater Brighton Economic Board (“the Board”) formally requesting to join the Board.
- 1.2 At the Greater Brighton Economic Board Meeting on 26 March 2019, a decision was made that Arun District Council should be invited to become a constituent member of the Board, joining the Greater Brighton Economic Joint Committee.
- 1.3 Extending the membership of the board triggers a variance in the Board’s Heads of Terms that will require the formal ratification of all Joint Committee members; Adur District Council, Brighton & Hove City Council, Crawley Borough Council, Lewes District Council, Mid Sussex District Council and Worthing Borough Council. Each member will need to individually ratify the membership of proposed new members in accordance with their own internal committee processes.
- 1.4 In addition, at the Greater Brighton Economic Board Meeting on 26 March 2019, several other changes to the Board’s Heads of Terms were agreed. As per the change of membership, these changes to the Heads of Terms will need to be ratified by each member of the Joint Committee.
- 1.5 This report seeks approval from the Policy, Resources & Growth Committee and Full Council to enable Arun District Council to become a member of the Board, and to agree the other changes to the Board’s Heads of Terms. Each local authority member of the joint committee is seeking equivalent approvals from their decision-making bodies.

## **2. RECOMMENDATIONS:**

### *That the Policy, Resources & Growth Committee:*

- 2.1 Recommends to Full Council on 25 July 2019 that Arun District Council joins the Greater Brighton Economic Joint Committee, subject to formal agreement of Arun District Council.
- 2.2 Recommends to Full Council that it agrees to the other changes within the Greater Brighton Economic Board Heads of Terms as detailed in paragraph 3.9.
- 2.3 Notes that these changes to the membership and Heads of Terms are dependent on the decision of Full Council, all the local authorities represented on the Joint Committee agreeing that the new members be appointed, and the Board taking a formal decision that the new members are appointed.
- 2.4 Recommends to Full Council that it agrees to amend the Board's Heads of Terms and that it instructs the Monitoring Officer to amend the Council's constitution to reflect these amendments once they have been formally approved by all the constituent authorities and the Greater Brighton Economic Board.

### *That Full Council:*

Agrees that Arun District Council joins the Greater Brighton Economic Joint Committee.

- 2.1 Agrees that Arun District Council joins the Greater Brighton Economic Joint Committee.
- 2.2 Agrees to the other changes within the Greater Brighton Economic Board Heads of Terms as detailed in paragraph 3.9.
- 2.3 Notes that these changes to the membership and Heads of Terms are dependent on the decision of all the local authorities represented on the Joint Committee agreeing that the new members be appointed, and the Board taking a formal decision that the new members are appointed.
- 2.4 Agrees to amend the Board's Heads of Terms and instructs the Monitoring Officer to amend the Council's constitution to reflect these amendments once they have been formally approved by all the constituent authorities and the Greater Brighton Economic Board.

## **3. CONTEXT/ BACKGROUND INFORMATION:**

- 3.1 The Greater Brighton Economic Board was founded in April 2014 as part of the Greater Brighton City Region's City Deal with Government.
- 3.2 The Board comprises the Greater Brighton Economic Joint Committee ("GBEJC"), on which the local authorities are represented; and the Greater Brighton Business Partnership ("GBBP"), on which the Coast to Capital Local Enterprise Partnership, business, university and further education sectors are situated.

3.3 The following bodies are members of the Board:

- i. Brighton & Hove City Council
- ii. Adur District Council
- iii. Worthing Borough Council
- iv. Lewes District Council
- v. Mid-Sussex District Council
- vi. Crawley Borough Council
- vii. University of Sussex
- viii. University of Brighton
- ix. Greater Brighton Metropolitan College
- x. Coast to Capital Local Enterprise Partnership
- xi. Brighton & Hove Economic Partnership
- xii. Adur & Worthing Business Partnership
- xiii. Coastal West Sussex Partnership
- xiv. South Downs National Park Authority
- xv. Gatwick Airport Ltd

3.4 GBEJC comprises the bodies specified in paragraphs 3.3(i) to (vi); and GBBP comprises the bodies specified in paragraphs 3.3(vii) to (xv).

3.5 The functions of the Board are as follows:

- i. To make long term strategic decisions concerning regional economic development and growth;
- ii. To be the external voice to Government and investors regarding the management of devolved powers and funds for regional economic growth;
- iii. To work with national, sub-national (in particular the Coast to Capital Local Enterprise Partnership) and local bodies to support a co-ordinated approach to economic growth across the region;
- iv. To secure funding and investment for the Region;
- v. To ensure delivery of, and provide strategic direction for, major projects and work streams enabled by City Deal funding and devolution of powers;
- vi. To enable those bodies to whom section 110 of the Localism Act 2011 applies to comply more effectively with their duty to co-operate in relation to planning of sustainable development.
- vii. To incur expenditure on matters relating to economic development where funds have been allocated directly to the Board for economic development purposes.

3.6 Working in partnership, the Greater Brighton City Region has brought significant benefits to the partner Local Authorities and agencies. Together the partnership has secured around £160m of Growth Deal funding held by the Coast to Capital Local Enterprise Partnership.

3.7 The Board's success and growing reputation has gained interest across the region, and Crawley Borough Council and Gatwick Airport Ltd joined the partnership in February 2018. Arun District Council requested to join the Board in October 2018.

3.8 Some points for consideration are summarised below;

## Functional Economic Area

- 3.8.1 Recent work undertaken by the West Sussex and Greater Brighton Strategic Planning Board has recognised that Arun lies within both the Housing Market area and Functional Economic Market Area of that part of the coast including all or parts of Adur, Worthing, Brighton & Hove, Lewes and Mid Sussex.
- 3.8.2 Arun is a net exporter of workers to the City Region, as well as forming part of its housing market. Based on 2011 Census data, Arun provides jobs for around 4,500 Greater Brighton residents, whilst 9,000 of Arun's residents were employed across Greater Brighton. Aligning strategy and investment activity would add value to the region as a whole.
- 3.8.3 Arun can add much to the critical mass and economic diversity of the Greater Brighton City Region economy. Arun's economy supports around 55,000 jobs, and the addition of Arun to Greater Brighton would take the City Region's job base (currently circa 475,000) to over half a million, which would be a significant milestone. The current Gross Value Added (GVA) of Greater Brighton is around £23.1bn. Arun's economy currently generates around £2.3bn GVA, which would represent a 10% uplift to the current Greater Brighton economy.
- 3.8.4 In terms of job growth, estimates from Experian indicate that Greater Brighton could grow by around 73,000 jobs over the next 20 years, with growth in Arun being around 5,300 new jobs over the same time period. If included in Greater Brighton, the projected job growth in Arun would provide an uplift of around 7% to the City Region total.
- 3.8.5 Arun has a broad-based economy including representation in a number of high-value sectors such as knowledge-based manufacturing and advanced engineering activities. The greatest uplift to Greater Brighton's current GVA would be seen in the agriculture, construction, accommodation and food services, and wholesale and retail sectors.
- 3.8.6 This reflects that Arun has local sector concentrations in construction, wholesale and retail, accommodation and food services, real estate, public administration and defence, human health and social work, and arts, entertainment and recreation. The key sector strength in Arun is accommodation and food service activities, in particular restaurants and mobile food service activities, and holiday and short stay accommodation.
- 3.8.7 In addition, Arun has a distinct local concentration of knowledge-based manufacturing and engineering activities. Supporting growth in specialised and highly-productive industries is a key objective of the Government's Industrial Strategy. There are a number of advanced engineering/manufacturing firms within Arun, hence Arun's businesses could be well placed to respond.

## Housing Delivery

- 3.8.8 Arun provides a source of relatively affordable housing that contributes to the functioning of the Greater Brighton economy. ONS statistics show that in 2016 around 1,900 people moved out of Greater Brighton and into the Arun region, specifically from Worthing and Brighton & Hove. The District has significant



potential to increase future capacity for housing and employment space in Greater Brighton. Current Local Plans for the six Greater Brighton local authorities give a combined figure of around 49,000 new homes to be built up to 2032. Arun's Local Plan, which was adopted in June 2018, makes provision to deliver 20,000 dwellings over the period. This would increase the City Region's housing delivery by 40%.

- 3.8.9 The Arun Local Plan proposes a wide range of housing allocations including several large-scale strategic sites which will provide sustained high levels of delivery over the medium and long term. When considered in the context of the housing trajectories published by the Greater Brighton local authorities to 2026, this indicates that Arun could be contributing about 32% of housing delivery in the City Region by 2022/23.

#### Employment Land Supply

- 3.8.10 In addition to housing, the Arun Local Plan makes provision for significant capacity for additional employment floor space, which could supplement the City Region's constrained supply. The Local Plan provides allocations for around 292,000m<sup>2</sup> of floor space capacity. The most significant allocation is Enterprise Bognor Regis and this space has started to come forward for development. These allocations would be the largest in Greater Brighton, with the next highest being the proposed 200,000m<sup>2</sup> of commercial space across strategic employment sites in Burgess Hill.
- 3.8.11 Commercial property market intelligence indicates that businesses from Greater Brighton, particularly along the coast, seeking new accommodation for expansion or upgrading would be likely to consider Arun if there was a lack of suitable floor-space in their districts, particularly as regards larger space requirements. This has recently been demonstrated by the Rolls Royce expansion in Bognor Regis, away from the company's Goodwood base at Chichester.
- 3.8.12 Arun is likely to play an increasingly important role in accommodating some of the commercial property needs of Greater Brighton and the A27 corridor in particular. This might apply both to occupiers relocating from more constrained locations, but importantly being retained within the City Region, or working to a "hub and spoke" model whereby they structure their operations and supply chains across a range of locations.

#### Skills

- 3.8.13 Chichester University (Bognor Regis Campus) has invested over £50m with direct assistance from Arun District Council for the new Learning and Resource Centre and the new Tech Park at the Bognor Regis Campus. The Learning Resource Centre will promote STEM courses and bring 1,500 new students to the town. The council has also developed Enterprise@Bognor Regis with a Local Development Order which has unlocked sites for development, resulting in attracting Rolls Royce to create a new logistics and finishing site.

## Infrastructure & Other Priorities

- 3.8.14 The ambition and vision for housing outlined in 3.8.8-3.8.9 require significant infrastructure support. Arun's Infrastructure Delivery Plan sets out the requirements, which include the development of a new secondary school and nine primary schools on top of current educational expansion. The A27, A259 east-west corridor and north-south A23 corridor are both key priorities for Arun.
- 3.8.15 Arun can actively contribute to the Board's future work plan, particularly on housing, economic growth, strategic planning and adding new projects to the pipeline for future funding bids to Government and others.
- 3.8.16 Arun's membership would give additional capacity and capability to deliver sub-regional spatial priorities in a coordinated way, building on existing mechanisms such as the West Sussex and Greater Brighton Strategic Planning Board.

## Heads of Terms:

- 3.9 There are a number of changes to the Heads of Terms that the Board agreed on 26 March 2019. These are as follows:
- I. Change to 5.1 (Membership) to reflect the recommendation in paragraph 2.1 above that Arun District Council be formally invited to join the GBEJC.
  - II. Change to 6.4 (Chair) to reflect the agreed departure from a 1-year fixed-term Chair with the requirement to rotate annually, to allowing a sitting chair to stand for re-election.
  - III. Amendment to 11.1 (Time and Venue of Meetings) to reflect the current practice that Board meetings move around the City Region and do not always take place in the geographical area of the Lead Authority (currently Brighton & Hove City Council).

## **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS:**

- 4.1 An alternative would be for the membership to remain as it is currently, but for the reasons outlined in paragraphs 3.8.1-3.8.16, the Greater Brighton Economic Board took the decision to extend the membership to Arun District Council.
- 4.2 The Board also agreed the governance changes outlined in points II and III in paragraph 3.9 above.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION:**

- 5.1 None required

## **6. CONCLUSION:**

- 6.1 The Policy, Resources & Growth Committee is asked to recommend to Full Council that Arun District Council joins the GBEJC, and recommends to Full Council that it agrees the other changes to the Board's Heads of Terms. The Policy, Resources & Growth Committee is also asked to accept the other recommendations outlined in this report.

- 6.2 Full Council is asked to agree that Arun District Council joins the GBEJC, and agrees the other changes to the Board's Heads of Terms. Full Council is also asked to accept the other recommendations outlined in this report.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 Any financial commitments and benefits associated with membership of the Greater Brighton Economic Board in relation to Arun DC is dependent upon the decision of all the local authorities represented on the Joint Committee obtaining approval that Arun DC be appointed as a new member. As a constituent member of the Greater Brighton Economic Board Arun DC will make a financial contribution toward the operation costs associated with the Board. The operational arrangements for 2019/20 were approved at the Board on 29 March 2019 therefore Arun DC will make a contribution in line with the funding calculation outlined in that report from 1 April 2020.

*Finance Officer Consulted: Rob Allen*

*Date: 23/05/19*

### Legal Implications:

- 7.2 The GBEJC is a joint committee established pursuant to section 102(1)(b) of the Local Government Act 1972. The Local Government Act 1972 and The Local Authorities (Arrangements for the Discharge of Functions (England) Regulations 2012 requires the constituent authorities of a joint committee to decide the membership of that committee and it is therefore necessary for the Council to take the decisions outlined in this report in order for Arun District Council to become a member of GBEJC.
- 7.3 This decision to alter the membership of the joint committee is one which must be taken by Full Council by virtue of section 102 of the Local Government Act 1972.
- 7.4 Policy, Resources and Growth have authority under Article 13 of our constitution to amend the terms of reference of a joint committee and they have therefore approved the proposed amendments to the Heads of Terms subject to the decision of all the constituent authorities and a decision by the Board to admit Arun District Council.

*Lawyer Consulted: Joanne Dougnaglo,*

*Date: 28/05/19*

### Equalities Implications:

- 7.5 None.

### Sustainability Implications:

- 7.4 None.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Heads of Terms of the Greater Brighton Economic Board

### **Documents in Members' Rooms:**

None

### **Background Documents:**

None





## **Appendix 1: Heads of Terms for Greater Brighton Economic Board (26 March 2019)**

### **1. Establishment, Purpose and Form**

- 1.1. The Greater Brighton Economic Board (“The Board”) shall be established from the Commencement Date.
- 1.2. The over-arching purpose of the board is to bring about sustainable economic development and growth across Greater Brighton (‘the City Region’). To achieve this, the principal role of the Board is to co-ordinate economic development activities and investment at the regional level.
- 1.3. The Board comprises the Greater Brighton Economic Joint Committee (“GBEJC”), on which the local authorities will be represented; and the Greater Brighton Business Partnership (“GBBP”), on which the Coast to Capital Local Enterprise Partnership, business, university and further education sectors will be represented?
- 1.4. Meetings of the Board comprise concurrent meetings of GBEJC and GBBP.
- 1.5. GBEJC shall be a joint committee appointed by two or more local authorities represented on the Board, in accordance with section 120(1)(b) of the Local Government Act 1972.
- 1.6. The Board may appoint one or more sub-committees.
- 1.7. For the two years starting with the Commencement Date, the lead authority for the Board shall be Brighton & Hove City Council (“BHCC”), whose functions in that capacity shall include the provision of scrutiny (see paragraph 4.3), management of the call-in and review process (see paragraph 8), and the support detailed in paragraph 12.
- 1.8. Unless the Board resolves otherwise, before the start of the third year following the Commencement Date, and every two years thereafter, the Board shall review the lead authority arrangements and, subject to paragraph 1.9, invite each of the local authorities represented on the Board to submit an expression of interest in fulfilling the role of lead authority for the subsequent two year period. The Board shall then instigate a procurement exercise to select the most appropriate authority for that role.
- 1.9. Notwithstanding the appointment of a successor lead authority pursuant to paragraph 1.8, the incumbent lead authority may retain such of their Accountable Body functions as are necessary to enable that local authority to comply with its on-going commitments and liabilities associated with its Accountable Body status.

### **2. Interpretation**

- 2.1. In these Heads of Terms –
  - i. ‘Commencement Date’ means 1<sup>st</sup> April 2014.

- ii. 'City Region' means the area encompassing the administrative boundaries of BHCC, Adur District Council, Worthing Borough Council, Lewes District Council, Mid Sussex District Council and Crawley Borough Council as lie within the Coast to Capital Local Enterprise Partnership area; and 'regional' shall be construed accordingly;
- iii. 'economic development' shall bear its natural meaning but with particular emphasis given to :
  - Employment and skills;
  - Infrastructure and transport
  - Housing;
  - Utilisation of property assets;
  - Strategic planning;
  - Economic growth.
- iv. 'Accountable Body' means the local authority represented on the Board carrying out the function set out in paragraph 12.2.

### **3. Functions**

3.1. The Functions of the Board are specified in paragraph 3.2 below and may be exercised only in respect of the Region.

3.2. The functions referred to in paragraph 3.1 are as follows:

- i. To make long term strategic decisions concerning regional economic development and growth;
- ii. To be the external voice to Government and investors regarding the management of devolved powers and funds for regional economic growth;
- iii. To work with national, sub-national (in particular the Coast to Capital Local Enterprise Partnership) and local bodies to support a co-ordinated approach to economic growth across the region;
- iv. To secure funding and investment for the Region;
- v. To ensure delivery of, and provide strategic direction for, major projects and work stream enabled by City Deal funding and devolution of powers;
- vi. To enable those bodies to whom section 110 of the Localism Act 2011 applies to comply more effectively with their duty to co-operate in relation to planning of sustainable development.
- vii. To incur expenditure on matters relating to economic development where funds have been allocated directly to the Board for economic development purposes; and for the avoidance of doubt, no other expenditure shall be incurred unless due authority has been given by each body represented on the Board.



