

**BRIGHTON & HOVE CITY COUNCIL**

**CABINET**

**4.00PM 10 MAY 2012**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Randall (Chair), Bowden, Duncan, Jarrett, J Kitcat, Shanks, Wakefield and West.

**Also in attendance:** Councillors G. Theobald and Mitchell.

**Other Members present:** Councillor Fitch.

**PART ONE**

**255. PROCEDURAL BUSINESS**

**255. (a) Declarations of Interest**

255.1 There were no declarations of substitutes.

**(b) Exclusion of Press and Public**

255.2 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).

255.3 **RESOLVED** – That the press and public be excluded from the meeting during consideration of the item listed in Part Two of the agenda.

**256. MINUTES OF THE PREVIOUS MEETING**

256.1 **RESOLVED** - That the minutes of the meeting held on 17<sup>th</sup> April 2012 be approved as a correct record.

**257. CHAIR'S COMMUNICATIONS**

257.1 The Chair noted that the meeting would be webcast and that it was the last Cabinet meeting under the existing governance arrangements which were due to change to a

committee system after the Annual Council Meeting. He hoped that the changes would see a move towards a more democratic mode of decision making and increased Member/public involvement.

257.2 The Chair also referred to the various priorities that had been taken forward during his year as Leader, tackling inequality, creating a more sustainable city, engaging people who live and work in the city, being a responsible and empowering employer and becoming a council the city deserves. He was personally pleased to witness the new and invigorated relationship that the council had across all the partnerships, including the business community and the trade unions.

257.3 The Chair stated that he had attended the opening of the Brighton Festival, and had been enthralled by the Children's Parade and especially a banner proclaiming 'there is no planet B.' He had been delighted to note the £700k allocation to the Brighton & Hove Music and Arts from the Arts Council, to enable it to become a music hub. Finally, he was looking forward to becoming Mayor and wanted to take the opportunity to thank colleagues, Members of the Opposition Groups and officers for their support during his time as Leader.

257.4 Councillor Mitchell stated that she wished to thank the Chair for his open and transparent running of the Cabinet and willingness to enable opposition Members to take part in meetings and hoped that his mayoral year would be an exciting one.

257.5 Councillor G. Theobald also wished to offer his thanks to the Chair and noted that it was likely to be a very different scenario under the committee system.

## **258. ITEMS RESERVED FOR DISCUSSION**

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

## **259. PETITIONS**

259.1 The Chair noted that he had been notified of three petitions to be presented at the meeting and invited Councillor Fitch to come forward and present his petition.

259.2 Councillor Fitch presented a petition signed by 295 people calling on the council to reject any plans for the development of Toad's Hole Valley. Councillor Fitch stated that local residents were concerned about the plans for the valley and were seeking assurances that there would be full consultation and safeguards in place to protect the valley.

259.3 The Chair thanked Councillor Fitch for attending the meeting and presenting the petition and stated that there was a need to take account of the potential of the area in planning for the future of the city. However, there would always be a consultation process for any proposals and an opportunity to explore the options available. He therefore proposed that the petition should be noted.

259.4 **RESOLVED:** That the petition be noted.

259.5 The Chair then invited Ms. Roberts to come forward and present her petition.

259.6 Ms. Roberts thanked the Chair and presented a petition on behalf of over 100 residents seeking the introduction of 20mph speed limits on the roads in the residential area north of Hove station. She stated that the residents were aware of the difficulties in enforcing 20mph zones, but felt that its implementation would help to change the culture of drivers in the area and bring about a positive change.

259.7 The Chair thanked Ms. Roberts for attending the meeting and presenting the petition. He stated that the Cabinet Member for Transport, Councillor Davey was looking at the introduction of 20mph zones across the city and he would ensure that Councillor Davey took on board the request and discussed it with officers, before responding to Ms. Roberts. He then proposed that the petition be noted.

259.8 **RESOLVED:** That the petition be noted.

