

Decision No: CAB109 – 09/07/2009

Forward Plan No: N/A

This record relates to Agenda Item 48 on the agenda for the Decision-Making

## **RECORD OF CABINET DECISION**

<b>DECISION-MAKER:</b>	CABINET
<b>PORTFOLIO AREA:</b>	ADULT SOCIAL CARE & HOUSING
<b>SUBJECT:</b>	DUAL DIAGNOSIS
<b>AUTHOR:</b>	SIMON SCOTT

### **THE DECISION**

1. That Cabinet confirms, in principle, support for the review's recommendations detailed in appendix 1.
2. That Cabinet endorses the consideration of all the recommendations by the Working Age Mental Health Commissioning Strategy Working Group.
3. That Cabinet request that the Working Age Mental Health Commissioning Strategy presented to a future Cabinet meeting and made available to the members of Scrutiny Review.

### **REASON FOR THE DECISION**

Cabinet is required to provide a response to scrutiny reviews. Having considered the review and its recommendations Cabinet is keen to ensure that the work of the scrutiny panel and those that gave evidence is made best use of.

### **DETAILS OF ANY ALTERNATIVE OPTIONS**

An alternative option is to not accept the recommendations of the scrutiny review. However the detailed work and considered opinions of the experts in the field who contributed to the review are held to be accurate and valuable and thus should be considered as part of the development of the new commissioning strategy.

### **OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

**CONFLICTS OF INTEREST**

None.

**CONFIRMED AS A TRUE RECORD:**

**We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision**

**Date:**

09 July 2009

**Decision Maker:**

Councillor Mary Mears  
Leader of the Council

**Signed:**



**Proper Officer:**

09 July 2009

Mark Wall, Head of Democratic Services

**Signed:**



**SCRUTINY**

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**Call-In Period  
10-16 July 2009**

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB110 – 09/07/2009

Forward Plan No: CSCMM10635

This record relates to Agenda Item 49 on the agenda for the Decision-Making

## **RECORD OF CABINET KEY DECISION**

**DECISION-MAKER:** CABINET

**PORTFOLIO AREA:** STRATEGY & GOVERNANCE

**SUBJECT:** AGENCY CONTRACT FOR TEMPORARY STAFFING

**AUTHOR:** LANCE RICHARD

### **THE DECISION**

1. That Cabinet gives approval for a tender exercise to be carried out in compliance the European Union Public Procurement Directive to re-let Brighton & Hove Council for the provision of agency workers for all directorates across the council contract should incorporate both requests for temporary and interim workers.
2. That Cabinet agrees that the contract will start on 20 March 2010 for a period years with an option to extend a further two years.
3. That, following the tender process, Cabinet gives approval for a report to come back a special meeting of the Central Services Cabinet Member Meeting to award contact

### **REASON FOR THE DECISION**

Following a tender process in line with both EU and council regulations the contractor need to demonstrate through his tender submission and subsequent presentation that they are the company which has provided most evidence to support they ability to deliver on this contract.

The contract will support a number of the council's priorities in both better use of public money and increased opportunities for employment of local people contributing to the growth of the local economy.

### **DETAILS OF ANY ALTERNATIVE OPTIONS**

Consideration of an in-house bid has been reviewed in view of the payment complexity and the variety of workers requested this is not operationally or financially viable.

The option of a master vendor model (single provider) has been considered. This

would damage our relationship with niche providers who are locally based and source workers locally.

**OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

**CONFLICTS OF INTEREST**

None.

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB111 – 09/07/2009

Forward Plan No: CAB10165

This record relates to Agenda Item 50 on the agenda for the Decision-Making

## **RECORD OF CABINET KEY DECISION**

**DECISION-MAKER:** CABINET

**PORTFOLIO AREA:** ADULT SOCIAL CARE & HOUSING

**SUBJECT:** HOUSING MANAGEMENT REPAIRS,  
REFURBISHMENT AND IMPROVEMENT  
STRATEGIC PARTNERSHIP  
PROCUREMENT RECOMMENDATIONS  
REPORT

**AUTHOR:** NICK HIBBERD

### **THE DECISION**

1. That Cabinet:

- (a) Approve the selection of Mears Limited for the Repairs, Refurbishment Improvement Strategic Partnership contract covering the whole city.
- (b) Authorise the Director of Adult Social Care & Housing in consultation with Director of Finance & Resources and Cabinet Member for Housing to dev and implement a partnering contract over time to deliver the target pr framework as outlined in 3.11.4-3.11.9 of this report.
- (c) Authorise the Director of Adult Social Care & Housing in consultation with Cabinet Member for Housing to take all steps necessary or incidental to implementation of recommendations 2.1 and 2.2 including those necessar effect the commencement of this contract on 1 April 2010, to run for up to years, and any staffing issues associated with the proposals.