3.3. In discharging its function specified in paragraph 3.2 (Viii) above, the Board shall-

- i. (save in exceptional circumstances) seek to invest funding on the basis of-
  - a Proportionality, by reference to the economically active demographic of each administrative area within the city Region;
  - b Deliverability;
  - c Value for money and return on investment / cost benefit ratio; and
  - d Economic impact to the City Region as a whole.
- ii. Delegate implementation of that function to the lead authority, who shall also act as Accountable Body in relation to any matters failing within that function.

#### **4. Reporting and Accountability**

4.1. The Board shall submit an annual report to each of the bodies represented on the Board.

4.2. The Greater Brighton Officer Programme Board shall report to the Board and may refer matters to it for consideration and determination.

4.3. The work of the Board is subject to review by an ad hoc joint local authority scrutiny panel set up and managed by the lead authority.

#### **5. Membership**

5.1. The following bodies shall be members of the Board:

- i. Brighton & Hove City Council
- ii. Adur District Council
- iii. Worthing Borough Council
- iv. Lewes District Council
- v. Mid-Sussex District Council
- vi. Crawley Borough Council
- vii. [Arun District Council]\* \* *subject to confirmation by a report later in the agenda*
- viii. University of Sussex
- ix. University of Brighton
- x. Further Education Representative
- xi. Coast to Capital Local Enterprise Partnership
- xii. Brighton & Hove Economic Partnership
- xiii. Adur & Worthing Business Partnership
- xiv. Coastal West Sussex Partnership
- xv. South Downs National Park Authority
- xvi. Gatwick Airport Ltd

5.2. GBEJC shall comprise the bodies specified in paragraphs 5.1(i) to (vii); and GBBP shall comprise the bodies specified in paragraphs 5(viii) to (xvi).

- 5.3. Each of the bodies listed in paragraph 5.1 shall be represented at the Board by one person, save that BHCC shall, by reason of it being a unitary authority, be represented by two persons (as further specified in paragraph 5.4).
- 5.4. Each local authority member shall be represented at the Board by its elected Leader and, in the case of BHCC, by its elected Leader and the Leader of the Opposition.
- 5.5. Each business sector member shall be represented at the Board by the Chairman of that member or by a person nominated by the Board of that member.
- 5.6. Each university member shall be represented by a Vice Chancellor or Pro Vice-Chancellor of that university or by a person nominated by that university member.
- 5.7. Each further education member shall be represented by its Principal or the Chair of its Governing Body or by a person nominated by that further education member.

## **6. Chair**

- 6.1. The Chair of GBEJC shall, by virtue of his/her democratic mandate, be Chair of the Board
- 6.2. If the Chair of GBEJC is unable to attend a Board meeting, the Board shall elect a substitute from its local authority member representatives provided that no such member representative attending in the capacity of a substitute shall be appointed as Chair of GBEJC / the Board.
- 6.3. The Chair of GBEJC for its first year of operation shall be the Leader of BHCC
- 6.4. The Chair will be elected annually by members of the GBEJC. Election of the Chair will be conducted through a formal process performed by the Democratic Services Team of the Lead Authority. The elected Chair will be appointed at the first meeting of the Board in the new municipal year. A Chair may be re-elected but shall not serve as Chair for more than 4 years.

## **7. Voting**

- 7.1. Each person represents a member of GBEJC, and each person representing a member of the GBBP, shall be entitled to vote at their respective meetings.
- 7.2. Voting at each of the concurrent meetings of GBEJC and GBBP shall be by show of hands or, at the discretion of the chair, by any other means permitted by law, and voting outcomes reached at those meetings shall be on a simple majority of votes cast.
- 7.3. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the Chair of GBEJC shall have a casting vote.

7.4. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the motion/proposal/recommendation under consideration shall fall in relation of GBBP.

7.5. Where the respective voting outcomes of GBEJC and GBBC are the same, that shall be taken as the agreed Board decision and the Board may pass a resolution accordingly.

7.6. Where the respective voting outcomes of GBEJC and GBBP differ, the Board –

- i. May not pass a resolution relating to that matter; and
- ii. May refer the matter to the Chief Executive of the lead authority, who may consult with members of the Board or such other persons as are appropriate, with a view to achieving agreement on the matter between GBEJC and GBBP by discussion and negotiation.

7.7. Where, pursuant to paragraph 7.6(ii), agreement is reached the matter at issue shall be remitted to, and voted upon at, the next meeting of the Board.

7.8. Where, pursuant to paragraph 7.6(ii), no agreement is reached the motion/proposal/recommendation at issue shall fall.

## **8. Review of decision**

8.1. Decisions of the Board will be subject to call-in and review in the following circumstances:

- i. Where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was not to agree the recommendation.
- ii. Where a local authority voted against a recommendation at a GBEJC meeting, but the decision of the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iii. Where any local authority represented on the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iv. Where any local authority represented on the Board considered that the Board had made a decision beyond its scope of authority.

8.2. The procedure for requesting, validation, and implementing a call-in and review is specified in Schedule 1.

8.3. Where a request for call-in is accepted, the Board decision to which it relates shall be stayed pending the outcome of the call-in.

8.4. Following call-in, the panel convened to review a Board decision may refer the decision back to the Board for re-consideration. Following referral, the Board shall, either at its next scheduled meeting or at a special meeting called for the purpose, consider the panel's concerns over the original decision.

8.5. Having considered the panel's concerns, the Board may alter its original decision or re-affirm it. Paragraph 8.1 shall not apply to the Board's follow-up decision. In consequence, the latter decision may be implemented without further delay.

## **9. Substitution**

9.1. Subject to paragraph 9.2, representatives are expected to attend all meetings however, where a representative of a member of the Board is unable to attend a Board meeting, a substitute representative of that member may attend, speak and vote, in their place for that meeting.

9.2. A substitute member must be appointed from a list of approved substitutes submitted by the respective member to the Board at the start of each municipal year.

## **10. Quorum**

10.1 No business shall be transacted at any meeting of the Board unless at least one third of all member bodies are present, and both GBEJC and GPBBP are quorate.

10.2 Quorum for GBEJC meetings shall be three member bodies.

10.3. Quorum for GBBP meetings shall be three member bodies.

## **11. Time and Venue of Meetings**

11.1 Ordinary meetings of the Board shall be convened by the lead authority and will rotate around the City Region.

11.2 The Chair of the Board may call a special meeting of the Board at any time, subject to providing members with minimum notice of two working days.

## **12. Administrative, financial and legal support**

12.1 The lead authority shall provide the following support services to the Board:

- i. Administrative, as more particularly specified in the Memorandum of Understanding pursuant to paragraph 13;
- ii. Financial (including the Accountable body function specified in paragraph 12.2); and
- iii. Legal, comprising Monitoring Officer and Proper Officer functions in relation to GBEJC meetings.

12.2 The function of the Accountable Body is to take responsibility for the financial management and administration of external grants and funds provided to the Board, and of financial contributions by each member of the Board, as more particularly specified in the Memorandum of Understanding Pursuant to paragraph 13. In fulfilling its role as Accountable Body, the lead authority shall remain independent of the Board.

12.3 Other members of the Board shall contribute to the reasonable costs incurred by the lead authority in connection with the activities described in paragraphs 12.1 and 12.2, at such time and manner as the Memorandum of Understanding shall specify.

### **13 Memorandum of Understanding**

13.1 Members of the Board may enter into a memorandum of understanding setting out administrative and financial arrangements as between themselves relating to the functioning of the Board.

13.2 The memorandum may, in particular, provide for –

13.2.1 Arrangements as to the financial contributions by each member towards the work of the Board, including:

13.2.1.1 The process by which total financial contributions are calculated;

13.2.1.2 The process for determining the contribution to be paid by each member;

13.2.1.3 The dates on which contribution are payable;

13.2.1.4 How the Accountable Body shall administer and account for such contributions;

13.2.2 Functions of the Accountable Body; and

13.2.3 The terms of reference for the Greater Brighton Officer Programme Board.

### **14 Review and Variation of Heads of Terms**

14.1 The Board shall keep these Heads of Terms under review to ensure that the Board's purpose is given full effect.

14.2 These Heads of Terms may be varied only on a resolution of the Board to that effect, and subject to the approval of each body represented on the Board



<b>Subject:</b>	<b>Purchase Options for short term Temporary Accommodation</b>		
<b>Date of Meeting:</b>	<b>19<sup>th</sup> June 2019</b>		
<b>Report of:</b>	<b>Executive Director for Neighbourhoods, Communities &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Sylvia Peckham</b>	<b>Tel: 01273 293318</b>
	<b>Email:</b>	<b>sylvia.peckham@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>(All Wards);</b>		

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

- 1.1 Improving housing supply in the City, in particular the supply of affordable homes for rent is a key element of our citywide Housing Strategy. In particular, we are committed to provide more council owned Temporary Accommodation (TA). In line with this, Budget Council in February 2019 agreed a budget of £2.1m to purchase short-term Temporary Accommodation to be managed in-house subject to detailed report of the full revenue and capital financial implications to demonstrate its viability and value for money. This is to be funded by prudential borrowing in the General Fund. Separately to this the Housing Revenue Account (HRA) Capital Programme for 2019/20 includes £3.5m capital budget funded by borrowing (70%), and Right to buy Receipts (30%), again subject to a detailed viability report.
- 1.2 This report sets out options and considerations to achieve the delivery of short-term temporary accommodation by the council. We are already providing council owned temporary accommodation as part of our overall Housing, HRA Asset Management and Budget strategies, contributing to existing supply and are committed to expanding this. To date this has been through: buying back properties previously sold under the Right to Buy; refurbishing and converting office accommodation; purchasing other accommodation; and, refurbishing existing accommodation. We are currently reviewing purchase options for short term TA with future business cases to be considered by our cross-party Estate Regeneration Board (Housing Supply Board) and Housing & New Homes and Policy Resources & Growth Committees for approval.

**2. RECOMMENDATIONS:**

- 2.1 That the Housing and New Homes Committee notes the contents of the report and that business cases will be developed to assess available properties as being potentially suitable for Short term Temporary Accommodation for consideration at future Committee.

### 3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Improving housing supply in the City, in particular the supply of affordable homes for rent is a key element of our citywide Housing Strategy. This includes increasing the supply of council owned temporary accommodation as a proportion of overall TA, which as outlined below, we are seeking to reduce. In addition, Neighbourhoods, Communities & Housing (NCH) Budget Strategy has included savings against costs of procuring more expensive accommodation from the private market either (through existing dynamic purchasing frameworks or spot purchase) to be achieved through the development of new council owned Temporary Accommodation (TA). This has been taken forward through commissioning a council housing stock review to deliver conversions of existing under-used or unused buildings or spaces into TA. In addition, Housing & New Homes Committee has also agreed the purchase and refurbishment of two properties at Tilbury Place in Queens Park ward, Brighton to provide 15 homes for future use by the council as temporary accommodation and delivery of additional council owned TA as part of our Home Purchase Policy.
- 3.2 Over the years, spend on temporary accommodation that we use in the short term i.e. where we can place people in an emergency, which is furnished ready for quick access and has management on-site, has increased from a net cost of £1.2m in 2015/16 to a net cost of £2.8m in 2018/19 due to the increased demand for temporary accommodation. The intention was that people remain for a short term e.g. average 6 – 12 months as opposed to longer-term temporary accommodation, which is unfurnished apart from white goods, and is more akin to what you would expect in the private rented sector, and has been more suitable for people to remain for several years. However, the length of time people have remained in accommodation intended for short term use has increased and while average stay is around 5 months, there are some residents who have been in situ much longer due to shortage of other alternatives.
- 3.3 Four years ago, we undertook a large procurement activity in the market to acquire short-term temporary accommodation that would be managed on our behalf, at the best rates and specified the standards that were to be achieved. This increased costs albeit they were fixed for the duration of the contracts. The standards that were specified at the time were to achieve good quality accommodation reflecting the short-term use. This was because under the Homeless legislation accommodation has to be suitable for a household's needs, which reflects the short-term nature of the accommodation. In addition, it was unlikely that the private sector would have been able to deliver accommodation to Decent Homes standard in the timeframe we were procuring in, or within the overall agreed budget. The Procurement Framework has now ended and the contracts that were called off are due to end over the next 18 months.
- 3.4 The number of households in temporary accommodation has remained stable and not increased over the last year due to our prevention focus following the Prevention Trailblazer project. Our strategy is to build on this and reduce our use of temporary accommodation through:
- early intervention and prevention;
  - increased use of private rented accommodation and
  - Moving people on through the Housing Allocation policy.



3.5 We are also providing more Council owned temporary accommodation as follows, although it remains a small proportion of the overall stock of Temporary Accommodation at this time:

- buying back properties previously sold under the Right to buy;( 10 homes for TA out of a total of 20 homes bought);
- refurbishing and converting Oxford Street accommodation subject to planning consent (10 homes for TA);
- purchasing other accommodation e.g. Tilbury Place, (15 homes for TA), and;
- Refurbishing an old sheltered scheme back into family houses i.e. Stonehurst Court (10 homes in use as TA).

3.6 The majority of our temporary accommodation is individual flats and houses leased from owners and managed by the council. This accounts for approximately 900 units and in addition, we have 499 units of Brighton & Hove Seaside Community Homes. For short-term temporary accommodation we have approximately 420 units which are managed on our behalf by the providers. Appendix 1 sets out the modelled number of units in April 2019 and models the planned reduction over the years.

3.7 We will be changing the model to have less short term/emergency accommodation and more long-term accommodation. This is because people are staying for longer in short term accommodation and so we actually need more long term, which is better set up for a longer-term stay, and it reduces the risk of relying on the few providers who are in the market which restrains our ability to negotiate terms. In addition, we can more easily convert longer term leased accommodation back into private rented accommodation if or when we reduce the need for temporary accommodation, which will enable Housing to manage within budget resources.

3.8 Council purchases of short-term temporary accommodation would make the council less reliant on the need to procure from the private sector. In the short term, it is unlikely that it would be possible for us to purchase sufficient short term temporary accommodation to mean we could end the need to procure TA from the private sector.

3.9 **SWOT ( Strengths, Weaknesses, Opportunities and Threats) Analysis**  
Strengths.

- More control to set and achieve property and management standards.
- Achieve and maintain consistent quality of accommodation.
- Social Value – sense of security and improved wellbeing through being managed by the council.
- Negate the risk of private sector providers withdrawing from providing accommodation.

Weaknesses

- More expensive due to terms & conditions for council staff.
- Inexperience of managing short-term temporary accommodation leading to higher costs and /or anti-social behaviour.

### Opportunities:

- Flexibility to change provision to reflect changing priorities.
- Council gaining and retaining the asset.

### Threats:

- Council taking on the financial risks of managing property turnaround times, maintenance costs and the collection of service charge income. If costs are not managed within current resources, this will create a budget pressure.
- Reputational damage should there be any property management issues such as anti-social behaviour or repairs not being completed in a timely manner.

## **Purchasing short term accommodation**

- 3.10 We are currently working with colleagues across the council to identify and explore options to purchase accommodation so we are less reliant on private sector providers. This is being undertaken in conjunction with Property & Design and Finance colleagues to identify potential properties that might be suitable, including exploring properties for sale via auction as that is often a route where blocks of flats are disposed of. We are looking at opportunities and will develop a business case for each potential purchase and bring it to cross party Estate Regeneration Board Housing and New Homes Committee for approval. In some cases, there may be a benefit in considering or need for the use of Urgency Powers to be able to respond to opportunities arising in the market, particularly if they arise at auction. If, due to urgent timing, committee approval could not be sought in advance, the Executive Director Neighbourhoods, Communities & Housing in consultation with Executive Director for Finance & Resources, may use their Chief Officer Urgency Powers in order to meet a deadline. Consultation must take place with the Chairs of Housing & New Homes Committee (NHN) and Policy Resources & Growth Committee (PRG). Any decisions taken under Urgency Powers are reported to Housing & New Homes Committee and Policy, Resources & Growth Committee in accordance with the procedure outlined in the Scheme of Delegations..
- 3.11 The agreed capital budget will likely enable the purchase of a small block, if viable, including on costs. However, as stated in paragraph 1.2, we already have a programme of providing council owned temporary accommodation and so this will enable expansion and upscaling.
- 3.12 Current gross costs of short-term accommodation with external providers is on average £282 per property per week, with average income of £157 giving a net cost to the General Fund of £125 per property per week. This includes a small amount of management time at the council and the management and maintenance by the provider. The amount payable to the provider has been fixed since the start of the lease in April 2015. Upon re-procurement it is expected that costs would increase to reflect inflationary uplifts since 2015 and in addition as the needs of clients have become more complex there are likely to be additional management and maintenance costs.
- 3.13 If the council purchases short term accommodation, the viability of the scheme will depend on whether the new on-going revenue costs in the General Fund are

less than or equal to the current revenue costs for this type of property, allowing for the fact that this will be subject to a price increase by suppliers on re-procurement. The scheme will also need to be cost neutral to the HRA. Appendix 2 estimates the potential management and maintenance costs of owning and operating short term TA and estimates the funding available for the borrowing costs given estimates for income levels.

- 3.14 Any future viability model would also need to assess that the accommodation could work as general needs accommodation to offer a flexible use in the future in case we cease to have a need for temporary accommodation or if the revenue no longer supports use as temporary accommodation.
- 3.15 A business case for each potential building will go to the cross Party Estate Regeneration Board, then to either:
- i) Housing & New Homes Committee and Policy Resources & Growth Committee for approval, or;
  - ii) Use our Urgency Powers where the Executive Director for Neighbourhoods, Communities and Housing will consult with the Chair of Housing & New Homes Committee and the Executive Director for Finance and Resources will consult with the Chair of Policy Resources & Growth Committee. Any decisions taken under Urgency Powers are reported to Housing & New Homes Committee and Policy Resources & Growth Committee in accordance with the procedure outlined in the Scheme of Delegations;. or;
  - iii) A very urgent PR&G Sub-Committee could be called which would provide more public scrutiny but needs to be able to respond quickly so that we do not lose opportunities that might come up at auction.

