

BRIGHTON & HOVE CITY COUNCIL

CABINET

4.00PM 22 APRIL 2010

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Mears (Chairman), Brown, Caulfield, Fallon-Khan, Kemble, K Norman, Simson, Smith, G Theobald and Young

Also in attendance: Councillors Mitchell (Opposition Spokesperson) and Watkins (Opposition Spokesperson)

Other Members present: Councillors Allen, McCaffery, Mrs Norman and Oxley

PART ONE

199. PROCEDURAL BUSINESS

199a Declarations of Interest

199a.1 Councillor Simson declared a personal and prejudicial interest in Item 216, a report of the Director of Strategy & Governance concerning industrial relations at voluntary aided schools in the city, and stated that she would leave the chamber and not take part in the debate or vote.

199b Exclusion of Press and Public

199b.1 In accordance with section 100A of the Local Government Act 1972 ('the Act'), it was considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

199b.2 **RESOLVED** – That the press and public be not excluded from the meeting.

200. MINUTES OF THE PREVIOUS MEETING

200.1 **RESOLVED** - That the minutes of the meeting held on 11 March 2010 be approved as a correct record.

201. CHAIRMAN'S COMMUNICATIONS

- 201.1 The Chairman noted that the meeting would be webcast and that the council was in an official period of purdah due to the forthcoming General Election.
- 201.2 The Chairman reported that she had accepted an urgent report in relation to single status issues for voluntary aided schools.
- 201.3 The Chairman advised that the city's first marathon had seen 80,000 people take part, either running or cheering competitors on, and that hundreds of thousands of pounds had been raised for charity. The event had been a huge success and the Chairman congratulated the organisers, volunteers and partners who contributed. She added that she hoped the marathon would become as much a part of the sporting calendar as the London Marathon.

Councillors Mitchell and Watkins added their thanks to all those involved in the event and the clean up that followed.

- 201.4 The Chairman reported that a public event would be held in Jubilee Square on 25 April to celebrate St Georges Day. The event would form part of the Book and the Rose celebration and there would be advice on how to get involved in local writing groups, independent traders would be selling books and flowers and there would be free children's activities.
- 201.5 As part of the 'Get Involved' campaign the council had been asking local people to get involved in democracy and the Chairman encouraged residents to cast their vote in the general Election on 6 May.

202. ITEMS RESERVED FOR DISCUSSION

- 202.1 **RESOLVED** – That all the items be reserved for discussion.

203. PETITIONS**203(i) Petition – activities of EDO/MBM**

- 203.1 A petition signed by 366 people, concerning the activities of EDO/MBM was considered. A supporting extract noting the deliberations of the Community Safety Forum, (8 March 2010) in regard to the petition was also considered.
- 203.2 Councillor Taylor had presented the petition to Council on 10 December 2009, but was unable to attend the Cabinet meeting.
- 203.3 **RESOLVED** – That the petition be noted.

203(ii) E-Petition – play facilities in north Brighton

- 203.4 Residents Miles Clarke, Stan Hayward-Williams and George Bone presented an e-petition signed by 15 people requesting that the council provide better play facilities for older children in the north Brighton area, and specifically for skateboarding. They

also presented a paper petition signed by 400 people, bringing the total number of signatures to 415.

- 203.5 The Chairman thanked the young residents for their petition and explained that the council recognised the importance of providing activities for young people and opportunities for exercise; however, obtaining funding for such opportunities could be difficult. Approximately £40,000 of Playbuilder funding had been allocated for the development of the Barnrise play area and the council would be consulting with park users between May and July to find out what people wanted provided there. The work was expected to be completed by March 2011. Some tensions had already arisen and the council would ensure that it listened to the views of all park users.

