

BRIGHTON & HOVE CITY COUNCIL

CABINET

4.00PM 15 JANUARY 2009

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Mears (Chairman), Mrs Brown, Fallon-Khan, Kemble, K Norman, Smith and Young

Also in attendance: Councillor Mitchell (Leader of the Opposition)

Other Members present: Councillors Mrs Cobb, Hawkes and Kitcat

PART ONE

140. PROCEDURAL BUSINESS

140a Declarations of Interests

140a.1 Councillor Norman declared a personal interest in items 151 and 155 as he was a season ticket holder for the Brighton & Hove Albion Football Club.

140b Exclusion of Press and Public

140b.1 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

140b.2 **RESOLVED** - That the press and public be excluded from the meeting during consideration of items 155 onward.

141. MINUTES OF THE PREVIOUS MEETING

141.1 **RESOLVED** – That the minutes of the meeting held on 18 December 2008 be approved as a correct record.

142. CHAIRMAN'S COMMUNICATIONS

- 142.1 The Chairman welcomed Anna Turley (Deputy Director of the New Local Government Network) who was attending to observe proceedings.
- 142.2 The Chairman noted that the meeting would be web cast.
- 142.3 The Chairman reported that figures from the Brighton & Hove Business Forum that demonstrated that footfall in the city centre over Christmas was up almost 10% on last year. This appeared to support the suspension of road works over the Christmas period.
- 142.4 The Chairman noted the support for small businesses that the council was providing during the current economic situation. She noted that the 'Business Rate Relief' available could be significant; up to 50% of the full charge, plus it could be backdated.
- 142.5 The Chairman noted the closure of Woolworths and that the council had been assisting former Woolworths' staff, in partnership with Job Centre Plus, creating a rapid response team which visited 80 Woolworths' staff who had recently been made redundant.
- 142.6 The Chairman informed the meeting that she had agreed to permit two Late Items to be included for consideration at the meeting.
- (a) A report on the Community Stadium, which recommended approval of the business case for the stadium at Falmer.
 - (b) A report 'Single Status', that had been considered by Governance Committee earlier this week. This item would be considered in 'Part Two' of the agenda.
- 142.7 The Chairman reported that the Council had recently been named the UK's most gay-friendly local authority.
- 142.8 'Stonewall', the charity that promoting lesbian, gay and bisexual equality, had awarded the accolade due to the fair treatment of lesbian, gay and bisexual staff and the wider community. The Chairman welcomed the award recognizing that a happy workforce was a productive workforce.

143. ITEMS RESERVED FOR DISCUSSION

- 143.1 Items 150, 151, 153, 154, 155, 157 and 158 were reserved by the Cabinet.
- 143.2 In addition to these the Late Item in respect of 'Single Status' was reserved by Councillor Mitchell.
- 143.3 **RESOLVED** – That, with the exception of the items reserved (and marked with an asterisk), the recommendations and resolutions contained therein be approved and adopted without debate.

144. PETITIONS

144.1 There were none.

145. PUBLIC QUESTIONS

145.1 There were none.

146. DEPUTATIONS

146.1 There were none.

147. LETTERS FROM COUNCILLORS

147.1 There were none.

148. WRITTEN QUESTIONS FROM COUNCILLORS

148.1 The Chairman noted that there was one written question and asked Councillor Kitcat to put his question.

148.2 Councillor Kitcat asked:

“Could Councillor Theobald provide, in detail, any arrangements for measuring the levels of waste and recycling collected during and after the introduction of communal bins to the city centre?”

148.3 In Councillor Theobalds’ absence the Chairman replied:

‘The introduction of communal bins should keep our city’s streets cleaner, because there will not be back sacks on the streets that can be ripped open and rubbish strewn about.

Residents will also be able to put their rubbish out at any time rather than having to keep it in their homes until a certain day.

Communal bins will also save the taxpayers of this city around a million pounds.

Waste and recycling figures are only compiled on city-wide level.

Recycling rounds do not correspond to refuse collection rounds, and neither rounds correspond to ward areas. Collection vehicles for recycling and refuse have different routes meaning any figures recorded on collected tonnages are not directly comparable. Hence it is not possible to draw reliable conclusions about collection variations in particular areas.