#### Capital costs

- 3.16 In addition to the purchase of the building the capital budget will cover the valuation and survey, Stamp Duty if applicable, the cost of repairs and/or refurbishment to achieve and maintain consistently good quality of accommodations, and any works to ensure fire, health and safety standards are met. This will also take into account the option of lift installation to meet the needs of households with mobility issues in addition to families with young children.

#### Revenue Costs.

- 3.17 Considerations need to reflect the needs of the client group and nature of the accommodation as follows:
- **Staffing.** Rather than procure B&B style accommodation, self-contained flats would be preferable that would not require 24/7 on site staffing but staff available during office hours to book people in and out and manage the accommodation. However, it would be prudent to provide security to undertake regular checks on properties out of hours and to be called in an emergency. In addition, the current housing support service would be able to support residents and help them settle into accommodation.

- **Repair and maintenance.** Short-term accommodation is subject to more wear and tear than longer-term accommodation. Additionally there is evidence of regular significant damage and so an adequate repair budget is required. Appendix 2 assumes the same level of repairs as for leased TA plus 20%.
- **Furniture.** In order for properties to be used quickly, they would likely need to be furnished. This would be basic furniture, white goods, floorcovering, and basic kitchen amenities e.g. kettle, pans, crockery and cutlery, bedding and towels. This would need replacing regularly as goods are damaged, wear out, or go missing. Electric goods supplied by the council would all need to be PAT (Portable Appliance Test) tested on an annual basis. In addition, consideration for the provision of a furniture storage facility and arrangement for regular removals to accommodation would be required so that it could be replaced quickly.
- **TV licences and/or Wi-Fi** - if required this would be an additional cost. The council could charge a service charge for this.
- **Voids (empty properties).** Current providers are required to turn properties around within 2 working days and if this is not achieved the council do not pay for the accommodation until it is ready. Should the Council be unable to achieve these turnaround times, this would affect income collection and impact on the cost and time spent in spot purchase accommodation\_while waiting for a unit to be ready for occupation. Appendix 2 assumes income will remain at current levels with a further 6 week void period in a year.
- **Lift/ mobility access.** Many single people who are vulnerable have mobility issues that render stairs difficult and hence a property that has either a lift or is easily accessible is more attractive. In addition, households who have young children often experience issues if the property is accessed via many stairs e.g. if they have to manage a buggy and shopping. Any lift will need to be fully maintained and serviced. Appendix 2 does not include the cost of a lift.
- **Utilities and Council Tax**– In order for properties to be available\_at short notice, we will need to provide utilities and then raise a service charge to recover costs. If households were required to arrange their own utilities this would delay them being able to move in. The tenants will be responsible for their own council tax but the council will incur council tax while the property is vacant.
- **Service contracts** - Annual gas servicing and safety testing and 5 yearly electric safety testing will need to be undertaken. These can be aligned with management of other council housing stock. Properties will require a wired-in fire alarm that will need regular testing. If a block had communally provided hot water this will require undertaking legionella testing. Electrical items used in the properties would require annual PAT testing. It is likely that the council could use current council contractors for these services such as those used for HRA properties and/or council office buildings.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The council could continue to procure all short-term Temporary Accommodation from the private sector. However, this does expose us to risks, as there are only a few providers in the market able to deliver the accommodation of the scale required and provide responsive management. We are likely to still procure some short-term temporary accommodation from the private sector initially as we build up a stock of council owned short term accommodation.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 None

#### **6. CONCLUSION**

- 6.1 Purchasing accommodation so it is council owned and controlled will enable us to better plan and ensure the standards we aspire to for our homeless households can be met and maintained. It will enable flexibility if the council wished to reconfigure accommodation or the way it is provided. However, as outlined in this report, there may be extra revenue costs associated with the running and management of short-term temporary accommodation. This will depend on the cost of purchasing and refurbishing the property, the levels of borrowing required and the associated capital financing costs.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 Budget Council in February 2019 agreed a budget of £2.1m to purchase short-term temporary accommodation managed in-house subject to detailed report of the full revenue and capital financial implications to demonstrate its viability and value for money. This is to be funded by prudential borrowing in the General Fund. Separately to this, the Housing Revenue Account (HRA) Capital Programme for 2019/20 includes £3.5m capital budget funded by borrowing (70%), and Right to buy Receipts (30%), again subject to a detailed viability report.
- 7.2 Paragraph 4.4 explains that the viability of the scheme will depend on whether the new on-going net revenue costs in the general fund are less than or equal to the current revenue costs for this type of property, allowing for the fact that this will be subject to a price increase by suppliers on re-procurement. It also needs to be cost neutral to the Housing Revenue Account (HRA). The main costs that may affect viability are the cost of purchase and refurbishment of a property and the management and maintenance of the property e.g. the level of staffing required, voids related costs, repairs and maintenance as well as basic furniture and equipment costs.
- 7.3 If the property is purchased and refurbished by the HRA, this will be funded 30% by RTB receipts with the balance funded through borrowing. To ensure this is cost neutral to the HRA, borrowing costs will need to be paid for by the General Fund from the current budget for this type of accommodation held within the Temporary Accommodation and Allocations budget. The net unit cost to the

General Fund for this type of short-term accommodation is currently £125 per unit per week or £6,500 per year. So, for example, if the council were to purchase a 24-unit property, it would need to cost £0.156m or less per year after rent income is taken into account, in order to be cost neutral to the General Fund.

- 7.4 Appendix 2 gives an estimate of the management and maintenance costs associated with operating this type of accommodation and shows that this is currently estimated as £7,400 per unit of accommodation. This cost could however change significantly as the current assumptions makes modest estimates on levels of staffing, maintenance and voids (empty properties). The actual staffing ratio will be driven by the needs of the clients housed, the number of units of accommodation purchased, how much work can be absorbed by current staff as well as where the properties are in the city. Managing property turn around to reduce the time a property is empty will be key to keeping costs to a minimum. If a property is empty the council receives less rental income, it is also liable to pay council tax at £24 per week per week for a band A property as well as the costs of potentially housing a homeless person in spot purchase accommodation while waiting for the property to be ready. This could cost an estimated £430 per week. Therefore, there is a need for good, steam-lined property turn-around processes and a price and service level agreement with the in-house repairs team including a turnaround time of a few days.
- 7.5 Rental Income collected for this type of property is currently on average £157 per property per week or £8,164 per year and the assumption is that this would reduce to £7,200 per year, allowing for a further 6-week void period. This assumes an average stay of 5-6 months, so assumes each property will have 2 void periods of 3 weeks on average.
- 7.6 Given these assumptions, Appendix 2 estimates that in order for costs to remain as now for the general fund, there would be £6,300 per property per year to contribute towards borrowing costs and administrative procedures. This would fund borrowing of approximately £0.146m per unit at current interest rates. Adding RTB receipts, this would allow for a total cost per unit of £0.210m for the provision of a building for short-term temporary accommodation.
- 7.7 Without an actual building or group of properties to cost in detail, it is very difficult to say at this stage whether a scheme would be viable (i.e. costs would be the same or less than currently). However, the illustration at Appendix 2 indicates that there is a possibility of funding a viable scheme. However, by owning and operating such accommodation the council would be taking on the financial risks of managing property turnaround times, maintenance costs and the collection of service charge income. All of these risks currently sit with the providers and therefore, if not managed within current resources, could create a budget pressure. Officers will continue to work to identify robust estimates for the council purchasing and operating short-term temporary accommodation with a view to bringing a further report back to committee once a property is identified with more detailed costings and full financial implications.
- 7.8 If a project is agreed by committee at a later date, consideration to handing back other units of temporary accommodation or reducing the use of spot purchase would be necessary to avoid additional costs to the general fund.

*Finance Officer Consulted: Monica Brooks*      *Date: 7/06/19*

Legal Implications:

- 7.9 Under section 17 of the Housing Act 1985, for the purpose of providing housing accommodation, local housing authorities such as the council, are authorised to acquire houses or buildings which may be made suitable as houses. The proposals outlined in the report are therefore within the council's powers.

Under the council's constitution, any proposal for the acquisition of land must be referred to Policy, Resources and Growth Committee for determination, unless the acquisition falls within officers' delegated powers. However, the constitution also sets out Urgency Powers for use in cases of urgency, where it is not reasonably practicable to obtain prior Committee or Sub-Committee approval. The exercise of these powers requires consultation with the Chair of the relevant committee and a report back to Committee.

*Lawyer Consulted: Liz Woodley*

*Date: 23/05/19*

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Modelled number of Temporary Accommodation (TA) units 19/20
2. Estimated Costs of Short Term Temporary Accommodation - Illustration

**Background Documents**

1. None

**APPENDIX 1 – Modelled number of Temporary Accommodation (TA) units 19/20**

	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
<b>Total Units of Leased</b>	900	899	886	884	884	881	881	880	879	878	878	872
<b>Total Units of Short Term TA</b>	420	420	415	415	415	410	410	410	407	405	405	405
<b>- Total Units of Spot Purchase</b>	45	41	37	33	33	30	25	21	18	18	18	18
<b>B&amp;H Seaside community Homes</b>	499	499	499	499	499	499	499	499	499	499	499	499
<b>- Total Units</b>	1,864	1,859	1,837	1,831	1,831	1,820	1,815	1,810	1,803	1,800	1,800	1,794



## Appendix 2 – Estimated Costs of Short Term Temporary Accommodation - Illustration

Assume block of 24 Units

24

Note	Cost Type	Block Cost	Cost per unit per year £ rounded
1	Staffing	£75,300	£3,100
2	Revenue Maintenance	£29,800	£1,200
3	Capital Maintenance	£45,710	£1,900
4	Council Tax for periods of empty property	£3,500	£100
5	Furniture, white goods bedding etc	£13,300	£600
6	Service charge shortfall (including heating and light)	£12,500	£500
	<b>Management and Maintenance Costs</b>	<b>£177,600</b>	<b>£7,400</b>
7	Income - assume same as now at average £157 per unit for 46 weeks	<b>-£173,300</b>	<b>-£7,200</b>
8	Allowance for financing costs - balancing figure	£151,700	£6,300
	<b>Net Revenue Costs of council operating short term TA</b>	<b>£156,000</b>	<b>£6,500</b>
9	<b>Current costs of 24 units of short term TA (net)</b>	<b>£156,000</b>	<b>£6,500</b>

Note 1 Assume 2 x lettings officers + average 5 hours shared security at night

Note 2 Assume current average for leased properties + 20% to reflect extra turnover

Note 3 Assume current average in HRA for capital expenditure

Note 4 Assume 6 weeks empty per year per property

Note 5 Assume cutlery, bedding and crockery new every 6 months. Assume beds, floor, fridge, cooker last 3 years,

Assume 20% of households will bring their own bedding and household equipment.

Note 6 Add £9 per week for other service contracts such as TV aerials, fire alarm and maintenance, PAT testing, communal clean etc

£157 is average income per week received in 18/19 from short term accommodation less 6 weeks

Note 7 void

Difference between current net costs and new net costs which can be used for capital financing

Note 8 costs

Note 9 This is the average unit net cost of £125 per week for 24 units, 52 weeks.



**Council**

25 July 2019

**Agenda Item 28**

Brighton &amp; Hove City Council

**Subject:** **Madeira Terrace Restoration- Petition response and next steps** - Extract from the proceedings of the Tourism, Development & Culture Committee meeting held on the 20 June 2019

**Date of Meeting:** **25 July 2019**

**Report of:** **Executive Lead Officer for Strategy, Governance & Law**

**Contact Officer:** Name: **John Peel** Tel: **01273 291058**  
E-mail: [john.peel@brighton-hove.gov.uk](mailto:john.peel@brighton-hove.gov.uk)

**Wards Affected:** East Brighton, Queens Park, Rottingdean Coastal

**FOR GENERAL RELEASE*****Action Required of the Full Council:***

To receive the item referred from the Tourism, Development & Culture Committee for information:

**Recommendation:** That the report be noted.

**BRIGHTON & HOVE CITY COUNCIL**  
**TOURISM, DEVELOPMENT & CULTURE COMMITTEE**

**4.00pm 20 JUNE 2019**

**COUNCIL CHAMBER, HOVE TOWN HALL,**

**MINUTES**

**Present:** Councillor Robins (Chair) Grimshaw (Deputy Chair), Druitt (Opposition Spokesperson), Nemeth (Group Spokesperson), Ebel, Evans, Mac Cafferty, Mears, O'Quinn and Rainey

**PART ONE**

**9 MADEIRA TERRACE RESTORATION - PETITION RESPONSE AND NEXT STEPS**

9.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that outlined the proposed next steps to restore Madeira Terrace and in doing so, responded to the petition for debate considered by Full Council in March 2019 and referred to the committee.

9.2 On behalf of the Green Group, Councillor Rainey moved to amend recommendation 2.1, and insert recommendation 2.2 as shown below in ***bold italics***;

**2.1** That the Committee delegates authority to the Executive Director for Economy, Environment & Culture to procure and award a contract for early design stage work (RIBA 0-1) and engineering of 30 out of a total of 151 Madeira Terrace arches and instructs officers to include a requirement in the contract that ***the use of innovative renewable technology such as solar panels and rainwater harvesting should be made a priority to reduce costs in the long-term and help the city to meet its commitment to achieving a carbon neutral status by 2030.***

**2.2** ***That the Committee instructs the Executive Director for Economy, Environment & Culture to bring a report to the November committee outlining proposals to use the crowdfunded funds (alongside the allocated council funding if required) to progress plans for the development of an initial three arches***

- ***to showcase what is possible and;***
- ***to gain a deeper understanding of the technical challenges that may present themselves during the development of subsequent arches;***
- ***with the intention that plans are progressed to develop the initial three arches, to similar sustainability standards, without waiting for funds to***

***be available to develop the 30 arches as described in 2.1.***

***This report should contain options for which three arches should be progressed and developed, including an option of the three arches directly outside Concorde 2 and an assessment of the business case for leasing these to Concorde 2 as they have suggested.***

- 9.3 Introducing the motion, Councillor Rainey stated that the motion expressly set out the use of sustainable technology in order to reduce the long-term costs and contribute toward the target of becoming carbon neutral. Councillor Rainey stated that residents in that area of the city felt neglected and therefore the request for a report to the November committee meeting would provide reassurance to those residents that action was being taken.
- 9.4 Councillor Druitt formally seconded the motion.
- 9.5 Councillor Nemeth asked if there was a particular design for the Arches and what the specification to the designers would be.
- 9.6 The Assistant Director, City Development & Regeneration explained that the design work would be commissioned as the unique design of the Arches would require expertise. The brief set to the designers would be a design with the potential for small scale retail in order to create sufficient funding to reinvest in the Arches and maintain them in the long-term.
- 9.7 Councillor Mac Cafferty questioned why it had taken so long to reach approval stage as the work had been agreed in principal in November 2017 and the risk to the entire entity increased the longer restoration was delayed. Councillor Mac Cafferty requested assurance that there would now be proper oversight of the restoration and enquired as to whether the cost should be reviewed by the Audit & Standards Committee.
- 9.8 The Chair stated that he agreed with the observation made on oversight that he believed was mainly due to no committee owning the issue. That had now moved on and there would be a report back to this committee in November 2019.
- 9.9 The Assistant Director, City Development & Regeneration stated that there had perhaps been too much focus on maximising economies of scale and applications for funding had likewise taken up a significant amount of officer time. The Assistant Director, City Development & Regeneration explained that as a Council, there had been a funding issue however, that was now in place together with increased staff resource.
- 9.10 Councillor Mears stated that the Council had received a letter from the Secretary of State detailing that it had failed in its funding application from the Coastal Revival Fund and it was extremely concerning that no progress had been made two years on from that. Councillor Mears stated that such a regeneration project required vision and there was no detail of that in the report. Councillor Mears stated that the committee had to take ownership of the issue and action was required sooner rather than later.

- 9.11 The Estate Regeneration Project Manager agreed that a vision was required with the first stage in that process establishing exactly what the future functions of the Terraces would be. That would be something addressed in the design process.
- 9.12 Councillor Nemeth stated that he was pleased that the issue of Madeira Terraces was receiving much greater attention and asked when the issue of which of the thirty Arches to be renovated would be known.
- 9.13 The Assistant Director, City Development & Regeneration clarified that issue would be part of the design work and noted that the proposed amendment requested earlier clarity on the matter.
- 9.14 Councillor Nemeth requested that discussions with the campaigners should continue on the thirty Arches to be renovated.
- 9.15 Councillor Druitt stated that the Arches were a much-loved part of the seafront and many residents were upset to see them in such a state of disrepair. Councillor Druitt stated that it was important that the council did all it could to showcase the potential of the Arches to attract further investment.
- 9.16 The Chair then put the motion to the vote that passed.
- 9.17 The Chair put the recommendations, as amended to the vote that passed.
- 9.18 **RESOLVED:**
- 1) That the Committee delegates authority to the Executive Director for Economy, Environment & Culture to procure and award a contract for early design stage work (RIBA 0-1) and engineering of 30 out of a total of 151 Madeira Terrace arches and instructs officers to include a requirement in the contract that the use of innovative renewable technology such as solar panels and rainwater harvesting should be made a priority to reduce costs in the long-term and help the city to meet its commitment to achieving a carbon neutral status by 2030.
  - 2) That the Committee instructs the Executive Director for Economy, Environment & Culture to bring a report to the November committee outlining proposals to use the crowdfunded funds (alongside the allocated council funding if required) to progress plans for the development of an initial three arches
    - to showcase what is possible and;
    - to gain a deeper understanding of the technical challenges that may present themselves during the development of subsequent arches;
    - with the intention that plans are progressed to develop the initial three arches, to similar sustainability standards, without waiting for funds to be available to develop the 30 arches as described in 2.1.
  - 3) That this report should contain options for which three arches should be progressed and developed, including an option of the three arches directly outside Concorde 2 and an assessment of the business case for leasing these to Concorde 2 as they have suggested.

