

BRIGHTON & HOVE CITY COUNCIL

CHILDREN & YOUNG PEOPLE'S OVERVIEW & SCRUTINY COMMITTEE

10.00AM 21 OCTOBER 2010

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Older (Chairman); McCaffery (Deputy Chairman), Davis, Deane, A Norman, Smart, Peltzer Dunn (In place of Hyde) and Kitcat (In place of Phillips)

Statutory Co-optees: with voting rights::

Non-Statutory Co-optees: Carrie Britton (Children's Health) (Non-Voting Co-Optee)

Apologies: Councillor Lynda Hyde, Councillor Alex Phillips, Mike Wilson, David Sanders, Amanda Mortensen, Joanna Martindale and Mark Price

PART ONE

23. PROCEDURAL BUSINESS

23a. Declaration of Substitutes

23.1 Councillors Lynda Hyde, Alex Phillips sent their apologies.

Substitutions for Councillors included Garry Peltzer-Dunn for Lynda Hyde and Jason Kitkat for Alex Phillips.

23b. Declarations of Interest

23.2 There were none.

23c. Declaration of Party Whip

23.3 There were none.

23d. Exclusion from the Press and Public

23.4 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.

23.5 **RESOLVED-** That the press and public not be excluded from the meeting.

24. CALL-IN OF THE BRIGHT START NURSERY CONSULTATION

- 24.1 Councillor Kennedy introduced the reasons for the Call -In request.
- 24.2 Councillor Brown responded to the Call-In and set out additional information in relation to the issue.
- 24.3 CYPOSC Members asked questions, to which responses were made on the following subjects.
- 24.4 In answer to a question on why the Cabinet Member didn't follow the Cabinet Office guidelines of 12 weeks for consultation, (rather than the 4 weeks given to consult on the Bright Start Nursery), Members heard that these were guidelines and 4 weeks was deemed as being satisfactory in this case.
- 24.5 In response to further clarification on the details of the £230,000 capital expenditure, Members were advised that the information would be available during the consultation.
- 24.6 In answer to a question on the terms and conditions of employment in relation to consulting with council employees, Members were told that there were two separate consultations in place, which were for staff and for users of the nursery and that both consultations would run in parallel to each other.

In addition to this it was advised that the nursery was a benefit and therefore could be withdrawn with reasonable notice, without the need to consult with staff, and was not within the terms and conditions of employment.

- 24.7 In response to a question regarding alternative provision should Bright Start close, Members were advised that the Family Information Service (FIS) provided the most up to date information on availability of childcare places. Parents could contact the FIS for advice on alternative childcare places based on their individual needs..

The availability of nursery places changes on a daily basis therefore it would have been inappropriate to discuss alternative places on a general level. The best way was to look at individual circumstances through the FIS.

- 24.8 In answer to whether the Cabinet Member for Children and Young People would consider viable options, through the consultation process for keeping the nursery open, it was confirmed that all the evidence that will be gathered during the consultation would be considered to decide the best way forward.
- 24.9 It was confirmed that procedurally permission had to be granted by the Cabinet Member to carry out the consultation; which included consulting with staff and users of the nursery.
- 24.10 The Committee considered the following amended motion:

CYPOSC to refer the decision to consult on the closure of the Bright Start Nursery to the Cabinet Member and request the Cabinet Member

- a) Consider all options for a consultation period of 12 weeks
- b) Consider the full detailed consultation document before it is publicised

Following a vote the amendment was not upheld.

24.11 RESOLVED-

(1)

(a) Noted the decision taken by the Children and Young People Cabinet Member on the 11 October 2010 in relation to the Bright Start Nursery Consultation;

(b) Noted the subsequent Call-In request;

(c) Noted the additional information supplied by the Acting Director of Children's Services.

(2) CYPOSC determined not to refer the decision back to the Children and Young People Cabinet Member for reconsideration.

(3) CYPOSC requested that Members should receive a copy of the consultation document when it's made available

The meeting concluded at 11.15am

Signed

Chair

Dated this

day of