

BRIGHTON & HOVE CITY COUNCIL

POLICY & RESOURCES COMMITTEE

4.00pm 28 APRIL 2016

FRIENDS MEETING HOUSE, SHIP STREET, BRIGHTON

MINUTES

Present: Councillors Morgan (Chair), Hamilton (Deputy Chair), G Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bewick, Janio, Mitchell, A Norman, Sykes and Wealls

PART ONE

157 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

157.1 There were no declarations of substitutes.

(b) Declarations of Interest

157.2 There were no declarations of interests in matters listed on the agenda.

(c) Exclusion of Press and Public

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

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

158 CHAIR'S COMMUNICATIONS

158.1. The Chair gave the following Communications:

'I'd like to take this opportunity to wish good luck to the Albion playing the last two games in their push for premier league status and I am very pleased that we have the Albion flags flying over King's House and the town halls in Brighton and Portslade.

Item 162 has been referred back to Officers for further work on preparing planning and development guidance on future cultural use for the Carnegie Building, and to provide

answers to some of the detailed financial queries raised by the Conservative Group in communications with me, and I thank them for their constructive approach.'

159 CALL OVER

159.1 The following items were reserved for discussion:

- Item 163 Tower House
- Item 164 Learning Accommodation Services
- Item 166 Senior Management Team Re-Organisation
- Item 167 Review of the Council's Constitution 2016
- Item 169 Royal Pavilion Estate Capital Project
- Item 170 Royal Pavilion & Museums
- Item 171 Brighton Waterfront Project (Brighton Centre and Black Rock Sites)
- Item 172 Former Peter Pan's Amusement Site – Sea Lanes Lease Agreement

159.2 The Democratic Services Manager confirmed that the items listed above had been reserved for discussion, and that the following reports of the agenda, with the recommendations therein had been approved and adopted.

- Item 165 ORBIS Programme Update
- Item 168 Software Licensing Procurement

159.3 The following item was withdrawn from the agenda:

Item 162 Development of Library Services in Hove and Hollingbury

160 PUBLIC INVOLVEMENT

160.1. In accordance with Procedural Rule 19.2 the Chair stated that that the two public questions concerning the Hove Carnegie Library would not be taken as that report had been withdrawn from the agenda.

160.2 The Chair noted there was one public question that related to Item 164; he called forward Ingrid Ashberry first to put her question to the Committee.

160.3 Ingrid Ashberry asked; 'The Health and Wellbeing board stated on 19 April, 'Any changes to accommodation would only be made where people wanted to move or where their existing accommodation did not meet their needs in the most effective way.' It also agreed the importance of giving residents choice and control.

Would you agree that for two residents of Ferndale Road it appears the motivation for the closure of this home is financially driven, which contradicts the aims that you will not be forcing people to move and you will be ensuring choice and control as outlined in the Learning Disability Plan?'

160.4 The Chair replied; 'The recommendations in the Learning Disability Accommodation report are based on people's preferred options, their assessed needs and whether people could be supported to move on to more appropriate accommodation, the cost of providing the existing accommodation and the need to deliver financial savings.

Whilst it would not be appropriate to discuss individual details of particular families in a public setting, the questioner can be assured that officers are in direct contact with the families and advocates concerned, are aware of their views which have been taken into account, and are confident that alternative arrangements can be made that allow them to continue to live together and responds effectively to their wishes and assessed needs.'

- 160.5 Ingrid Ashberry asked the following supplementary; 'A speaker advocate, who has known one of the resident for 35 years, states in a recent draft care assessment that "the resident is more happy and settled than he has ever been and any changes could take him years to adjust to with a significant detrimental effect on him wellbeing and an increase in challenging behaviour putting himself and others at risk". The assessment took place on the 29 February 2016 as part of Brighton and Hove's consultation process and the care plan discussions took place on the 20th April the day after the Health and Wellbeing Board meeting. Can you please tell us how the board can take a decision without a completed assessment and an up to date care plan for this individual who will be seriously affected by the proposed changes?'
- 160.6 The Chair replied; 'Obviously I can't comment on the individual case but I will ask Officers to address your points in the debate on the substantive item which follows immediately after.'
- 160.7 The Chair noted there were no other matters listed under Public Involvement.