**18. ITEMS REFERRED FOR FULL COUNCIL**

- 18.1 **RESOLVED:** That the report relating to Item 9; Madeira Terrace Restoration- Petition response and next steps be referred to the council meeting on the 25<sup>th</sup> July for information.





<b>Subject:</b>	<b>Madeira Terrace Restoration - Petition response and next steps</b>		
<b>Date of Meeting:</b>	<b>20th June 2019</b>		
<b>Report of:</b>	<b>Executive Director, Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Abigail Hone</b>	<b>Tel: 01273 292163</b>
	<b>Email:</b>	<b>Abigail.Hone@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>East Brighton; Hanover &amp; Elm Grove;</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 On [30 November 2017 Policy, Resources & Growth Committee](#) noted a summary of progress on the 4 point plan for securing the regeneration of Madeira Drive including the restoration of Madeira Terrace and specifically progress with regard to the crowd funding campaign completed on 30 November 2017.
- 1.2 This report outlines the proposed next steps to restore Madeira Terrace and in doing so responds to the petition raised by 'Save Madeira Terrace Raffle Group'.
- 1.3 Approval and authorisation from the Tourism, Development & Culture Committee is sought regarding the recommendation in section 2 so early (RIBA Stage 0/1) design work can be carried out to prepare for the restoration of the first 30 Madeira Terrace arches (including the 3 crowd funded arches).

**2. RECOMMENDATIONS:**

- 2.1 That the Committee delegates authority to the Executive Director for Economy, Environment & Culture to procure and award a contract for early design stage work (RIBA 0-1) and engineering of 30 out of a total of 151 Madeira Terrace arches.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The restoration of Madeira Terrace to make it a repurposed structure fit for the future is a complex project. However, there is great potential for the Terrace to form the backdrop to the regeneration of the Eastern Seafront in Brighton & Hove.
- 3.2 The condition of the Grade II Listed Madeira Terrace remains one of the most challenging heritage infrastructure issues currently facing the city council. Brighton & Hove's seafront is a key economic driver and "shop window" for the city, and yet on-going maintenance of the structure is no longer possible due to

the level of deterioration which has seen sections of the structure progressively closed to the public since 2012.

- 3.3 Madeira Terrace is unique in that the 865m long structure, with 151 separate arches when constructed (in 3 phases from 1890) was to facilitate the act of 'promenading'. Perhaps unintentionally Madeira Terraces has provided a perfect 'grandstand' for the regular events that take place in, or at the end of, Madeira Drive.
- 3.4 The city council does not have the funds to restore the whole of Madeira Terrace, which has been estimated at more than £23M, so is working to restore the arches in stages.
- 3.5 Thanks to community efforts, £460,000 was raised to help fund the restoration of three arches. The council has explored the possibility of restoring these in isolation but because of the costs involved is proposing to include the community-funded arches as part of an initial phase to restore 30 arches which would be more cost-effective.
- 3.6 Community fundraising is also continuing and the council is facilitating an advisory panel, to include representatives from community, tourism and conservation groups, businesses and event organisers to contribute to the project as it moves forward.
- 3.7 The proposed next steps are to create designs for the first restored arches, explore potential uses for them and cost the work. This will help focus the project, ensure community input is included and provide a sound basis with which to take advantage of funding opportunities.

### **Petition response**

- 3.8 On 28/3/19 Full Council heard [a petition from Save Madeira Terraces Raffle Group](#) which raised 2908 signatures through the ePetition on the Council's website. The petition opposed the council starting work towards delivery of 3 arches at the western end of Madeira Terrace and proposed restoration of 3 arches at the eastern end. The petition cited a number of other concerns related to Madeira Terrace though out of scope for the arches restoration work and requests such as opening the Madeira Lift all year round.
- 3.9 On the 30 November 2017 the Policy, Resources & Growth Committee set out a way forward for the Terrace that involved the idea of a 'pilot project' for 3 arches. However, when the project team began focussing on how to deliver the three CF arches the following findings became apparent:
  - Restoration of 3 arches alone would be more costly than a larger number of arches due to not achieving economies of scale.
  - At whatever point in the structure any restoration were to take place, an enabling works package would be required to secure, prop and possibly separate any unstable parts of the structure from the arches being restored. This would involve bespoke designed props to 'hold' the structure and

possibly dismantling adjacent arches. Costs for propping in other areas of the Madeira Terrace structure have been up to £220K to date.

- The appetite from the market for such a small and risky project like CF Arches was unknown and would need to be ascertained through the procurement process; the timetable for procurement of enabling works was estimated to be a minimum of 6 months.
  - Due to timescales and the unforeseeable complexities with a heritage project such as Madeira Terrace, it was recommended a minimum 30% contingency was included as part of the restoration budget. Based on the cost estimates available at that time this was estimated at £105K
  - Restoring the westernmost arches fitted with the only existing 'strategic outline business case', albeit for 52 arches not 3 (copy of this at **Appendix 1**) for the Terrace. The westernmost arches also experienced a higher level of existing footfall so good visibility and accessibility.
- 3.10 On 8<sup>th</sup> Feb 2019 petitioners highlighted they had discussed their proposal for the eastern arches with Ed Morton from The Morton Partnership, a structural engineering firm specialising in conservation restoration. They were keen to solicit independent advice from Ed Morton on which 3 arches were wisest to restore first out of the total 151.
- 3.11 Ed Morton's pro bono advice was given in a letter (see **Appendix 2**). His final conclusion were that a piece of work was necessary to 'clearly define the potential for uses of arches in the short to medium term, and perhaps the long term, and then to consider how the crowd funded works would benefit these'. Ed Morton stated that 'the repairs of the crowd funded arches should be linked to where there is greatest potential for works to be carried out in the nearer future'.
- 3.12 The petition and the advice received from Ed Morton helped to create an opportunity to re-think the CF arches idea and the best use of the crowd funding money to the restoration of Madeira Terraces as a whole.
- 3.13 Regardless of whether 3 arches or 30 arches are to be restored the preparatory work necessary is very similar; a design team needs to be procured and commissioned to work towards creating a costed and buildable solution. By focussing on a larger proportion of the arches it is anticipated the limited funds available to restore the arches can go further.
- 3.14 The estimated financial implications of procuring services for implementation of 3 arches and the lack of economies of scale able to be achieved mean the approach which now makes most sense is to incorporate the 3 CF Arches and associated funding in a larger proportion of restored arches.

#### **Funding and funding bids:**

- 3.15 Since 14 July 2016 when Policy Resources & Growth Committee endorsed the stage 1 funding application to the Coastal Communities Fund the council has continued to seek additional funding to restore Madeira Terrace by addressing an increasing conservation deficit.

3.16 In April 2017, the City Council's bid to the Coastal Communities Fund was unsuccessful and a 4 point plan followed to seek the necessary funding for the restoration of the Terraces. The 4 point plan involved the following fund raising elements:

1. **Crowd-funding:** The council procured and promoted a crowd-funding platform and worked hard with corporate sponsors, tourist organisations and local residents. The council contributed £100K to the fund and a total of £460K was achieved.

2. **Further bids for Government or Lottery funding:** In April 2016, the city Council was successful in bidding for £50,000 from the Coastal Revival Fund to support the development of a Madeira Drive Regeneration Framework, with the aim of developing a strategic and comprehensive approach to the regeneration of the whole of the Madeira Drive, including Madeira Terraces and other regeneration projects such as Sea Lanes, Brighton Waterfront, and the Zip wire. This was followed in 2018 by two unsuccessful bids to Heritage Lottery Fund enterprise programme for projects bringing economic growth by investing in heritage. An Expression of Interest made to the renamed National Heritage Lottery Fund in April 2019 has resulted in the council being invited to submit a further bid. The team are considering the merits of making a further NLHF bid while a number of other projects have recently been funded by NLHF in the city, and also given the fact that previous bids have distracted from progressing other aspects of the project.

3. **Harnessing local talent:** The project team proposed putting out a call to the private sector for proposals with funding solutions. This proved more problematic to deliver. While some private sector organisations have shown interest and invested energy in formulating proposals for Madeira Drive and Terrace, these have involved a level of development that goes beyond a heritage led scheme supported by both PRG Committee and the local community.

4. **Exploring uses for the area for now:** The project team proposed exploring possibilities for 'meanwhile' uses along Madeira Drive. This has included supporting the zip-wire venture with adjacent pop up businesses which opened in 2017 and the Sea Lanes pop up area which was recently given support to increase its offer on the eastern seafront.

3.17 Following the unsuccessful Coastal Communities Fund bid, during late 2017 and two bids to the Heritage Lottery Fund (HLF) were prepared and submitted by the project team in 2018. Both bids were unsuccessful due to the increasing competition for what is a shrinking pot of funding. Notwithstanding this, during recent budget rounds the city council has reserved £2m of funding to put towards the Madeira Terrace Restoration Project.

3.18 The HLF has now changed to the National Lottery Heritage Fund (NLHF). An Expression of Interest was made in April 2019 to NLHF to restore 30 arches. The idea was to reduce the amount requested from NLHF to a £1.5M against an estimated total cost of £4.5M to deliver 30 restored arches and attempt to give the council an increased chance of achieving funding from NLHF. The Expression of Interest was successful and the council were invited to submit a

Round 1 bid. The council have one year from April 2019 within which to submit a Round 1 bid should they choose to do so. NLHF outcome criteria has changed emphasis and key mandatory outcomes lean towards increased focus on how more people can be engaged in heritage as well as restoring physical infrastructure. Outcomes are around well-being, combatting loneliness, sustainability and volunteering and engaging communities with heritage. Given the time and energy that has gone into two previous unsuccessful HLF bids, the council's project team are considering the merits of producing a Round 1 bid.

- 3.19 The fundamental key issue remains the same: the council are not in a position to prioritise enough available funds towards the full restoration of Madeira Terrace, which after reviewing options in 2016 had an estimated total restoration cost of £23.6M (Strategic Outline Business Case 2017 **Appendix 1**). Heritage structures such as Madeira Terrace remain extremely difficult to fund as they generate no funds of their own and yet are very costly to maintain and restore. The business case to restore the Terrace has not changed and continues to require public subsidy to make it work.

#### **Next steps:**

- 3.20 In discussion with Historic England the dominant heritage values of Madeira Terrace lie in the social value of the structure; its function as a linear 'grandstand' to events on Madeira Drive and providing access to uninterrupted views from the mid level deck out to sea. As such, any future design work on the Terrace needs to include a deck design to support crowds and have the maintenance issues of the current deck designed out.
- 3.21 Appointing a design and engineering team to explore innovative design options for the Terrace, working designs through RIBA stages will bring the council closer to a more detailed understanding of the real costs of restoration works. Filling the gap of design helps reduce the amount of unknowns associated with implementation, thereby reducing cost risks. As with all restoration projects unknowns do arise hence any costings involved will include a 30% (minimum) contingency allowance.
- 3.22 Setting aside £550K for design and engineering would be done at risk, as at present it is estimated the Council do not have the capital to implement the build. However, this step is necessary if the Council are to move the restoration forward and better understand the real cost of implementation for a more manageable and cost effective number of arches. A detailed design and improved understanding of the costs would also put us in a better position to raise further funds. The £550k for this work will come from the council's £2m capital allocation to the terraces, not the Crowd Funding reserve.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 A 'do nothing' option is considered unacceptable as the current status quo of managed decline costs the council approximately £152K p.a. and means public access to the eastern seafront is restricted.
- 4.2 Brighton & Hove is a city with a growing population, constrained in its development by sea and Downs which means an area like Madeira Terrace

needs to work harder for the city. This involves maximising the use of prime seafront space and while also restoring the Terrace in a robust and sustainable fashion that prepares the city for the future.

- 4.3 Implementing 3 arches on their own would be a less effective use of limited resources and funds and so the initial focus on maximising the impact of all available funds to exploit economies of scale makes sense.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Project team members in the council have liaised regularly with Save Madeira Terraces Raffle Group and Madeira Terrace Past, Present and Future members whose primary membership base exists on Facebook.
- 5.2 Regular fortnightly meetings with the petitioners have been in place since 8<sup>th</sup> Feb 2019, as a result of these regular meetings open dialogue about the democratic process of raising a petition and the timescales involved, the content of the Expression of Interest to NLHF and appointing a design team have been discussed openly.
- 5.3 The petitioners requested the involvement of Ed Morton from the Morton Partnership to give his informed opinion on which arches to restore first and best use of the crowd funding money.
- 5.4 A meeting to bring together wider stakeholders for the Terrace took place on 9/5/19 and speakers from The Regency Society, Save Madeira Terrace Raffle Group and Building Green. Attendees from a variety of community groups, events organisers and volunteer groups were asked to help categorize the interest groups requiring representation on an Advisory Panel to work alongside the council as the restoration project develops.
- 5.5 The project team have liaised directly with the Communities team to highlight the Advisory Panel proposal and solicit confirmation that the approach to engage representation in the project is sound.
- 5.6 The 'Next Steps' section of this report was first discussed with petitioners at the beginning of April 2019 when an Expression of Interest was submitted to National Heritage Lottery Fund requesting funds on the basis of a proposal to restore 30 arches and to include the crowd funded arches within these same 30.

## **6. CONCLUSION**

- 6.1 The Council don't yet have funds to restore the whole structure, or the 30 arches for which the design team will be procured. However by appointing a team of professionals and getting closer to a viable, buildable design we make the first steps into a repurposed Madeira Terrace, able to generate some revenue, begin to regenerate the eastern seafront and restore the iconic Terrace which forms a backdrop to some of the highest profile events in the city and get closer to our long term commitment to restoring the Terrace in 5 phases.
- 6.2 If members agree this proposed way forward a full Business Case will be developed to understand more fully the commercial and financial aspects of the

proposal. Working towards delivery of restoration of 30 arches is more likely to achieve the economies of scale necessary to generate greater value for money including the increased physical impact 30 arches is likely to have for generating revenue and public use.

- 6.3 Considerable effort by the council and community members to bring Madeira Terrace back into meaningful public use needs an injection of 'seed funding' to proceed with the incremental steps necessary for full restoration delivery.
- 6.4 While the procurement of a design team and the team's deliverables creates the risk of spending funds without the promise of implementation, doing nothing is not acceptable either.
- 6.5 Re-imagining the Terrace requires experts in design, engineering and sustainable technologies to create an adaptive, resilient structure incorporating regenerative design.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 Capital resources of £2.0m have been approved as part of the Council's corporate capital investment strategy to support the Madeira Terraces project. A recent crowdfunding campaign has also delivered funds of £0.440m funding to be used to implement the first 3 arches. The request for funding of £0.550m for a design exercise of the first 30 arches will be met from the £2.0m council capital allocation leaving a balance of £1.450m council investment and the £0.440m crowdfunding fund to deliver the restoration of 30 arches. Work will continue to identify additional funding including potential Heritage Lottery Funds to support the restoration project. A viable business case will be presented back to this committee in due course. It is estimated that ongoing annual maintenance and running costs associated with the terraces costs the council approximately £0.152m p.a.

*Finance Officer Consulted: Rob Allen*

*Date: 23/05/19*

### Legal Implications:

- 7.2 In accordance with Part 4 of the Council's Constitution, the Tourism, Development & Culture Committee is the appropriate decision-making` body in respect of the recommendations set out in paragraph 2 above. In addition, in order to comply with CSO 3.1, authority to enter into contracts in excess of £500,000 must be obtained by the relevant committee. The contract will also need to be sealed by the council.
- 7.3 The Council's Legal officers will advise in relation to the procurement process and the contract for the design and engineering work to ensure compliance with public procurement legislation and the Council's Contract Standing Orders (CSOs).

*Lawyer Consulted: Wendy McRae-Smith*

*Date: 31/5/19*

### Any Other Significant Implications:

- 7.3 A recent Internal Audit Report on the Seafront Investment Strategy (Strategic Risk 23) included progress on Madeira Terrace as key to the scope of the audit.

The purpose of the audit was to provide assurance that controls are in place to meet the following objectives:

- To ensure that the controls documented in the strategic risk register against this risk are operating as intended. Also to identify any gaps in the assurance mapping.
- There is a particular emphasis on the progress made on the Madeira Terraces Project

The audit sought assurance that the controls to mitigate this risk were accurately reported in the strategic risk register, and that changes to these controls and the mitigation of these risks were promptly captured and communicated.

