

BRIGHTON & HOVE CITY COUNCIL

CABINET

4.00PM 17 JUNE 2010

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

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

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

Other Members present: Councillors Bennett, Davis, Kemble and Oxley

PART ONE

14. PROCEDURAL BUSINESS

14a Declarations of Interest

14a.1 There were none.

14b Exclusion of Press and Public

14b.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).

14b.2 **RESOLVED** – That the press and public be not excluded from the meeting.

15. MINUTES OF THE PREVIOUS MEETING

15.1 **RESOLVED** - That the minutes of the meeting held on 27 May 2010 be approved as a correct record.

16. CHAIRMAN'S COMMUNICATIONS

16.1 The Chairman noted that the meeting would be webcast.

- 16.2 The Chairman advised that the Cabinet would be considering a number of reports that demonstrated the council's readiness to face the financial challenges to come and that the council would be seeking to align itself with emerging government policy in order to benefit from the powers that would be devolved to it.

17. ITEMS RESERVED FOR DISCUSSION

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

18. PETITIONS

(i) E-petition – future of the i360

- 18.1 Ms Emily Mansfield had submitted an e-petition signed by 15 people calling for the council to scrap the current plans to construct the i360 tower on the seafront.

- 18.2 Ms Mansfield did not attend the meeting.

- 18.3 The Chairman explained that the Planning Applications Sub-Committee agreed to grant planning permission for the i360 in October 2006 taking into account many of the issues referred to in the e-petition. She advised that it was important to note that there were 74 objections to the planning application compared with the 15 signatories to the e-petition.

The Chairman reported that the council continued to support the i360, not only because it was an exciting and modern proposal that would bring significant benefits to the immediate area, but because of the wider employment and tourism benefits to the city. The i360 was to be constructed predominantly on land owned by the West Pier Trust who were wholly supportive of the project, not least because it would reproduce the spirit of the West Pier in a 21st century form.

Since planning permission was granted it had been difficult to obtain funding for developments because of the credit crunch, but the i360 Company were making every effort to secure the remaining funding and the council would do all it could to support them, short of providing direct funding for construction.

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

(ii) Petition – former Connaught School site

- 18.5 Councillor Davis presented a petition signed by 491 people calling for the council to lease or buy Connaught School, Hove from City College Brighton, and to immediately return it to Infant School or Infant Primary School use. Councillor Davis informed Members that an e-petition in relation to the issue was also running on the council's website.

- 18.6 **RESOLVED** – That the petition be noted and referred to the next available Children & Young Peoples' Cabinet Member Meeting.

19. PUBLIC QUESTIONS

19.1 The Chairman reported that two public questions had been received.

19.2 Valerie Paynter asked the following question:

“When City College obtained planning consent a couple of years ago to demolish Pelham Street and build a new College there, publicity around that time alerted the public to the realisation City College would also be disposing of the Connaught Centre before long. Conservationists immediately began the process of seeking Grade 2 Listed Status for the building, to protect it from demolition, and got it. What work did Brighton & Hove City Council also do, then and since, to lay the ground for eventual acquisition of this building for re-use as an infant or infant primary school?”

19.3 Councillor Brown gave the following response:

“The Council has explored and continues to explore opportunities for increasing primary capacity across the city.

A part of this exploration has been discussion with City College over the likely future of the Connaught Centre.

When City College was planning to build new accommodation with the Learning & Skills Council (LSC) national funding programme it looked probable that on the completion of this work the Connaught Centre would become surplus and available for other uses.

At that time, about two years ago, an initial approach was made to the College with regard to the Council acquiring the site for primary phase provision. As part of their planned development City College were keen to realise a significant capital receipt from the sale of this site. This sum would have left the Council with insufficient funds for their other expansion works at Balfour and Davigdor.

Unfortunately funding from the LSC did not materialise and City College’s plans had to be rethought. Part of the College’s new plans include the disposal of the Connaught Centre and the Council has immediately re-expressed its interest in the site.

