

Decision No: CAB120 – 17/09/09

Forward Plan No: N/A

This record relates to Agenda Item 70A on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	STRATEGY & GOVERNANCE
SUBJECT:	MAKING THE MOST OF WASTED SPACES
AUTHOR:	MARTIN WARREN

THE DECISION

1. That Cabinet continues to work proactively with partners in improving the environment by positive use of 'wasted spaces'.
2. That Cabinet endorses the work already being carried out by the local authority and its partners in making productive use of empty spaces within the community.

REASON FOR THE DECISION

Cabinet are recommended to endorse of the work already in place so as to demonstrate their support of the initiatives underway and to work proactively with partners in order to make the best use of opportunities identified.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. An alternative option would be to support the organisation of an umbrella group representing all persons interested in 'wasted spaces'. This is considered to be impractical and counter to the ideologies of some of the groups who are active in this arena.
2. A further alternative option would be that the council pay no heed to wasted spaces. This would also be counter intuitive and contrary to the good stewardship and economic buoyancy of the city.

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:

17 September 2009

Decision Maker:

Councillor Mary Mears
Leader of the Council

Signed:



Proper Officer:

17 September 2009

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

Note: This decision will come into force at the expiry of 5 working days from the date of the meeting at which the decision was taken subject to any requirement for earlier implementation of the decision.

Or: This decision is urgent and not subject to call-in (date of CE's agreement to urgency of decision).

Call-In Period

18-24 September 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: CAB121 – 17/09/09

Forward Plan No: CAB11428

This record relates to Agenda Item 71 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	CHILDREN'S SERVICES
SUBJECT:	FALMER ACADEMY: PROGRESS TO DATE AND SUBMISSION OF THE FINAL BUSINESS CASE
AUTHOR:	ROD DERBYSHIRE

THE DECISION

1. That Cabinet notes the current progress status of the Falmer Academy project.
2. That Cabinet endorses the Falmer Academy Final Business Case.

REASON FOR THE DECISION

1. To brief Cabinet on the current status of the project.
2. PfS require confirmation of the Authority's support for the project before agreeing release of funding.

DETAILS OF ANY ALTERNATIVE OPTIONS

Not applicable.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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18-24 September 2009

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB122 – 17/09/09

Forward Plan No: CAB10354

This record relates to Agenda Item 72 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	CHILDREN'S SERVICES
SUBJECT:	BUILDING SCHOOLS FOR THE FUTURE – READINESS TO DELIVER SUBMISSION
AUTHOR:	GIL SWEETENHAM

THE DECISION

1. That Cabinet agrees to the resources identified to support the programme.
2. That Cabinet delegates authority to submit the Brighton and Hove Readiness to Deliver document to the Director of Children's Services in consultation with the Cabinet Member for CYPT and the Director of Finance and Resources.

REASON FOR THE DECISION

The opportunity to enter the BSF programme at the earliest opportunity, and to access significant capital funding to transform secondary education in the city.

DETAILS OF ANY ALTERNATIVE OPTIONS

There is no alternative option available at present that would provide potential secondary school building funding of the same value.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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18-24 September 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: CAB123 – 17/09/09

Forward Plan No: CAB11485

This record relates to Agenda Item 73 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: FINANCE & RESOURCES

SUBJECT: TARGETED BUDGET MANAGEMENT
(TBM) 2009/10 MONTH 4

AUTHOR: NIGEL MANVELL

THE DECISION

1. That Cabinet notes the forecast outturn for the General Fund, Section 75 Partnerships and Housing Revenue Account (HRA) for 2008/09 as at month 4.
2. That Cabinet notes that further recovery measures will be identified by month 6 to achieve a balanced budget.
3. That Cabinet notes the forecast outturn position on the capital budgets as at month 4.
4. That Cabinet approves the changes to the capital budget as summarised in Appendix 3 and detailed in Appendices 4 – 6.

REASON FOR THE DECISION

1. Budget monitoring is a key element of good financial management, which is necessary in order for the council to maintain financial stability and operate effectively.
2. The proposed budget allocations and capital budget changes are necessary to maintain a balanced programme and effective financial management.