259.9 The Chair then invited Mr. Rutherford to come forward and present his petition.

259.10 Mr. Rutherford thanked the Chair and stated that the petition was signed by 160 people and called for the inclusion of the area known as Fiveways to be included the current consultation process for parking controls in Preston Park and north of the London Road. He stated that residents were concerned that the outcome of the consultation process would result in parking controls being introduced in the two areas which would lead to a displacement of parking in the Fiveways area and therefore it would be beneficial to include it as part of the current consultation process.

259.11 The Chair thanked Mr. Rutherford for attending the meeting and presenting the petition and stated that he was aware of the issue being heavily debated in the ward. He would raise the matter with the Cabinet Member responsible for Transport and ask that consideration be given to the request as outlined in the petition. He then proposed that the petition be noted.

259.12 **RESOLVED:** That the petition be noted.

## **260. PUBLIC QUESTIONS**

260.1 The Chair noted that there were three questions from members of the public and invited Ms. Paynter to come forward and put her question to the meeting.

260.2 Ms. Paynter thanked the Chair and asked the following question, "Within the May local elections, Queens Park, governed by Westminster City Council in London voted in a referendum on whether or not to take advantage of the Localism Bill and create a Parish Council there. It has got me wondering, what are the differences and similarities as between a Parish Council and a Neighbourhood Council and is there anything to stop wards in Brighton & Hove seeking to become new Parish Councils within the unitary authority?"

260.3 Councillor Duncan, Cabinet Member for Communities, Equalities & Public Protection stated that there were a number of options for neighbourhood governance models, some of which were the subject of a report on the agenda for the current meeting. In regard to Parish Councils the Localism Act provided for communities to seek to

establish a Parish Council; however this was not something that the council itself was considering at this moment in time.

260.4 Ms. Paynter noted the information and asked if further information could be provided in writing as she believed that a number of people in Hove would be interested in the various options for neighbourhood governance including that of a Parish Council. She queried whether it was something that would be considered in the future.

260.5 The Chair stated that he was happy to note the option for future consideration as part of expanding neighbourhood governance across the city and referred Ms. Paynter to the National Association of Local Councils website for further information. He then thanked Ms. Paynter for attending the meeting and invited Ms. Crook to come forward and put her question to the meeting.

260.6 Ms. Crook thanked the Chair and asked the following question, "Please can you outline what measures the Council have undertaken with regards to health and safety and pool operating machinery to ensure that Saltdean Lido is legally ready to open on the 31 May 2012 as per the terms and conditions of the leaseholder's lease?"

260.7 Councillor Bowden, Cabinet Member for Culture, Tourism & Recreation thanked Ms. Crook for her question and stated that the leaseholder had been instructed to take the necessary actions in accordance with health & safety regulations to ensure that the pool was ready for opening and if need be an Improvement Notice would be issued.

260.8 Ms. Crook noted the information and stated that following a number of FOI requests concern had been expressed over the council's failure to follow up on action required of the leaseholder and queried what action would be taken if suitable documentary evidence was not received to ensure the opening of the pool on the 31<sup>st</sup> May.

260.9 Councillor Bowden stated that there would be a need to see if an improvement notice was required and then should one be issued and it not result in appropriate action being taken by the leaseholder consideration given to the council's position.

260.10 The Chair thanked Ms Crook for attending the meeting and putting her questions and invited Ms. Fishleigh to come forward and put her question to the meeting.

260.11 Ms. Fishleigh thanked the Chair and asked the following question, "BHCC is meeting the leaseholder of Saltdean Lido next week. If Mr Audley refuses to surrender his lease at this meeting when will the LPA be serving a section 48 repairs notice to ensure that the leaseholder is compelled to start fixing the serious structural issues which have been identified in multiple surveys commissioned by the council?"

Please could you also outline which officials and council committees will make the decision about serving the section 48 repairs notice?"

260.12 Councillor Bowden thanked Ms. Fishleigh for her question and stated that the council was due to enter into a mediation process with the leaseholder in the coming week and depending on the outcome a report may need to be prepared for the Planning Committee and for the council to consider its position.