Negotiations continue and, whilst it is recognised that the Connaught Centre would provide an ideal site in south Hove for a primary phase school, associated costs have to be taken into account at a time of reduced public expenditure. Nevertheless the Council is actively pursuing the possibility of the Connaught Centre becoming an infant or primary school.”

19.4 Valerie Paynter asked the following supplementary question:

“Is this council satisfied that it has done enough to do an increase in infrastructure, as much as an increase in population for this area, we’re taking schools at this time?”

19.5 Councillor Brown gave the following response:

“Yes, we think we’ve done an incredible amount since we’ve been running the Administration here, which is only three years. We have already put in 210 extra places for reception children across about seven schools. Not only have we done that, but we also have a big building programme; you will know that there is building going on at Davigdor and Somerhill and we have already built a superb extension at Balfour School, and we’re now considering building at Goldstone Westdene schools and increasing the numbers at Queen’s Park. I think we’ve done a considerable amount in a short time and we are actively pursuing the Connaught Centre.”

19.6 Mrs Stack asked the following question:

“I would like to ask the council why they did not think of leasing classrooms at the Connaught road school instead of spending huge amounts of money (million pounds each one) on mobile classrooms on playgrounds across the city?”

19.7 Councillor Brown gave the following response:

“The Council has explored and continues to explore opportunities for increasing primary capacity across the city.

The possibility of leasing classrooms at other centres such as Connaught has not been pursued as the required application of children’s safeguarding procedures is not possible in building where there is general public access and the presence of a large number of adults without CRB clearance.

The only mobile classrooms provided recently in the city are to accommodate children prior to planned permanent school building works enabling schools like Goldstone and Westdene to offer new places to their local community at least one year before the new building will be completed.

The unit cost of each mobile classroom together with required services including toilets is in the region of £100 000 although costs can increase if the site issues are particularly difficult. Multiple classroom provision does provide some savings on the unit costs.

The classrooms we have recently purchased will be reused as expansion continues in this way across the city, thus reducing the cost of providing temporary accommodation overall.”

19.8 Mrs Stack asked the following supplementary question:

“I would like to ask the Administration to visit the Connaught Centre and maybe sit in the café upstairs and get a feel for what a solid, superb building the Connaught is and what a great central Hove school it could be?”

19.9 Councillor Brown gave the following response:

“I have visited the Connaught Centre and was there again only last week. I know exactly what the accommodation is like; it’s not quite as straightforward as you say because it would definitely need new toilets for young children and it would need

refurbishment. So there would be quite a lot to do, but we all agree, we're all on the same side, and we would all very much like to see the Connaught come back into use as a school."

20. DEPUTATIONS

20.1 There were none.

21. LETTERS FROM COUNCILLORS

21.1 There were none.

22. WRITTEN QUESTIONS FROM COUNCILLORS

22.1 The Chairman reported that one written question had been received.

22.2 Councillor Davis had submitted the following question:

"At the meeting held at Benfield School on the 27th May to discuss arrangements for the creation of two new reception classes at the school, the issue of transport to Benfield School and to West Blatchington School was raised.

Parents who have recently had their child directed to the new reception classes at Benfield School with an older child attending another school in the city and who work in central Brighton, outlined the difficulties that they face taking and collecting their children.

Given that the proposed numbers of children attending Benfield School, and possibly West Blatchington School, has now increased I would like to ask what plans the council is making in relation to school transport for these two schools.

Is the option of a special, supervised bus a viable option and when will this be known?"

22.3 The following response from Councillor Brown had been circulated:

"Looking at the numbers of pupils allocated to the Benfield Reception classes, only five live beyond two miles, the distance at which the Council becomes responsible for providing assistance with home to school transport. For children of primary school age who are entitled to transport assistance we pay the equivalent of providing an adult bus pass plus the cost of the child fare for term time, approximately £500 a year. This means that the sum of £2,500 would be available to offset the costs of a school bus, which costs between £30,000 and £35,000 a year to hire. If the bus was to have an escort, this would be at an additional cost.