The council is able to provide waste and recycling collection levels across the city before and after the introduction of communal bins, but not in specific areas.

Both now and after the introduction of communal bins, the council will continue to provide a weekly recycling service in the city centre, rather than a fortnightly one, recognising that many people have less storage space for recycling in these areas.'

148.4 Councillor Kitcat posed a supplementary question. He asked on what Constitution basis Councillor Theobald could ignore recommendations agreed in September 2007 by the Environment Committee that recycling rates would be measured.

148.5 The Chairman offered a written response.

149. NOTICES OF MOTIONS

149.1 There were none.

150. COUNCIL TAX BASE 2009/10*

150.1 The Cabinet considered a report of the Interim Director of Finance & Resources that reported on the tax base calculation for 2009/10 (for copy see minute book).

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

- (1) That the report of the Interim Director of Finance & Resources for the calculation of the council's tax base for the year 2009/10 be approved.
- (2) That the Collection Rate increases by 0.1% to 98.1% and that an additional budget allocation of £52,000 from 2009/10 is made to the Revenues Service to achieve this increase generating a net saving of £50,000.
- (3) That pursuant to the Interim Director of Finance & Resources report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amounts calculated by Brighton & Hove City Council as its council tax base for the year 2009/10 shall be as follows:-
 - For Brighton and Hove whole – 92,511.63
 - For the Royal Crescent Enclosure Committee – 30.29
 - For the Hanover Crescent Enclosure Committee – 40.35
 - For the Marine Square Enclosure Committee – 78.63
 - For the Parish of Rottingdean – 1,488.25
- (4) That for the purposes of Section 35(1) of the Local Government Finance Act 1992 the expenses of meeting the special levies issued to the council by the Enclosure Committees shall be its special expenses.

151. COMMUNITY STADIUM*

- 151.1 The Cabinet considered a report of the Director of Environment that recommended the terms of disposal of the site for the Community Stadium (for copy see minute book).
- 151.2 Councillor Mitchell welcomed the report, noting the quality design and access that the plans proposed. She noted the financial implications contained within the report.
- 151.3 The Chairman welcomed the report and commended the dedication of all parties in reaching this stage.
- 151.4 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That Cabinet approves the council entering into an Agreement for Lease with The Community Stadium Ltd and the University of Brighton under the terms set out in the Part 2 report.
 - (2) That Cabinet agrees that authority for discharging the Funding Condition in the Agreement for Lease be delegated to the Director of Finance and Resources and the Assistant Director of Finance (section 151 officer) in consultation with the Leader of the Council.
 - (3) That Cabinet agrees in principle (subject to any S123 consent required) a lease of the Stadium site to The Community Stadium Ltd on substantially the terms set out in the Part 2 report.
 - (4) That Cabinet notes the decision of Policy and Resources Committee in September 2007 that the council will support the Community Stadium scheme so far as is consistent with not directly funding the project.

152. INTEGRATED WASTE MANAGEMENT SERVICES CONTRACT (IWMSC) - ACQUISITION OF SITE AT PEBSHAM HASTINGS AND LEASING ARRANGEMENTS UNDER THE WASTE PFI

- 152.1 The Cabinet considered a report of the Director of Finance & Resources that summarised the arrangements leading to the Integrated Waste Management Service Contract and advised of the proposals for the provision of one of the sites for waste management and sought authorisation to deal with the property transactions (for copy see minute book).
- 152.2 Councillor Mitchell noted the contractual arrangements for both Veolia and South Downs Waste Services. She asked why Veolia would not be operating all services.
- 152.3 The Chairman offered a written response.
- 152.4 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That Cabinet approve and authorise the Director of Finance & Resources and Assistant Director Property & Design to enter into the following agreements :-
 - (a) The acquisition of a leasehold interest, jointly with ESCC, in land at Pebsham between Bexhill and Hastings.
 - (b) To grant, jointly with ESCC, an underlease to South Downs Waste Services Ltd (SDWS Ltd) to build and operate a waste transfer station, recycling facility and additional waste plant as required.

153. AWARD OF CONTRACT FOR NEW HR/PAYROLL SYSTEM*

153.1 The Cabinet considered a report of the Director of Strategy & Governance that sought approval for Brighton & Hove City Council to award the contract for the provision of an integrated HR/Payroll Management Information System and associated services (for copy see minute book).