The key risks include:

- Scale of resources required; budget pressures linked with external funding bids, and work with commercial developers. Any fiscal changes impact on timing of projects and increased risk of structural failure causing rectification/rebuild rather than refurbishment.
- Prioritisation of work – linked to results from structural surveys, resource availability, and market capacity. Risks around ensuring that the council does the work that's needed rather than “populist” work.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Lockwood Project Strategic Outline Business Case
2. Letter from Ed Morton, The Morton Partnership 11/3/19

### **Background Documents**

1. 30 November 2017 Policy, Resources & Growth Committee Report
2. Seafront Investment Strategy 2016-21
3. Madeira Drive Regeneration Framework (Jan 2017)





# **The Lockwood Project: Regenerating Madeira Terrace**

Strategic Outline Business Case

13 January 2017



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# **The Lockwood Project: Regenerating Madeira Terrace**

## **Strategic Outline Business Case**

13 January 2017



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## Executive summary

The Lockwood Project is a scheme to redevelop and reactivate Brighton & Hove's iconic, heritage-listed Madeira Terrace and associated structures as part of a wider regeneration programme planned for the City's world-famous seafront. In recent years, Madeira Terrace has had to be closed off to the public as the structure has progressively deteriorated. Without intervention, this situation is expected to continue.

To tackle this degradation, which detracts from this part of the City's seafront, Brighton & Hove City Council has devised a primarily commercially-led redevelopment scheme. This will involve the refurbishment and reconstruction of the terraces to their original Victorian built design. Prefabricated "pod" units have been designed to insert into the terraces for lease to a variety of commercial tenants, including for leisure, retail, culture and accommodation uses. This restoration has been designed to be sensitive to the heritage nature of the terraces and the surrounding built environment.

The redevelopment of Madeira Terrace is expected to bring significant economic benefit to Brighton & Hove, supporting the City's strengths in the visitor economy, arts and cultural sectors and the digital economy. Overall, the Lockwood Project is expected to contribute around £7 million to the local economy (in gross value added (GVA) terms) and create around 100 new net jobs. The project has substantial stakeholder support including from the local community, local political leaders and heritage officials.

To make the project manageable, Brighton & Hove City Council, in conjunction with its Coastal Communities Team, intends to progress the project in three phases. The first phase, to which this Strategic Outline Business Case relates, proposes to redevelop around a third of the 850m long Madeira Terrace structure, as well as the Madeira Shelter Hall and Lift Tower, which form the "centrepiece" of the structure.

The cost of this first phase is estimated at around £8 million. £4 million of grant support from the Coastal Communities Fund is sought to make the project viable, with the Council providing remaining funds and bearing risk for cost overruns. Initial commercial viability analysis has indicated that Council funding for the first phase of the project can ultimately be largely recovered by commercial rental income in the terraces. The Council's ambition is for this first phase to act as a "proof of concept" so future phases can be self-funding, potentially via a private-sector development partner.

The Council is in the process of rapidly progressing the project to the procurement phase so it can be delivered by end 2019. The Council has a strong track record in delivering coastal capital projects and commercial property management along the seafront. This indicates that with the required degree of CCF "pump priming" support, Madeira Terrace can be successfully regenerated through a rolling programme of works.



# 1 Strategic case

## 1.1 Project description

The overall scheme (the “Lockwood Project”) involves the renovation of Brighton's iconic Madeira Terrace, an 850-metre-long seafront arcade with raised walkway and associated buildings that runs along the stretch of Brighton & Hove’s seafront east of the Palace Pier. Madeira Terrace was developed by the borough surveyor Philip C Lockwood as a covered promenade to attract tourists in the late nineteenth century.

The Grade II Listed Madeira Terrace is the one of the principal attractions of Brighton & Hove’s seafront east of the Palace Pier, however in recent years it has had to be closed to the public due to major structural issues and safety concerns. This detracts from this part of the seafront, reducing visitor numbers despite the world-class heritage architecture of Kemp Town and the wider attractions of this part of the City’s seafront.

This project proposes to renew the Madeira Terrace through a reconstruction that will introduce innovative commercial and leisure uses to the structure to breathe life back into Brighton’s eastern seafront. This redevelopment is part of a wider planned seafront investment programme that includes a major new arena and conference centre at the City’s Black Rock seafront site, a major seafront swimming pool development, and associated works to improve the public realm of the area.

The redevelopment will be sensitive to the Madeira Terrace’s heritage by using historic materials and structural solutions. By attracting commercial occupants, it will also help ensure that the structure has a sustainable funding stream over the longer-term to prevent future decay.

The estimated cost of redeveloping the whole of the 850m Madeira Terrace structure is £23.6million. To make this major programme manageable, Brighton & Hove City Council, as sponsor, has split the planned redevelopment into three phases, with the first phase seeking £4.0 million of CCF co-funding to support the first phase of works estimated at £8.025 million. The Council will also provide £4.0 million of match funding. The Council’s investment is expected to be repaid by commercial rental income that the redeveloped terraces will generate.

## 1.2 Project objectives

- To deliver the refurbishment of a first phase of Madeira Terrace bringing it back into use for a mixture of commercial and community uses
- To stimulate new private sector investment to support growth sectors in the local economy
- To deliver 145 gross new jobs and contribute £7.1 million gross GVA to the Brighton & Hove economy
- To protect and enhance a key heritage and visitor asset as part of Brighton & Hove’s overall £1 billion seafront investment plan

## 1.3 Madeira Terrace

Madeira Terrace was built between 1890 and 1900 by the Borough surveyor, Phillip C Lockwood, and created as a covered promenade to attract tourists from London on the new

railway of the 1800s. Throughout its life it has been both an extended promenading space and three-tiered "grandstand" for the regular events that occur along this section of the seafront.

Madeira Terrace is the longest cast iron structure in Britain. The Victorian Society has also stated that the Terrace is one of 2015's Top Ten Most Endangered Victorian and Edwardian Buildings in England and Wales.

Madeira Terrace is the primary attraction of the wider Madeira Drive area, a 2km-long stretch of the seafront that is a world-class heritage environment and is home to some of the south coast's largest outdoor events. The area also includes a number of other visitor attractions including the Madeira Shelter Hall and Lift Tower, which were built at the same time as Madeira Terrace, and the Volk's Railway, the world's oldest electric railway. Madeira Terrace was built onto a planted "green wall" that was developed along the length of the City's East Cliff, that runs along Madeira Drive.

Madeira Terrace, Madeira Shelter Hall and the Lift Tower, and related buildings, are listed under the Planning Act 1990 as a Grade II buildings. A detailed description together with listing information is included in The National Heritage List for England. Contextual information on the study area is set out in the *Madeira Drive Regeneration Framework*, that has been supplied with this business case.

### 1.3.1 Scope of works

This project involves a first phase of refurbishment works to Madeira Terrace comprising structural repairs and restoration of the deck and terrace areas and the insertion of prefabricated lightweight pod structures into the refurbished terraces to create approx. 8,270 sq ft of commercial floorspace.

The terrace structure will be rebuilt using the same materials and structural solution currently in place. Cast iron beams, columns, balustrades, drainage pipes and other ironworks will be shot blasted, recoated and reinstated where possible.

Where major repairs are required the fabrication of cast iron replacement components will be to the original specification. The terrace deck will be replaced on a like-for-like basis with an infilled steel structure, the existing retaining wall and masonry pier will be repaired and deck seating refurbished.

The proposed refurbishment works for the terraces are intended to repair the deck and supporting structure such that it is capable of withstanding pedestrian loading at the upper levels. The refurbishments works aim to prevent further decay and give the structure an agreed design life subject to ongoing maintenance.

The pods will be constructed in a structured insulated panel modular building system. These lightweight, durable structures will be largely prefabricated using a 'flat pack' system and inserted into the rebuilt terraces as stand-alone units. The pods will have no direct interfaces with the existing structure and retain their own separate services infrastructure. Subject to end user requirements, several pods will incorporate a mezzanine floor.

The first phase will involve the refurbishment of 52 arches (out of 151 in total) of which 13 will be retained as open even space with the remainder available for a mixture of commercial uses. This phase will also include the refurbishment of the existing Madeira Shelter Hall and Lift Tower structures and associated external works.

Subsequent phases of refurbishment through the Lockwood Project will take place on the same basis subject to market demand.

### 1.3.2 Commercial uses for Madeira Terrace

The proposal is for a mixture of sympathetic retail, commercial, entertainment and accommodation uses to be developed within the terraces, with development to be organic and phased. These uses could potentially include:

- An iconic seafront hotel development;
- A youth hostel;
- An arts centre and gallery space, an area where Brighton has traditionally been underserved;
- Cafes and restaurants, with a signature facility planned for the Madeira tea rooms;
- Boutique retail; and
- Incubator space for creative and digital industry.

These proposed developments seek to enhance the seafront offering for visitors and locals alike rather than duplicate commercial uses elsewhere around the Brighton and Hove seafront, such as in the arches west of the Palace Pier or in the Lanes. They seek to build upon the City's wider regeneration strategy for this part of its seafront, in particular the development of a world-class conference centre and arena facility at the Black Rock site, located to the east of Madeira Terrace (refer *Madeira Drive Regeneration Framework*, supplied, for more detail).

Further detail on planned uses for the redeveloped Madeira Terrace is enclosed in Attachment A, showing development by the planned three development phases for the overall Lockwood Project regeneration scheme. Exact uses will be dependent on market demand and commercial considerations.

## 1.4 Strategic fit

### 1.4.1 Spatial and economic development policy

Brighton & Hove City Council has developed a hierarchy of strategic planning documents that will be used to guide the development of the Lockwood Project.

Firstly, the Council has recently completed the *Madeira Drive Regeneration Framework*, setting out opportunities to regenerate Madeira Terrace in the context of a wider urban renewal programme (Madeira Drive runs in front of the terraces) encompassing enhancements to the local public realm, public and active transport provision and visitor attractions.

The *Madeira Drive Regeneration Framework* sits within a wider public *Seafront Investment Plan*, that sets out the Council's priorities for Brighton & Hove's 12km stretch of coast. The *Seafront Investment Plan* details an unprecedented public and private sector investment programme totalling over £1 billion to enhance and renew the City's seafront.

The importance of the regeneration of Madeira Terrace is also recognised in Brighton & Hove's *City Plan Part 1* (adopted in March 2016), which makes specific reference to the regeneration efforts required along Madeira Drive within the seafront Special Area Policy SA1. In addition, one of the key strategic objectives highlighted in the City Plan states that development should 'enhance the seafront as a year round place for sustainable tourism, leisure, recreation and culture whilst protecting and enhancing the quality of the coastal and marine environment'.

Investment in the City's seafront sits alongside broader strategic work from the Council in brokering a City Deal for the Greater Brighton City Region with Central Government, which is

set to unlock around £1 billion private and £100 million public sector investment in key infrastructure, skills, and business projects to generate significant productivity, GVA and employment gains in the region.

In the Coast to Capital Local Economic Partnership's (LEP) 2014 *Strategic Economic Plan* the seafront is identified as the first of only four key development areas for the region. Development around the associated sites of Brighton Marina and the Black Rock Arena is specifically referred to, indicating the importance of the regeneration efforts in this part of the City. Rejuvenating the terraces is crucial to ensure the collective regeneration of this area.

#### 1.4.2 Coastal Communities Fund

Safeguarding and enhancing coastal communities is a key agenda item for the UK Government. The Department for Communities and Local Government (DCLG) recognises the importance of conserving and nurturing coastal activities and has been focusing investment towards coastal economies via the Coastal Communities Fund (CCF) since 2012 and through supporting the establishment of Coastal Communities Teams in applicable local authorities across the UK.

The Brighton & Hove Coastal Communities Team (CCT) was established in March 2015. It brings together representatives from public, private and business expertise to support the City Council in developing and delivering the new Seafront Investment Plan and associated projects, including the Lockwood Project.

The regeneration of Madeira Terrace via the Lockwood Project supports the following CCF Round Four objectives: -

- Firstly, the redevelopment of the terraces structures into usable hostel/hotel, entertainment and office space provides additional employment opportunities in additional sectors beyond the visitor retail and leisure activities that already populate the City's seafront. The intention of the Council to maintain an eclectic mix of commercial activities in order to diversify the offer to businesses, residents, and visitors, will help support Brighton and Hove's vibrant SME sector also, while supporting economic diversification and innovation.
- Secondly, one of the challenges with seafront attractions is their seasonality. By adapting the currently vacant and closed promenade infrastructure into usable commercial space, with improved public realm and accessibility, the structures can be restored and their usability extended year round, increasing the business rate yield for the Council, as well as helping to activate Brighton's surrounding eastern seafront overall.
- Thirdly, unparalleled levels of investment are currently planned for the City's seafront, including the redevelopment of Brighton Marina, King Alfred Leisure Centre and Shoreham Harbour, construction of the i360 observation tower, building new state-of-the-art conference and entertainment facilities and expanding the Churchill Square shopping centre to the seafront. Regenerating Madeira Terrace, with associated public realm and transport improvements, will be part of this wider investment programme to regenerate Brighton & Hove's wider seafront through extending the visitor footprint westwards and eastwards.

#### 1.5 Rationale for the project

According to HM Treasury's Green Book, the rationale for government intervention, whether for a new or changed policy, programme or project is essentially twofold:

- The achievement of economic objectives by addressing inefficiencies in the operation of markets and institutions; and

- The achievement of an equity objective, such as local or regional regeneration.

There is a growing body of evidence that contributes to the rationale behind this project. Madeira Terrace has been progressively closed to the public since 2012 following deterioration of the structure caused by corrosive damage from the marine environment. Permanent fencing has been erected to prevent access. Four of the six staircases that connect Madeira Drive to Madeira Terrace have been closed to the public on safety grounds after a site survey indicated concerns about the condition of the structure and the potential risk of collapse.

The structure has fallen into disrepair, despite attempts at interim remediation work. However, the entire structure remains standing and is materially intact. Without intervention, it is likely that Madeira Terrace will decay further and ultimately may need to be removed in sections over the longer-term.

Over several decades, investment and development in Brighton & Hove's seafront has traditionally been focused on the stretch between the Palace Pier and former West Pier. As such, the full potential of the seafront along Madeira Drive is not being realised. Without an impetus to change, it is likely this situation will lead to a further degradation of this area, with consequent implications for its heritage structures and wider environment.

The visitor offering in this part of the City's seafront is inconsistent and lacks a critical mass. While developments such as the Sea Life Centre and leisure beach activities in front of Madeira Shelter Hall help support the daytime visitor economy, and Concorde2 (a nightclub housed in Madeira Shelter Hall) the area's night-time economy, overall the offering is sporadic. Along Madeira Drive itself, the public realm has a tired and inconsistent look and feel.

The highly bespoke nature of Madeira Terrace as a development project makes it unlikely that it would be viable to redevelop it exclusively on commercial terms. The deterioration of the asset, its heritage listing and the lack of ready market comparables generates a degree of construction risk that a private sector developer would be unlikely to want to bear, or would only take on with significant subsidy. Furthermore, the absence of existing activity in the area (relative to other areas of the City's seafront) magnifies commercial risks for private sector developers.

These arguable market failures indicate that public sector support will be required to "pump prime" the redevelopment of Madeira Terrace, at least during its initial phase. The delivery strategy for the project, set out in Section 3, is predicated on the publicly supported Phase 1 of the Lockwood Project demonstrating "proof of concept", leading to commercial rental income that can be recycled into redeveloping Madeira Terrace through its subsequent two phases. Through activating this important asset, it is also anticipated that wider regeneration will be enabled in the wider Madeira Drive area.

## 1.6 Evidence of demand

In recent years, the closure of Madeira Terrace has led to the removal of local businesses hosted in these structures, the loss of the terraces as a public amenity and the necessary installation of visually intrusive safety measures to prevent access.

Limited public funding at a time of constrained local authority finances means any redevelopment solution must include a high degree of commercially derived funding. This commercially driven approach will support economic and jobs growth in the South East region by building upon Brighton and Hove's unmatched visitor economy strengths, while also harnessing its creative, dynamic local workforce, activating this stretch of the seafront.

Market assessment undertaken in developing this regeneration proposal highlights:

- Over 10 million visitors to the City per annum, including five million overnight stays
- The City's high rate of population growth and low unemployment rate
- High commercial occupancy rates for the region, particularly for commercial space along the seafront (as seen through a near 0% vacancy rate along the existing seafront arches in Brighton located to the West of the Palace Pier)

Stakeholder engagement has also indicated support for the proposed redevelopment of Madeira Terrace supported by commercial use. A visualisation of the proposed approach, developed by Brighton & Hove City Council's architect, Wilkinson Eyre, was published in June 2016 to predominantly favourable local comment.

The Council has also held a seminar to discuss its proposals with its Seafront Investment Panel, comprising local traders, businesses, and community stakeholders, as well as wider one-to-one stakeholder engagement. Again, the sentiment was highly positive providing the commercial uses were genuinely innovative, tailored to the seafront's needs, and in keeping with the area's heritage.

The ongoing commercial success of Brighton's arches to the west of the Palace Pier, which have been populated with commercial uses for many years, suggests this model will be durable, providing the attractions offered are sufficient to draw visitors and locals down to this part of the seafront.

In recent years, the Council has funded the redevelopment of a number of the seafront arches to bring them to modern building standards. This higher quality offering – comparable to what is planned for the redeveloped Madeira Terrace commercial units – has been reflected in higher rents in these modern facilities relative to other seafront commercial property.

Planned wider investment around this part of Brighton, such as the Black Rock arena, will also support the regeneration of Madeira Terrace and help to provide an activity hub, supporting economic development of the area.

## 1.7 Spatial impact

The project aims to encourage more widespread use of Brighton & Hove's seafront for a greater period of the year. This would help improve local quality of life, generate employment, and help to address localised social deprivation, for example through:

- Reducing overcrowding at peak times on the City's central seafront, by offering an enhanced offering for local residents and visitors alike over a wider stretch of the seafront.
- Providing employment opportunities for local residents. A number of the wards surrounding Madeira Terrace are among the most deprived in the region, as measured via the index of multiple deprivation.
- Generating business activity during both the construction and operational phases of the project both directly and indirectly in the wider supply chain. It is expected that much of this will go to businesses in the local area.