260.13 Ms. Fishleigh noted that a Section 48 Notice was the first step towards a Compulsory Purchase Order and queried how much would such a process cost.

260.14 Councillor Bowden stated that it was a very complex matter with the leaseholder having various legal rights that they could exercise and therefore it was dependant on the outcome of the mediation process. It was not possible to give an indicative figure at this point in time, but he would anticipate any such action to be expensive.

260.15 The Chair thanked Ms. Fishleigh for attending the meeting and putting her questions and noted that there were no other questions.

## **261. DEPUTATIONS**

261.1 The Chair noted that no deputations had been received for the meeting.

## **262. LETTERS FROM COUNCILLORS**

262.1 The Chair noted that no letters from councillors had been submitted for the meeting.

## **263. WRITTEN QUESTIONS FROM COUNCILLORS**

263.1 The Chair noted that there were no written questions from councillors.

## **264. NOTICES OF MOTION**

264.1 The Chair noted that there were no notices of motion for consideration at the meeting.

## **265. FINDINGS AND RECOMMENDATIONS OF THE BRIGHTON & HOVE LIVING WAGE COMMISSION**

265.1 The Chair introduced the report and noted that the establishment of a living wage for the city had been a manifesto commitment and he was pleased to see its fruition. He believed that it had made a real difference and was grateful for the involvement of the private sector and business community. He also noted that the Living Wage Foundation were seeking to move the goal posts further and therefore there would be a need to review the commitment and continue the excellent work to take matters forward.

265.2 Councillor Mitchell welcomed the report and noted that there was a consensus of opinion and she had been pleased to have been involved in the process.

265.3 Councillor G. Theobald stated that he had been pleased to be a part of the process but expressed the need to be careful as the implications of having a living wage set at a particular level could then have an impact of employers and their ability/willingness to take on young people. He also queried whether there was a possibility of a legal challenge in respect of paragraph 5.2 of the report.

265.4 The Monitoring Officer stated that the decision in regard to the contract was delegated to officers or a committee, and under the Local Government Act 1988 a decision was able to take into account non-commercial conditions. Each contract would be

considered on a case by case basis rather than a blanket approach and as such he did not anticipate any difficulties with the majority of cases.

265.5 The Chair noted the comments and stated that he believed Brighton & Hove was one of the first councils in the country to introduce a living wage. He wished to thank all concerned with bringing the project forward and put the recommendations to the vote.

265.6 **RESOLVED:**

- (1) That the findings of the Living Wage Commission and support their recommendations, as listed in paragraph 3.7 be noted;
- (2) That it be agreed that in support of recommendation four (4) of the living wage report Brighton & Hove City Council, within its procurement process and on a case by case basis, trials requesting contractors to submit a living wage and a non living wage bid. In addition, with partners, the council will share learning from this work and help develop approaches to include the Living Wage in the procurement work of other public bodies in the city; and
- (3) That recommendation five (5) of the Living Wage Commission report be approved and officers be instructed to explore the possibility of gaining Living Wage accreditation.

**266. CITY PLAN, PART 1 - DOCUMENT FOR CONSULTATION**

266.1 The Chair introduced the report which sought approval of the draft City Plan Part 1, which was part of Brighton & Hove's Local Development Framework. He noted that there had been changes to the housing targets hence the need for the report, and that it gave an opportunity to identify aspects that could be taken forward e.g. One Planet Living. The city was in the middle of a housing crisis and there was a need to be able to build more new homes and review options for park & ride with smaller sites.

266.2 Councillor Mitchell stated that this was at an early stage and she was broadly in agreement with the proposals and a more flexible approach. She noted that there were questions in regard to plans for Toads Hole Valley and whether park & ride would be available. She also noted that whilst housing targets were being increased there appeared to be no plans for school sites or health facilities. She stated that there was a need for two new secondary schools and sixth form provision and she hoped that there would be a formal consultation process on any plans.

266.3 Councillor G. Theobald stated that he had always argued for option A and that the higher figures for housing provision were not viable. He also felt that the potential of Shoreham Harbour should be investigated and maximised. He was concerned about any development proposals for Toads Hole Valley and the provision of schools and suggested that future developments would result in a need for a park & ride option to serve the city.

