

**BRIGHTON & HOVE CITY COUNCIL**

**CABINET**

**4.00PM 14 OCTOBER 2010**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Mears (Chairman), Alford, Brown, Fallon-Khan, K Norman, Smith, G Theobald and Young

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

**Other Members present:** Councillors Oxley

**PART ONE**

**75. PROCEDURAL BUSINESS**

**75a Declarations of Interest**

75a.1 Councillor Randall a personal, but non-prejudicial interest in Item 87, a report of the Director of Finance & Resources concerning the council's Value for Money Programme, because his son was employed by Southdown Housing Association.

75a.2 Councillor Randall also declared a personal, but non-prejudicial interest in Item 88, a report of the Acting Director of Environment concerning proposals for New England House, because his daughter used an office located in the building.

**75b Exclusion of Press and Public**

75b.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).

75b.2 **RESOLVED** – That the press and public be not excluded from the meeting.

**76. MINUTES OF THE PREVIOUS MEETING**

76.1 **RESOLVED** - That the minutes of the meeting held on 23 September 2010 be approved as a correct record.

**77. CHAIRMAN'S COMMUNICATIONS**

- 77.1 The Chairman noted that the meeting would be webcast.
- 77.2 The Chairman advised that the Cabinet would consider a late report concerning the acquisition of the Connaught Centre for use as a new primary school, which would have a significant impact of the shortage of primary school places in the west of the city. She thanked Phil Frier at City College and the officers involved in the negotiations for their hard work.
- 77.3 The Chairman thanked Chief Superintendent Graham Bartlett and Sussex Police for maintaining public order during the recent Smash EDO demonstration, despite the organisers' refusal to co-operate with the Police, and as result more resources had to be deployed at a significant cost to the Police.

Opposition Members also gave their thanks to the Police and condemned the organisers' for refusing to co-operate with them to ensure that the protest was peaceful and caused the minimum amount of disruption.

- 77.4 The Chairman announced that roadworks in the city centre would again be suspended for the Christmas period to support local traders and encourage shoppers.
- 77.5 The Chairman noted the forthcoming White Nights Festival and encouraged people to attend and sample the cultural events and entertainment on offer.

**78. ITEMS RESERVED FOR DISCUSSION**

- 78.1 **RESOLVED** – That all the items be reserved for discussion and that Item 89 be brought forward on the agenda and taken as the first substantive item.

**79. PETITIONS****79(i) E-petition – an Academy at Portslade Community College**

- 79.1 Mr Jonathan Watson had submitted an e-petition signed by 157 people opposing proposals to create an Academy at Portslade Community College.
- 79.2 Mr Watson was unable to attend the meeting.
- 79.3 **RESOLVED** – That the petition be noted and the response be published on the council's website.

**79(ii) E-petition – 11x bus route**

- 79.4 The East Brunswick Residents' Association had submitted an e-petition signed by 80 people calling for the council to cancel the 11x bus route.
- 79.5 East Brunswick Residents' Association representative Mr Bill Cowell was unable to attend the meeting.

79.6 **RESOLVED** – That the petition be noted and the response be published on the council's website.

## 80. PUBLIC QUESTIONS

80.1 There were none.

## 81. DEPUTATIONS

81.1 There were none.

## 82. LETTERS FROM COUNCILLORS

82.1 Councillor Phillips had submitted a letter, but had subsequently requested that consideration of it be deferred to a future meeting.

82.2 **RESOLVED** – That the letter be deferred.

## 83. WRITTEN QUESTIONS FROM COUNCILLORS

83.1 There were none.

## 84. NOTICES OF MOTION

84.1 There were none.

## 85. STRENGTHENING COMMUNITIES REVIEW - STAGE ONE REPORT

85.1 The Cabinet considered a report of the Acting Director of Strategy & Governance concerning stage one of the results of the formal review of the Strengthening Communities commissioning activity.