161 MEMBER INVOLVEMENT

- 161.1. In accordance with Procedural Rule 19.2 the Chair stated that the Member petition concerning the Hove Carnegie Library would not be taken as that report had been withdrawn from the agenda.

162 DEVELOPMENT OF LIBRARY SERVICES IN HOVE AND HOLLINGBURY

- 162.1 This item was withdrawn from the agenda.

163 TOWER HOUSE

- 163.1 The Committee considered a report of the Executive Director for Adult's Services in relation to Tower House; the Chair also noted that the report had been considered at the Health & Wellbeing Board on 19 April 2016 as set out in the extract from the proceedings of that meeting in the addendum. The report provided the results of the consultation that was agreed at the special meeting of the Committee on 4 November 2015, and it asked the Committee to make recommendations regarding the future of the service.
- 163.2 Councillor Yates addressed the Committee at the Chair's discretion in his capacity as the Chair of the Health & Wellbeing Board. He stated that the Council had undertaken a thorough consultation, and he recognised that Tower House was well valued day centre with a reputation for delivering exceptional care. The duties of the Care Act entitled service users to personal budgets and the number of those that attended the

day centre that needed the complex high quality service was only thirteen. He noted that despite the excellent service at Tower House this method of service delivery was 'out of step' with how people accessed care and changes in legislation. There was a wide of range of services offered in the city that service users could be supported to access, and there was the possibility that some community use could be established at the site.

- 163.3 In response to Councillor Wealls it was explained that an event had been held to showcase some of the other services on offer both in the public and private sector, and friendships groups could be supported to undertake activities together. In relation to the supporting letters from GPs included in the Part Two consultation appendices it was clarified that Officers had responded to all letters they had received. Councillor Wealls also queried if some of the financial assumptions should be in the public domain; however, Officers explained that these were indicative and, as such, not appropriate for disclosure.
- 163.4 The Executive Director for Adults' Services explained that all the feedback had been considered and the managers working on this were very experienced.
- 163.5 It was confirmed for Councillor Janio that the additional recommendation from the Health & Wellbeing Board, would form part of the proposed resolution that the Committee would vote on.
- 163.6 Councillor Mac Cafferty stated his view that the option of maintaining the status quo had not been properly explored, and that the overwhelming majority of those that had responded wished to continue to access their services from Tower House. Comments in relation to the decline in the number of service users at the centre were considered to be misleading as people were no longer being referred there. In response Officers stated that it was important to consider delivering services in a different way as the authority had a duty to offer personal care budgets and the numbers attending Tower House had reduced since their introduction. It was highlighted that services were not being taken away, but the need for efficiency savings meant that the services did not have to be delivered at Tower House in the historic manner.
- 163.7 Councillor A. Norman thanked Officers for the thorough presentation; whilst it was disappointing that the Council were proposing to terminate the service the reasons for this were understood; were the recommendations in the report approved then it would be preferable to see some community service still offered from the site. Friendship groups were very important to the service users, and the service at Tower House was very well regarded. In response Officers explained that other potential uses of the building were difficult due to the complexities of the lease; however, a commitment to explore these was given in assurance.
- 163.8 Councillor Yates also added that the consultation reflected what had been agreed at the Special meeting of the Committee in November 2015, and it was right that representations from health professionals should form of it.
- 163.9 The Chair then put the recommendations to the vote; these were carried on a vote of 8 to 2.

163.10 RESOLVED:

- 1) That the Committee should read and consider the consultation outcome and the equalities impact assessment to inform its decision making.
- 2) That the Committee should endorse the recommendation from the Health & Wellbeing Board.
- 3) That the Committee delegate to the Executive Director, Adult Services the re-provision of services.
- 4) That the Committee delegate to the Assistant Director; Property & Design the arrangements regarding the transfer or disposal of the lease for Tower House, ensuring best value for money, and for the community.
- 5) That the Council should write to the Freeholder of the Tower House site inviting them to retain it for community use.