At the meeting held at the school officers undertook to look at the possibility of providing a vehicle, but with the caution that this would depend upon the number of pupils entitled to transport assistance. On the basis of current numbers, a subsidy of between £27,500 and £32,500 would have to be provided for a school bus to Benfield from Hove. Whilst we have every sympathy with the difficulties facing the parents offered Benfield, this level of support is not sustainable. If we were to provide a bus

then other parents in the City living less than two miles from school would also reasonably ask whether they could also have such a facility. That would place additional pressure on the home to school transport budget.

The question of a bus for West Blatchington was also raised at the Benfield meeting by Mr Howitt. At present 9 pupils are paid the bus pass equivalent totalling £4,500. Whilst more children than that attend from beyond 2 miles, 13 children with statements of special educational needs attend the special facility at the school, and are entitled to taxi transport so are not included in the calculation. From September 2010 a further 30 pupils living more than two miles from the school will join, assuming that they take up their allocated places. This will add £15,000 to the amount paid as bus fare equivalent. This would still leave a significant shortfall in hire costs, and again there would be an issue around a vehicle escort. The operation of such a route also assumes the availability of a vehicle at school time and that all those pupils living beyond two miles are living in central Hove and could access a single school bus route.

I am sorry that we are unable to be of more assistance with transport, but must look at potential costs in the context of current financial stringencies, legal entitlement to transport help and the local transport policy.

A letter has been sent to parents allocated the Reception places at Benfield setting out the position, as agreed at the school meeting.”

22.4 Councillor Davis asked the following supplementary question:

“Can you give reassurances that if parents are more than two miles from the school that there will always be transport and support for them?”

22.5 Councillor Brown gave the following response:

“Our policy is that parents are more than two miles from the school they get a free bus pass. The child gets a bus pass and the adult who will accompany them.”

23. NOTICES OF MOTION

23.1 There were none.

24. ANNUAL PROGRESS UPDATE ON THE 2008-11 LOCAL AREA AGREEMENT (LAA) 2009/10

24.1 The Cabinet considered a report of the Director of Strategy & Governance concerning progress against the Local Area Agreement (LAA) priority areas.

24.2 Councillor Alford explained that the report showed considerable progress against a number of targets, but that there were some key off-target areas that the council was working hard towards improving.

24.3 Councillor Mitchell stated that she hoped the new government would replace the current performance framework with something similar, as the current approach was a valuable tool for both residents and councillors in understanding progress against

priorities. She highlighted the good progress made in relation to teenage pregnancy, vacant dwellings in the private sector and sensible drinking amongst young people, but expressed concern over an increase in incidences of bullying in school and the potential effect of cuts to grant funding on progress made to tackle the number of 16 to 18 year olds who were not in education, employment or training (NEET).

24.4 Councillor Brown advised that more information on bullying was available than ever before; schools were working hard to tackle the problem and, as a result, young people were more willing to talk about it. It was hoped that the increase was due to the increased availability of information rather than a significant increase in incidences of bullying.

24.5 In response to questions from Councillor Kitcat the following comments were made:

- Councillor Caulfield reported that there were a number of empty council properties that required substantial work, but that, while the council had been able to bring some back into use, the decision to use the Local Delivery Vehicle for this purpose had not yet been realised because the former Secretary of State had failed to respond to the council about its proposals. Alternative routes were being pursued and the council hoped to speak with the new Secretary of State in the near future.
- Councillor Caulfield advised that it was hoped that building work to provide 130 new homes would begin in the near future if the council was able to pursue the self-financing route as discussed in further detail in the report at Item 27 on the agenda.
- Councillor Fallon-Khan explained that the target relating to reducing CO₂ emissions (NI186) was linked to the whole local authority area and not just the council's operations. The council was committed to the 10:10 campaign and was taking every possible step to reduce emissions from the councils operations and buildings. As part of the 10:10 Pioneer Group, the council was working with partner organisations to push the 10:10 agenda forward across the city.
- Councillor Theobald explained that the figures in the report relating to the number of people killed or seriously injured in road traffic accidents remained unchanged from those in the last update because the 2010 date was not yet available. He advised that a number of road safety improvement schemes were being implemented and that the council was doing the best it could within challenging budgetary constraints. He added that progress had been made in reducing congestion across the city.