The Chairman explained that Playbuilder funding was allocated by the government and that there were specific rules on how it could be spent; the council was not permitted to use the money for wheel sports such as skate boarding and so the grant could not be used to develop a skate boarding facility. The funding would be used to develop adventurous play facilities for children up to the age of 13, and although it could not be spent directly on skate facilities, the Chairman had instructed officers to meet with the young people to look into incorporating hard surfacing in the development of Barnrise play area. She hoped that a surface for skateboarding could be provided and that, with input from young people, it would be made as interesting as possible.

- 203.6 **RESOLVED** – That the petition be noted.

203(iii & iv) Petitions – cycle lanes in The Drive and Grand Avenue

- 203.7 Mrs Elizabeth Michael presented two petitions signed by 146 and 65 people respectively concerning cycle lanes at the top end of The Drive and from Grand Avenue to the top end of The Drive.

- 203.8 Councillor Theobald explained that he shared some of the frustration in relation to the cycle lanes; the Administration had inherited them and had immediately called for a review as they represented a new layout for the city, which was difficult for some residents to understand. He confirmed that the cycle lanes were checked against nationally applied safety criteria for motorists, cyclists and pedestrians and were under regular review. He advised that the council was in the process of making some changes to the cycle lanes, including improving visibility.

- 203.9 The Chairman confirmed that Councillor Theobald would contact Mrs Michael once proposed changes had been drawn up. She added that the original plans for the cycle routes had been approved by the Environment Committee under the previous constitutional arrangements.

- 203.10 **RESOLVED** – That the petitions be noted.

204. PUBLIC QUESTIONS

- 204.1 There were none.

205. DEPUTATIONS

205.1 There were none.

206. LETTERS FROM COUNCILLORS

206.1 There were none.

207. WRITTEN QUESTIONS FROM COUNCILLORS

207.1 There were none.

208. NOTICES OF MOTION

208.1 There were none.

209. CREATING A COUNCIL THE CITY DESERVES...A TRANSFORMATION PROGRAMME FOR BRIGHTON & HOVE CITY COUNCIL

209.1 The Cabinet considered a report of the Chief Executive concerning the challenges faced by the council and the transformation required to ensure that the city had the Council it deserved.

209.2 Councillor Mitchell thanked the Chief Executive for making a presentation to the Labour Group and advised that Members would await further information and monitor progress of the proposals. She supported the need for structural change, which she hoped would be achieved by implementing considered changes, combined with increased joint working with partner organisations. She hoped that consideration would also be given to co-operative and neutral models of service delivery with an enhanced role for Third Sector.

She stated that all Members should be involved in deciding who delivered services for the city's residents and that any proposals should be put to Full Council.

She raised concerns in regard to achieving structural change when the council was faced with having to make significant savings, in addition to the uncertainty surrounding the future of current Directors and the instability that could result. She advised that both the Administration and the council's staff had to be fully signed up and supportive of the proposed changes.

209.3 The Chairman thanked the Chief Executive for his inclusive approach; the Administration, backbench and opposition councillors, partners and the city had received presentations on the proposals. Public services would face significant challenges in the future and the report showed a responsible approach that would be achieved through stage by stage implementation.

209.4 In response to comments from Councillor Mitchell the Chairman explained that the Administration had been elected on the basis of a clear manifesto. Members had stood by their priorities and explained their stance on parts of the Community

Strategy, but had not prevented its approval, which was indicative of strong leadership.