DETAILS OF ANY ALTERNATIVE OPTIONS

The forecast outturn position on council controlled budgets is an overspend of £2.385 million. Any overspend that exceeds risk provisions and contingencies will need to be funded from General Fund reserves, which will then need to be replenished as part of the 2010/11 budget and MTFs proposals.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Leader of the Council

Signed:



Proper Officer:

17 September 2009

Mark Wall, Head of Democratic Services

Signed:



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18-24 September 2009

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB124 – 17/09/09

Forward Plan No: CAB6466

This record relates to Agenda Item 74 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	ENVIRONMENT
SUBJECT:	PEDESTRIAN NETWORK - PHASE 2
AUTHOR:	DAVID PARKER

THE DECISION

1. That Cabinet notes the consultation results which indicate an overall support for the scheme as consulted.
2. That Cabinet approves commencement of detailed design and implementation of the scheme to include advertising the associated Traffic Regulation Orders and entry treatments under the Road Traffic Act 1984.
3. That Cabinet further approves the commencement of feasibility, design and consultation of a Phase 3 which will examine the potential of further measures in the East Street area. Members will be informed of the outcome of the consultation and findings will be brought back to a future Cabinet Member Meeting.

REASON FOR THE DECISION

The Pedestrian Network improvements will target key areas in the city which are heavily used by pedestrians but fail to offer adequate pedestrian facilities. This project will benefit local businesses, residents and visitors by creating a more attractive, accessible and legible route along the seafront and enhance the pedestrian connection between The Lanes and the seafront.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The traffic flow alterations were identified by the design team and traffic modelling used to test the feasibility of each. Consultation was carried out with local residents and businesses, and showed a general support for the scheme.
2. Officers of the design team will continue to examine the feasibility of increasing the number of trees in the scheme.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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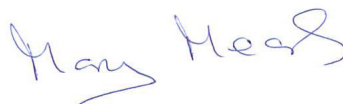
Date:

17 September 2009

Decision Maker:

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Leader of the Council

Signed:



Proper Officer:

17 September 2009

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Signed:



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Call-In Period

18-24 September 2009

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

23 September 2009

Call-in Procedure completed (if applicable)

6 October 2009

Call-in heard by (if applicable)

6 October 2009

Results of Call-in (if applicable)

Decision not to be referred back to the Cabinet for consideration.

Decision No: CAB125 – 17/09/09

Forward Plan No: N/A

This record relates to Agenda Item 75 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	ENVIRONMENT
SUBJECT:	A23 SUSTAINABLE TRANSPORT CORRIDOR - PROPOSALS FOR PHASES 5 - 7
AUTHOR:	ROBIN REED

THE DECISION

1. That Cabinet approves the proposals to improve access for cyclists and pedestrians along Phases 5 & 6 of the A23 STC and gives further approval to conduct public consultation with key stakeholders and residents in the affected area. Members will be informed of the outcome of consultation and permission to proceed with the scheme will be sought at a future Cabinet or Cabinet Member Meeting.
2. That Cabinet authorises the preparation and advertisement of a Traffic Regulation Order following the results of the public consultation **and subject to the agreement of the Cabinet or CMM to proceed.**

REASON FOR THE DECISION

Phases 1-4 of the A23 STC were implemented during the first LTP period. Continuation of the scheme will ensure consistency along the entire corridor and will improve safety and conditions generally for those wishing to travel by walking or cycling. This project will benefit businesses, residents throughout the city, and visitors by creating a more attractive, accessible and less congested route into the city centre. Access to local schools will also be improved.

DETAILS OF ANY ALTERNATIVE OPTIONS

Progressing the scheme with minimal external consultation was rejected due to the scope and location of the proposals. The improvements will affect a large geographical area and will also affect a large number of users. It was therefore felt that to ensure the scheme benefited everyone a public consultation was required.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

The Chairman explained that the recommendations had been amended to ensure that approval for a traffic order would be sought from Members prior to its preparation and advertisement.

