

BRIGHTON & HOVE CITY COUNCIL
POLICY & RESOURCES COMMITTEE

4.00pm 5 DECEMBER 2019

COUNCIL CHAMBER - BRIGHTON TOWN HALL

DECISION LIST

Part One

77 TARGETED BUDGET MANAGEMENT (TBM) 2019/20: MONTH 7

Contact Officer: Jeff Coates
Ward Affected: All Wards

Tel: 01273 292364

RESOLVED: That the Committee

1. Noted the forecast risk position for the General Fund, which indicated a budget pressure of £3.974m. This included an overspend of £0.061m on the council's share of the NHS managed Section 75 services.
2. Noted that the one-off financial risk safety net of £0.855m is available to mitigate the forecast risk if the risks cannot be completely eliminated by year-end.
3. Noted the forecast for the Housing Revenue Account (HRA), which is currently an underspend of £0.200m.
4. Noted the forecast risk position for the Dedicated Schools Grant which is an underspend of £0.297m.
5. Noted the forecast outturn position on the capital programme and approve the variations in Appendix 6 and the new schemes as set out in Appendix 7.
6. Approved the creation of a cemeteries maintenance reserve as set out in paragraph 9.9.

78 TREASURY MANAGEMENT STRATEGY STATEMENT 2019/20 - MID YEAR REVIEW

Contact Officer: James Hengeveld
Ward Affected: All Wards

Tel: 01273 291242

RESOLVED: That the Committee

1. Noted the key actions taken during the first half of 2019/20 to meet the TMSS and the investment strategy as set out in this report.
2. Noted the reported compliance with the AIS for the period under review.
3. Noted that the approved maximum indicator for investment risk of 0.05% has been adhered to and the authorised borrowing limit and operational boundary have not been exceeded.

79 DRAFT GENERAL FUND REVENUE BUDGET AND CAPITAL STRATEGY 2020/21

Contact Officer: James Hengeveld
Ward Affected: All Wards

Tel: 01273 291242

RESOLVED: That the Committee

1. Noted the updated forecasts for resources and expenditure for 2020/21 based on a planning assumption of a 1.99% Council Tax increase and 2.00% Adult Social Care Precept.
2. Noted the 2020/21 Budget Plans at Appendix 2 including draft savings proposals for 2020/21.
3. Directed that the draft savings proposals identified at Appendix 2 be subject to further consultation and engagement with all relevant stakeholders as appropriate, meeting all statutory consultation requirements.
4. Noted the update on the separate Schools and HRA budget setting processes set out in section 7.
5. Noted the Capital Strategy update set out in paragraphs 5.13 to 5.16.
6. Agreed the approach to engagement and consultation set out in paragraph 9.4.
7. Received and noted the draft Equality Impact Assessments undertaken in relation to the draft budget proposals.
8. Noted that subsequent decisions and information from central government regarding the Local Government Financial Settlement (LGFS) may impact on the proposals in this report.

80 COUNCIL TAX REDUCTION REVIEW

Contact Officer: Paul Ross-Dale
Ward Affected: All Wards

Tel: 01273 291969

RESOLVED: That the Committee

1. Confirmed that the current Council Tax Reduction scheme shall continue without amendment, except for technical amendments to the amounts and allowances used to calculate entitlement.
2. Noted that despite a July 2019 decision of this committee, no consultation has been undertaken with residents on options for council tax bill support, thereby preventing substantive changes to the CTR scheme for 2020/21.
3. Confirmed that officers should produce a further report following the General Election with more detailed proposals for a new welfare framework incorporating a city-wide view, i.e. having consulted with members from all Groups and key stakeholders. Committee requests that such a report also outline specific timescales for a future council tax reduction consultation, as originally requested in a July 2019 decision of this committee.
4. Noted that since 2015, £2.2m has been taken out of the CTR scheme, and agrees to consult residents on whether the 2021/22 CTR scheme should:
 1. Reduce the minimum liability to 15%
 2. Reduce the taper rate from 25p to 20p
 3. Delete the restriction on minimum council tax reduction, being £5 per week or £260 per year.
5. Noted the absence of an agreed report on the result of promotion work done on the scheme and discretionary fund. Committee requests officers to undertake an urgent marketing exercise to promote the Discretionary Fund, with a particular focus on working with city partners, housing associations and others, to ensure maximum reach to low-income households.
6. Approved £200,000 funding for the discretionary fund in 2020/21; this would require additional one-off funding of £190,000.
7. Agreed to explore the introduction of additional one-off funding to support this marketing exercise as outlined in 2.4.
8. Confirmed that work should continue towards the creation of a more comprehensive welfare framework that better joins up support from officers to residents in need.

