

**EXTRACT FROM THE DRAFT PROCEEDINGS OF THE COUNCIL
MEETING HELD ON THE 16 DECEMBER 2010**

BRIGHTON & HOVE CITY COUNCIL

**4.30pm 16th December 2010
COUNCIL CHAMBER, BRIGHTON TOWN HALL**

DRAFT MINUTES

Present: Councillors: Wells (Chairman), A. Norman (Deputy Chairman), Alford, Allen, Barnett, Brown, Carden, Caulfield, Cobb, Davey, Davis, Deane, Duncan, Elgood, Fallon-Khan, Fryer, Hamilton, Harmer-Strange, Hawkes, Hyde, Janio, Kemble, Kennedy, Kitcat, Lepper, Marsh, McCaffery, Meadows, Mears, Mitchell, Morgan, K. Norman, Older, Oxley, Peltzer Dunn, Phillips, Randall, Rufus, Simpson, Simson, Smith, Steedman, C. Theobald, G. Theobald, Turton, Wakefield-Jarrett, Watkins, West, Wrighton and Young.

PART ONE

49. (A) BRIGHT START NURSERY

49. (a) Bright Start

- 49.1 The Mayor stated that in view of the high level of interest in the issue affecting the Bright Start Nursery, he had decided that it would be appropriate to take both the petition, Item 47(a) and the notice of motion, Item 57(c) together in one debate. He noted that under the Council's petition scheme, if a petition contained more than 1,250 signatures, it could be debated by the Full Council and such a request had been made in respect of the petition concerning the Bright Start Nursery.
- 49.2 The Mayor then informed the meeting that the Leader of the Council wished to make a statement as she believed the information may be pertinent to the forthcoming debate and consideration of the proposals for the Bright Start Nursery.
- 49.3 Councillor Mears stated that she had listened very carefully to the many questions on the issue from parents and staff at the nursery and had received a large number of representations asking for the nursery to be kept open. She stated that there was a need to review whether it was feasible to maintain the nursery and continue to subsidise it, when it was the only nursery in the City which received such a subsidy. However, no decision had yet been made and any suggestions on the future of the nursery would be given consideration. In this respect she noted that the Localism Bill contained provisions to enable measures such as the 'Community Right to Challenge' and the 'Community Right to Buy' and as such she wished to formally propose, for consultation and consideration, Bright Start as a community asset to a consortium of parents, staff or other interested local parties. She was aware that a substantial

business-case had already been put forward by one parent and hoped that others may come forward and engage constructively with the Council about this opportunity of taking Bright Start forward.

- 49.4 The Leader therefore stated that it was intended to extend the consultation period, to enable detailed proposals to be worked up and as part of this; a further consultation document would be issued in the New Year which would lay out the financial and legal implications for anyone wishing to establish a community nursery.
- 49.5 The Mayor thanked the Leader for her comments and invited Ms. Statham to come forward and present the combined paper and e-petition which sought to keep the nursery open.
- 49.6 Ms. Statham thanked the Mayor and outlined the strength of feeling in favour of keeping the nursery open and finding ways to improve its viability. She stated that the combined number of signatures amounted to total of 5,125 and read out the prayer of the petition:
- “We the undersigned, petition Brighton & Hove City Council that Bright Start Nursery is both viable and sustainable. Agenda Item 34 of the Children & Young People Cabinet Member Meeting (11 October 2010) does not adequately evaluate the alternatives to closure and the impact to the wider community.
- Bright Start Nursery is one of the few city-centre nurseries and an essential resource to the community and should NOT be considered for closure.”
- 49.7 The Mayor thanked Ms. Statham for attending the meeting and presenting the petition and called on Councillor Deane to move the Green Group’s notice of motion.
- 49.8 Councillor Deane moved the Green Group’s notice of motion which called on the council to recognise the value of the nursery as an asset and called on the Cabinet to reconsider the proposal to close it and look instead at ways of enhancing the provision offered to parents and children. She also stated that she was happy to accept the Labour Group amendment as circulated in the addendum papers.
- 49.9 The Mayor then congratulated Councillor Deane on her maiden speech.
- 49.10 Councillor West formally seconded the motion and stated that he believed the decision to propose closure had been taken in haste without fully consulting the staff or users of the nursery. He believed that there were options which could enable it to be kept open and utilised more effectively.
- 49.11 Councillor Brown thanked Ms. Statham for presenting the petition and stated that she had made a careful note of all the points expressed in the public questions, which would be included in the consultation process. She believed the Leader of the Council had given a clear commitment in her statement and that a clear way forward had been outlined and therefore, as the Cabinet Member for Children & Young People, did not feel it was appropriate to take part in the current debate.