CONFLICTS OF INTEREST

None.

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17 September 2009

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Councillor Mary Mears
Leader of the Council

Signed:



Proper Officer:

17 September 2009

Mark Wall, Head of Democratic Services

Signed:



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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB126 – 17/09/09

Forward Plan No: CAB11908

This record relates to Agenda Item 76 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	CULTURE & ENTERPRISE
SUBJECT:	SHOREHAM HARBOUR REGENERATION
AUTHOR:	DAVID FLEMING

THE DECISION

1. That Cabinet notes the progress of the project.
2. That Cabinet reaffirms the council's commitment to the production together with Adur District Council and West Sussex County Council of a Joint Area Action Plan for Shoreham Harbour that will test the capacity of the harbour area and provide the planning framework to guide delivery over the next 20-30 years.
3. That Cabinet endorses the approach to investment in the key work strands subject to short term cashflow issues being resolved and an overall project review.
4. That Cabinet agrees in principle to establish a Joint Committee with ADC and WSCC to steer the project forward subject to terms of reference being agreed at a future Cabinet meeting.

REASON FOR THE DECISION

The changing funding position and the need for a greater leadership role for the local authorities has necessitated the establishment of a Joint Committee with Adur District Council and West Sussex County Council to steer the project forward.

DETAILS OF ANY ALTERNATIVE OPTIONS

The proposal to establish a Joint Committee reflects the greater leadership role now being undertaken by the local authorities. The project management arrangements, budget management and procurement strategy will also need to reflect this new position. The structure will be kept under review and alternative arrangements may well be necessary in future.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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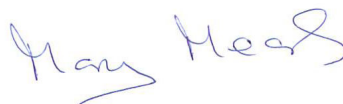
Date:

17 September 2009

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Leader of the Council

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Proper Officer:

17 September 2009

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB127 – 17/09/09

Forward Plan No: CAB11236

This record relates to Agenda Item 77 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	CULTURE & ENTERPRISE
SUBJECT:	PRESTON BARRACKS DEVELOPMENT – UPDATE AND FUTURE ARRANGEMENTS
AUTHOR:	MARK JAGO

THE DECISION

1. That Cabinet notes the successful collaborative work to date and the progress that has been made in identifying opportunities for a revised scheme at Preston Barracks.
2. That Cabinet gives in principle support to ‘a Shared Vision’ of the city council and University of Brighton for a wider development opportunity on the Lewes Road involving city council and University land.
3. That Cabinet agrees the terms of reference/project objectives for taking forward the Preston Barracks Development as set out in paragraph 3.23.
4. That Cabinet supports continued partnership working between the city council, SEEDA and the University of Brighton to further explore the development potential.
5. That Cabinet agrees to the city council and University of Brighton entering into a simple procurement protocol agreement at this stage to cover the continued development of a joint scheme, with a further report to Cabinet prior to any longer term commitments.
6. That Cabinet agrees to the project management arrangements and decision making structure, including the creation of a new cross-party Project Board (as detailed in 3.26) and that each of the four main political groups be requested to nominate their representative to join the Project Board.
7. That Cabinet supports the planned next steps in taking the project forward, particularly the joint commissioning of an Urban Design study to examine development scenarios e.g. height, scale and massing.

REASON FOR THE DECISION

1. The city council and University of Brighton share a real desire to see a high quality development that meets the demands of the city and the University, as well as promoting the regeneration of the Lewes Road corridor; a development that should also better integrate with surrounding communities.
2. Employment creation remains the primary focus for Preston Barracks. However, working in partnership with the University and incorporating adjacent land offers the potential to deliver against this objective in a more flexible way; as part of a wider scheme also enabling the University to achieve its objective to continue the improvement of its Moulsecoomb campus.
3. The University's aspirations for the renewal and development of its Moulsecoomb campus, through the improvement of the facilities and the setting in which they are provided, sits well with both the vision for Preston Barracks, as well as the wider strategies for Lewes Road and the Academic Corridor. A joint approach to the development of a wider site offers the prospect of a better integrated development capable of satisfying all parties and the city as a whole.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The evaluation of alternative options formed a significant part of the previous report to Cabinet, on which basis it was agreed that in view of the many options considered over time, it was appropriate for the city council to review the development opportunities and to explore alternative delivery arrangements. Activity during the past 6 months has begun the process of establishing a shared vision.
2. The intention to move forward with the commissioning of an Urban Design Study, to update the original Masterplan of 2003, and to inform further discussions, will in turn lead to the consideration of further options and development scenarios.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Proper Officer:

17 September 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: CAB128 – 17/09/09

Forward Plan No: N/A

This record relates to Agenda Item 78 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: ADULT SOCIAL CARE & HOUSING

SUBJECT: USE OF GENERAL CONSENTS TO LEASE PROPERTIES TO BRIGHTON & HOVE SEASIDE COMMUNITY HOMES

AUTHOR: MARTIN REID

THE DECISION

1. That Cabinet agrees to consult with Housing Management Consultative Committee and Brighton & Hove Seaside Community Homes on the use of general consent A5.4.1 of the General Housing Consents 2005 to lease to Brighton and Hove Seaside Community Homes the 106 Housing Revenue Account (HRA) dwellings approved for leasing by Full Council on 9 October 2008 and such other Housing Revenue Account dwellings (up to a maximum of 499 in total, including the 106 properties) within a five year period that satisfy the criteria previously agreed by Cabinet and Council.
2. That Cabinet notes that Cabinet and Council (24 September 2008 & 9 October 2008 respectively) delegated the power to make decisions on the inclusion of individual properties to the Director of Adult Social Care and Housing after consulting with the Cabinet Member for Housing.
3. That Cabinet confirms the powers already delegated and, for the avoidance of doubt authorises the Director of Adult Social Care and Housing, after consultation with the Cabinet Member for Housing, to take all steps necessary, incidental or conducive to the achievement and implementation of the proposals in 2.1 above.
4. That Cabinet agrees that the issue regarding funding options and any decision associated with that remain delegated to the Cabinet Committee consisting of the Leader, the Cabinet Member for Housing and the Cabinet member for Finance.

REASON FOR THE DECISION

The report recommends consultation with HMCC & BHSCH and consideration of financial implications of use of general consent for the Council to lease homes to BHSCH as a potential alternative option should permission to lease sought from the Secretary of State not be forthcoming or delayed to such an extent that it is impractical in terms of achieving project timetable and the necessary investment in improving council homes.

DETAILS OF ANY ALTERNATIVE OPTIONS

The report seeks permission to consult HMCC & BHSCH on evaluation of using general consent to lease empty HRA properties to BHSCH as a potential alternative option to the pursuit of the existing preferred option of seeking express consent to lease from the Secretary of State.

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: CAB129 – 17/09/09

Forward Plan No: CAB6350

This record relates to Agenda Item 79 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	CHARTER HOUSE HOTEL - DISPOSAL
AUTHOR:	ANGELA DYMOTT, ADAM BATES

THE DECISION

1. That Cabinet approves and authorises:
 - (a) The disposal of the Charter Hotel on a 150 year lease to a successful bidder on a premium and a peppercorn rent, following a marketing exercise, full evaluation of informal bids and recommendations by the council's appointed agents.
 - (b) That once offers have been evaluated a further report will be prepared to enable Cabinet to consider the proposals, select a preferred developer and authorise detailed terms to be settled by the Director of Finance & Resources and the Solicitor to the Council.

REASON FOR THE DECISION

The hotel disposal on a long lease has most advantages given the likely favourable market reaction and speed of response which would enable the building's deterioration to be addressed at the earliest opportunity.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. Consideration was given to the possibility of working with joint venture partners to establish a training hotel to improve the training and employment prospects for those who face barriers to employment. This is a new concept which could in the long term help local people find the skills and opportunities for employment in a sector which delivers 10% - 20% of the local workforce. However, it represents a high risk strategy which would take some time (about 2 years) to work up and a suitable partner would need to be found. It is untried in this country and would take a large amount of feasibility and preparation work to see whether the idea is viable and realistic particularly for this building. This timeframe would impact on the deteriorating state of the building fabric thus

worsening the situation and could impact on any premium, rental income and marketing opportunities.