266.4 The Chair noted the comments and stated that they would be taken on board as matters progressed. He noted that the National Planning Policy required the council to meet the needs in full and that the Planning Inspector would determine whether this was the

case. The draft plan reflected the aims of the council to provide a strong and prosperous city. He stated that Toads Hole Valley was a private open space and the owners were willing to work with the council and therefore it was appropriate to consider any development opportunities. He also believed that the higher figure of 11,300 homes was achievable and could be justified to the Inspector. In regard to park & ride he suggested that the opposition groups should identify potential sites and how they could be funded, in the meantime the proposals put forward were realistic and pragmatic. He noted that there would be an eight-week consultation period from the 28<sup>th</sup> May to the 20<sup>th</sup> July and that a final version of the Plan brought to the Council in December. He then put the recommendations to the vote.

**266.5 RESOLVED:**

- (1) That the nature of representations made to the City Plan Policy Options Paper undertaken October - December 2011 and the officer responses to address these representations (summarised in Appendix 2 with a full schedule attached to the Statement of Consultation placed in the Members' Rooms) be noted;
- (2) That the recommendation to publish the Draft City Plan Part 1 and supporting annexes (the Implementation and Monitoring Plan, Infrastructure Delivery Plan and Housing Implementation Strategy), the Sustainability Appraisal, the Schedule of Proposal Map Changes, Supporting Evidence Document and Statement of Consultation for an eight week period of stakeholder and public consultation between 28 May and 20 July 2012, subject to any minor grammatical or editorial alterations that may be made by the Strategic Director, Place be approved; and
- (3) That the following studies: Affordable Housing Viability Study Update (April 2012), Housing Requirements Study – Supplementary Papers (Brighton & Hove)(March 2012), Viability Testing – Strategic Sites (2011), Appropriate Assessment and Sequential and Exceptions Test (2012) as supporting evidence for the City Plan and further Local Development Documents be approved.

**267. PROPOSED OPTIONS FOR THE PROVISION OF 3 JUNIOR FORMS OF ENTRY IN PORTSLADE - RESULT OF CONSULTATION**

267.1 Councillor Shanks introduced the report and noted that an addendum to the recommendations had been circulated as the matter needed to be approved by full Council and would therefore go to the July meeting. The intention was to create three through primary schools in Portslade and she hoped the proposals would be supported.

267.2 The Chair then put the recommendations as amended to the vote.

**267.3 RESOLVED:**

- (1) That the preferred option of making St Peters Community Infant School, Portslade Infant School and St Nicolas Church of England Junior School into all through primary schools from September 2013 be endorsed;
- (2) That the publication of the required Statutory Notices to progress this proposal be agreed; and

- (3) That the final decision on the proposal be made by full Council at its meeting on the 19<sup>th</sup> July 2012, following the end of the statutory notice period and that any responses received in respect of the statutory notice be reported to Council in July 2012.

## **268. WASTE STRATEGY REVIEW**

268.1 Councillor West introduced the report which detailed the outcome of a review and sought approval of a revised waste management strategy and action plan. He stated that he believed it was an excellent strategy and wished to thank the Waste Advisory Group for their work in putting the strategy together.

268.2 Councillor G. Theobald noted the report and stated that he supported the weekly collection of waste but did not feel that the food waste collection trial had proved to be worthwhile and was concerned about the proposed bid to enable the extension of the trial failing and the implications for the service. He also queried whether it was proposed to include larger businesses and business waste in the commercial trial.

268.3 Councillor Mitchell welcomed the action plan and stated that it was ambitious and was pleased to see the success of the communal bin recycling. However, if it was to be rolled out she queried what would happen to the operation for glass collection. She also queried where the match funding would come from for the food waste collection should the bid be successful.

268.4 Councillor West stated that the trial food waste collection would provide real data and enable an evaluation to be made. However, if the bid failed then there would need to be a reassessment of the position. In regard to the collection of glass this would continue to be collected on a separate basis. He did not expect food waste to be collected as part of the commercial trial.