24.6 Councillor Simson reported that the 'RU-OK?' service had successfully used media campaigns to highlight the importance of sensible drinking to young people and had recently launched a new campaign focussing on substance misuse.

24.7 Councillor Watkins advised that it was just as important to concentrate on the amber targets as those with red status. He expressed concern over the future of the LAA and stated that it was important for work on these targets continue and for elected Members to be able to comment on progress. He requested confirmation of the timetable for reviewing progress.

24.8 The Director of Strategy & Governance explained that updates would be received by the Cabinet every six months and that the Sustainable Community Strategy would

provide the framework for taking the city's priorities forward irrespective of what would succeed the LAA.

- 24.9 Councillor Smith highlighted positive progress in relation to targets for community engagement in local libraries and school visits to museums. He also advised that Brighton and Hove was one of the leading tourist destinations in the country despite the recession.
- 24.10 Councillor Caulfield thanked officers in the council's housing directorate for the work done to significantly reduce the number of non-decent council homes.
- 24.11 Councillor Fallon-Khan advised of the important work being done towards improving the gross value added per head and the percentage of the working age population claiming out of work benefits.
- 24.12 Councillor Alford thanked officers for compiling the report, which represented a considerable amount of work.
- 24.13 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That the good progress against the LAA outcomes in Appendices 1 & 2 be noted.
 - (2) That the actions outlined in the Exception Report in Appendix 2 to address areas not meeting the agreed targets be noted.
 - (3) That Cabinet Members review any areas of poor performance at future Cabinet Members Meetings and/or discuss with the relevant leading partnership progress on the action plans.
 - (4) That it be noted that the targets for the Local Area Agreement were negotiated originally in 2007 and refreshed in 2009, and in particular that the target refresh was to address the impact of the economic recession on the achievements for employment outcomes.
 - (5) That it be noted that conversations are on-going with partners to review priorities for the city in light of future plans for commissioning to deliver outcomes agreed in the Sustainable Community Strategy, and as a result new priorities will be established which will set the agenda for the next city-wide performance framework which will act as the successor to the current LAA.

25. SINGLE EQUALITY SCHEME UPDATE

- 25.1 The Cabinet considered a report of the Director of Strategy & Governance concerning progress against the Single Equality Scheme Action Plan.
- 25.2 Councillor Mitchell welcomed the report and advised that valuable discussions had taken place at the Overview & Scrutiny Commission. She thanked Councillor Simson for taking up the issue of disabled access in pavilions and parks and suggested that

the council find ways to address the low number of BME staff and staff under the age of 30 in considering recruitment campaigns.

25.3 Councillor Watkins echoed Councillor Mitchell's remarks and added that he looked forward to presenting the staff disabilities scrutiny report at a future meeting.

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

(1) That support be given to the ongoing work to reduce inequality across the city and notes progress made so far against the objectives set out in the Single Equality Scheme Action Plan.

26. **DIGNITY & RESPECT AT WORK POLICY**

26.1 The Cabinet considered a report of the Director of Strategy & Governance concerning council's Policy and Procedure for dealing with bullying and harassment at work and the new Dignity & Respect at Work Policy and Procedure.

26.2 The Chairman welcomed Councillor Oxley to the meeting and invited him to present the report in his capacity as Chairman of the Governance Committee, which would make the final decision on the policy at its meeting on 13 July.

26.3 Councillor Oxley explained that the policy before the Cabinet represented a substantial piece of work involving both Members and officers. It was vital for the council to have mechanisms in place to tackle bullying and harassment effectively and the proposed policy would address the perceived weaknesses in the current approach. The operation of the policy would be closely monitored and reviewed through the annual Staff Survey and the work of the Staff Consultation Forum.

26.4 The Chairman invited Councillor Mitchell, who had chaired the scrutiny panel that considered the proposed policy, to comment on the scrutiny process.