- 209.5 In response to comments from Councillor Mitchell the Chairman explained that the Administration had been elected on the basis of a clear manifesto. Members had stood by their priorities and explained their stance on parts of the Community Strategy, but had not prevented its approval, which was indicative of strong leadership.
- 209.6 Councillor Watkins stated that the recommendations would result in major change for the council and that it was a shame that the report had come forward during purdah. He highlighted the opportunity to work closely with the Third Sector on sharing services and added that care should be taken in working collaboratively with partner organisations that did not answer to elected Members.
- 209.7 The Chairman advised that the report represented the Chief Executive's vision for the council and was not a political paper; the proposals were about how the council would deliver services to residents in the future. The Third Sector was fully aware of the plans and considering opportunities for engagement.
- 209.8 Councillor Caulfield stated that the Cabinet supported the proposals of the Chief Executive.
- 209.9 In response to remarks made by Members the Chief Executive made the following comments:
- A different set of skills would be required for the kind of commissioning proposed in the report to that used in the NHS; however, the council would be able to learn from other experiences of commissioning.
 - A specific amount of grant funding had been allocated to the Voluntary Sector to allow them to build their capacity in relation to commissioning.
 - Collaboration and joint commissioning with partner organisations would be approached carefully and would not be rushed.
 - The report offered the principles that would underpin a new mode of operation for the local authority. The next step would be to communicate to the City how these principles were to be put into practice.
- 209.10 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That the significant challenges faced by the City Council and the opportunities arising be noted.
 - (2) That the approach to creating "a Council the City deserves" and the transformation programme be approved and the requirement for further decisions as the proposals are developed in detail be noted.
 - (3) That the approach of creating an "Intelligent Commissioning" approach for the City Council be approved in principle and the Chief Executive be authorised to develop detailed proposals for consultation internally and report back to future Cabinet meetings (and Council and other Committees where appropriate) for

decision making with a view to bringing in the requisite changes to structures and operational approaches by November 2010.

210. VALUE FOR MONEY PROGRAMME UPDATE

- 210.1 The Cabinet considered a report of the Director of Finance & Resources concerning the council's Value for Money Programme and its revised approach for achieving value for money across services.
- 210.2 The Chairman explained that the Value for Money Programme was a key component in delivering the 'A Council the City Deserves' project; a significant amount of work had been undertaken in order to deliver value for money for the city's residents and work would be ongoing. The Chairman advised that the work was challenging, but vital for the city and thanked the officers involved.
- 210.3 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendation:
- (1) That the continued progress and revised approach to the Value for Money Programme be noted.

211. IMPROVING THE CUSTOMER EXPERIENCE

- 211.1 The Cabinet considered a report of the Director of Finance & Resources concerning the first pieces of work to improve customer experience with the council.
- 211.2 Councillor Mitchell stated that it was important to deliver effective services, but that residents must also be aware of how to contact the council. She noted that the proposals focussed heavily on internet access to services; it would be important to run a strong communications campaign informing residents how they could also access direct contact with the council when required.
- 211.3 Councillor Fallon-Khan advised that the internet would play a major role, but that it would be in the context of the overall customer experience.
- 211.4 Councillor Watkins welcomed the proposals and added that all customer groups were increasingly using the internet to access services and that it was important to promote the use of technology in the right way.
- 211.5 The Chairman stated that the proposals formed an important part of 'A Council the City Deserves' project and that the council existed to *serve* its residents; the council needed to listen to customers and ensure that they could access services easily. She thanked officers for the work undertaken in putting together the proposals in the report.
- 211.6 Councillor Simson advised that it was right to place a significant emphasis on use of the internet; the council and the Third Sector had worked with community groups to ensure that access and help were available to more people across the city.

211.7 Councillor Norman reported that the existing Access Point for Adult Social Care was heavily utilised by service users and that extending the approach across the council's services would be welcomed by customers.

211.8 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That the actions proposed to improve the customer experience be approved.
- (2) That the Customer Charter and the next steps to develop it with customer feedback be endorsed.

212. PORTSLADE COMMUNITY COLLEGE: STRATEGIC DEVELOPMENT

212.1 The Cabinet considered a report of the Director of Finance & Resources concerning the future development of Portslade Community College (PCC).

212.2 Councillor Brown advised that, contrary to reports in the media, the council had never considered closing PCC.

212.3 Councillor Mitchell stated that structural change was necessary at PCC and she supported the move to an Academy. She added that residents were eager to see the existing community facilities retained in the new academy.

212.4 Councillor Brown explained that the council would work closely with the local community in taking the proposals forward and that meetings would take place with all key stakeholders as part of the consultation. She added that she hoped it would be possible to enhance the existing community facilities at the site.