9. Noted the options and provides a steer for wider consultation with stakeholders as the new welfare framework is developed.

81 BLACK ROCK ENABLING WORKS

Contact Officer: Katharine Pearce Tel: 01273 292553
Ward Affected: Rottingdean Coastal

RESOLVED: That the Committee

1. Agreed that the planning application for a package of site preparation and public realm works at the Black Rock site and surrounding area are submitted to include:
 - Sea wall replacement and Marina pedestrian connection
 - Infrastructure to enable a future public transport “Marina access link”
 - Junction improvements and new signalling arrangements at Duke’s Mound.
2. Noted the recommendation elsewhere on this agenda to establish a task and finish cross party member working group consisting of 1 member from each group.
3. Agreed that officers continue to negotiate final terms of agreements with Brighton Marina Company, Longbow and Land Securities or the proposed new purchaser, CIT Group inc. in order to facilitate the rebuilding of the sea wall Black Rock frontage, the pedestrian connection and the Black Rock/Marina access link beneath the access ramps.
4. Authorised the Executive Director Economy, Environment & Culture to commence any procurements necessary to carry out the enabling works and to enter into any legal agreements required to facilitate the works.
5. Agreed the package of site preparation, infrastructure and public realm works up to £12.111m described in the Enabling Works section of this report and which is included in the council’s approved capital investment programme.
6. Noted the net loss of 10 car parking spaces in the Black Rock public car park to create informal play space.

82 WATERFRONT PROJECT

Contact Officer: Katharine Pearce Tel: 01273 292553
Ward Affected: Regency

RESOLVED: That the Committee

1. Authorised the Executive Director for Economy, Environment and Culture to agree the terms of and enter into a standstill agreement in relation to the Conditional Land Acquisition Agreement (CLAA) with Aberdeen Standard Investments.
2. Agreed that a commercial advisor is procured in order to support any future negotiations, to be funded from the Brighton Centre Reserve.

83 BRIGHTON I360 LOAN RESTRUCTURE

Ward Affected: All Wards

RESOLVED: That the Committee

1. Noted the economic and social impact benefits the BAI360 has had on the city's visitor economy as set out at 3.1 and in the report at Appendix 1.
2. Agreed to Coast to Capital Local Enterprise Partnership novating their Growing Places Fund loan of £4.06m and grants delegated authority to the Executive Director Economy, Environment & Culture to agree the terms of the novation agreement, enter into that agreement and take any other steps necessary to effect the novation.
3. Acknowledged that £312,000 of loan repayment from BAI360 was paid in error to the city council and agrees to repay that money to Coast to Capital Local Enterprise Partnership whilst noting that it is a debt owed to the Council by the i360.
4. Agreed to the loan restructure principles as set out at 3.16 and delegates authority to the Executive Director Economy, Environment & Culture and the Executive Director Finance & Resources; in consultation with the Members' Working Group as set out at 2.6, to negotiate a revised loan agreement to cover both the principal loan and the novated LEP loan based on those restructure terms and enter into any legal agreements necessary to effect that restructure.
5. Noted that the restructure cannot take place until early in the new year and agrees to defer up to £ £880,304.25 of the total payment due on 31 December 2019 under the loan agreement; and agrees not to take default action at this stage in relation to the failure to hit the financial ratios set out in the loan agreement.
6. Agreed to establish a new permanent Members' Working Group, in accordance with the terms of reference at appendix 2, to oversee the city council's relationship with the BAI360. This will include agreeing future business plans and receiving regular updates on performance.

7. Agreed to officers procuring ongoing advice on the visitor attraction market to help inform the process of agreeing the annual business plan.

84 GOVERNANCE OF MAJOR REGENERATION & INFRASTRUCTURE PROJECTS

Contact Officer: Sam Smith

Tel: 01273 291383

RESOLVED: That the Committee

1. Noted that the Committee has previously given approval to set up a Project Boards for the King Alfred Centre redevelopment and Waterfront projects and agrees the Terms of Reference attached at Appendices 4 and 5.
2. Agreed to establish Project Board for the Madeira Terraces project and agreed the Terms of Reference attached at Appendix 6.
3. Agreed to establish a Task and Finish Member Working Group for the Black Rock site and agrees the Terms of Reference attached at Appendix 7.
4. Agreed to the name change for the Estate Regeneration Board and the revised Terms of Reference for Housing Supply Member Board attached in Appendix 8.