26.5 Councillor Mitchell explained that issues around bullying and harassment had been highlighted during the council's final Comprehensive Performance Assessment and that the scrutiny panel had been set up to run in tandem with the workshop tasked with reviewing the policy. The scrutiny panel had called upon representatives from the council's staff forums to comment on the draft policy and the extent of their input, and it was clear that staff comments had been incorporated. Councillor Mitchell advised that the Dignity and Respect Advisors would have a positive effect, providing they received appropriate training. She added that the commitment to monitoring the policy would be key to its success and that she hoped the new policy would make a difference to future staff survey results.

26.6 In response to a question from Councillor Kitcat, Councillor Oxley confirmed that funding for the initiatives within the policy was secure.

26.7 Councillor Watkins stated that the work on the new policy was linked to the forthcoming scrutiny reports on staff disabilities and sexual violence, and that the emphasis on this area of work was encouraging.

- 26.8 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendation:
- (1) That the report be noted.
- 27. RESPONSE TO THE CONSULTATION DOCUMENT FROM DEPARTMENT OF COMMUNITIES & LOCAL GOVERNMENT: COUNCIL HOUSING – A REAL FUTURE**
- 27.1 The Cabinet considered a report of the Director of Housing, Culture & Enterprise concerning proposals to reform the Housing Revenue Account (HRA) subsidy system as set out in the consultation document ‘Council Housing: A Real Future’ issued on 25 March 2010 by the Department for Communities and Local Government (DCLG).
- 27.2 Councillor Caulfield reported that it had been announced at the Housing Management Consultative Committee that a tenant-led group involving the Asset Management Panel and Repairs Monitoring Group would be set up to begin considering the possibility of creating new homes using the borrowing capability available on a site such as Ainsworth House.
- 27.3 Councillor Mitchell welcomed the report and the proposed reforms to the HRA, but added that the current system was intended to keep tenants’ rents low across the country and that Brighton & Hove had previously benefited from the approach. She stated that the proposed approach would offer significant opportunities and that early voluntary implementation was preferable.
- 27.4 The Chairman stated that, while tenants in the city had benefited from the current HRA subsidy system in the past, the recalculation of the rent structure for the proposed stock transfer it had resulted in a significant debt on the tenants, preventing the council from investing in its housing stock. The new proposals would allow the council to make the required investment in its properties.
- 27.5 Councillor Kitcat welcomed the report and stated that he hoped the government would soon publish a timetable for implementation. He suggested that as part of taking the proposals forward the council explore the possibility of providing work to local construction firms and opportunities for offering vocational training and apprenticeships.
- 27.6 Councillor Caulfield advised that the previous government did not commit to a timetable and that the new government would have to wait for the results of the consultation. It was expected that most council’s would favour a move to self-financing and Brighton & Hove would look to push for fast implementation. The council was keen to use local construction companies in potential developments and tenants would lead on it in addition to the possible pilot at Ainsworth House.

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

- (1) That support be given for the proposals for self financing of the HRA as set out in the DCLG Consultation paper 'Council Housing: A Real Future' issued on 25 March 2010.
- (2) That the council's formal response to the consultation as attached at Appendix 1 supporting the proposal to move to self financing for the HRA be approved.

28. **TARGETED BUDGET MANAGEMENT (TBM) PROVISIONAL OUTTURN 2009/10**

28.1 The Cabinet considered a report of the Director of Finance & Resources concerning the provisional outturn position (Month 12) on the revenue and capital budgets for the financial year 2009/10.

28.2 In response to calls from Councillor Mitchell to replace the Volks Railway sheds, Councillor Theobald explained that the options proposed by the architects were not financially viable within the challenging budget conditions, but that they would look again at the possibility of providing something within budget constraints.

28.3 The Chairman added that the council would make every effort to find a practical solution within the available budget.

28.4 Councillor Smith reported that significant physical improvements had been made in the area between the two piers and that work was continuing to move along towards Black Rock. It was hoped that by establishing new partnerships further improvements could be realised.

28.5 Councillor Simson reported that the Horsdean Traveller Transit site was now fully operational and that only a small number of vacant pitches remained. She thanked officers for efforts made to achieve this.