### **REASON FOR THE DECISION**

The award of this contract will enable Housing Management to meet the key objectives of the Procurement Strategy which was agreed in April 2008. The new contract is key to enabling the council to have a sustainable 30 year Business Plan for the housing stock and bring the maximum number of homes to the Brighton & Hove Standard (exceeding the Decent Homes standard).

## **DETAILS OF ANY ALTERNATIVE OPTIONS**

Alternative options including frameworks, consortia and supply chain clubs were considered as part of the development of the Procurement Strategy. The outcome of the procurement process has been assessed against the costs of keeping contracting arrangements as they are now (i.e. doing nothing) and establishing an in-house Direct Labour Organisation.

### *Do nothing*

Continuation of current contracting arrangements will not enable the HRA to have a sustainable Business Plan and meet Decent Homes requirements. Current repairs and maintenance procurement arrangements include:

- annual tendering of capital contracts with specified supply chains;
- two responsive and empty properties revenue repairs partnering contracts of 5 years with an option to extend for a two further years;
- two gas install and maintenance contracts for 5 years with optional extension;
- with the exception of gas servicing and repair, repairs to services such as lightning conductors and water tanks are on an ad hoc basis.

Annual re-tendering of capital contracts is relatively costly and inefficient and gives service providers no incentive to invest in additional benefits. Supply chains specified by the council do not allow access to service providers' own supply chains, which can be of the same standard but more cost effective. This also leads to inconsistent customer service materials and levels quality.

### *Direct Labour Organisation (DLO)*

An analysis of the costs of setting up and running a DLO have been produced by independent consultants in order to provide a comparison with the bidders proposals. A direct comparison of the economic cost over 10 years shows that the DLO option would be significantly more expensive than the preferred bid. The following factors make it difficult for the DLO to be competitive:

- The salaries for council staff are generally higher due to employer's pension contributions.
- The DLO has the disadvantage compared to the established bidders, of incurring set up costs for establishing a new organisation, as well as the mobilisation of the contract.
- Programmed works, which represent approximately 60% of the contract, materials costs are generally higher due to the council not achieving economies of scale for purchasing that national companies can achieve.

These factors are partly offset by savings from:

- The DLO option does not include an allowance for profit. Any under-spend is automatically reinvested within the HRA Budget.
- The DLO seeks to maximise directly employed staff and therefore reduce costs for specialist sub contractors.

## **OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

**CONFLICTS OF INTEREST**

None.

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09 July 2009

Mark Wall, Head of Democratic Services

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB112 – 09/07/2009

Forward Plan No: N/A

This record relates to Agenda Item 51 on the agenda for the Decision-Making

## **RECORD OF CABINET DECISION**

**DECISION-MAKER:** CABINET

**PORTFOLIO AREA:** STRATEGY & GOVERNANCE

**SUBJECT:** ANNUAL PROGRESS UPDATE ON THE LOCAL AREA AGREEMENT (LAA) 2008/09

**AUTHOR:** BARBARA GREEN

### **THE DECISION**

1. That Cabinet notes the good progress against the LAA outcomes in Appendices 1
2. That Cabinet notes the actions outlined in the Exception Report in Appendix address areas not meeting the agreed targets.
3. That Cabinet agrees to ask Cabinet Members to review any areas of poor performance in greater detail at future Cabinet Members Meetings and/or discusses with relevant leading partnership progress on the action plans.
4. That Cabinet notes the targets for the Local Area Agreement were negotiated in 2 before the impact of the economic recession on the achievements particularly employment and housing outcomes was fully appreciated. Nationally, it has been agreed that the specific economic indicator targets for 09/10 & 10/11 will be reviewed in light of the impact of the recession. The finalised revised targets will come back to future LSP and Cabinet.

### **REASON FOR THE DECISION**

The report provides information on progress against the LAA priorities ensuring close monitoring for continuous improvement.

### **DETAILS OF ANY ALTERNATIVE OPTIONS**

The monitoring of the Local Area Agreement is part of the performance management framework. This framework is a corporately defined process; as such no alternative options are appropriate.



**OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

**CONFLICTS OF INTEREST**

None.

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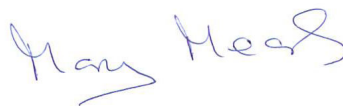
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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB113 – 09/07/2009

Forward Plan No: CAB9286

This record relates to Agenda Item 52 on the agenda for the Decision-Making

## **RECORD OF CABINET KEY DECISION**

**DECISION-MAKER:** CABINET

**PORTFOLIO AREA:** STRATEGY & GOVERNANCE

**SUBJECT:** SUSTAINABLE COMMUNITIES ACT –  
DECISION ON SUBMISSION TO LOCAL  
GOVERNMENT ASSOCIATION

**AUTHOR:** EMMA MCDERMOTT

### **THE DECISION**

1. That Cabinet approves the city council's submission under the first round of Sustainable Communities Act as detailed in appendix A.
2. That Cabinet agree that the ineligible proposals (appendix D) received in this process are tabled at the relevant Cabinet Member meeting for consideration and response

### **REASON FOR THE DECISION**

Cabinet is required to formally agree its submission to the Local Government Association as required by the Sustainable Communities Act.