164 LEARNING DISABILITIES ACCOMMODATION SERVICES

- 164.1 The Committee considered a report of the Executive Director for Adult's Services in relation to Learning Disabilities Accommodation Services; the Chair also noted that the report had been considered at the Health & Wellbeing Board on 19 April 2016 as set out in the extract from the proceedings of that meeting in the addendum. The report provided the results of the consultation that was agreed at the special meeting of the Committee on 4 November 2015, and it asked the Committee to make recommendations regarding the future of the services.
- 164.2 Councillor Yates addressed the Committee, at the Chair's discretion, in his capacity as the Chair of the Health & Wellbeing Board. He stated that the consultation had evidence that most were satisfied with the service they received, and that in some cases there were alternatives that could better serve their needs. Most residents were not living in Council operated accommodation as the majority was provided through third and voluntary sector. Common themes related to the importance of friendship groups and ensuring consistency of carers.
- 164.3 In response to Councillor A. Norman it was explained by Officers that Beaconsfield Villas was one of the sites that it was proposed to not be retained and Officers were working with the services users and families around the best other options; one of the proposals was moving some of the users into Beech House as it could better meet more complex care needs.
- 164.4 In response to queries from Councillor Wealls Officers explained the following: The proposals from the consultation were for most service users to stay in their current accommodation, unless they wanted to move to an alternative. In relation to the consultation this had taken place both through questionnaires and one to one meetings taking people through the options. Where sites were being closed work would be undertaken to ensure friendship groups stayed together where this was the preferred option of the families, and single sex facilities would be retained where they currently existed. In relation to monitoring and assurance around quality all providers had to be

registered with the CQC and meet their standards. The Council had staff working in quality assurance that monitored and collected data to feed into the governance board that was chaired by the Executive Director for Adults' Services. Service users and families had also been assured, in the consultation process, when they had been able to meet representatives from the proposed new service providers.

- 164.5 In response to Councillor Sykes it clarified that where the buildings were in Council ownership they would likely be designated for different use or disposed of.
- 164.6 In response to Councillor Mac Cafferty it was clarified that the solution for the majority of services users was for them to remain in their current accommodation with their regular staff – causing minimal disruption. As a result of the assessment there would be a small number of people where there was a case for them to move and it would be necessary to work with the families around these options.
- 164.5 Councillor A. Norman stated that it had been the long standing position of the Council to support people to improve their lives; however, the uptake for day centre services had reduced in the last 20 years as more individuals were taking up training and work opportunities. Wherever possible most people with learning disabilities wanted to be more independent and the role of the local authority to support them in this would be unchanged. The provision of accommodation services would be continually monitored to ensure additional safeguards for these individuals.
- 164.6 In response to some of the points raised the Executive Director for Adult's Services explained that an independent review of the services had been undertaken with positive feedback. This work would also help to free up spaces to enable people to be placed in the city if this had not been possible, as well as those entering the service previously under the care of Children's Services. Assurance was provided in relation to the quality of work, as well as working with providers to ensure needs were met and support plans in place.
- 164.7 The Chair then put the recommendations to the vote; these were carried on a vote of 8 to 2.
- 162.8 **RESOLVED:**
- 1) That the Policy & Resources Committee members should read and consider the full consultation outcome and equalities impact assessment.
 - 2) That Policy & Resources endorse the recommendation from Health & Wellbeing Board.
 - 3) That Policy & Resources Committee should delegate to the Executive Director, Adult Services, the authority to re-provide the Council's learning disability accommodation services through a procurement process and award of the contracts for services that aim to meet individuals' needs in the most cost effective way.

165 ORBIS PROGRAMME UPDATE

165.1 **RESOLVED** – That the Committee:

- 1) Notes the progress made in carrying out due diligence for Brighton & Hove City Council as a founding partner in the Orbis partnership with East Sussex and Surrey County Councils.
- 2) Agrees to support the continuation of work for the Council to formally partner with East Sussex and Surrey County Councils within the Orbis partnership.
- 3) Supports the approach for collaboration leading to integration through a continued due diligence and business case approach.

166 SENIOR MANAGEMENT TEAM RE-ORGANISATION

166.1 The Committee considered a report of the Chief Executive in relation to the Senior Management Team Re-Organisation. This report sought agreement to changes in delegated authorities to senior officer posts and to note progress on staff consultation on a re-organisation of the senior management team by the Head of the Paid Service reflecting 4 year Council budget planning and the changing landscape of local public service management and delivery.