## 2 Economic case

### 2.1 Economic context

The following highlights are taken from *Brighton & Hove City Snapshot: Report of Statistics* prepared in 2014.

#### 2.1.1 GVA

GVA per head in Brighton & Hove was lower than the South East and UK averages in 2012. GVA is a measure of the value of goods and services produced in an area on a per person basis. In 2012 the GVA of the Brighton & Hove economy was £20,712 per head. This compares to £23,221 across the South East and £21,674 in the UK overall. Between 2011 and 2012 local GVA grew by 2.1 per cent, compared to 0.8 per cent across the UK.

#### 2.1.2 Business and employment base

In 2012 there were 13,563 businesses in the city. Between 2009 and 2012 the business base of the City grew by 295 companies to reach a total of 13,563 VAT and PAYE registered companies, and the employment base grew by 6,120 jobs.

In 2011, Brighton & Hove had the second highest number of businesses per head in the UK according to a 2013 report on UK cities, second only to London. New business formation is the highest on record since 2004 with 1,620 new enterprises registered in 2012. Per 10,000 people, the City had 58.7 new businesses in 2012. Business deaths have risen on the 2011 figure but are lower than the 2009 level, when deaths exceeded births, and lower than 2010.

Businesses in the city are on average smaller in terms of employee numbers than the national average. In 2010 86 per cent of businesses in the City were small or micro level, employing less than ten people. The Association of British Insurers survey that this data is drawn from has been discontinued but there are no reasons to think that this pattern has changed significantly in recent years.

Between 2009 and 2012 the sectors which expanded most and contributed to the economic recovery in the city were

- Accommodation and food services +1,850 jobs
- Finance and Insurance +1,661 jobs
- Retail and wholesale +1,254 jobs
- Health +840 jobs
- Arts entertainment recreation and leisure +792 jobs
- And ICT + 526 jobs

#### 2.1.3 Sectors

A much higher proportion of Brighton & Hove's GVA comes from art and cultural services than in the UK as a whole. Around 1.4 per cent of GVA in the city (£76 million) comes from these services, compared to 0.4 per cent nationally. The city has a much higher than average concentration of employment in cultural services sectors. This contributes significantly to the clustering of skilled workers over time, driving productivity benefits in other areas of the economy.

The creative, digital and IT sectors are also significant in the City, and research undertaken by has shown that the sector is now worth an estimated £713 million to the economy.

Brighton & Hove is often cited as one of the most successful visitor destinations in the UK. With a visitor spend of £830 million throughout 2014 the tourism sector supports approximately 15,900 full time equivalent jobs and 21,682 actual jobs. Tourism is a vital part of Brighton & Hove's economy translating to roughly 14% of all jobs in the city's economy.

Brighton & Hove's strengths go far beyond its visitor economy however. The city is home to major employers, a strong finance and business services sector, one of the largest universities in the South East and a burgeoning creative and high-tech cluster.

Given this economic context, Brighton & Hove is well positioned to capitalise on its strengths and support the regeneration of its seafront, including through the redevelopment of the currently under-utilised, but strategically located Madeira Terrace and associated facilities.

## 2.2 Outputs / Outcomes

Preliminary designs of the terraces have been used to estimate expected floorspace and units that can house accommodation, leisure, retail, and office spaces once the project is complete. The assessment of the economic impacts of redeveloping commercial units within the terraces has been estimated using Mott MacDonald's Transparent Economic Assessment Model (TEAM), which is designed to calculate the socio-economic impacts of changes in land use.

Using high level assumptions (see below) to run the preliminary data on floor space and expected land use of the units within the terraces through TEAM, estimates have been made in relation to the number of net additional jobs facilitated within the terraces and economic impact in terms of contribution to GVA.

### 2.2.1 Employment outputs/GVA impacts

Table 2.1 below sets out preliminary potential economic impacts of the Madeira Terrace units once fully occupied. Note that this relates to all phases of work to be undertaken subsequent to the first phase funded with the support of CCF. It has been assumed that future phases will not require further public sector funding support – and that the CCF support will 'unlock' the delivery of all these outputs.

This analysis shows both gross and net jobs created. The net jobs calculation makes an allowance for displacement, leakage and substitution effects – i.e. it is an estimate of how far jobs created by the Lockwood Project will be "additional" at a national level.

TEAM has also been used to identify indirect and induced jobs and GVA. These effects will be generated through employment and activity in the wider labour market (e.g. in the supply chain to the occupiers of Madeira Terrace units).



**Table 2.1: Economic Analysis of the Lockwood Project**

Commercial uses	Gross direct	Total net direct, indirect and induced jobs	Gross GVA (£m)	Total net direct, indirect and induced GVA (£m)
Retail units	16	11	£0.7	£0.5
Museum/gallery space	1	1	£0.1	£0.0
Bar/restaurant units	47	32	£1.9	£1.4
Office space	13	9	£1.0	£0.6
Event venue	2	1	£0.1	£0.1
Hostel	3	2	£0.2	£0.1
Hotel space	60	41	£3.1	£2.1
Spa space	1	1	£0.0	£0.0
Cinema space	1	1	0.04	0.03
<b>Total</b>	<b>145</b>	<b>97</b>	<b>£7.1</b>	<b>£4.8</b>

Source: Mott MacDonald analysis using the Transparent Economic Assessment Model.

### 2.2.2 Assumptions Underpinning Methodology and Modelling

TEAM applies government recommended methodologies to calculate the level of net employment. It therefore takes account of the neighbouring employment and subsequent risk of displacement, leakage of economic benefits to other economic areas, and deadweight in terms of the level of activity already ongoing at this site

The potential economic benefits of those development units and sites identified within the improvement works areas have been calculated through the following steps:

- Inputting of key site details into TEAM including the sizes and proposed land uses (by land use classification) of sites and the key assumptions. These are based on preliminary plans for each of the commercial units emerging from designs prepared by the project team.
- Due to the preliminary nature of this study, most assumptions around employment densities and economic multipliers are based on governmental recommended best practice, but where possible given the presence of local data, these have been adjusted to increase accuracy.
- Calculation of direct economic impacts through feeding the proposed uses by size through TEAM to calculate:
  1. Direct effects of the units/sites in terms of employment and economic output (measured by GVA) of the sites being fully occupied/developed.
  2. Indirect and induced effects of the units/sites being occupied/developed from those supported further down the supply chain and employment and activity supported by the incomes of those directly or indirectly employed (through consumption multiplier effects).
  3. The economic impacts have been presented at both a gross and net level throughout the analysis. The net position adjusts the gross impacts for

additionality and deadweight by considering what levels of employment are already present within the development areas.

- Land use assumptions within TEAM relate to type of use, land utilisation and occupancy levels and employment densities of the potential development areas. These assumptions are fully listed in this section of the report and the tables below and have been undertaken on a site by site basis using information about the development proposed. It is important to note that:
- An occupancy rate of 100% has been used for all potential development areas as the analysis is presenting the total economic benefit that could be realised from these vacant premises being developed and becoming occupied. As the site is currently vacant, it has been modelled that development brought forward at these units would boost the occupancy rate to 100%.
- In cases where net internal area is not yet estimated, a building footprint of 80% has been used; as the units will not include large spaces such as car parks or gardens that would lead to a lower proportion (from best practice assumption of 50%), it is likely that the full net internal area of the properties will be used for the appropriate land use. A floorspace footprint of 90% to convert gross external areas to net internal areas (where applicable) has been used.
- Estimates for employment in hostels and hotels are based on estimates of the number of rooms/beds within the allocated development space. For the hostel employment space, the lower range estimate for average room size for a budget hotel has been used (16m<sup>2</sup>). For the hotel it is understood that a boutique hotel would occupy this space; for which an average room size of 60m<sup>2</sup>.
- Given the nature of the development, it has been assumed that all development will be one storey.
- Employment densities are sourced from the HCA Employment Density Guide.
- GVA per worker estimates are based on Average GVA per worker for the South East 2015, using NUTS 1 GVA workplace data and Workforce Jobs (both ONS).

## 3 Commercial case

### 3.1 Technical solution

#### 3.1.1 Options considered

The project team has identified three restoration/refurbishment options. These are summarised below, with further details set out in *Brighton Madeira Terraces: Recommendations for Remedial Work to the Terrace Structure*, supplied.

- *Option 1: Full restoration of the arches*

This would involve both repair work and replacement work to the component pieces to restore them fully to their original built design. Replacement may be the only option for structural components that have completely failed. The steel deck beams and concrete jack arches would be completely replaced, given they are largely concealed by the wearing course that is laid over the top.

- *Option 2: A propped structure*

This option would introduce secondary means of support to the replacement jack arches and steel deck beams, taking the loading off the edge beams, columns, and array of bolted connections. It may be possible to integrate the secondary support structure with the 'pod' structures to be introduced into the arches.

- *Option 3: Restoration and retention of the screen only*

This option proposes that the deck structure and components are not retained, repaired, or replaced but removed and that only the façade of the arches are kept – the spandrels, columns, and lattice beams. This assumes that there would be no high level route maintained. The lattice beams could also be retained in this option.

#### 3.1.2 Preferred option

It is considered that Option 1 is the most viable, appropriate and considered scope of works from a technical restoration/refurbishment perspective, recognising the significant heritage constraints associated with the reuse of a listed structure.

The proposed works are based on the assumption the structure will be dismantled and refurbished offsite. Consideration was given to the possibility of carrying out in-situ repairs, but an off-site repair route was favoured due to the environmental, health and safety and access limitations associated with in-situ repairs.

In-situ repairs would not allow a full refurbishment and potentially would not reveal hidden defects under paint layers and within connections. The quality of the repair and the working conditions are improved by taking elements off-site.

### 3.2 Commercial solution

#### 3.2.1 Ownership

Brighton & Hove City Council holds the freehold title of Madeira Terrace, the Madeira Shelter Hall and Lift Tower.

These assets are generally vacant, with the exception of the Madeira Shelter Hall and Lift Tower which is currently leased to Concorde2 Ltd., a nightclub operator.

### 3.2.2 Partners Involved

The project will be lead and managed by Brighton & Hove City Council. The Council works closely with its CCT and wider stakeholders such as local business and residential groups in developing its seafront investment programme.

### 3.2.3 Commercial and Delivery Strategy

#### 3.2.3.1 Options considered

Brighton & Hove City Council considered two primary commercial and delivery strategies for the project (i.e. phase 1 of the overall scheme).

- *Option 1: Public sector-led redevelopment*

Under this approach the Council would be the delivery authority for the project, responsible for developing, financing (with CCF support), procuring and managing the redevelopment of the terraces and associated servicing infrastructure requirements, including the installation of the “pod” structures designed to accommodate commercial uses.

The Council would subsequently be responsible for letting and management of the redeveloped terraces, and in this role would seek to bring in private sector tenants of the terrace units. This commercial income would flow to the Council as freehold owner.

- *Option 2: Private sector-led redevelopment*

Under this approach, the Council would engage a development partner to progress the project. The development partner would be expected to provide financing to cover up-front capital costs, in partnership with funds provided from CCF support. The development partner would take responsibility, potentially in partnership with the Council in developing the project, and subsequently procuring and managing its redevelopment.

The development partner would, post-construction, be responsible for letting and management of the redeveloped terraces. Some or all of the commercial income from this would flow to the development partner to generate their expected return from the project.

#### 3.2.3.2 Options analysis

Table 3.1 shows a comparison of the advantages and disadvantages of the two options considered.

**Table 3.1: Analysis of commercial and delivery options**

<i>Option</i>	<i>Advantages</i>	<i>Disadvantages</i>
1. Public-sector led	<ul style="list-style-type: none"> <li>- Council experience of successfully delivering similar projects to time and budget</li> <li>- Council experience of letting seafront properties via dedicated Seafront Property Team</li> <li>- Value for money (VfM) from leveraging Council's very low cost of capital, and ensures all commercial income flows to Council</li> <li>- Ensures Council retains high degree of control of its asset, and can ensure development is consistent with stakeholder expectations</li> <li>- Simpler and quicker to procure than using development partner</li> </ul>	<ul style="list-style-type: none"> <li>- Council bears higher level of key risks (planning, construction, commercial), with financial implications if construction costs higher or revenues lower than forecast</li> <li>- Resourcing implications for Council to procure and deliver project</li> <li>- Public sector may be less able to identify innovative design or delivery solutions than private sector</li> <li>- Potential affordability implications for the Council via requirement to raise finance with balance sheet implications</li> </ul>
2. Private-sector led	<ul style="list-style-type: none"> <li>- May generate more innovative solutions that traditional public-sector led approach</li> <li>- Opportunity for risk transfer to private-sector, with reduced impacts on public-sector balance sheet</li> </ul>	<ul style="list-style-type: none"> <li>- Appetite for construction and commercial risks unclear. Market may not be available or only at excessive cost, particularly given uncertainties around the project (e.g. construction cost, market demand)</li> <li>- Length of time to identify and procure private-sector development partner may delay project timetable. Specialist resourcing requirements to agree VfM solution to the Council</li> <li>- Lower level of control for Council may lead to solutions are unacceptable from a heritage/use perspective (although development control provides alternative)</li> </ul>

Source: Mott MacDonald analysis

### 3.2.3.3 Preferred option

Given the scale, proposed timetable and, above all, high degree of uncertainty inherent in a bespoke heritage project such as the first phase of the Lockwood Project, Brighton & Hove City Council proposes to progress a public-sector led redevelopment approach (Option 1).

Without further survey work of Madeira Terrace structure and a higher degree of design and planning certainty, it is judged unlikely that a viable private-sector development partner could be identified at a cost that is affordable to the Council and in line with its expectations to open the first phase by end 2019.

Furthermore, the Council's successful track record in procuring and delivering similar major projects in recent years via its dedicated major projects team (refer section 5) suggests construction risk can be effectively managed. In addition, the Council's dedicated property team is highly experienced in letting diverse, bespoke spaces to tenants on a commercial basis, while achieving a diversity of use arguably greater than private sector landlords, as evidenced by the ongoing success of Brighton's seafront arches over many years.

The use of a public-sector approach for phase 1 of the scheme is not intended to prohibit more private-sector led approaches subsequently. It is anticipated that, through successful "proof of concept", phase 1 could encourage and enable greater private sector involvement subsequently.

### 3.2.4 Development strategy

To progress the project to the procurement stage, required activities include:

- Further technical surveys to establish site condition

- Development of design to RIBA IV technical design, including structural and building services design
- Preparation of detailed cost estimates based on RIBA IV stage design, including cost plan
- Development of detailed commercial assessment with property advisor
- Development of detailed implementation plan, programme and change control strategy.

The Council has engaged a number of highly experienced technical partners to develop the project to date, including Mott MacDonald, a multidisciplinary engineering, cost and development consultancy, and Wilkinson Eyre, a leading international architecture practice. The Council is in the process of procuring a dedicated project team to progress the project to the procurement stage.

### 3.2.5 Statutory consents

Brighton & Hove City Council has yet to begin the process of obtaining statutory planning, environmental and building approvals for this project.

Relevant factors include:

- Grade II heritage listing of the terraces and the Madeira Shelter Hall and Lift Tower
- The Green Wall that the terraces is built onto is a candidate for a Site of Importance for Nature Conservation within the forthcoming City Plan Part 2.

The Council expects to progress a strategy based on:

- Early and regular engagement with planning officers, including Heritage England. This process has been underway for around nine months. A Heritage Assessment, supplied, has been developed by the Council's architectural advisor on this project, working with Heritage England and Council planning officers. The next stage will be a formal Statement of Significance for Heritage England.
- Early and regular engagement with Council environmental officers to ensure considerations around the Green Wall and other relevant issues are taken into account in developing the project.
- Seeking to obtain outline planning consent for the overall Lockwood Project, reflecting the integrated natures of the terraces as a single structure, in the first instance.
- Seeking to obtain detailed planning consent for each phase of the Lockwood Project separately.

### 3.2.6 Procurement strategy

The Council will consider procurement options as the project progresses through its development phase, including design/build and build only options, as well as more innovative options such as Early Contractor Involvement.

The project team have significant experience of procurement in accordance with EU Public Sector Procurement Directives. The team understands the routes available (open, restricted, negotiated and competitive dialogue) and where they are applicable. The team is also fully conversant with the new Public Contracts Regulations 2015 and is skilled at drafting OJEU notices in compliance with EU Directives.

### 3.3 Commercial Viability

#### 3.3.1 Commercial dependencies

The successful delivery of economic outputs is dependent upon the occupation of restored/refurbished units for commercial and other end uses. This will be subject to market demand and further work is being undertaken to identify the scope and extent of demand as part of the project development process.

#### 3.3.2 Viability assessment

The Council has assessed the potential rental income that it could raise from commercial development of Madeira Terrace in line with the use classes set out previously. Rental income has been assumed to build up to be in line with that paid by tenants in the recently refurbished seafront arches west of the City's Palace Pier, which are also Council owned.

At this stage, an indicative timetable has been assumed whereby the terraces would be redeveloped in three stages between 2019 and 2023. The total rentable area of the redeveloped Madeira Terrace once fully open is estimated at around 25,000 sq. ft.

Based on these assumptions, it is estimated that commercial income from the redeveloped Madeira Terrace could support investment of around £15 million, or half the total estimated capital cost of redeveloping the terraces through the Lockwood Project.

For Phase 1, this analysis shows that Brighton & Hove City Council will, in present value terms, be able to raise around £3.3 million from renting the units. This represents a substantial proportion of the overall Phase 1 construction cost. The initial development viability assessment undertaken by Brighton & Hove City Council is set out in Appendix B.