85.2 Councillor Mitchell advised that the report had been discussed in detail at the Governance Committee and thanked officers for the significant amount of work undertaken to complete the review. She welcomed the proposed needs analysis approach to commissioning in relation to people and place, but advised that there must be improved clarity of purpose and outcomes, while ensuring that existing neighbourhood specific work was not damaged.

85.3 Councillor Randall welcomed the report and the timing of the review, but added that the Community and Voluntary Sector must not become a substitute for good public services. With regard to the Local Economic Partnership (LEP), he reported that a recent meeting had indicated that the business community were not sufficiently aware of the importance of the Third Sector and that this would need to be addressed.

85.4 Councillor Watkins stated that the council would need to actively promote and support the Third Sector to ensure that the business community and other groups outside the council understood their significance. He thanked the officers in advance for the next stage of the work.

85.5 The Chairman explained that the Community and Voluntary Sector were fully engaged with the council and were in regular contact with officers. She added that Councillor Fallon-Khan would follow up the issue highlighted by the Economic Partnership meeting.

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

- (1) That the contents of the initial report be noted.
- (2) That the following principles for commissioning based on review findings be agreed:
  - a) Third Sector Representation
    - Continuing to commission third sector representation across all activity linked to Intelligent Commissioning.
    - Continuing to commission third sector representation and involvement in the delivery of the Sustainable Community Strategy.
    - In particular, ensure support focuses on supporting smaller, neighbourhood and grass roots groups.
  - b) Strategic Coordination of Community Engagement
    - Continuing to commission strategic coordination of the Community Engagement Framework and action plan.
    - Continuing to commission activities that support and develop best practice in community engagement.
  - c) People and Place
    - Commission through a need analysis approach that takes into account both people and place, ensuring those less able to engage and participate are supported.
    - Commission for bottom up solutions that support communities to identify their own solutions to local issues and problems.
    - Commission for the outcomes of engagement rather than activities that impose structures, allowing different communities to decide what works for them
- (3) That a further (stage two) report focussing on broader engagement activity in the City with a particular focus on the City Council's own engagement practice and processes be submitted to a further meeting of the Cabinet.

## 86. SE7 ICT JOINT WORKING

86.1 The Cabinet considered a report of the Director of Finance & Resources concerning work undertaken in relation to information technology, on which the council has led as part of the South East 7 (SE7) group of authorities, and seeks approval for the strategic vision and detailed workstream proposals.

86.2 Councillor Randall welcomed the report and added that he hoped opportunities for small local companies to be involved would remain.

- 86.3 The Chairman explained that the arrangements were designed to be flexible to allow local authorities to choose whether to use local businesses or be part of a larger contract.
- 86.4 The Director of Finance & Resources advised that significant opportunities would arise from developing a network of networks through the SE7 and that plans were progressing quickly. She explained that by developing the ICT infrastructure, more joint-working would be possible in the future.
- 86.5 The Chairman gave a commitment to bring a further update to the Cabinet at a future meeting.
- 86.6 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That the strategic vision of a “network of networks” for the southeast region be agreed.
  - (2) That the six proposed ICT workstreams be agreed.

## 87. VALUE FOR MONEY AND FINANCIAL PLANNING UPDATE

- 87.1 The Cabinet considered a report of the Director of Finance & Resources updating Members on the council’s Value for Money (VFM) Programme and other initiatives being considered to achieve substantial efficiency savings across the council over a four year period.
- 87.2 Councillor Mitchell welcomed the value for money opportunities identified through looking at work styles and the council’s fleet of vehicles, but raised concerns over the increased speed of implementation of Self Directed Support in Adult Social Care, the continued impact on Children’s Services and the effect of the proposed restructure within Sustainable Transport, including potential job losses.
- 87.3 Councillor Randall also highlighted the impact of savings on Adult Social Care and Children’s Services. He explained that while he supported the move towards personalisation, it should not be used as a tool for saving money and the current targets were arbitrary and unachievable. He also raised concerns over cuts to schools budgets and bus subsidies, and made a plea for the Number 37 bus to be retained as it was heavily utilised by older people.
- 87.4 Councillor Norman gave assurances that although the move towards personalised budgets was progressing quickly, the council would not continue moving forward if the support was not in place for those clients. It was not a simple process and would take time for many, but officers were working closely with clients to ensure they were happy and in receipt of the care and support they needed.