### **DETAILS OF ANY ALTERNATIVE OPTIONS**

The process by which proposals are to be submitted under the Act was defined in the legislation and associated guidance. Opportunity for an alternative approach was limited. Lessons learnt locally and by other local authorities that opted into the Act will be incorporated into delivery of the next round.

### **OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

### **CONFLICTS OF INTEREST**

None.

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**Proper Officer:**

09 July 2009

Mark Wall, Head of Democratic Services

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB114 – 09/07/2009

Forward Plan No: N/A

This record relates to Agenda Item 53 on the agenda for the Decision-Making

## **RECORD OF CABINET DECISION**

**DECISION-MAKER:** CABINET

**PORTFOLIO AREA:** STRATEGY & GOVERNANCE

**SUBJECT:** MEMBERSHIP OF SOUTH EAST ENGLAND COUNCILS (SEEC)

**AUTHOR:** ANTHONY ZACHARZEWSKI

### **THE DECISION**

1. That Cabinet note the extract of the proceedings of the Governance Committee on 7 July 2009.
2. That Cabinet approve that Brighton & Hove City Council become a member of South East England Councils (SEEC).

### **REASON FOR THE DECISION**

Not applicable.

### **DETAILS OF ANY ALTERNATIVE OPTIONS**

Not applicable.

### **OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

### **CONFLICTS OF INTEREST**

None.

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB115 – 09/07/2009

Forward Plan No: N/A

This record relates to Agenda Item 54 on the agenda for the Decision-Making

## **RECORD OF CABINET DECISION**

**DECISION-MAKER:** CABINET

**PORTFOLIO AREA:** FINANCE & RESOURCES

**SUBJECT:** TREASURY MANAGEMENT POLICY STATEMENT (INCORPORATING THE ANNUAL INVESTMENT STRATEGY) 2008/09 - END OF YEAR REVIEW

**AUTHOR:** PETER SARGENT

### **THE DECISION**

That Cabinet:

- (a) endorse the action taken during the second half year to meet the treasury management policy statement and practices (including the annual investment strategy);
- (b) note the authorised limit and operational boundary set by the Council have not been exceeded; and
- (c) note that all Members will be offered training on the risks involved in borrowing and investments on an annual basis.

### **REASON FOR THE DECISION**

Treasury management is governed by a code that is recognised as 'best and proper practice' under the Local Government Act 2003. The Code requires a minimum of two reports per year, one of which is a report looking back at the closing year. This report fulfils this requirement.

### **DETAILS OF ANY ALTERNATIVE OPTIONS**

This report sets out action taken in the six months to March 2009. No alternative options are therefore considered necessary.

### **OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

**CONFLICTS OF INTEREST**

None.

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**Proper Officer:**

09 July 2009

Mark Wall, Head of Democratic Services

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Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB116 – 09/07/2009

Forward Plan No: CAB11354

This record relates to Agenda Item 55 on the agenda for the Decision-Making

## **RECORD OF CABINET KEY DECISION**

**DECISION-MAKER:** CABINET

**PORTFOLIO AREA:** FINANCE & RESOURCES

**SUBJECT:** CAPITAL INVESTMENT PROGRAMME  
2009/10

**AUTHOR:** NIGEL MANVELL

### **THE DECISION**

1. That Cabinet approve the capital schemes detailed at Appendix 1.
2. That Cabinet approve the capital variation requested at Appendix 2.

### **REASON FOR THE DECISION**

For capital schemes in excess of £100,000, Financial Regulations require the Cabinet's approval before schemes can proceed and any expenditure is incurred.

### **DETAILS OF ANY ALTERNATIVE OPTIONS**

The capital investments detailed in Appendix 1 and 2 have been approved in principle by Full Council as part of the Capital Investment Programme 2009/10. Appendix 1 sets out the rationale for investing in each scheme and details any options considered in drawing up final scheme details. Appendix 2 sets out the reasons for the variation and the method of funding the increase.

### **OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

### **CONFLICTS OF INTEREST**

None.