85 NEW ENGLAND HOUSE

Contact Officer: Alan Buck

Tel: 01273 292287

Ward Affected: St Peter's & North Laine

RESOLVED: That the Committee delegated authority to the Executive Director Economy, Environment & Culture to commence procurements required to facilitate progressing this project towards a detailed design and business case that will be brought to a future Policy & Resources Committee.

86 ROYAL PAVILION AND MUSEUMS - TRANSFER TO RPM TRUST

Contact Officer: Steve Foster

Tel: 01273 291646

Ward Affected: All Wards

RESOLVED: That the Committee

1. Approved the legal agreements (the Services Contract and the Transfer Agreement) which will be put in place between the Council and the RPM Trust, and delegates authority to the Executive Director Economy, Environment & Culture to make minor amendments to the legal agreements and to make material amendments in consultation with group leaders.

2. Delegated authority to the Executive Director Economy, Environment & Culture to appoint 3 members to the board of the RPM Trust as nominated by the leaders of the three political groups.
3. Agreed that the Royal Pavilion & Museums service will transfer to the Royal Pavilion & Museums Trust on 1 April 2020.
4. Agreed that leasing the buildings to the RPM Trust will help to secure the promotion and improvement of the economic and social well-being of the area and that the Council should enter into leases based on the appended heads of terms (Appendix 6) and delegates authority to the Executive Director Economy, Environment & Culture to agree the final terms of those leases.
5. Delegated authority to take any other steps necessary to implement the transfer of the service to RPM Trust in consultation with group leaders.
6. Agreed to the Trust joining the Local Government Pension Scheme (LGPS) as an admitted body on an 'open' scheme basis.
7. Approved the amended IPR Policy appended to the Collection Schedule (Appendix 4).
8. Approved the proposal for the Council to carry out works to the roof of the Brighton Museum and Art Gallery and authorises the Executive Director, Environment & Culture to commence any procurements necessary to complete these works and agrees to a capital budget of £1.260m being included in the council's Capital Investment Programme.
9. Approved the indicative fee of £1.181m reducing to £0.691m per year for the fee term 1 April 2020 to 31 March 2025 subject to approval at Annual Budget Council in February.
10. Agreed to make a cash flow facility of up to £0.500m available to the RPM Trust within the first five years of operation and to delegate authority to the Executive Director, Environment & Culture and the Executive Director, Finance & Resources to agree the terms and repayment period if called upon

87 CORPORATE PLAN 2020-2023

Ward Affected: All Wards

RESOLVED: That the Committee approves the draft corporate plan 2020-2023 for submission to full Council for final agreement on 19 December 2019.

88 CLIMATE ASSEMBLY

Contact Officer: *Chloe Sands*
Ward Affected: *All Wards*

Tel: 01273 290353

RESOLVED: That the Committee

1. Approved the establishment of a City Assembly.
2. Noted the council's ongoing work to reduce carbon emissions.
3. Noted the establishment of a carbon reduction programme to achieve the target of Brighton & Hove becoming carbon neutral by 2030.
4. Noted the requirement to develop an engagement programme to inform this work, to include a City Assembly.
5. Agreed to establish a cross-party member working group to oversee the implementation of the 2030 Carbon Reduction Programme; and to allocate seats, with a suggested 3:3:2 balance.
6. Agreed to identify resources through the budget-setting process for a Climate Change/Carbon Neutral budget line in the 2020/21 revenue and capital budget, to make provision to develop the proposals endorsed by the city assembly.
7. Noted the Notice of Motion agreed at 24th October Full Council and agreed that work on these measures be taken forward as part of the Carbon Reduction Programme.

89 CORPORATE ENFORCEMENT FRAMEWORK

Contact Officer: *Graham Bourne*
Ward Affected: *All Wards*

Tel: 01273 291800

RESOLVED: That the Committee

1. Approved the procurement and award of contracts for enforcement services through a compliant framework for an initial term of 2 years with the option to extend for two periods of up to 12 months.
2. Supported the proposal for the corporate debt team, as part of its improvement programme, to develop business cases for bringing elements of enforcement in house in accordance with the objectives of the Corporate Debt Policy.
3. Noted the importance of debt collection as an essential function in order to be able to fund the priorities of the Council.

90 CUSTOMER EXPERIENCE STRATEGY

Contact Officer: Rima Desai
Ward Affected: All Wards

Tel: 01273 291268

RESOLVED: That the Committee

1. Approved the procurement and award of contracts for enforcement services through a compliant framework for an initial term of 2 years with the option to extend for two periods of up to 12 months.
2. Supported the proposal for the corporate debt team, as part of its improvement programme, to develop business cases for bringing elements of enforcement in house in accordance with the objectives of the Corporate Debt Policy.
3. Noted the importance of debt collection as an essential function in order to be able to fund the priorities of the Council.