166.2 Councillor G. Theobald noted that the Conservative Group supported the proposals and they had been advocating reductions in management across the organisation for some years.

166.3 Councillor Janio also welcomed the report and asked that the work continue to ensure that necessary reviews of management structures across the whole organisation were completed. The Chief Executive noted Councillor Janio was part of the modernisation group of Members and thanked him for his positive feedback from that group on the proposals.

166.4 Councillor Sykes stated that the proposals in the report made good practical sense. In response to queries the Chief Executive clarified that the new Executive Director for Neighbourhoods, Communities & Housing would be focused on much closer work with communities in the city as part of how services were delivered.

166.5 The Chair then put the recommendations to the vote.

166.6 **RESOLVED** – That the Committee:

- 1) Notes the proposed officer re-organisation as set out in the report;
- 2) Notes that an update will be provided to Members on the outcome of the consultation on the day of the meeting and that the proposals in this report are subject to the outcome of the consultation;
- 3) Agrees the changes to the scheme of officer delegations set out in Appendix 1 to this report;

- 4) Authorises the Chief Executive to take all steps necessary or incidental to the implementation of the proposals set out in this report including the power to make any transitional arrangements he considers necessary including outstanding matters arising from staff consultation;
- 5) Authorises the Monitoring Officer to make amendments to the relevant parts of the constitution to reflect the changes resulting from the above paragraphs and make any necessary consequential amendments;
- 6) Agrees that the delegation changes come into force on 2 May 2016, subject to any transitional arrangements and referred to in paragraph 2.4 above.

167 REVIEW OF THE COUNCIL'S CONSTITUTION 2016

- 167.1 The Committee considered a report of the Head of Legal & Democratic Services in relation to the Review of the Council's Constitution 2016. The report proposed changes to the Council's Constitution for approval by the Committee and Council.
- 167.2 The Chair made reference to the creation of a Strategic Delivery Board and noted that a number of very significant major projects were now entering advanced stages and there was recognition that they could no longer be considered in isolation to ensure the work around issues such transport was strategic and joined up. The Chair also noted that the name of the Committee would be changed to include 'growth' in recognition of the importance of the area.
- 167.3 Councillor G. Theobald proposed an amendment to the Terms of Reference of the new Health Overview & Scrutiny Committee to ensure scrutiny of adult social care also formed part of the remit of that Committee. The Chair noted that the Labour & Co-Operative would be supporting the amendment.
- 167.4 Councillor Wealls formally seconded the amendment.
- 167.5 In response to Councillor Bewick the Head of Legal & Democratic Services confirmed the changes proposed to contract standing orders reduced the financial procurement threshold to reflect current legislation.
- 167.6 In response to Councillor Sykes it was clarified that the newly created Lead Member for Planning Strategy would also be the Deputy Chair of the Economic Development & Culture Committee and therefore no additional special responsibility allowances would be created.
- 167.7 In response to further queries from Councillor Sykes it was explained that work was being undertaken to consider greater Member oversight of the work around the Prevent agenda, and any Members that required further information could be briefed.
- 167.8 In response to Councillor Mac Cafferty it was confirmed that were the authority to change its governance model to an executive system there would be a legal duty to have a full scrutiny system. The current arrangements reflected the committee system governance model and the no overall control status of the authority.

167.9 Councillor Yates was invited to address the Committee at the Chair's discretion and noted that he supported the amendment from the Conservative Group which would make the relationship between the Health & Wellbeing Board and the Health Overview & Scrutiny Committee much clearer.

167.10 In response to Councillor Janio it was confirmed that allocation of seats would not be affected by the creation of a Strategic Delivery Board as this body would not have the status of Committee or Sub-Committee.

167.11 The Chair put the Conservative Group amendment to the vote. This was **carried**.

167.12 The Chair then put the amended recommendations to the vote.

167.13 **RESOLVED:**

- 1) That the Committee approves the proposals set out at paragraph 5 and Appendix 2 (the establishment of a Strategic Investment Board) and paragraph 6 (the continued operation of the Member Procurement Advisory Board).
- 2) That the Committee agree 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 Council and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
- 3) That the Committee agree that the changes come into force immediately following approval by Policy and Resources Committee and, for matters requiring Council approval, following approval by Council.

