

BRIGHTON & HOVE CITY COUNCIL

CABINET

4.00PM 11 MARCH 2010

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

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

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

Other Members present: Councillors Hawkes, Kitcat and Oxley

PART ONE

181. PROCEDURAL BUSINESS

181a Declarations of Interest

181a.1 Councillor Hawkes declared a personal, but non-prejudicial interest in Item 197, a report of the Director of Children's Services concerning proposed changes to the Council's partnership arrangements, as she was a member of the board of City College.

181b Exclusion of Press and Public

181b.1 In accordance with section 100A of the Local Government Act 1972 ('the Act'), it was considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

181b.2 **RESOLVED** – That the press and public be not excluded from the meeting.

182. MINUTES OF THE PREVIOUS MEETING

182.1 **RESOLVED** - That the minutes of the meeting held on 11 February 2010 be approved as a correct record.

183. CHAIRMAN'S COMMUNICATIONS

183.1 The Chairman noted that the meeting would be webcast.

183.2 The Chairman explained that the council would face increasing financial pressure over the next few years and advised that initiatives that offered value for money and genuine savings would be essential to ensure that the council could provide high quality services for residents. It would be important to achieve this without compromising quality or making huge impacts on front-line services. This would be a challenge and the council would be examining ways to procure services, co-ordinate projects and share skills with colleagues across the region.

With a group of local authorities, known as the 'South East Six', the council would be discussing ways to develop thoughts on partnership working; the next meeting would take place on 17 March. Cabinet would be kept informed of progress.

183.3 The Chairman reported that she had spoken at the launch of the Brighton Festival at the end of February and that it was an honour to have Brian Eno, as curator, working in the City.

She stated that it would be an exciting summer for the city with many new events taking place, including the Marathon the Wild Planet photo exhibition, the Chocolate Festival and a Champagne Festival in June. The signs were positive for a busy holiday season and a welcome boost for the local economy.

183.4 The Chairman reported that the council had hosted a delegation from the South African Housing Foundation as part of the Chartered Institute of Housing South East Conference. The conference was successful and the council shared best practice and learnt a great deal about the housing challenges faced the city and in South Africa.

183.5 The Chairman advised that progress on the Local Delivery Vehicle remained positive despite disappointment from Tenant Representatives that their request to meet with the Minister had not been acknowledged. She hoped that the situation would be rectified in the near future.

183.6 The Chairman reported that the government had welcomed a proposal made by a local resident under the Sustainable Communities Act to allow for the trading of surplus allotment produce. There were a number of other proposals – seven put forward by the council - that Government had not yet made a decision on. She advised that would be adding her name to the campaign being run by the 'Local Works' group, who were pressing the Secretary of State for a timetable on the remaining proposals.

183.7 The Chairman stated that later in the agenda the Cabinet would be considering a report looking at how planning policy and licensing enforcement could be used to control the availability of alcohol. Members from all Groups shared concerns about the ease with which premises could gain a license to sell alcohol; a problem made worse by the limited nature of the council's powers to refuse or restrict licenses.

The Chairman explained that council was obliged to abide by the licensing laws, whilst also being responsible for the local consequences of those laws. She advised that the city's reputation and value as a destination was being challenged by the growing influence of the 'big 4' supermarkets with an increasing number of smaller 'Express'-style stores opening across the city and invariably applying for late licenses to sell alcohol.

She stated that the council would continue to do everything it could to support local and independent traders and renew the resolve to counter the growing number of alcohol outlets. The council would be pursuing a rigorous and wide reaching campaign to promote its view.

184. ITEMS RESERVED FOR DISCUSSION

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

185. PETITIONS

185(i) Petition – Hangleton Bottom

185.1 Councillor Carden presented a petition signed by 156 people concerning the sale of Hangleton Bottom for waste uses and other development.

185.2 Councillor Carden was unable to attend the meeting.

185.3 **RESOLVED** – That the petition be noted.

186. PUBLIC QUESTIONS

186.1 There were none.

187. DEPUTATIONS

187.1 There were none.

188. LETTERS FROM COUNCILLORS

188.1 There were none.

189. WRITTEN QUESTIONS FROM COUNCILLORS

189.1 There were none.

190. NOTICES OF MOTION

190.1 There were none.

191. SUSTAINABLE COMMUNITY STRATEGY

191.1 The Cabinet considered a report of the Director of Strategy & Governance updating Members on the refreshed Sustainable Community Strategy.