91 Q2 PROGRESS UPDATE CORPORATE KEY PERFORMANCE INDICATORS 2019-20

Contact Officer: Richard Miles
Ward Affected: All Wards

Tel: 01273 292344

RESOLVED: That the Committee

1. Noted the progress made in relation to Corporate KPIs, particularly the corrective measures outlined for 'red' and 'amber' indicators, and further note its role in providing support and challenge to lead officers to bring performance back on track.
2. Approved the inclusion of three further KPIs into the Corporate KPI set, as suggested by the KPI Cross Party Members Working Group and set out in Appendix 4.

92 REVIEW OF THE CONSTITUTION - DECEMBER 2019

Contact Officer: Elizabeth Culbert,
Abraham Ghebre-
Ghiorghis, Victoria
Simpson

Tel: 01273 291515, Tel: 01273
291500, Tel: 01273 294687

Ward Affected: All Wards

RESOLVED: That the Committee agreed -

Policy & Resources Committee

1. That the proposal to make changes to the Scheme of Delegations to Officers in Part 6 of the Council's Constitution relating to the Council's planning functions as indicated in Paragraphs 4.1-4.3 and Appendix 1

be agreed.

2. That the proposal to change Part 6 of the Council's Constitution to increase the financial threshold in relation to officer delegations governing the acquisition of residential property in para 4.5 be agreed.
3. That the proposal in para 4.9 to invite a BAME individual to attend Policy & Resources Committee early in 2020 be approved as a first step to increase participation and input by protected characteristic groups.
4. That the proposal in paragraphs 4.11 which relates to the arrangements for the Council's Member Working Groups be agreed.
5. That the draft protocol regarding the use of urgency powers attached at Appendix 6 and referred to at paragraphs 4.13-4.14 be agreed.
6. That Full Council be recommended to approve the changes recommended to it in paras 2.7 to 2.9 below.

Policy & Resources Committee and Full Council

7. 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 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.
8. That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

93 WOMEN IN LOCAL GOVERNMENT

Contact Officer: Giles Rossington,
Abraham Ghebre-
Ghiorghis

Tel: 01273 295514, *Tel:* 01273
291500

Ward Affected: All Wards

RESOLVED: That the Committee

1. Approved the proposals as set out in Appendix 1.
2. Requested officers to promote all roles, including senior roles, available for flexible working and part-time.

94 PROCUREMENT OF SHORT TERM AND EMERGENCY TEMPORARY ACCOMMODATION

Contact Officer: Sylvia Peckham

Tel: 01273 293318

Ward Affected: All Wards

RESOLVED: That the Committee

1. Agreed to procure short term and emergency temporary accommodation via a new dynamic purchasing system (DPS).
2. Agreed that option 2 as set out in paragraph 3.9 should be used to develop the specification for the DPS. This service level is anticipated to create a minimum budget pressure of £0.300m requiring a funding commitment within the 2020/21 General Fund budget. If this exceeds available resources following announcement of the Local Government Financial Settlement, this would require equivalent savings from elsewhere across General Fund services.
3. Noted the indicative numbers of short term and emergency temporary accommodation units required in each year as shown in the table in Appendix 1.
4. Delegated authority to the Executive Director of Housing, Neighbourhoods and Communities in consultation with the Director of Finance & Resources, to:
 - (i) Procure and award the DPS referred to in 2.1 with a duration of up to four (4) years; and
 - (ii) Award and enter into call-off contracts under the DPS referred to in 2.1.

95 COMMITTEE TIME TABLE 2020/21

Contact Officer: Mark Wall

Tel: 01273 291006

Ward Affected: All Wards

RESOLVED: That the proposed timetable of meetings for the 2020-2021 municipal year be agreed; subject to any necessary amendments following changes to the Constitution and/or committees' requirements.

96 DEED OF VARIATION TO THE INTEGRATED WASTE MANGEMENT SERVICES CONTRACT

Contact Officer: Steven Bedford

Tel: 01273 293047

Ward Affected: All Wards

RESOLVED: That the Committee

1. Approved the principle of entering into the Deed of Variation to the Integrated Waste Management Services Contract as set out in the report.
2. Delegated authority to the Executive Director for Environment, Economy and Culture, following consultation with the Executive Lead Officer for Strategy Governance and Law, to agree the final terms and enter into the Deed of Variation to the Integrated Waste Management Services Contract.
3. Instructed Officers to identify how savings from contract variation could be ringfenced; in order to fund additional recycling measures, including collection of more plastics, and report back to the Environment Transport and Sustainability Committee.