268.5 The Chair noted the comments and put the recommendations to the vote.

### **268.6 RESOLVED:**

- (1) That the revised Waste Management Strategy as set out at Appendix 1 to the report be approved;
- (2) That the submission of an outline funding bid to the Department for Communities and Local Government (DCLG) Weekly Collection Support Scheme for the extension of communal recycling in the city centre, in accordance with the parameters set out in report and at Appendix 2 to the report be approved;
- (3) That the Strategic Director of Place and Director of Finance be given delegated authority to submit the final bid relating to (2) above in August 2012 in consultation with the Chair of the Environment & Sustainability Committee;
- (4) That commercial waste collection trial in accordance with the parameters set out in the report and subject to final agreement of the detailed operational arrangements the Director of Finance and the Strategic Director of Place be agreed; and



- (5) That the fees for commercial waste collections and the delegations to the Director of Finance and Strategic Director of Place of an adjustment to those fees as set out in the report be agreed.

## **269. NEIGHBOURHOOD COUNCILS/GOVERNANCE**

- 269.1 Councillor Duncan introduced the report and stated that he was delighted to bring forward proposals to devolve decision-making opportunities to residents with the two pilot schemes that were outlined, and which would mean that the council was becoming more open and transparent. He hoped that the two pilot schemes would be successful and that they would encourage residents, community groups and others to consider how they might take the opportunity to be involved at a local level. He noted that not all residents would want to have such arrangements and that they would need to be suitable for different areas, hence the two pilots which were different in how they would work. There were lots of ideas that could be considered and that included the establishment of Parish Councils as discussed earlier. He hoped that the two pilots would be supported and wished to thank those Members and the officers that had been involved in bringing the two pilot schemes forward.
- 269.2 The Chair welcomed the report and hoped that the pilots would be a success and lead to other areas taking up similar approaches.
- 269.3 Councillor G. Theobald questioned the choice of the areas for the two pilots as they had previously received assistance under other support programmes and questioned what actual difference would be achieved at a local level, bearing in mind that they would not have any budgets.
- 269.4 Councillor Duncan stated that the two pilots had been chosen based on the detailed responses that had been received to the consultation exercise and he believed that they would be able to take decisions that had an impact on the local areas and influence decisions on funding etc.
- 269.5 The Strategic Director for Communities stated that whilst the pilots could not authorise spending, they could decide on recommendations as to how funds were spent. He also noted that there was a separate grants programme and that the intention was for the pilots to be involved with mainstream funding that was available.
- 269.6 The Monitoring Officer noted that decision-making powers could only be delegated by the principal authority to another committee or an officer.
- 269.7 Councillor Mitchell welcomed the report and stated that it was important to consider how the proposals would be communicated. She was looking forward to being involved in the East Brighton pilot and to see how it encompassed the various neighbourhood groups that existed. She also felt that ward councillors would have an important role to play in the pilots and any future schemes and therefore asked that they be kept informed as a matter of course.
- 269.8 Councillor Duncan noted the comments and stated that he would ensure ward councillors were involved and kept informed of matters as they arose during the two

pilots. He hoped that they would be successful and led to other schemes being developed and taken forward in due course.

269.9 The Chair then put the recommendations to the vote.

269.10 **RESOLVED:**

- (1) That the 12-month pilot of neighbourhood governance in Brighton & Hove specified in paragraph 5 of the report be agreed;
- (2) That the Strategic Director, Communities be authorised to take all steps necessary or incidental to the implementation of the proposals in this report, including, but not limited to agreeing terms of reference and ways of working; and
- (3) That the Strategic Director, Communities be requested to bring a follow-up report to the appropriate committee at the relevant time to inform potential future decisions about future city-wide neighbourhood governance arrangements across the city.

**270. I360 - UPDATE REPORT**

270.1 The Chair welcomed Mr. Marks and Ms. Harris from the Development Company to the meeting and noted that they would be giving a short presentation on the proposals for the Brighton i-360.