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

- (1) To note the contents of the report and the information provided in the sister paper in Part Two of the Agenda.
- (2) That Cabinet approve the award of the contract to “contractor A” following the outcome of a tender submission and formal presentation.
- (3) That the five year contract, with an optional extension of up to a further two years, commences as soon as legal clarifications have been concluded.

154. REVIEW OF CABINET MEMBER FUNCTIONS FOR COMMUNITY SAFETY*

152.1 The Cabinet considered a report of the Director of Strategy & Governance that proposed a realignment of the Cabinet Member responsibilities in relation to Community Safety and to achieve greater co-ordination with related functions around equalities, inclusion and community affairs by transferring the Community Safety function from the Cabinet Member for Environment to the Cabinet Member for Community Affairs, Inclusion and Internal Relations (for copy see minute book).

152.2 The Cabinet noted an extract tabled from the Governance Committee which detailed their deliberations on the issue at their meeting on 13 January 2009.

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

- (1) That the proposed transfer of community safety functions delegated to the Cabinet Member for Environment as detailed in the report, to the Cabinet Member for Community Affairs, Inclusion and Internal Relations be agreed;
- (2) That the Head of Law be authorised to make the necessary amendments to the Council’s Constitution.

PART TWO SUMMARY**155. COMMUNITY STADIUM***

Exempt Category 3

155.1 The Cabinet considered a report of the Director of Environment that recommended the terms of disposal of the site for the Community Stadium (copy circulated to Members only).

155.2 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the recommendations as set out in the report.

156. INTEGRATED WASTE MANAGEMENT SERVICES CONTRACT (IWMSC) - ACQUISITION OF SITE AT PEBSHAM, HASTINGS AND LEASING ARRANGEMENTS UNDER WASTE PFI

Exempt Category 3

156.1 The Cabinet considered a report of the Director of Finance & Resources that summarised the arrangements leading to the Integrated Waste Management Service Contract and advised of the proposals for the provision of one of the sites for waste management and sought authorisation to deal with the property transactions (copy circulated to Members only).

156.2 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the recommendations as set out in the report.

157. AWARD OF A CONTRACT FOR A NEW HR/PAYROLL SYSTEM*

Exempt Category 3

157.1 The Cabinet considered a report of the Director of Strategy & Governance that sought approval for Brighton & Hove City Council to award the contract for the provision of an integrated HR/Payroll Management Information System and associated services (copy circulated to Members only).

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

- (1) To note the contents of additional procurement information, the business case and options appraisal in considering the paper “Procurement of a new HR system” in Part One of the agenda.

158. EQUAL PAY*

Exempt Categories 4 and 5

- 158.1 The Chairman accepted that the report was urgent and agreed its late inclusion for consideration at the meeting.
- 158.2 The Cabinet considered a report of the Director of Strategy & Governance and Interim Director of Finance & Resources that detailed the progress and consequences to date of the Single Status project. (copy circulated to Members only).
- 158.3 The Chairman noted that the report had been considered and approved by Governance Committee.
- 158.4 The Cabinet noted an extract from the Governance Committee that was tabled for information.
- 158.5 **RESOLVED** – That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations.
- (1) That the Cabinet notes the contents of the attached report and endorses the decision of the Governance Committee of 13th January 2009 (that will be reported to the Cabinet at 15th January meeting) and agreed the recommendations as per the report.
 - (2) That the Cabinet (as the Executive body) recommends to Council approval of the recommendations as contained within the report.

159. TO CONSIDER WHETHER OR NOT ANY OF THE ABOVE ITEMS AND THE DECISIONS THEREON SHOULD REMAIN EXEMPT FROM DISCLOSURE TO THE PRESS AND PUBLIC.

- 159.1 The Cabinet considered whether or not any of the above items should remain exempt from disclosure to the press and public.
- 159.2 **RESOLVED** – That items 155 – 158 inclusive, contained in Part Two of the agenda and the decisions thereon, remain exempt from disclosure to the press and public.

The meeting concluded at 4.55pm

Signed

Chair

Dated this

day of