As the project progresses, a more detailed analysis will be undertaken of the potential commercial value that can be realised from Madeira Terrace once redeveloped.

### 3.4 State Aid considerations

No state aid impacts have been identified for this project. Brighton & Hove City Council has undertaken similar projects in recent years, including the West Street Shelter Hall project and the Kings Road Arches redevelopment, where facilities have been built or redeveloped for commercial uses using public funding, without any state aid implications.

On the basis that the units in the redeveloped Madeira Terraces are to be let solely on commercial terms, it is not judged that there are likely to be any state aid implications with this project.

The Council is able to procure formal advice if required by the Big Lottery Fund but would like to discuss our initial position with you further prior to commissioning this.

## 4 Financial case

### 4.1 Capital costs

A cost estimate for regenerating the Madeira Terrace is set out in Table 4.1. This preliminary cost estimate has been prepared by Mott MacDonald quantity surveyors on behalf of Brighton & Hove City Council. A detailed breakdown is set out in the report, *Madeira Terraces: Redevelopment Options – Feasibility Study*, supplied.

**Table 4.1 Capital Cost Estimate – Phase 1**

Item	Cost Estimate, £
Enabling	49,000
Restoration of terrace structure	1,253,048
Construction – Pod installation	2,101,743
Construction – Madeira Shelter Hall refurbishment	1,058,000
Contingency and inflation	1,393,919
Professional fees	1,406,649
<b>Phase 1 Capital Cost Estimate Total</b>	<b>8,204,309</b>

Source: *Madeira Terraces: Redevelopment Options – Feasibility Study*

### 4.2 Source of funding

The following sources of funding are proposed for this project:

#### Brighton & Hove City Council

Brighton & Hove City Council will provide £4.025m of the total £8.025m capital cost for the project. The Council expects to meet these costs from its reserves and/or borrowings from the Public Works Loans Board. In addition, the Council are continuing to explore all funding opportunities for the project at present including potential Local Growth Fund monies via Coast to Capital LEP for transport infrastructure. The Council will bear risk of any project cost overruns. Brighton & Hove City Council expects to recover the majority of these costs through rental income from tenants.

#### Coastal Communities Fund

A CCF grant will be used to fund the £4.0 million of the project costs. CCF grant funding is seen as essential to unlocking the site as no alternative funding sources will be available or capable of being in place to ensure that these activities can be completed within the timescales required. CCF funding is sought to cover a proportion of upfront project development costs, noting wider resource constraints faced by the Council from ongoing budget reductions.

Cash flow impacts are set out in Table 4.2.



**Table 4.2 Cash Flow Impact**

£000	2017/2018	2018/2019	2019/2020	Total
CCF (resource grant)	200	0	0	200
CCF (capital grant)	0	1,800	2,000	3,800
BHCC contribution	200	1,800	2,025	4,025
<b>Total</b>	<b>400</b>	<b>3,600</b>	<b>4,025</b>	<b>8,025</b>

Source: Mott MacDonald analysis

### 4.3 Operating costs and revenues

Operating costs associated with the ongoing ownership, management, and maintenance of the Madeira Terrace project will be met from within the rental income secured from letting units for commercial end-uses. The project team have identified potential indicative occupants for each phase of the project. An estimate of commercial revenues that the Council would receive is being developed based on further market assessment and soft market testing.

The project will be maintained as part of the Council's commercial property portfolio.

## 5 Management case

### 5.1 Overview

Established in March 2015, the Brighton & Hove Seafront Coastal Communities Team (CCT) brings together public, private and business expertise to support the city council in developing and delivering a new Seafront Investment Plan that will help the seafront fulfil its potential and benefit the City as a whole.

The Council is a progressive authority which has commissioned and overseen considerable infrastructure and development projects in recent years, including over £80m of residential development at the neighbouring Brighton Marina, as well as the British Airways i360 project which has been successfully completed and operational since August 2016.

The Council has a dedicated major projects team which is charged with leading the development and delivery of major investment projects, as well as a dedicated seafront development team responsible for the City's coastal infrastructure, built environment and commercial activity (including leases).

### 5.2 Project management

Overall responsibility for successful delivery of the project will lie with Nick Hibberd, the Council's Executive Director of Economy, Environment, and Transport. Nick will act as Senior Responsible Officer for the project. He will ensure the project meets its objectives and delivers its projected benefits. Nick has successfully led a number of major regeneration projects for Brighton & Hove City Council, including the British Airways i360 project.

Programmatic responsibility for the project rests with Katharine Pearce, a programme manager in the Council's Major Projects and Regeneration team. Katharine has responsibility for progressing a number of the Council's seafront projects, including the Waterfront East arena and conference centre project on the Black Rock site.

In developing the Lockwood Project, the Council has worked with Wilkinson Eyre, one of the UK's leading architects and Mott MacDonald, a diversified international management, engineering, and development consultancy. Relevant services provided by these organisations include scheme design, structural engineering, commercial advisory, stakeholder engagement and planning support.

The Council is in the process of procuring ongoing technical and commercial support to progress the Lockwood Project. The Council expects to appoint a dedicated project manager to lead the project day-to-day from within the Council, working with external professional advisors and reporting back to a steering committee comprising CCT members and other appropriate stakeholders, including, as required, Council Members.

The project will be developed to RIBA Stage 3 through the development of designs, market testing and further stakeholder consultation in order to secure outline planning consent. Subsequent detailed technical designs to RIBA Stage 4 will support the application for full planning consent, including Listed Buildings consent.

### 5.3 Risk management

An initial assessment of project risks and mitigating measures is set out in Table 5.1 and a detailed risk register will be developed as part of the design process going forward.

**Table 5.1 Risk Register**

RISK TYPE	MITIGATION.
<b>Design Risk</b>	
Designs prove inflexible or unable to accommodate anticipated uses	Involvement of commercial advisors in development of technical design to ensure meets future tenant needs
<b>Planning Risk</b>	
Stakeholder opposition delays or prevents project obtaining statutory planning approvals, for example from Historic England	Early and sustained engagement with local and national stakeholders to improve “buy-in” and reduce any opposition. Early engagement with Council planning officers as part of statutory applications processes
<b>Procurement Risk</b>	
Lack of interest in contractor market due to specialist nature of heritage construction or interest only on unacceptable terms	Council project team to undertake early market soundings to encourage interest with specialist contractors. Undertake further site surveys to reduce uncertainty
<b>Construction Risk</b>	
Project cost overruns due to project complexity, inaccurate cost estimates or scope creep	Embed risk transfer principles into construction contracts; undertake progressive cost estimates as project scope refined; establishment of defined change control mechanisms as project progresses to minimise scope creep
<b>Commercial Risk</b>	
Utilisation of terraces and/or rent levels below forecast, reducing financial viability of the project	Brighton & Hove City Council is developing detailed market assessment studies to inform project commercial and financial cases
<b>Project Management Risk</b>	
Management changeover or loss of focus leads to project delays	Development of project and change management strategies for the project. Key ongoing liabilities include: Liability for project defects – construction contracts will set these to rest with selected contractor as far as possible
<b>Funding risk</b>	
Liability for cost overruns or funding shortfalls	Brighton & Hove City Council will retain ultimate liability for funding the project in these circumstances

Source: Mott MacDonald analysis

### 5.4 Change management

A strict procedure will be put in place by the project team for identifying and raising changes and a co-ordinated approach to the evaluation and approval or rejection of these changes.

Following sign-off of the coordinated final design and confirmation of the cost plan that reflects the design, the scheme design will be frozen. Although change after this freeze will be restricted, it is inevitable that some change will occur. Whilst it is accepted that anyone involved

in the project should be able to initiate change, in order to maintain rigorous change control, only designated individuals will be able to formally request change from this point. All changes will be raised and evaluated using agreed pro-formas to assist with the process and the speed of response.

## 5.5 Monitoring and evaluation

Brighton & Hove City Council is developing a benefits realisation strategy for the Project based on the objectives identified in the key performance indicators set out earlier. This is expected to include monthly progress reports as well as an annual progress review on the project's development that will be provided to the project board and the Big Lottery Fund (as co-funder). A post-completion project evaluation will also be undertaken, looking at, as a minimum, expenditure, outputs, impacts, lessons learnt (process and impact) and assessment of success (meeting original objectives and tackling problem).

## 5.6 Sustainability of project outcomes

As a redevelopment with a strong commercial element, it is assumed that jobs created both directly and indirectly in the wider supply chain will be self-sustaining over the longer-term.

The ongoing commercial success of Brighton's arches to the west of the Palace Pier, which have been populated with commercial uses for many years, and have a very low vacancy rate, suggests this model will be durable, providing the attractions offered are sufficient to draw visitors and locals down to the Madeira Drive seafront.

CCF funding, matched by Council financial support, for the first phase of the regeneration of Madeira Terrace is expected to act as a catalyst to spur the development of subsequent phases using predominantly private-sector investment.

Planned wider investment around this part of Brighton, such as the Black Rock arena, will support the regeneration of Madeira Terrace and help to provide an activity hub, supporting economic development of the area.

## 5.7 Draft programme

The draft programme for this project (phase 1 of the Lockwood Project) is set out in table 5.2. The programme for subsequent phases of the Lockwood Project has yet to be finalised, however Brighton & Hove City Council is targeting delivery by end 2023.

**Table 5.2 Draft Programme**

<b>Year</b>	<b>Activity</b>	<b>Proposed Dates</b>
2017-2018	Develop detailed masterplan for overall Madeira Terrace redevelopment	April 2017 – July 2017
	Develop Madeira Terrace concept designs	April 2017 – Nov 2017
	Undertake structured stakeholder engagement	April 2017 – March 2018
	Detailed commercial viability study	August 2017 – Oct 2017
	Outline planning submission and approval, including public consultation	Nov 2017 – April 2018
2018-2019	Develop Phase 1 technical design	April 2018 – July 2018
	Undertake further structured stakeholder engagement	April 2018 – March 2019
	Full Phase 1 planning submission and approvals, including public consultation	July 2018 – Sept 2018
	Procurement and construction of early works	July 2018 – Dec 2018
	Preparation of tender documents and procurement of main contractor	Sept 2018 – Dec 2018
2019-2020	Undertake Phase 1 main construction works to practical completion	Jan 2019 – Oct 2019
	Handover and completion of Phase 1 to Brighton & Hove City Council	Nov 2019 – Dec 2019
2020 - 2021	Issuance of letting particulars and secure tenants for Phase 1 units	Nov 2019 – April 2020

Source: Mott MacDonald analysis



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Our ref: EJM/CH/16903~01

11<sup>th</sup> March 2019

Abigail Hone  
Project Manager  
Brighton & Hove City Council  
1<sup>st</sup> Floor, Hove Town Hall  
Norton Road  
East Sussex BN3 3BQ

**by email only:**

Dear Abigail,

**RE: MADEIRA TERRACE, BRIGHTON**

I was very pleased to meet you on Monday 25<sup>th</sup> February 2019, and also thank you for the information you sent through preceding this. I had offered to visit at no cost or obligation to parties related to my past knowledge of Madeira Terrace from the various reports received and input with local groups. This was initiated through my Father Brian Morton some years ago.

The visit was related to the review the 'crowd funded' arches and trying to assist in advice as to where this work should be carried out. You kindly provided a pro's and con's for arches 1 – 3 at the western end, as against the eastern end arches which was useful.

Firstly, with regards to the western end, whilst I can certainly understand the logic for here and the fact that it would provide public access to the deck over, due to the steepness of the ramp it won't necessarily provide access to all. It is also convenient that the site office and community hub is close by, although moving this I assume would not be too difficult if appropriate.

I also highlighted the issue of raising the balustrade level to meet standard requirements, and the potential impact that this may have on other existing railings. The standard procedure, we adopt, is that if there is something that is in existence and there is no change of use it is not normally deemed a necessity to change this, providing it is considered to be structurally safe. If it is deemed necessary to increase the height for these works, could this impact on the adjoining railings to the ramps and indeed to the head of the promenade etc. as they are all of similar design.

A clear disadvantage is that the work related to the removal of the brick infills below, dated from 1920's and potentially the basement below that, and obviously the cost of the works related to these could be quite significant, and I am not sure that is in the best intentions for the crowd funded monies which was to restore three (or more) arches. On the positive side obviously the existing brick structures provide close level access to the underside of the main structure, thus would save some money in terms of access requirements for initial works.

I note that you suggested that it would be necessary to dismantle two arches alongside three arches, to create a 'safe zone'. I particularly disagree with this as I do not consider it necessary. I am sure that the temporary support situation would be possible, and indeed obviously is carried out elsewhere along the terrace. It may well be sensible to remove the concrete decking though for this zone.

I did also note that the one head of Venus and Neptune was missing to these three arches at the western end, and if a full repair of the three arches was being carried out, I assume it would be necessary to replace them, unless another one from a removed arch is available. If a one off is going to be made, having spoken to a foundry, I suspect the order of cost would be somewhere between £10,000 - £15,000. Obviously, if numerous castings are made then the unit cost comes down considerably.

I think one of the really important outcomes with the crowd funded works is that it must be used to obtain clear information on the repair works required in the future, in particular related to any repair techniques. I explained that particular repair types such as cold stitching to a cast iron girder could be recorded in terms of time and details etc., and then this information could be used and provided in the future to inform full tendered costs for elements of works, thus reducing risk at that stage.

I explained that the more information along these lines that it is possible to provide for contractors tendering for works, then it should help reduce cost risk. Without detailed information of bespoke repair solutions and the time taken to complete, then inevitably any contractor will need to ensure they cover their risk on programme and costs, and thus will likely price these elements high.

Then looking more widely, as you know my view was that the repairs of the crowd funded arches should be linked to where there is greatest potential for works to be carried out in the nearer future.

I looked particularly at the east end and the 31 arches here, which I feel is a more manageable extent than elsewhere, but obviously has the issues of the green wall. However, if there were interested parties for these, I think there is great benefit in restoring three of these arches so that they are clear on how and what works are required, and also how issues like the green wall can be integrated. Certainly, I would be very cautious if I was to invest in works to this end, in proceeding without having this baseline knowledge in place.

Of course, there are disadvantages to this end also in terms of less people access this end at the moment, although this may change with future developments, and certainly the access to the deck is unlikely to be practical in the short term, and also the road system is more complicated.

We looked particularly at the ones at the very east end which are somewhat smaller in depth and also height, so it may be that the crowd funded money may stretch a bit further in terms of repairs, and of course if three, four or five arches are repaired then this may make it more attractive to future users as their capital costs will be reduced a little.

So, rather than going through all the pro's and con's in detail, I came to the conclusion as you know, that I really think that there is a piece of work necessary to clearly define the potential for uses of arches in the short to medium term, and perhaps the long term, and then to consider how the crowd funded works would benefit these.

Of course, I realise politically that this may not be desirable in terms of a further delay, but it would be a great shame if the works to the 'crowd funded' arches was not well considered and can be used as a catalyst for further works, hopefully in the short term with potentially interested parties.


I also suggested that this may be worth discussing with Historic England whether there may be any opportunity for grant aid. I suspect that this may be limited in extent, but may assist with some further development work which is what I consider is needed as set out above. Whilst I know there are extensive repair reports and information available, I am not sure that it has necessarily been considered totally on a conservation basis at present, although I was pleased to hear that your Principal Inspection will be including the advice of an accredited engineer.

So, an early discussion with Historic England to seek their views on where the works to the 'crowd funded' arches should take place I think would be beneficial, and to discuss whether any type of grant could be possible.

I hope this is helpful, but please do not hesitate to call me if you have any queries.

Yours sincerely

**FOR THE MORTON PARTNERSHIP LIMITED**

  
**EDWARD MORTON**

Engineer Accredited on Conservation



**EAST SUSSEX FIRE AUTHORITY**

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**EAST SUSSEX FIRE AUTHORITY**

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**Report of a meeting of the East Sussex Fire Authority held at County Hall, St. Anne's Crescent, Lewes BN7 1UE at 10:30 hours on Thursday, 13 June 2019.**

Present: Councillors Galley (Chairman), Lambert (Vice-Chair), Barnes, Earl-Williams, Ebel, Evans, Hamilton, Osborne, Powell, Pragnell, Scott, Smith, Taylor, Theobald, Tutt, Belsey, Bowdler and Nemeth

N.B. Apologies were received from Councillors Boorman, Peltzer Dunn and Dowling.

The agenda and non-confidential reports can be read on the East Sussex Fire & Rescue Service's website at <http://www.esfrs.org/about-us/east-sussex-fire-authority/fire-authority-meetings/> A brief synopsis and the decisions relating to key items is set out below.

**1 ELECTION OF CHAIRMAN**

- 1.1 Members resolved to appoint Councillor Roy Galley as Chairman of the Fire Authority for the year 2019-20.

**2 ELECTION OF VICE-CHAIRMAN**

- 2.1 Members resolved to appoint Councillor Carolyn Lambert as Vice-Chair of the Fire Authority for the year 2019-20.

**3 URGENT ITEMS AND CHAIRMAN'S BUSINESS**

- 3.1 Following the Brighton & Hove City Council Elections, the Chairman welcomed the newly appointed Members of the Fire Authority, namely Cllr Marianna Ebel, Cllr Amanda Evans, Cllr Les Hamilton and Cllr Steph Powell. The Chairman also welcomed back Cllr Garry Peltzer Dunn and Cllr Carol Theobald who had been re-appointed by Brighton & Hove City Council.
- 3.2 The Authority welcomed back Cllr Peter Pragnell who had been recently appointed by East Sussex County Council following a change in their Outside Body appointments.
- 3.3 The Chairman asked that the Fire Authority formally record its thanks to Cllr Lizzie Deane, Cllr Adrian Morris, Cllr Jackie O'Quinn, Cllr Nancy Platts and Cllr Simon Elford. The Fire Authority thanked them all for their dedicated service during their time as Members. The Authority was grateful for their contributions to the Fire Authority's work and wished them well in the future. Each of these departing Members would be written to individually to thank them.