28.6 Councillor Mears added that she was very impressed with the Horsdean site and stated that all Members were aware of the current budget pressures.

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

- (1) That the provisional outturn position for the General Fund, which is an underspend of £0.235 million, be noted.
- (2) That the provisional outturn for the Section 75 Partnerships and Housing Revenue Account (HRA) for 2009/10 be noted.
- (3) That the contributions to reserves as set out in paragraph 3.4 be approved.
- (4) That the provisional outturn position on the capital programme be noted.

- (5) That the following changes to the capital programme be approved:
- (i) The budget reprofiling as set out in Appendix 5;
 - (ii) The carry forward of slippage into the 2010/11 capital programme, to meet on-going commitments on these schemes as set out in Appendix 6;
 - (iii) The new scheme as set out in Appendix 8.

28A. 2010/11 IN-YEAR GOVERNMENT GRANT REDUCTIONS

- 28A.1 The Cabinet considered a report of the Director of Finance & Resources concerning details of 2010/11 in-year grant reductions totalling approximately £3.55m for Brighton & Hove City Council covering both revenue and capital grants and also concerning the funding of the primary schools additional places capital programme.
- 28A.2 Councillor Mitchell expressed concern at the number of education-related grants and services that would be cut as a result of the proposals, as well as removal of the ringfence from the Aids Support grant. She stated that the previous government did not support significant in-year public sector cuts because of the resulting uncertainty for workers and the impact of the most vulnerable service users. She called for the Administration to review its budget to prevent duplication of service provision, particularly around youth work, and for the Full Council to have the opportunity to debate the grant reductions and potential effects.
- 28A.3 In response to comments from Councillor Mitchell, the Chairman confirmed that no discussions had taken place with regard to consideration of a more detailed report into the grant reductions by Full Council. Councillor Young was giving careful consideration to the impact of the reductions and further work was required to understand the full effects. She added that Councillor Brown had already begun reviewing youth work provision.
- 28A.4 Councillor Young advised that work was underway to identify any duplication of work between the council and its partners and also to determine whether further efficiencies could be achieved through increased links with the Voluntary Sector.
- 28A.5 Councillor Kitcat stated that the Green Group did not support the imposing of public cuts at the current time without devolving additional powers to local authorities to raise new funds and that did support the move to intelligent commissioning on the basis that it would increase costs. He also stated that the salaries for the new strategic director posts were disproportionately high. He expressed significant concerns over the grant reductions, particularly in relation to road safety, and echoed Councillor Mitchell's calls for a Full Council debate.
- 28A.6 The Chairman stated that it was necessary for the government and the council to take tough action to tackle the difficult economic conditions and this would inevitably involve cuts and the removal of the ringfence from some grants. A debate at Full Council would not be beneficial until the full impact of the cuts were understood.

The Chairman stated that the new structure would create savings; there would also be a reduction in the total number of director posts, however, the salaries for the new posts were justified because the remit of the roles would be wider than that of the

current directors. The Chief Executive had clearly stated his vision for change during the appointment process and all Members had subsequently had the opportunity to comment on the proposals, which were now proceeding following approval from the Cabinet.

The Chairman advised that the need for change was identified prior to the General Election and the priority was to ensure that the council could continue to effectively deliver vital services to residents. She added that it was important to move quickly to ensure that the voluntary organisations reliant on grant funding could determine their futures, but that care must be taken not to worry residents and organisations unnecessarily.