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB117 – 09/07/2009

Forward Plan No: CAB10525

This record relates to Agenda Item 56 on the agenda for the Decision-Making

## **RECORD OF CABINET KEY DECISION**

<b>DECISION-MAKER:</b>	CABINET
<b>PORTFOLIO AREA:</b>	FINANCE & RESOURCES
<b>SUBJECT:</b>	BUDGET UPDATE AND BUDGET PROCESS 2010/11
<b>AUTHOR:</b>	JAMES HENGEVELD

### **THE DECISION**

1. That Cabinet notes the resource and expenditure projections for 2010/11 to 2012/13 set out in table 3 in paragraph 3.19.
2. That Cabinet agrees that the provision for future pay awards becomes a joint provision for both future pay awards and increased pension contributions.
3. That Cabinet notes the further development of the Value for Money programme set out in paragraphs 3.31 to 3.35.
4. That Cabinet instructs Directors and relevant Cabinet Members to produce budget strategies to provide their services within the indicative cash limits as set out in appendix 1.
5. That Cabinet instructs Directors to demonstrate 4% efficiency savings for each year within their budget strategies.
6. That Cabinet notes the resource projections for the capital investment programme shown in appendix 2 of this report.
7. That Cabinet agrees the timetable for budget reports set out in paragraph 3.48.

### **REASON FOR THE DECISION**

The council is under a statutory duty to set its council tax and budget before 11 March each year. This report sets out the budget assumptions, process and timetable to meet its statutory duty.

**DETAILS OF ANY ALTERNATIVE OPTIONS**

The budget process allows all parties to put forward viable alternative budget and council tax proposals to Budget Council on 25 February. Budget Council has the opportunity to debate both the proposals put forward by Cabinet at the same time as any viable alternative proposals.

**OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

**CONFLICTS OF INTEREST**

None.

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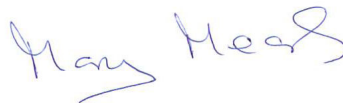
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Call-in Procedure completed (*if applicable*)

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB118 – 09/07/2009

Forward Plan No: CAB10939

This record relates to Agenda Item 57 on the agenda for the Decision-Making

## **RECORD OF CABINET KEY DECISION**

<b>DECISION-MAKER:</b>	CABINET
<b>PORTFOLIO AREA:</b>	ENVIRONMENT
<b>SUBJECT:</b>	CIVITAS UPDATE AND WORK PROGRAMME
<b>AUTHOR:</b>	JIM MAYOR

### **THE DECISION**

1. That Cabinet notes progress to date, and approves recommendations relating to individual projects, outlined in the body of the main report.
2. That Cabinet agrees a revised reporting process to ensure a more appropriate method of sharing information and enabling formal decision making (as set out in 3.2 and 3.3)

### **REASON FOR THE DECISION**

Individual project recommendations are designed to ensure Cabinet have transparent clear awareness and influence over the progress of each project, or formally delegate influence to the Cabinet Member for Environment where this will beneficially enhance project delivery in line with wider council and CIVITAS objectives and timescales.

The suggested reporting process (a six monthly report to Cabinet with the Cabinet Member for Environment using his discretion to make any decisions that fall outside the timetable) provides an appropriate balance of regular reporting. More or less frequent reports would provide Cabinet with too little or too much information.

### **DETAILS OF ANY ALTERNATIVE OPTIONS**

The best way to achieve the objectives of each project will be informed by best practise research and option appraisal at project level. The suggested reporting process (a six monthly report to Cabinet with the Cabinet Member for Environment using his discretion to make any decisions that fall outside that timetable) provides an appropriate balance of regular reporting. More or less frequent reports would provide Cabinet with too little or too much information. Projects within the programme have been agreed through CIVITAS and council (Cabinet) processes.

**OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

**CONFLICTS OF INTEREST**

None.

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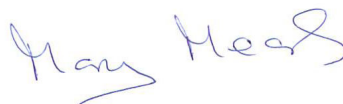
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Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB119 – 09/07/2009

Forward Plan No: CAB11023

This record relates to Agenda Item 58 on the agenda for the Decision-Making

## **RECORD OF CABINET KEY DECISION**

**DECISION-MAKER:** CABINET

**PORTFOLIO AREA:** ENVIRONMENT

**SUBJECT:** CLOSURE OF PREMISES PROTOCOLS:  
ASSOCIATED WITH PERSISTENT  
DISORDER OR NUISANCE AND CLASS  
A DRUG PREMISES

**AUTHOR:** JENNY KNIGHT

### **THE DECISION**

1. That Cabinet formally approve the protocols for use within Brighton & Hove.
2. That Cabinet approve the recommended delegated authorities for the use of the powers.

### **REASON FOR THE DECISION**

To provide information on and seek approval for the protocols governing the use of closure orders within Brighton & Hove.

To inform Cabinet of the new powers to close premises associated with serious and persistent nuisance and disorder.

### **DETAILS OF ANY ALTERNATIVE OPTIONS**

The development of city wide protocols complies with government good practice and therefore no alternative options are being proposed.

### **OTHER RELEVANT MATTERS CONCERNING THE DECISION**

None

### **CONFLICTS OF INTEREST**

None.

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