3.4 The Chairman thanked Cllr John Barnes for his service to the Fire Authority during his time as Chairman. The Authority had benefitted greatly from his knowledge, kindness and service during his tenure as Chairman. As a token of thanks the Authority presented him with a set of East Sussex Fire & Rescue Service cufflinks.

3.5 Thanks were given to Cllr Carol Theobald for her support to the Authority during her time as Vice-Chairman.

#### **4 POLITICAL REPRESENTATION ON THE PANELS OF THE FIRE AUTHORITY**

4.1 The Authority received a report seeking to secure political balance on its Panels in accordance with the Local Government (Committees and Political Groups) Regulations 1990 and agree to the resultant Membership to the Panels of the Fire Authority.

4.2 The Authority was required to keep under review the allocation of seats on Committees and other bodies to ensure, so far as practicable, that they reflected the political groups on the Authority. The rules governing this representation were outlined in the report.

4.3 Following the elections at Brighton & Hove City Council in May 2019 there were now four political groups on the Fire Authority, namely Conservative, Green, Labour and Liberal Democrat, previously there had been three. There was also one Independent Member of the Fire Authority but single members cannot constitute a political group. As a result of this increase in political groups, the allocations to panel memberships had altered with the proposed political proportionality for 2019/20.

4.4 The Authority confirmed the Panel arrangements and political representation as set out in the report. They agreed that the political balance provisions shall not apply to the membership of the Principal Officer Appointments Panel. The Authority agreed the appointment of Cllr Peltzer Dunn as Chairman of the Policy & Resources Panel and Cllr Barnes as Chairman of the Scrutiny & Audit Panel in accordance with Standing Order 41.13 and agreed that the appointment of the Chairman of the remaining Panels be made by the Panels at their first meeting in accordance with Standing Order 41.14.

#### **5 FIRE AUTHORITY AND PANEL MEETINGS 2019/20**

5.1 The Fire Authority received and noted the dates of meetings of the Fire Authority and Panels for the remainder of 2019 and 2020.

#### **6 MEMBER ATTENDANCE 2018/19**

6.1 The Authority considered the report of the Senior Democratic Services Officer which presented for monitoring purposes the Member attendance at formal East Sussex Fire Authority meetings for 2018-19.

- 6.2 Overall the report was welcomed by Members, and whilst it was appreciated that at times it is difficult to attend meetings, it was felt that the report was a way of reinforcing the importance of attendance. Members were assured that all apologies were noted and that it was understood and appreciated that there were times when non-attendance was unavoidable, these were recorded but not included in this report as it would have involved sharing personal information which would not have been appropriate.
- 6.3 A discussion followed during which comment was made on the presentation of the data with suggestions for future reports including the inclusion of a column referencing the appointment of substitutes. The Authority were reminded that this was the first report of its type and the intention was that it would grow to include not only formal meetings of the Authority and its Panels but also attendance at open days, seminars, additional meetings and one off events. This would provide in future a fuller picture as attendance at formal meetings is only partially representative of a Fire Authority Members commitment.
- 6.4 The Authority noted the summary of Members attendance at formal Authority meetings for 2018-2019 as set out at Appendix A to this report. They agreed that from June 2019 Member attendance at formal meetings will be published on the Fire Authority's website, and that Member attendance will be reported annually to the Scrutiny & Audit Panel for monitoring purposes.

## **7 TREASURY MANAGEMENT – STEWARDSHIP REPORT 2018/19**

- 7.1 The Fire Authority received the Report of the Assistant Director Resources/Treasurer. The Annual Treasury Management Stewardship Report is a requirement of the Fire Authority's reporting procedures and informed Members of Treasury Management Performance for 2018/19 and compliance with Prudential Indicators. The Fire Authority noted the Treasury Management Performance for 2018/19.

**COUNCILLOR ROY GALLEY  
CHAIRMAN OF EAST SUSSEX FIRE AUTHORITY**

13 June 2019



<b>Council</b>	<b>Agenda Item 30 (1)</b>
25 July 2019	Brighton & Hove City Council

## NOTICE OF MOTION

### LABOUR GROUP “A SAFE HOME” CAMPAIGN

This council resolves to ask the Chief Executive to write to the Secretary of State for Communities;

- Expressing the council’s support for the “A Safe Home” campaign;
- Requesting that the Domestic Abuse Bill be amended to include a requirement that all domestic abuse survivors presenting as homeless should automatically be considered as in priority need, and that councils are fully funded to meet this new responsibility when enacted.

Proposed by: Cllr Williams

Seconded by: Cllr Evans

#### Supporting information

This council notes that it has been identified by the APPG (All Party Parliamentary Group) on Domestic Violence and Abuse and the APPG on Ending Homelessness that a key barrier to people leaving abusive relationships is a lack of access to safe, secure housing. This council notes that it is unconscionable that people who have managed to flee an abusive situation are required to pass the vulnerability test to be owed the main homelessness duty. This is in the context of the Domestic Abuse Bill just introduced to Parliament, and the implementation of the Homelessness Reduction Act (HRA)

[https://www.crisis.org.uk/media/240459/cr10198\\_domesticabusebill\\_appg\\_report\\_2019\\_aw\\_web.pdf](https://www.crisis.org.uk/media/240459/cr10198_domesticabusebill_appg_report_2019_aw_web.pdf)

Proving you are homeless due to domestic abuse can be distressing for survivors. Research demonstrates that there is a lack of consistency between local authorities when it comes to the level of proof required and a lack of understanding of the nature and effects of domestic abuse. The result of this is that many domestic abuse survivors are deemed ‘intentionally homeless’ (S191 Housing Act 1996). Recent research found that many local authorities are failing to adequately assist people presenting as homeless due to domestic abuse and that there was often a lack of sensitivity when dealing with survivors, with account survivors obliged to recount experiences several times to untrained interviewers. Women’s Aid findings illustrate that providing extensive evidence to demonstrate vulnerability can be traumatic and near impossible for people who have experienced domestic abuse. It should be enough to present one set of documentary evidence from an appropriate source such as domestic abuse services or a GP.

Extending automatic priority need to all survivors would remove the requirement to prove vulnerability. This should also help change the culture around how survivors are dealt with when presenting as homeless and in need of help. This would alleviate at least some of the distress experienced by survivors and not least also housing officers whose job it is to process claims.



**NOTICE OF MOTION****LABOUR GROUP****SUSTAINABLE ADULT SOCIAL CARE FUNDING**

This Council resolves to ask the Chief Executive to write to the Prime Minister, the Secretary of State for Health & Social Care, and the Secretary of State for Housing, Communities & Local Government:

- Requesting the government publishes the long-promised Adult Social Care green paper before the September recess in line with the 10 week deadline set by the LGA;
- Requesting the government notes the LGA “CouncilsCan” campaign ahead of the 2019 Spending Review, where the LGA states that councils are being pushed to the brink by lack of certainty over future funding of local government combined with pressure on statutory services like adult social care, leaving services around the country for vulnerable people overstretched and at risk.

Proposed by: Cllr Appich

Seconded by: Cllr Moonan

Supporting information:

The underfunding of Adult Social Care has recently been well documented across councils.

A BBC Panorama programme illustrating the difficulties faced by adult social care services and its clients was aired in May 2019.

The government green paper announced over 2 years ago has failed to materialise, as government decision-making is hamstrung by Brexit.

In its paper “The Lives We Want to Lead” the LGA confirms that adult social care services are at breaking point.

According to the LGA, funding shortfalls for adult social care nationally are estimated to reach £3.6bn by 2025.





**NOTICE OF MOTION****GREEN GROUP****ECONOMIC IMPACT OF BREXIT AND SETTLED STATUS FOR EU CITIZENS**

This Council notes:

- the continuing evidence of damage, that any form of Brexit – but particularly a “no deal” Brexit – will cause the economy, the employment status of its residents and the likelihood of EU nationals achieving Settled Status here;
- the loss of European Regional Development Fund funding if the UK leaves the EU;
- the funding of £210,000 per unitary authority secured by MHCLG to be spread over two years to help such authorities prepare for the UK’s departure from the EU;
- the continuing issues around the EU Settlement Scheme which many EU nationals remain unaware of.

This Council requests that the Chief Executive:

- write to James Brokenshire (MHCLG) asking how the government proposes to cover the loss of ERDF funding and requesting a freeze on small business rates following the UK’s departure from the EU;
- report to the Policy, Resources & Growth Committee on the council’s own contingency planning while noting best practice from other councils;
- promote partnerships to co-ordinate the immigration advice available to EU nationals in the city (personal support for EU citizens resident in Brighton & Hove who require assistance during the application process and access to scanners for their Settled Status documentation) and
- apply for the limited central government funding that has been announced to build capacity within the Community & Voluntary Sector to provide such advice.

Proposed by: Councillor Hugh-Jones

Seconded by: Councillor Ebel



**NOTICE OF MOTION****GREEN GROUP****SUPPORT FOR YOUTH STRIKES AND OTHER CLIMATE ACTION**

The council notes the vital contribution of young people in climate strikes (often excluded from democracy) over the last few months.

It also notes the upcoming General Strike for Climate on 20th September, which coincides with a further Youth Strike and expresses its support for the action of all taking part to raise awareness of our climate emergency.

It asks the chief executive to

- write to the Secretary of State for Education, to request the reform of the national curriculum to address the ecological crisis as an educational priority;
- write to the Home Secretary, requesting they meet the demands of youth strikers to be included in policy making and bring the voting age down to 16

Further that the council requests officers to bring a report to an urgency sub-committee of PR&G in early September detailing how the council can:

- work with our family of schools to establish a standard protocol for attending the school strikes and encourage the schools to take this up;
- seek to enable, ensure and support those employees who wish to take action in the general strike, through an approach which does not seek to penalise those employees;
- explore the potential for such a day to also coincide with council efforts to deliver 'car free' days in the city, to support the wellbeing of strikers but also in response to this council's declaration of a climate emergency.

Proposed by: Cllr Clare

Seconded by: Cllr Osborne



# Council

25 July 2019

## For Information:

Copies of responses received to Notices of Motions passed at previous Council meetings:

	Notice of Motion	Date of Council Meeting	Response from
1	Failure to Progress King Alfred Project	18 December 2018	Patrick Bergin, CE Crest Nicholson
2	End of Austerity	18 December 2018	Rt Hon Elizabeth Truss MP
3	HRA Housing Cap	18 December 2018	Kit Malthouse MP
4	Government Resources and Waste Strategy	31 January 2019	Dr Therese Coffey MP



Your Ref: MW/GR

Thursday, 07 February 2019

Mr G Raw  
Chief Executive  
Brighton & Hove City Council  
Hove Town Hall  
Norton Road  
Hove BN3 3BQ



Dear Mr Raw

**King Alfred, Hove**

I am responding to your letter dated 25 January 2019 which we received in Chertsey on 31 January 2019, regarding the outcome of the debate at the full Council meeting on 13 December 2018. We have read the note of the meeting and make the following comments.

Over the past few weeks or so, since the Policy Resources & Growth Committee held on 09 December 2018, good progress has been made by both parties to negotiate and conclude the development agreement. And this agreed document was reported to the subsequent meeting of that Committee on 24 January 2019.

As you know, subject to a smooth and orderly Brexit, Crest Nicholson is intending to progress this project with the Council. Whilst we are keen to deliver the original proposals, including 20% affordable, and enable the new sports and leisure centre, we can only proceed if the overall project is viable i.e. it generates enough value to fund all various elements and meet our required minimum levels of return.

In an environment where build costs continue to increase, and sale values are at best level or falling, this creates pressure on viability. We have sought to address this by working with the Council to bid for and secure £15.2m of HIF monies, and will continue to explore alternative options to provide affordable housing whilst remaining with the scope of the original proposals.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'P. Bergin'.

**Patrick Bergin**  
Chief Executive

**Crest Nicholson PLC**  
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Department  
for Environment  
Food & Rural Affairs

**Dr Thérèse Coffey MP**  
Parliamentary Under Secretary of State  
for the Environment

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Your ref: MW/GR  
Our ref: PO2019/04129/KB

Geoff Raw  
Chief Executive  
Brighton and Hove City Council  
Hove Town Hall  
Norton Road, Hove  
BN3 3BQ

9/2 March 2019

*Dear Geoff,*

Thank you for your letter of 4 February to the Secretary of State about the outcome of a debate at the full Council meeting of Brighton & Hove City Council. I am replying as the Minister responsible for this policy area.

The Government published its Resources and Waste Strategy (RWS) in December last year which sets out our plans to reduce plastic pollution. We are currently consulting on reforming existing packaging waste regulations, introducing a deposit return scheme for drinks containers, and increasing consistency in the recycling system, which together we expect to drive major improvements in recycling rates.

Subject to the outcome of our consultations these reforms would see significant increases in the materials that businesses and households recycle and it is important we get these changes right. The proposed timeline allows for making the necessary regulatory changes; and allows time for implementation and for businesses and other stakeholders to adjust to the proposals you mention, as well as reforms to packaging producer responsibility.

As the RWS makes clear, where progress is insufficient we will explore alternative policy measures, which may take the form of a ban as part of a wider strategic approach. We have consulted on banning the distribution and/or sale of plastic straws, drink stirrers, and plastic-stemmed cotton buds and will shortly be publishing a summary of responses. We will continue to review the latest evidence on problematic products and/or materials to take a systematic approach to reducing the use of unnecessary single-use plastic products, including problematic packaging materials.

Our ambition is to eliminate all avoidable plastic waste over the lifetime of the 25 Year Environment Plan. This is a seismic shift – it is not just about single use plastics. We recognise, however, that for the most problematic plastics we must go faster – that is why we have committed to working towards all plastic packaging placed on the market being recyclable, reusable or compostable by 2025.

Greater collection of separate materials, including weekly food waste collections, would help to improve quality, increase revenue for local authorities and ensure more collected materials can be recycled in closed loop applications. From 18 February, we began consulting on measures to ensure every householder and appropriate business has a weekly separate food waste collection. Our packaging proposals in our RWS will ensure there are no new net burdens on local authorities.

We have also published guidance on the food waste hierarchy to help food businesses deal with their surplus food and dispose of their food waste in the most environmentally advantageous way. In addition, a £15 million fund will be available in 2019/2020 to increase food redistribution and reduce food waste. In the coming months, we will work closely with charities to deliver a programme of work in tackling the barriers to increasing redistribution to those in need.

Yours sincerely,

*T. Coffey*

DR THERESA COFFEY MP







HM Treasury, 1 Horse Guards Road, London, SW1A 2HQ

Mr Geoff Raw  
Chief Executive  
Brighton & Hove City Council  
Hove Town Hall, Norton Road  
Hove  
BN3 3BQ

**18 FEB 2019**

Your ref: MW/GR

Dear Mr Raw,

Thank you for your letter of 25 January to the Prime Minister about funding for public services. Your letter has been passed to the Treasury and I am replying as the Minister responsible for this policy area.

The Prime Minister and Chancellor are clear that the hard work of the British people is paying off. This is why, last year, this Government presented a Budget which showed increased support for public services, lower taxes and continued commitment to fiscal discipline.

With the announcements made at Budget 2018, aggregate day-to-day spending by departments will grow at an average of 1.2% above inflation in each year of the forecast. This is the first period of growth since 2010. Moreover, the Police Funding Settlement for 2019-20 enabled Police and Crime Commissioners to increase their direct resource grant funding by up to 5.9% in total – the largest increase since 2010.

However, most departments do not yet have budgets set for 2020-21 onwards. This includes the departments responsible for Local Authorities and policing. All long-term decisions on public spending and departmental budgets will be taken at the Spending Review later this year, when the Chancellor will set out his approach for the future.

We are committed to getting the right balance between spending on public services and investing in Britain's future. Austerity is coming to an end, but we will continue to manage the public finances in a disciplined and responsible way.

Best wishes,

A handwritten signature in black ink, appearing to read 'Elizabeth Truss', written in a cursive style.

RT HON ELIZABETH TRUSS MP





Ministry of Housing,  
Communities &  
Local Government

**Kit Malthouse MP**  
Minister of State for Housing

**Ministry of Housing, Communities & Local  
Government**  
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Our Ref:4039461  
Your ref:MW/GR

21 February 2019

Dear Geoff,

Thank you for your letter of 25 January to the Rt Hon James Brokenshire MP on various Right to Buy issues. I am replying as Minister of State for Housing.

The Government remains committed to the Right to Buy, which gives people from a broad range of the community the opportunity to own their home, encouraging stronger links and a wider interest in their local communities. I believe that anybody who works hard and aspires to own their own home should have the opportunity to realise their dream and do not, therefore, have any plans to allow Local Authorities to suspend the Right to Buy.

We do, however, recognise concerns over the supply of affordable housing, and have taken steps to help councils build more homes. The measures we have taken include removing the Housing Revenue Account borrowing cap; providing long-term rent stability for social landlords; committing to repeal the legislation in the Housing and Planning Act which, if implemented, would have led to local authorities' selling off vacant, high value council homes; and, most recently, consulting local authorities on options to afford them greater flexibility in how they can use their Right to Buy receipts to help them build faster. This included options around the 30% limit.

The consultation responses, including those submitted by Brighton and Hove Council, are being analysed and the Government is considering its policy response, which will be published in due course.

Thank you again for your letter. I hope you find this information helpful.

**KIT MALTHOUSE MP**