212.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That the initial discussions with the Portslade Community College Governing Body be noted.
- (2) That a consultative process with parents, the local community and other stakeholders be initiated, with a view to submitting an Expression of Interest in June 2010 regarding the development of an Academy to replace Portslade Community College.
- (3) That Cabinet notes the outline timetable for this work.

213. ASSET MANAGEMENT FUND 2010-11

213.1 The Cabinet considered a report by the Director of Finance & Resources concerning the council's Asset Management Fund.

213.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendation:

- (1) That the recommended Asset Management Fund bids totalling £0.445m be approved.

214. PLANNED MAINTENANCE BUDGET ALLOCATION 2010-11 AND PROGRAMME OF WORKS FOR THE COUNCIL'S OPERATIONAL BUILDINGS

214.1 The Cabinet considered a report by the Director of Finance & Resources concerning the council's Planned Maintenance Budget Allocation 2010-11 and Programme of Works for the council's operational buildings.

214.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendation:

- (1) That the financial allocation to an annual programme of works to the operational buildings at an estimated cost of £4,306,000 be approved, in accordance with Financial Regulation A.5.6.7 and grant delegated authority, where necessary, to the Director Finance & Resources to enter into contracts within this budget which are procured in accordance with Contract Standing Orders.

215. ICT FUND 2010-11

215.1 The Cabinet considered a report by the Director of Finance & Resources concerning the council's Planned Maintenance Budget Allocation 2010-11 and Programme of Works for the council's operational buildings.

215.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendation:

- (1) That the allocation of the ICT Fund be agreed for 2010 – 11.
- (2) That the priority areas for investment for 2011-12 and 2012-13 be agreed in principle, which would be subject to the final level of funding agreed by Budget Council in each of those years.

216. VOLUNTARY AIDED SCHOOLS (INDUSTRIAL RELATIONS)

216.1 The Cabinet considered an urgent report of the Director of Strategy & Governance concerning the latest position in relation to industrial relations with Voluntary Aided schools with regard to equal pay claims.

216.2 The Chairman thanked Councillor Mitchell, as Chairman of the Overview & Scrutiny Commission for accepting the reasons for urgency and agreeing that Cabinet should consider the report.

216.3 Councillor Mitchell welcomed the recognition of the inequality of the current situation, but stated that steps should have been taken earlier and not in response to the threat of industrial action. She hoped that the offer would mean that school budgets would not be affected. Councillor Mitchell expressed concerns that reduced budgetary flexibility would limit the ability of the council to deal with other pay matters, given the structural changes planned for the organisation overall.

- 216.4 Councillor Watkins queried the sudden iteration of a moral responsibility that the authority were somehow obliged to meet, but added that he hoped the situation would now be settled without any impact on children's education.
- 216.5 The Chairman stated that the council could have begun to deal with Single Status at any time after 1999, under the previous Administration. It was clear that the council had no legal responsibility to those employed by Voluntary Aided schools, but the Administration felt the council had a moral responsibility to the children whose education could be affected by any industrial action and had elected to use the council's wellbeing powers to help prevent disruption. The council was making the offer to prevent the need to go back to the School's Forum for funding.
- 216.6 Councillor Young reported that she and the Leader of the Council had queried the need to consider the position of Voluntary Aided schools at the beginning of the process. She reported that they had been advised that the complexity of the issues meant it would be preferable to consider it following the completion of the council's Single Status exercise.
- 216.7 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That agreement be given in principle to use wellbeing powers to make available up to £1.5million to enable voluntary aided schools to address the threat of industrial relations disruption.
 - (2) That the Chief Executive (in consultation with the Director of Children, Families & Schools, Finance & Resources and Strategy & Governance) be authorised to take all steps necessary or incidental to making the funding available to the voluntary aided schools and to determine any conditions upon which those sums should be made available.

The meeting concluded at 5.30pm

Signed

Chairman

Dated this

day of