2. The training hotel concept also provides a financially higher risk project. It will require revenue resources to implement and manage the project and to date no financial resources have been identified. Considerable capital investment will be required through the partnership and the council will need to identify capital resources from within the capital programme. A detailed business plan will be required that demonstrates the feasibility of the project both for the initial investment and the ongoing viability of the project as a long-term business. It is unlikely that this option would produce a premium or capital receipt, however, there is the potential for some rental income to be generated. The legal issues would need to be more thoroughly evaluated e.g. in respect of the appropriate procurement route, governance arrangements and the on-going operation and maintenance of the building.
3. The long lease disposal is outlined in paragraphs 3.8-3.11. It would be a more straightforward financial transaction for the authority, quicker and easier to deliver than a training hotel. It will produce a capital receipt, will address the urgent issue of the deteriorating building more quickly, will readily appeal to hotel operators and create employment for an established local market.
4. For these main reasons and the other factors identified in this report the disposal option is considered as the most beneficial and appropriate way forward. Elements of the untested training option could be incorporated into the marketing brief and potential developers signposted to the Tourism Futures service provided by City College. This would enable the council to test the market view and provide information for other projects where a hotel element is contemplated, such as Circus Street and Patcham Court Farm.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD:

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Councillor Mary Mears
Leader of the Council

Signed:



17 September 2009

Proper Officer:

Mark Wall, Head of Democratic Services

Signed:



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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB130 – 17/09/09

Forward Plan No: CAB11238

This record relates to Agenda Item 80 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	CULTURE & ENTERPRISE
SUBJECT:	NEW HISTORICAL RECORDS OFFICE AND RESOURCE CENTRE (THE KEEP) – PROJECT UPDATE, FUNDING ARRANGEMENTS AND FUTURE DELIVERY
AUTHOR:	JANITA BAGSHAWE, MARK JAGO

THE DECISION

1. That Cabinet notes that whilst the bid to the Heritage Lottery Fund was unsuccessful, the partners' subsequent exploration of reduced scheme options suggests a financially viable scheme is still achievable; a scheme considered capable of satisfying the original vision and objectives.
2. That Cabinet notes the joint Project Board's selection of a preferred scheme option and the work now underway to complete a revised RIBA Stage C report (outline design).
3. That Cabinet confirms the city council's commitment to 'The Keep' and supports continued partnership working with ESCC and the University of Sussex to further develop the project.
4. That Cabinet notes the current funding profile and approves the city council's revised financial contribution of up to £508,000 (a sum within the originally agreed 'in principle' figure) towards the continued development of the scheme up to RIBA Stage D (detailed design).
5. That Cabinet grants authority for the preparation of appropriate legal documents to enable the project's progression to Stage D (such documents to allow for proceeding further to Stage H but only subject to the city council's agreement at the conclusion of Stage D).
6. That Cabinet delegates authority to enter into those legal documents to the Director of Culture & Enterprise in consultation with the Cabinet Member for

Culture, Recreation & Tourism.

7. That Cabinet reconfirms 'in principle' agreement to the council's longer-term funding commitment, to a maximum of £5.345m (inclusive of development funding shown in 2.4 above), to support the capital cost of delivering The Keep, with the final decision returning to Members at the conclusion of Stage D; currently anticipated in April 2010.