The Personal Assistant (PA) Noticeboard had been launched and was successfully linking those in need of help with PAs and positive feedback had already been received. Measures were in place to allow all those wishing to move on to the personalisation programme to do so and this included help with managing accounts.

Councillor Norman stated that personalisation was not being used primarily to save money; members of the public were being given support to access the help they wanted and needed, and in the long term this would also result in savings for the council.

- 87.5 Councillor Brown advised that every effort would be made to minimise cuts in Children's Services and their impact by concentrating on early intervention and prevention.
- 87.6 Councillor Young added that personalisation would save the council money by allowing people to remain independent for longer and stay in their own homes.
- 87.7 The Chairman advised that the council would lobby the government in relation to concessionary bus fares and agreed to ask officers to provide an up to date briefing for Members.
- 87.8 Councillor Theobald confirmed that no decisions had been made in relation to individual bus routes.
- 87.9 Councillor Young reported that she was confident that the 2010/11 spending would be on budget and that savings continued to be made by finding different ways of doing things.
- 87.10 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That the continued progress of the Value for Money Programme be noted.
- (2) That the consultation documents on changes to elements of the local government finance system be noted.
- (3) That concessionary fares be prioritised for lobbying central government.

## **88. NEW ENGLAND HOUSE**

- 88.1 The Cabinet considered a report of the Acting Director of Environment concerning the findings of a study to assess proposals for New England House to provide a hub for digital media businesses and the wider creative industries.
- 88.2 Councillor Mitchell welcomed the proposals, which would help prevent companies from having to turn down valuable contracts in the future due to a lack of 'move on' space for expanding businesses. The city was in need of a hub for creative industries to allow it to compete with other cities and New England House was in a prime location to provide this. She added that it would be vital for the council to encourage the universities to be involved in developing the proposals.
- 88.3 Councillor Randall also welcomed the report and echoed Councillor Mitchell's comments in relation to university involvement. He stated that in the longer term consideration should be given to asset transfer if the future occupants were in favour.

He advised that a number of existing tenants at New England House had reported that they had not yet received any information about the proposed development plans and concerns had been raised about future affordability and retention of the loading bay and car park; he requested that the council communicate with tenants throughout the development process.

- 88.4 Councillor Theobald praised Councillor Fallon-Khan for progressing the plans for New England House and reported that Brighton & Hove was one of the most successful cities in the country for growing private businesses.
- 88.5 The Chairman advised that Brighton & Hove had been recognised as one of the five super cities for bringing the country out of the recession and that the diversity of businesses and skills should also be acknowledged.
- 88.6 Councillor Alford stated that New England House had much potential and that he looked forward to seeing the outcome of the redevelopment.
- 88.7 Councillor Watkins welcomed the report and advised that the council must be mindful of the knock on effect on other businesses. He added that the student community would support the proposals and that he hoped it would encourage them to remain in the city upon graduation.
- 88.8 Councillor Fallon-Khan explained that the council worked closely with the universities and would do so on this to secure the right opportunities for graduates; the business community would also be involved in developing the proposals. The consultation had been extensive and included tenants, who had themselves acknowledged that they could have engaged more in the process.

The council was actively encouraging business start-ups in all sectors, not just digital media, and aimed to ensure that the city was in the best possible position when the recession subsided. The council planned to use New England House, a building that it owned, as an example to organisations and businesses; it was envisaged that it would become a natural extension of The Lanes and that other parts of the city would follow suit.

- 88.9 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That the contents of the Executive Summary of the New England House, Brighton Digital media and Innovation Hub Joint Venture Vehicle Business Case at Appendix 1 (full report available in Member's Rooms) be noted.
  - (2) That, based on the report's findings, development option D for the building, refurbishment and renewal with network and innovation space be pursued, whilst also exploring the potential for further development of the innovation partnership with the development partners Wired Sussex and the University of Sussex.