49.12 Councillor Hawkes noted the comments and stated that she wished to move an amendment to the petition report's recommendation and add a further recommendation at 2.2 to read,

"That in recognition of the widespread opposition to the proposed closure of Bright Start Nursery as demonstrated by the petition, the Cabinet Member for Children & Young People undertakes to carry out the following measures before proceeding any further with its proposals for closure:

- To properly explore all options for improving the occupancy rate and thus further reducing the council subsidy to the nursery including; effective marketing, reviewing session fees, promoting the nursery to other large employers such as the police, NHS and American Express;
- To review the business model to achieve greater efficiency while building on the nursery's unique city centre location; and
- To consult all Brighton & Hove City Council employees as to the future of the nursery on the basis that access to the nursery is part of the 'Rights and Responsibilities' section of their contracted terms and conditions."

49.13 Councillor Mitchell formally seconded the amendment.

49.14 Councillor West stated that he believed there had been a failure to consult properly and as such he wished to move an amendment to the petition report's recommendation to add a further recommendation to read:

"That the Cabinet Member for Children & Young People be requested to give consideration to:

- a) the high regard with which Bright Start Nursery is held, and the important service it continues to provide, is fully acknowledged,
- b) the consultation on closure of Bright Start beng terminated and the scheduled decision on closure is abandoned,
- c) a working group is formed, and includes the CYP Cabinet Member, council officers, staff, parents and Ward Members,
- d) that the well argued case put forward by parents for making Bright Start viable, and other alternatives to closure, including retention of some subsidy, are seriously and fully explored."

49.15 Councillor Fryer formally seconded the amendment and stated that there was a need to retain the nursery and to retain a skilled workforce, which the provision of the nursery contributed to. She believed that the establishment of a working group as proposed by the amendment would enable a solution to be found.

49.16 Councillor Hawkes then introduced and moved the Labour Group's amendment to the Green Group's notice of motion, which sought to strengthen the motion and called for a report to the Children & Young People's Cabinet Member Meeting on the viability of

keeping the nursery open. She suggested that if the nursery was given greater publicity it was likely to attract more people and hoped that the need to work together to keep it open would be recognised.

- 49.17 Councillor Mitchell formally seconded the amendment and stated that she believed the strength of feeling on the issue was self-evident. There was a clear need to have proper discussions and further consultation on how to keep the nursery operational.
- 49.18 Councillor Elgood stated that the Liberal Democrat Group fully supported the parents and staff at the nursery and believed that there was a need to resolve the situation in a positive manner.
- 49.19 Following the conclusion of the debate, the Mayor asked if Councillors Brown and Deane wished to respond.
- 49.20 Councillor Brown declined having noted the comments.
- 49.21 Councillor Deane stated that she believed there were sound proposals on how to take the matter forward and hoped that the proposed closure would be stopped and the nursery's future secured.
- 49.22 The Mayor thanked Ms. Statham for attending the meeting and presenting the petition. He noted that two amendments to the petition report had been moved and put each one to the vote; both of which were carried. He then put the recommendations as amended to the vote, which was carried.