REASON FOR THE DECISION

1. The Keep is an innovative project that will address the long term storage and preservation of the city's historic records and archives. The current facilities are completely inadequate and unsustainable, even in the short to medium term. Action is now required, without which it is possible that The National Archives could remove the licence and seek to place the collections elsewhere. The new centre will overcome these problems and will represent the next generation of archive buildings in the UK, in line with the new Government Archive Policy, 'Archives for the 21st Century', which is currently out to consultation and makes specific reference to the need for "fewer, bigger, better" archive facilities.
2. Despite the obvious set-back of not attracting HLF grant funding, the partners' subsequent exploration of reduced scheme options suggests that a financially viable scheme is still achievable; a scheme considered capable of satisfying the original vision and objectives. While it has been a challenging period, the project has continued to develop during the past 18 months.
3. The city council has already made a considerable financial investment in supporting the project to this point, and has previously indicated its commitment to the longer-term, subject to it being financially viable. Continuing to work in partnership with ESCC and the University of Sussex, with agreement to financial support to enable the project's progression through RIBA Stages C and D requires relatively limited further funding, and remains within the originally agreed in principle total of £5.345m.
4. Completion of the next phases of design work will advance the scheme to a point where there will be far greater certainty about both the capital build costs and longer-term revenue implications of operating the new facility. Both of these areas are vitally important to the project's future and are central to informing decisions at the next stage, when a further report will come to Members prior to final confirmation of capital funding.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The evaluation of alternative options has been a fundamental consideration since the project's inception, and has continued at each stage of its development. The original Feasibility Study from 2004 looked at six possible scenarios, from which the preferred option for a new record office and resource centre was first identified. Subsequent work has considered the possible inclusion of modern records and museums collections, partnership and delivery arrangements, and a detailed appraisal of potential sites, with Woollards Field

identified as the preferred location in 2007.

2. In addition to which, the 2008 report to Policy & Resources set out alternative options that were open to the city council. Assessment of those options confirmed that the most appropriate way to improve public access and the future management of the city council's historic records and archives was through partnering with ESCC. It was on that basis that the city council agreed to become a full partner, with agreement to meet a one-third share of the development costs to support its progression.
3. Failure to attract HLF funding at the end of last year necessitated a further review of options; work that is summarised in this report and which suggests a financially viable scheme is achievable. The review also included the 'do nothing' option, which effectively means remaining in the existing premises, but this was again confirmed as unacceptable.
4. As set out in the report to Policy & Resources, the only real alternative option open to the city council would be to withdraw from the partnership and seek to provide a stand alone records office for the city. As the earlier report confirmed, this is likely to require a greater level of capital funding, there are precious few appropriate sites available, it would be extremely difficult to separate the records / archives and to operate independent services would be contrary to national trends and it would have a negative effect on service users.

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:

17 September 2009

Decision Maker:

Councillor Mary Mears
Leader of the Council

Signed:



Proper Officer:

17 September 2009

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

Note: This decision will come into force at the expiry of 5 working days from the date of the meeting at which the decision was taken subject to any requirement for earlier implementation of the decision.

Or: This decision is urgent and not subject to call-in (date of CE's agreement to urgency of decision).

Call-In Period

18-24 September 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: CAB131 – 17/09/09

Forward Plan No: CAB11828

This record relates to Agenda Item 81 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	CORPORATE PROCUREMENT OF ENERGY - SUB 100KW ENERGY CONTRACT
AUTHOR:	ANGELA DYMOTT, JASON CLARKE

THE DECISION

1. That Cabinet gives approval for a tender exercise following the official journal of the European Union (OJEU) process to be undertaken and a contract awarded to the most competitive offer supplied from 100% renewable sources, following appraisal and recommendations from the council's energy adviser and Energy & Water Manager.
2. That Cabinet grants delegated power to the Director of Finance & Resources to award the contract following consultation with the Cabinet Member for Central Services and take all other steps necessary for the implementation of the proposals.