**89. CHANGES TO THE SCHEME OF DELEGATIONS TO OFFICERS**

89.1 The Cabinet considered a report of the Acting Director of Strategy & Governance seeking approval for the revised Scheme of Delegations to Officers, amended to reflect the implementation of the Intelligent Commissioning system.

89.2 The Chairman invited Councillor Oxley, Chairman of the Governance Committee, to introduce the report.

89.3 Councillor Oxley reported that the Governance Committee had already approved the scheme, to the extent that it related to council functions, and recommended that the Cabinet agree the elements of the scheme relating to executive functions.

He explained that the amended scheme did not affect the balance of power between Members and officers, except that responsibility for issues relating to gypsies and travellers would be transferred from the Cabinet Member for Environment to the Cabinet Member for Housing.

He advised that a revised directory of services, including contact details, would be issued to Members and that training would be offered in due course.

89.4 The Chairman endorsed Councillor Oxley's comments and added that a full debate had taken place at the Governance Committee, where the links to the implementation of Intelligent Commissioning had been made clear.

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

- (1) That the recommendations of the Governance Committee as set out in the extracts in Appendix 2 be noted and the following be agreed:
  - (i) That the amended Scheme of Delegations to Officers as set out in Appendix 1, to the extent that it relates to Executive functions, be approved;
  - (ii) That the amended Scheme of Delegations comes into force on 1<sup>st</sup> November 2010;
  - (iii) That the services provided by the Delivery Units on 1<sup>st</sup> November 2010 be deemed to have been commissioned and therefore authorised. This shall be without prejudice to the power to review the services at any time as part of the Intelligent Commissioning cycle;
  - (iv) That the functions of the Council regarding Travellers and Gypsies be transferred from the Cabinet Member for Environment to the Cabinet Member for Housing;
  - (v) That the Chief Executive be granted delegated powers to take all steps necessary or incidental to the implementation of the changes, including the power to make transitional arrangements;

- (vi) That the Head of Law be authorised to make any necessary or consequential amendments to the constitution to reflect the changes.

NOTE: This item was brought forward and considered immediately after Item 84.

## **89A EXCHANGE OF LEASES FOR WILSON AVENUE AND THE CONNAUGHT CENTRE**

- 89a.1 The Cabinet considered a late report of the Acting Director of Children's Services concerning the exchange of leases for Wilson Avenue and the Connaught Centre for the purpose of creating a new primary school in Hove.
- 89a.2 Councillor Brown explained that further detail about the proposals would be considered at the next Children & Young People Cabinet Member Meeting. She confirmed that the new school would open in September 2011 and thanked Phil Frier at City College, Gill Sweetenham and all officers involved in the negotiations.
- 89a.3 Councillor Smith gave assurance that facilities at the Stanley Deason Leisure Centre would only be used by City College for a set number of hours per week during term time and that other schools and groups would be able to access them at all other times.
- 89a.4 Councillor Mitchell welcomed the creation of a new primary school, but stated it that use of the Connaught Centre was only a temporary measure and that a new school was still needed.
- 89a.5 In response to questions from Councillor Mitchell, Councillor Brown explained that further work would be undertaken to determine the arrangements for the new school, which would initially be run on a satellite basis by an existing school; consideration would be given to providing a three-form entry infant school or an all through primary school.
- 89a.6 The Chairman endorsed the supporting comments and acknowledged the hard work of those involved.
- 89a.7 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That the Council enter into an exchange of leases for a period of thirty years, subject to break clauses as appropriate, with City College Brighton & Hove whereby the Council shall take a lease of land at the Connaught Centre shown on plan 1 and City College take a lease of land at Wilson Avenue shown on plan 2.
  - (2) That the detailed terms of the leases shall be agreed by the Acting Director of Children's Services or the Lead Commissioner Schools, Skills and Learning as appropriate and the Head of Law in consultation with the Cabinet Member for Children & Young People.

The meeting concluded at 5.07pm

Signed

Chair

Dated this

day of