RESOLVED:

- (1) That the petition be referred to the Children & Young People Cabinet Member Meeting for consideration;
- (2) That in recognition of the widespread opposition to the proposed closure of Bright Start Nursery as demonstrated by the petition, the Cabinet Member for Children & Young People undertakes to carry out the following measures before proceeding any further with its proposals for closure:
 - To properly explore all options for improving the occupancy rate and thus further reducing the council subsidy to the nursery including; effective marketing, reviewing session fees, promoting the nursery to other large employers such as the police, NHS and American Express;
 - To review the business model to achieve greater efficiency while building on the nursery's unique city centre location; and
 - To consult all Brighton & Hove City Council employees as to the future of the nursery on the basis that access to the nursery is part of the 'Rights and Responsibilities' section of their contracted terms and conditions.
- (3) That the Cabinet Member for Children & Young People be requested to give consideration to:

- the high regard with which Bright Start Nursery is held, and the important service it continues to provide, is fully acknowledged,
- the consultation on closure of Bright Start being terminated and the scheduled decision on closure is abandoned,
- a working group is formed, and includes the CYP Cabinet Member, council officers, staff, parents and Ward Members,
- that the well argued case put forward by parents for making Bright Start viable, and other alternatives to closure, including retention of some subsidy, are seriously and fully explored.

57. (C) EXTEND THE CONSULTATION ON BRIGHT START NURSERY AND EFFECT ITS FUTURE VIABILITY

- 57.1 The Mayor noted that the Labour Group amendment to the Green Group's Notice of Motion had been accepted and therefore put the following substantive motion as amended to the vote:

"This council notes Bright Start is a vibrant city nursery, located in the heart of Brighton. It caters for the children of council employees and those living in the surrounding area. As such, it is a valuable local resource that benefits the wider community.

The nursery is staffed by excellent and loyal professionals who have worked there for many years, offering a steadfast and continuous service that the children enjoy, and their parents and carers implicitly trust.

Bright Start has never been allocated a marketing or advertising budget. As a result many local parents are either not aware of the nursery's existence or believe that it is for council staff only, and thereby not available to them.

It has suffered from cutbacks in the past, and currently receives just £87,000 per year from the Council, as opposed to £200,000+ per year in the past.

The city's birth rate is currently rising. It has been doing so for some years and the 2011 figure for 0-4 year olds is projected to be almost double that of 2001.¹

The Deputy Prime Minister has pledged to provide nursery places for all vulnerable 2-year-olds.

The council further notes the Conservative administration intends to withdraw funding and close the nursery in April 2011. At a Cabinet meeting on 11 October, and in the presence of a large number of parents and supporters who all called for the nursery to stay open, the Cabinet Member for Children and Young People effected a consultation process which is perceived to be the first step towards closure.

This council believes previous efforts to maximise take-up of Bright Start places have been ineffectual and the consultation proposed is totally inadequate. It therefore calls on the Cabinet to recognise that:

- Bright Start nursery is a highly valued local resource available to all pre-school children in the vicinity.
- With effective marketing, Bright Start could attract many more users and be a viable concern.
- Projected figures will place more and more demand on nursery places in future years.
- Failure to consult the wider community on the loss of Bright Start renders the consultation process fundamentally flawed.
- The council regrets that the proposal to withdraw the total amount of subsidy from the Bright Start Nursery was published in advance of the formal ending of the consultation process and the proper consideration of its outcome.

Furthermore council calls on the Cabinet, as part of its consultation process, to consider:

- Identifying all parents of pre-school children within a 500m radius of Bright Start and including them in the consultation.
- Ensuring, before any decision is taken on the nursery's future, that all those who are eligible to use the nursery are aware a) of its existence and b) their eligibility to use it.
- Ensuring that consultation on the future of Bright Start and the possible withdrawal of a staff benefit is extended to all Brighton and Hove City Council employees, not just those who use the nursery.
- Undertaking to take the results of the consultation into account and especially, if a majority of those consulted express a desire for Bright Start to remain open.
- Bringing a detailed report to the Children and Young People Cabinet Member Meeting on the 17th January 2011 setting out how the proposals in this Notice of Motion will be taken forward along with options for the future running of Bright Start as a viable city centre children's nursery."

57.2 The motion was carried.