REASON FOR THE DECISION

The council's sub 100Kw electricity contract supplied from 100% renewable sources is on a fixed offer that expires at the end of March 2010. The main grounds for the recommendations that are sought are to allow the council to benefit from the best price available and obtain value for money within a volatile market where prices are held for a maximum of 24hrs.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The options researched and analysed by the council's energy consultant and Energy & Water Manager include OJEU, Buying Solutions and alignment with ESCC.
2. Brighton & Hove City Council is committed to procuring from 100% renewable sources. As such the alternative purchasing routes identified and evaluated have

been discounted as they would not allow the council to continue this commitment.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD:

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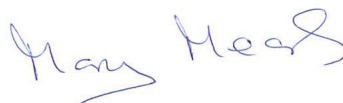
Date:

17 September 2009

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Leader of the Council

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18-24 September 2009

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB132 – 17/09/09

Forward Plan No: CAB11597

This record relates to Agenda Item 82 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	CORPORATE PROCUREMENT FOR LEGIONELLA MONITORING - CONTROL, PREVENTION & RISK MANAGEMENT SERVICES CONTRACT FOR 2010-2015 (5 YEARS)
AUTHOR:	ANGELA DYMOTT, NIGEL LEE, IAN SHARPE

THE DECISION

1. That Cabinet gives approval for the tendering of water treatment services contract for a five year contract, with the option to extend by a further 2 years at the council's discretion, in accordance with the tendering timetable included at paragraph 3.9 to enable these services to commence on 1 April 2010.
2. That Cabinet delegates authority to the Director of Finance and Resources, in consultation with the Cabinet Member for Central Services, to award the contract to the successful bidder following evaluation and recommendations of the evaluation team.

REASON FOR THE DECISION

1. A new contract is needed with the current contracts expiring in March 2010 to ensure that we continue to manage the risk of legionella bacteria and the safety to the public, contractors and council's employees.
2. The new contracts will be managed by the legionella officer, Property & Design to provide consistency and provide opportunities for small local companies to tender for this work as well as national companies.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. It is the legal duty imposed by the Health and Safety at work act 1974 that under the approved code of practice L8, Brighton and Hove City Council shall identify and assess sources of water management risk, prepare a scheme for preventing

or controlling the risk, implement, manage and monitor precautions, appoint a person(s) to be managerially responsible.

2. The existing corporate civic and education and social care legionella water management contracts both end in March 2010 and it is considered that the tendering exercise could offer the opportunity to merge all or some of these water treatment contracts which may provide significant benefits in terms of consistency regarding the standardisation of service provision, the monitoring of contractor performance, assurances of compliance and contract management through a designated team providing a central comprehensive and accurate record of information and auditing of the contract/s.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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17 September 2009

Decision Maker:

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Proper Officer:

17 September 2009

Mark Wall, Head of Democratic Services

Signed:



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Call-In Period

18-24 September 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: CAB133 – 17/09/09

Forward Plan No: CAB11470

This record relates to Agenda Item 83 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	ADULT SOCIAL CARE & HOUSING
SUBJECT:	18 WELLINGTON ROAD
AUTHOR:	DIANA BERNHARDT

THE DECISION

1. That Cabinet approves to the tendering of a support service at 18 Wellington Road to provide extra care and supported living accommodation for people with learning disabilities and those with physical disabilities.

REASON FOR THE DECISION

This report is required to seek approval to commission a support service.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. Option One – Not to commission a support service.

Risks:

- Baron Homes could go ahead and develop the scheme without further involvement of the council
- The council would have no control over the development or the quality or cost of the support being provided
- The council would not have nomination rights and so not be able to influence achieving a balanced and appropriate lettings within the service
- Other councils could place people in the scheme and apply for 'Ordinary Residence' that transfers financial responsibility to the council as the 'host' authority, thus increasing financial pressures
- The council would not maximise opportunities for local people to access to this as a housing and support option
- The council would not be able to meet key strategic priorities to move people back out of area and to reduce numbers of people in residential care.

Opportunities:

- There would be opportunities to commission an alternative support service,

should a suitable property become available

2. Option Two – To commission 12 of the flats

Risks:

- This would significantly increase the unit cost of a service and so reduce value for money and affordability
- There would not be nomination rights on the remaining units and therefore there may be ordinary residence referrals from other authorities thus increasing financial pressures in the authority

Opportunities:

- To provide fewer units would reduce the size of the support service and financial commitment

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Date:

17 September 2009

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Proper Officer:

17 September 2009

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*