270.2 Following the presentation, the Chair thanked Mr. Marks and Ms. Harris for attending the meeting and stated that he had been a member of the Local Enterprise Partnership Board (LEP), which had discussed the project and concluded it was one of five projects that should be supported with funding. He believed the proposal outlined in the report to support the project was worthwhile and should be taken forward as the benefits to the city and the regeneration of the area in particular were to be welcomed.

270.3 Councillor Theobald welcomed the report and stated that he supported the project; however he was concerned about the use of council tax payers' money to enable the loan to the development company and asked for clarification on how this would be secured.

270.4 Councillor Mitchell welcomed the report and the presentation. She asked for clarification of the expected visitor numbers and what plans were made for future years should those numbers decline and affect the viability of the attraction.

270.5 Councillor J. Kitcat stated that it was not actually council tax payers' money as the council was taking the loan and subsequently lending the money at a commercial rate to the development company and this was secured by the council having a first charge on the project. He was confident that officers had looked into the process and were recommending the proposed loan and noted the excellent record that the finance team had in regard to managing the council's finances.

270.6 The Chair stated that he would be happy to provide further information to Councillor Mitchell on the visitor numbers and financing of the repayments for the loan. He was

encouraged by the support from the LEP and by the support of the Director of Finance and the Head of Strategic Finance and felt that the project should be given the funding to enable it to go ahead. He also noted that the Head of Strategic Finance had been with the council for twenty-five years and wished to offer the council's appreciation and thanks for his service.

**270.7 RESOLVED:**

- (1) That officers be authorised to enter into detailed negotiation with Brighton i360 Ltd regarding loan financing terms under preferred prudential borrowing arrangements;
- (2) That officers be authorised to draw up detailed loan financing and repayment terms under preferred prudential borrowing arrangements as set out in paragraph 3.12 of this report;
- (3) That officers be authorised to enter into detailed negotiations with Brighton i360 Ltd and the C2CLEP on loan financing and repayment;
- (4) That officers be requested to report back to Policy & Resources Committee on 12 July 2012 setting out the outcome of negotiations on both 2.2 and 2.3 above;
- (5) That officers be authorised to complete negotiations with the Brighton i360 Ltd regarding the underwriting of all reasonable expenditure necessary to complete negotiations and agreements required by the council to progress items 2.1 to 2.4 above (noting that Brighton i360 Ltd have accepted the underwriting in principal).

**271. NEW HISTORIC RECORDS OFFICE & RESOURCE CENTRE**

271.1 Councillor Bowden introduced the report and stated that it provided an update on the progress of the development of the Keep and the services that would be provided at the new site. He noted that the building works were progressing rapidly and it was hoped that they would be completed by May 2013. He also noted that with the move of the History Centre it was intended to maintain a dedicated area at the Jubilee Library to enable access to the material held. He was aware that there had previously been a degree of opposition to the proposed move of the history Centre, but in this instance he felt that it was the appropriate way forward and would be supported.

271.2 The Chair welcomed the report and stated that he believed the new building would provide excellent facilities for all those that used it and was worth noting that it had been located in the city when it could have gone elsewhere in the county.

271.3 Councillor G. Theobald stated that he was delighted to have the facility in the city and commended East Sussex County Council for agreeing to its location.

271.4 Councillor Mitchell welcomed the report and stated that she was pleased to see that provision would be made at Jubilee Library and asked that details of how to get to the facility were available.

271.5 Councillor Bowden welcomed the comments and stated that he would discuss matters with officers and was happy to arrange a site visit for Members should they wish to see how the building was developing.