167.14 **RESOLVED TO RECOMMEND**

- 1) That Council agree the proposed changes to the Council's constitution as set out in paragraph 4 and Appendix 1 (the discontinuance of the Overview & Scrutiny Committee and the establishment of a Health Overview and Scrutiny Committee, including the changes agreed by the Policy & Resources Committee); paragraph 7 and Appendix 3 (review of Contract Standing Orders); paragraph 8 and Appendix 4 (review of the Council Procedure Rules); the renaming of the Policy & Resources Committee as the Policy, Resources and Growth Committee and the establishment of Lead Member roles for Planning Strategy as set out in paragraph 9 of the report.

168 SOFTWARE LICENSING PROCUREMENT

168.1 **RESOLVED** – That the Committee:

- 1) Delegates authority to the Executive Director Finance & Resources to select a suitable procurement route and to enter into Microsoft Software Licensing agreement/s with a Microsoft Licensing Partner for a three year period.

- 2) Delegates authority to the Executive Director Finance & Resources to extend the agreement/s referred to in 2.1 for up to two periods of one year following the initial three year term, should such extensions be deemed necessary.

169 ROYAL PAVILION ESTATE CAPITAL PROJECT

- 169.1 The Committee considered a joint report of the Executive Director for Finance & Resources and the Assistant Chief Executive in relation to Royal Pavilion Estate Capital Project. The report summarised the progress made to date on the project; sought agreement to proceed with tendering and appointment of the main contractor, and proposed options to underwrite the project expenditure while identifying the risks of not proceeding.
- 169.2 In response to Councillor Mac Cafferty it was explained that the process of drawing up the cost plans was currently being undertaken; it was acknowledged that there was going to be pressure on costs; however, a process of value engineering would be in place to ensure costs were kept within budget. Final costs would not be known until the tender prices were understood.
- 169.3 Councillor G. Theobald welcomed the report, and noted that the costs would increase with the amount of time it took to start the project. This work would be fundamental to ensure the viability and sustainability of the estate for the future.
- 169.4 The Chair welcomed the report as an important means to safeguard and improve the estate.
- 169.5 The Chair then put the recommendations to the vote.

169.6 **RESOLVED:**

- 1) That the Committee notes the progress made to date on the Royal Pavilion Estate capital project Phase 1, which has an estimated cost of £19.1 million, and the successful bids for ACE Stage 2 and HLF Round 2 match funding totalling £10.8million towards these Phase 1 capital works.
- 2) That the Committee delegates authority to the Assistant Chief Executive and Executive Director, Finance & Resources to procure and appoint the main contractor to carry out the Phase 1 capital works to the Corn Exchange and Studio Theatre where the tender price is within the project budget.
- 3) That the Committee delegates authority to the Assistant Chief Executive and Executive Director Finance & Resources to procure and appoint consultants to carry out the works required to satisfy the conditions of the HLF and ACE grant funding where these costs are identified within the project budget.
- 4) That the Committee notes the financial implications set out in paragraph 7.1 and agrees that the Executive Director Finance & Resources may implement the option of borrowing to mitigate financial risks and that if this risk does not materialise during Phase 1 the risk provision may be rolled forward to support Phase 2 of the Royal Pavilion Estate improvement works.

- 5) That the Committee resolves that the City Council appropriates the land for planning purposes identified as Phase 1 on the plan 'Phasing of Capital Works to the Royal Pavilion Estate' at Appendix 1 and on 'Royal Pavilion Estate Phase 1 Site Plan' at Appendix 2 under sections 226 and 227 of the Town and Country Planning Act 1990 (TCPA1990).