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

- (1) That the report be noted and the Sustainable Community Strategy be referred to Council for further consideration and adoption.

192. THIRD SECTOR RECOVERY ACTION PLAN

192.1 The Cabinet considered a report of the Director of Strategy & Governance concerning Brighton & Hove's Third Sector Recovery Plan 'Ready, Responding and Resilient', which set out the vital role played by the Third Sector in supporting the most vulnerable citizens and communities in the City in a recession.

192.2 Councillor Mitchell welcomed the report and its timely nature. She stated that it gave an indication of the good work the council undertook with the voluntary sector and highlighted their importance to the city. She added that the action plan would sit well with the Volunteering Strategy and Social Enterprise Strategy, as people began to look to the Third Sector more for services traditionally provided by the council.

192.3 Councillor Randall welcomed the report and advised that the Third Sector should be seen as complimentary to local authorities, rather than the cheaper option. He added that work undertaken by the Phoenix Gallery in Brighton represented a good example of a creative business-like third sector organisation making a difference in the city.

192.4 Councillor Watkins stated that Third Sector organisations were of significant value to individuals in the city and that the council needed to ensure volunteers were well-supported because the city would come to rely on them more during the difficult economic climate.

192.5 The Chairman advised that the council fully recognised the work of Third Sector organisations in the city and thanked the officers for producing the action plan.

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

- (1) That the Third Sector Recovery Plan be adopted as a council plan to enable officers to start implementing the actions to support the third sector in the city.

193. ADOPTION OF MUNICIPAL WASTE MANAGEMENT STRATEGY

193.1 The Cabinet considered a report of the Director of Environment summarising the results of the consultation on the draft Waste Management Strategy, the subsequent revisions made seeking approval for its adoption.

193.2 Councillor Kitcat welcomed the strategy as a whole, but expressed disappointment in relation to some of the targets, particularly in relation to recycling rates. He noted that the sustainability appraisal echoed his concerns and suggested a review in 2011. He stated that the Green Group remained opposed to incineration of waste and disagreed with the justification for not introducing food waste collections; he advised that the council should consider the full range of approaches available.

He reported that he was supportive of a number of the initiatives and pilots proposed, and hopeful in relation to garden waste collection, but that the strategy had missed opportunities to significantly reduce waste.

193.3 The Chairman explained that composting was a far more sustainable approach to dealing with food waste and that residents would never support a move to the fortnightly collections required to make food waste collections work.

193.4 Councillor Mitchell welcomed the strategy and was grateful for the opportunity to contribute to the consultation. She welcomed the continued subsidisation of compost bins and advised that a comprehensive campaign was required to communicate the importance of composting to residents. She suggested that there was scope to trial small scale food waste collections where there was a demand, as well as a pilot for neighbourhood composting that could link to an allotment site. She added that targets appeared low and that she was concerned aims to increase recycling rates would be supported only by a communications campaign.

193.5 Councillor Watkins echoed comments to consider approaches for tackling food waste.

193.6 Councillor Theobald explained that the targets within the strategy were set at a realistic and achievable level. He stated that it was necessary to carry out a targeted communications campaign to tackle the food waste issue. He advised that the council was still considering the possibility of green waste collections, but that the charges required made a scheme challenging to implement. He added that additional collections would not be very environmentally sustainable because it would require more vehicles on the road. He confirmed that the targets would be reviewed in 2011.

193.7 The Assistant Director for City Services confirmed that discussions with the Older People's Council and Brighton Community Composting had been beneficial in relation to alternative green waste collections. Assistant Director hoped that a better service could be achieved. She further explained that the council was working with Trading Standards in regard to legal powers aimed at preventing excessive packaging; furthermore that supermarkets were being actively encouraged to reduce packaging.

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

(1) That the Waste Management Strategy for Brighton & Hove be endorsed.

- (2) That the transfer of up to £1.01m from the waste PFI reserve be approved to fund the strategy over three years 2010/11 to 2013/14 and that the first call on any savings generated will be to repay in full the amount transferred from the reserve.
- (3) That it be noted that the delivery of the strategy is expected to result in estimated savings of more than £1.1m over the same 4 year period and savings of about £0.4m per annum thereafter.