271.6 The Chair then put the recommendations to the vote.

271.7 **RESOLVED:**

- (1) That the vision for The Keep as a state of the art historical resource service for the city and the county of East Sussex be endorsed. Representing the next generation of archive building it will bring together the archives and historical resources of East Sussex County Council (ESCC) and Brighton & Hove City Council (BHCC), currently held at the East Sussex Records Office (ESRO), BHCC's local history 2D (2 dimension, eg photographs) collections and resources from across the Royal Pavilion & Museums service (RPM) currently housed in a number of locations including the Brighton History Centre (BHC), and the Special Collections of the University of Sussex (UoS), including the internationally renowned Mass Observation Archive. The building will also include the library and headquarters of the Sussex Family History Group;
- (2) That the project's continued development, most notably the excellent progress of construction works that began last October and which remains on programme, and the other main areas of activity as set out in the report be noted;
- (3) That the construction programme, which shows Practical Completion is due by May 2013, together with an outline of other key events as set out in Section 3.22 of the report be noted;
- (4) That the new membership of the joint Project Board, together with revised project management arrangements that were agreed following the partners' review of partnership working arrangements be noted;
- (5) That the partners' progress in advancing the various legal and partnership agreements and that it is hoped that these will be concluded in June 2012 be noted;
- (6) That the officer work in support of preparing the long-term governance agreement (for example around acquisition policies), the final form of which will return to a future Committee meeting for approval in good time to enable all partners to enter into it prior to practical completion of the building be noted;
- (7) That the recommendation that the services provided by the Brighton History Centre will be provided through The Keep and that the Council maintains a single city centre research facility at Jubilee Library as a hub of the Keep in addition to those provided at other city wide libraries be agreed;
- (8) That it be noted that 2D local history resources housed at the Brighton History Centre and housed across RPM will be moved to the Keep to ensure their long-term preservation and prevent their deterioration. In addition, some other material will move to the Keep in the medium-term to ensure that it is stored in

recommended environmental conditions to conserve the material and minimise future deterioration; and

- (9) That community engagement and learning projects which are being developed around the Keep's resources in the city be noted.

**272. CORPORATE PROCUREMENT OF ENERGY - HALF HOURLY (OVER 100KW) ELECTRICITY AND GAS CONTRACTS STARTING OCTOBER 2012**

272.1 Councillor J. Kitcat introduced the report which detailed the action taken by officers under urgency provisions as there had been a need to agree to the proposed contracts for electricity and gas in October 2012 and outlined the procurement process for future contracts.

272.2 The Chair then put the recommendations to the vote.

**272.3 RESOLVED:**

- (1) That the details of the urgency decision taken by the Strategic Director, Resources on 24 April 2012 in consultation with the Cabinet Member for Finance & Central Services to:
- appoint Kent County Council's Energy Buying Group (LASER) to procure the supply of the Council's half hourly (over 100kW) electricity (from 100% renewable sources) and gas through its flexible framework agreement for the period 1 October 2012 to 30 September 2013.
  - enter into an agreement with LASER, NPower Limited and Total Gas & Power Limited for the supply of half hourly (over 100kW) electricity (from 100% renewable sources) and gas to the Council for the period 1 October 2012 to 30 September 2013 be noted;.
- (2) That LASER be appointed to procure the supply of the Council's half hourly (over 100kw) electricity (from 100% renewable sources) and gas through its flexible framework agreement for the remaining three year period 1 October 2013 to 30 September 2016;
- (3) That the Strategic Director, Resources be authorised to enter into agreements with LASER, NPower Limited and Total Gas & Power Limited for the supply of half hourly (over 100Kw) electricity (from 100% renewable sources) and gas to the Council for the remaining three year period 1 October 2013 to 30 September 2016; and
- (4) That a waiver of Contract Standing Order 12.6 to enable the contract to be signed as a simple contract provided that it is in a form agreed by the Head of Law be agreed.

**273. PART TWO MINUTES - EXEMPT CATEGORY 3**

273.1 **RESOLVED:** That the part two minutes of the last meeting held on the 17<sup>th</sup> April 2012 be agreed.

**274. PART TWO ITEMS**

274.1 The Cabinet considered whether or not the above item should remain exempt from disclosure to the press and public.

274.2 **RESOLVED** – That item 273, and the decision thereon contained in Part Two of the agenda, remain exempt from disclosure to the press and public.

The meeting concluded at 7.15pm

Signed

Chair

Dated this

day of