170 ROYAL PAVILION & MUSEUMS

- 170.1 The Committee considered a report of the Assistant Chief Executive in relation to Royal Pavilion & Museums. The purpose of the report was to recommend that the Council engage in a procurement process in accordance with the requirements of the Public Contracts Regulation 2015 to secure a third party organisation to manage and operate the Royal Pavilion and Museums independently of the City Council.
- 170.2 Councillor G. Theobald noted the Conservative Group supported the report; in response to a query it was clarified that the contract met the threshold to be dealt with by the public procurement regulations; any award of contract without this level of process could be unlawful.
- 170.3 In response to Councillor Sykes the Assistant Chief Executive explained that the report was seeking permission to begin the process to understand the specification that would eventually go to tender. The buildings in the portfolio would be agreed in the specification. In relation to the viability it was noted that this would also be considered by the Member Procurement Advisory Board.
- 170.4 In response to Councillor Wealls it was clarified the report sought a degree of flexibility in relation to the timescales for savings as any new trust, or other organisation, would require a period of stability. In response to further queries from Councillor Wealls it was agreed that a full financial plan would be circulated the Committee after the meeting.
- 170.5 In response to Councillor Mac Cafferty it was clarified that the tender specification could be brought to the Committee for agreement.
- 170.6 The Chair highlighted the Royal Pavilion and Museums would remain in the ownership of the Council, and this approach would seek to preserve and enhance these vital city assets for the future.
- 170.7 The Chair then put the recommendations to the vote.
170. **RESOLVED** – That the Committee:
 - 1) Approve the option to proceed with the procurement for a 25 year term contract as set out in the report.
 - 2) Authorise the Chief Executive to award a contract externalising the future management of the Royal Pavilion and Museums on completion of the procurement process.

- 3) Agree that consideration may need to be given to maintaining the council's funding level for up to 3 years to support viable bids for operating the service. This would result in changes to the current level of savings assumed in the 4-year Service & Financial Plans for 2017/18 to 2019/20.

171 BRIGHTON WATERFRONT PROJECT (BRIGHTON CENTRE AND BLACK ROCK SITES)

- 171.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to Brighton Waterfront Project (Brighton Centre and Black Rock sites). The report sought delegated authority for Council Officers, in consultation with the Waterfront Project Board, to agree terms for a conditional Development Agreement (cDA) with Standard Life Investments (SLI) to allow for a future integrated redevelopment of the Council owned Brighton Centre site (currently occupied by the Brighton Conference Centre) and the Kings West site (owned by Standard Life Investments) (and referred to jointly as Waterfront Central).
- 171.2 The Chair thanked all those that had been involved in the project up to this point, and noted the work that had already been put in. He highlighted that the scale of the project and the necessity to ensure the conference and concert offer of the city could compete nationally.
- 171.3 Councillor Mitchell welcomed the increased pace of the project, and highlighted that the end result would be the regeneration of two sites in the city. She also welcomed the depth of detail in relation to transport issues in the report and acknowledged the challenges that would be created in this area.
- 171.4 Councillor G. Theobald recognised the necessity to update the Brighton Centre, but he noted there were risks with locating the facility in the east of the city. Traffic would be a significant factor at the site, and the addition of this facility would add to the need to ensure a better rail link to London.
- 171.5 Councillor Sykes welcomed the report and asked the sustainability accreditation of the arena be pushed and explored as much as possible to ensure this was an attraction to the venue in an increasingly sustainability conscious world.
- 171.6 Councillor Mac Cafferty welcomed the report, and in response to questions it was explained that the increase in business rate contribution was to account for the increase in costs; however, it was clarified that this only applied to the business rate net increase as a result of this project.
- 171.7 Councillor Janio welcomed the report and hoped that the work could continue on a cross-party basis.
- 171.8 The Chair thanked the Committee for their positive comments in the debate.
- 171.9 The Chair then put the recommendations to the vote.
- 171.10 **RESOLVED** – That the Committee:

- 1) Agree the draft Heads of Terms as summarised in the Confidential Appendix 3 as the basis of ongoing negotiations with Standard Life Investments (SLI) on the understanding that the Head of Law is authorised to enter into the final conditional Development Agreement (cDA) and any linked documentation after the Acting Executive Director Environment Development & Housing and the Head of Law have consulted with the Waterfront Project Board regarding any further changes to the draft Heads of Terms
- 2) Note the terms of the draft Valuation Brief as referred to in the Confidential Appendix 4.
- 3) Note and agree:
 - a) The revised financial information contained in the Confidential Appendix 5.
 - b) The current conference subvention budget is retained by the council to support conferences during the closure period and attract conferences to the new venue once opened.
 - c) Construction of the new venue will be funded by the capital receipt generated from the sale of the Brighton Centre site, rent from the appointed venue operator, net savings achieved on the current Brighton Centre operational budgets and up to 50% of the forecast additional future business rates income stream (set out in the funding table in paragraph 7.4 of the financial implications) along with any relevant successful Local Growth Fund bids.
 - d) That any additional council tax revenue and any increase in New Homes Bonus will be used to support the City Council's medium term financial strategy
 - e) The Brighton Centre Redevelopment Reserve can continue to be used to fund project development costs incurred by the council on the Central and Black Rock sites as set out in paragraph 7.14.
- 4) Note and agree the overall procurement approach as summarised in paragraphs 7.15 to 7.17 and the role of Standard Life Investments as lead Development Partner for both the central (Brighton Centre and Kingswest) and east (Black Rock) sites.
- 5) Agree that a competitive procurement process to appoint a third party operator can proceed in a manner agreed by officers with the Waterfront Project Board.
- 6) Agree that the appointment of a third party operator for the new venue, following completion of the procurement process, be agreed by Policy & Resources Committee.

172 FORMER PETER PAN'S AMUSEMENTS SITE - SEA LANES LEASE AGREEMENT

- 172.1 The Committee considered a joint report of the Acting Executive Director for Environment, Development & Housing and the Executive Director for Finance & Resources in relation to Former Peter Pan's Amusements site - Sea Lanes Lease Agreement. In Autumn 2014 the Council marketed the area known as the former Peter Pan site on Madeira Drive as identified on the site plan in Appendix 1. The results of the marketing exercise were reported to Economic Development & Culture Committee

in March 2015, where Landlord's consent was granted. The Committee also agreed that Heads of Terms with the preferred bidder would be presented to Policy & Resources Committee for approval.

- 172.2 In response to Councillor Bewick it was clarified that there had been discussions between the operator and Saltdean Lido around collaborative working; the two sites were seen as complimentary - it was hoped some type of cross facility ticket could be developed in the future.
- 172.3 In response to Councillor Mac Cafferty it was noted that any ecology considerations would be picked up as part of the planning process, and the operator was already engaging the Planning Authority for pre-application advice.
- 172.4 In response to Councillor A. Norman it was clarified that the commercial units would not project onto the road.
- 172.5 The Chair then put the recommendations to the vote.
- 172.6 **RESOLVED** - That the Policy and Resources Committee agrees to authorise the Acting Executive Director Environment, Development & Housing, Executive Director Finance & Resources, and Assistant Director Property & Design to enter into an agreement to lease and grant a 150 year lease to the preferred bidder, Sea Lanes, subject to planning approval for the site shown in Appendix 1 as set out in the Heads of Terms in Appendix 2 (Part 2 confidential information).

173 ITEMS REFERRED FOR COUNCIL

- 173.1 There were no items referred to Council on 21 July 2016.

174 TOWER HOUSE DAY SERVICES: APPENDICES - EXEMPT CATEGORY 3

- 174.1 **RESOLVED** – That the Committee note the information contained in the Part Two appendices to Item 163 on the agenda.

175 LEARNING ACCOMMODATION SERVICES: APPENDICES - EXEMPT CATEGORY 3

- 175.1 **RESOLVED** – That the Committee note the information contained in the Part Two appendices to Item 164 on the agenda.

176 BRIGHTON WATERFRONT PROJECT (BRIGHTON CENTRE AND BLACK ROCK SITES) - EXEMPT CATEGORY 3

- 176.1 **RESOLVED** – That the Committee note the information contained in the Part Two appendix to Item 171 on the agenda.

177 FORMER PETER PAN SITE - SEA LANES LEASE AGREEMENT – EXEMPT CATEGORY 3

177.1 **RESOLVED** – That the Committee note the information contained in the Part Two appendix to Item 172 on the agenda.

178 PART TWO PROCEEDINGS

178.1 **RESOLVED** – That the information contained in the Part Two items listed on the agenda (Items 174, 175, 176 & 177) and the decisions thereon remain exempt from disclosure to the press and public.

The meeting concluded at 6.54pm

Signed

Chair

Dated this

day of