- 28A.7 Councillor Fallon-Khan stated that the new government was beginning to tackle the largest budget deficit for many years and it was vital for the council to act now; waiting until after the local elections would only serve to worsen the situation.
- 28A.8 Councillor Mitchell stated that the Administration taken no steps to tackle the financial crisis to date and residents needed to see action. She added that it was the role of opposition Group Leaders to raise their concerns in public.
- 28A.9 Councillor Theobald commented that grant reductions would have resulted irrespective of which party formed the government. The council had put itself in a more favourable position by routinely reducing budgets and initiating the Value for Money programme while still keeping Council Tax low.
- 28A.10 Councillor Young advised that the council had saved £10 million over the last three years by starting the Value for Money programme, but the size of the recession could not have been predicted. The move to intelligent commissioning would enable the council to balance its budget.
- 28A.11 Councillor Watkins stated that he hoped Full Council would have the opportunity to consider the issues and give all Members the chance to contribute. He added his support to the importance of ringfencing funding for HIV and Aids support.
- 28A.12 In response to comments from opposition councillors, the Chairman advised that the council understood concerns around funding for HIV and Aids support and the need to secure its future.
- 28A.13 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That the details of the 2010/11 in-year grants reductions announced by the government and set out in paragraphs 3.1 to 3.4 and appendices 1 and 2 be noted.
 - (2) That the actions taken to date outlined in paragraphs 3.5 and 3.6 to ensure no further spending commitments are entered into in the grant funded services until a revised funding package has been agreed be noted.
 - (3) That the proposed principles for dealing with the in-year reductions in funding as set out in paragraphs 3.7 to 3.11 be considered and agreed.

- (4) That agreement be given for contracts to be entered into for 3 schemes in the primary school additional places capital programme committing £2m resources from the 2011/12 capital programme for the reasons set out in paragraphs 3.12 to 3.17.

29. CORPORATE PROCUREMENT OF ENERGY - HALF HOURLY (PLUS 100KW) ELECTRICITY AND GAS CONTRACTS STARTING OCTOBER 2010

- 29.1 The Cabinet considered a report of the Director of Finance & Resources seeking approval for the new re-tender approach of the council's half hourly (plus 100kw) and gas contracts that expire on 30 September 2010.
- 29.2 Councillor Kitcat welcomed the report and the proposed savings, but advised that, unless the electricity supplier was committed to retiring its Renewable Obligation Certificates (ROCs), no carbon savings would be made. He also advised that 100% renewable gas was available and that he hoped the council would be giving it serious consideration.
- 29.3 The Chairman assured Councillor Kitcat that officers would look into the possibility of procuring 100% renewable gas.
- 29.4 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That the council procures both its half hourly (plus 100Kw) electricity contract (from 100 % renewable sources) and its gas contract through the European Union complaint flexible framework contracts offered by the LASER Energy Buying Group, part of the central purchasing bodies (CPBs).
 - (2) That delegated power be granted to the Director, Finance & Resources to award the contract to LASER Energy Buying Group following consultation with the Cabinet Member for Central Services and to take all other steps necessary for the implementation of the proposals

30. SURVEILLANCE POLICY

- 30.1 The Cabinet considered a report of the Director of Finance & Resources seeking approval for the new re-tender approach of the council's half hourly (plus 100kw) and gas contracts that expire on 30 September 2010.
- 30.2 Councillor Kitcat welcomed the abolishment by the new government of various databases. Positive steps were being taken and he looked forward to seeing a further report of the impact of the government's proposed changes to the surveillance regimes on local authorities.
- 30.3 The Chairman stated that the council was committed to protecting important civil liberties.

- 30.4 Councillor Theobald advised that there were instances when surveillance was necessary and that it was therefore important for procedures to be in place and exercised appropriately.
- 30.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That the continued use of covert surveillance and the accessing of communications data as an enforcement tool to prevent and detect all crime and disorder investigated by its officers, providing the necessity and proportionality rules are stringently applied, be approved.
 - (2) That the amendments to the Policy and Procedures in line with the recommendations made by the revised Codes of Practice and the implementation of the two Orders made under the Act be approved.
 - (3) That the amendment to the Council's scheme of delegation such that the Director of Finance and Resources is recognised as the Senior Responsible Officer for the purposes of directed surveillance and access to communications data be approved.
 - (4) That the quarterly reporting template be adopted.
 - (5) That updates be provided to the Cabinet on the Government's proposed changes to the surveillance regime as affects Local Authorities in a timely manner.

The meeting concluded at 6.10pm

Signed

Chair

Dated this

day of