194. RESPONSIBLE LICENSING

- 194.1 The Cabinet considered a report of the Director of Environment concerning how planning policy and enforcement could be more effectively used to supplement the existing licensing powers to control the availability of alcohol through licensed premises in the City.
- 194.2 Councillor Watkins advised that there had been a tension between the licensing and planning regulations for a number of years and that officers in each department needed to ensure there was more joined up working in order to tackle the problems.
- 194.3 Councillor Mitchell stated that central government also had a role to play while the council had a responsibility to facilitate a joined-up approach. She advised that new legislation should be welcomed and would add to the powers given to the council under the 2003 Act. She added that she would like to see the cumulative impact zone extended to mirror the citywide Designated Public Place Order.
- 194.4 Councillor Randall stated that he felt the 2003 Act had taken powers away from communities in relation to dealing with the issues in question, but the new legislation was welcome. He advised that the night time economy was vitally important to the city and the council must work with licensed establishments to protect the safety of residents and visitors. He added that it was also necessary to tackle the sale of cheap alcohol by supermarkets.
- 194.5 Councillor Theobald advised that while planning and licensing departments did work closely, efforts would be increased to ensure a more joined-up approach.
- 194.6 The Chairman explained that the 'big four' supermarkets were exacerbating the problems caused by the sale of cheap alcohol and that the city's economy could suffer if people were put off visiting the city as a result. She added that it was vital that the situation be monitored and addressed before the changes to the city became irreversible.
- 194.7 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That the work of the Licensing Committee is noted and endorsed.
 - (2) That the respective roles of the licensing and planning authorities are noted.

- (3) That, where possible, and subject to legal requirements, Members would welcome that the Council aim to ensure a consistent approach between the two Council functions.

195. ANNUAL INVESTMENT STRATEGY 2010/11

195.1 The Cabinet considered a report of the Director of Finance & Resources concerning the council's Annual Investment Strategy for 2010-11.

195.2 In response to a question from Councillor Randall, the Head of Strategic Finance & Procurement explained that the council traditionally had less income to invest in the months of February and March, but had entered into a £2.5 billion deal with Lloyds. He confirmed that the council did consider building society interest rates, but reported that current rates were outside of the market norms causing the council to act cautiously.

195.3 Councillor Young confirmed that the council would consider investing with building societies provided that their rates were considered to be safe.

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

- (1) That the Annual Investment Strategy 2010/11 be endorsed and recommended to Council for approval.

196. TREASURY MANAGEMENT POLICY STATEMENT 2010/11

196.1 The Cabinet considered a report of the Director of Finance & Resources concerning the council's treasury management policy statement (TMPS) and treasury management practices for the financial year commencing 1 April 2010.

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

- (1) That the Treasury Management Policy Statement 2010/11 be approved.
- (2) That the Treasury Management Practices 2010/11 be approved.
- (3) That the Schedules to the Treasury Management Practices 2010/11 be approved.

197. CHILDREN'S SERVICES PARTNERSHIP AGREEMENTS (S75 AGREEMENTS) AND THE CHILDREN'S TRUST BOARD

197.1 The Cabinet considered a report of the Director of Children's Services concerning proposed changes to the Council's existing partnership arrangements with the Primary Care Trust and South Downs Health in relation to Children's Services and new draft Statutory Guidance in relation to Children's Trusts Boards.

197.2 Councillor Hawkes spoke in support of the proposals and advised that it was important for the council to remain ahead of other local authorities in relation to

partnership arrangements. She stated that the existing Children's Trust Board had made significant achievements and it was important to ensure that the Board remained linked to the rest of the new arrangements. She added that she hoped the Cabinet would monitor the new partnership arrangements.

197.3 Councillor Brown confirmed that while there was an obligation to include an increasing number of representatives on the new Children's Trust Board, there was no intention to exclude the voluntary sector or alter the existing cross-party nature of Member involvement.

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

- (1) That the principles of the proposed S75 agreements be approved.
- (2) That the proposed governance arrangements be approved and that the Council's constitution be amended so far as required to reflect the new arrangements.
- (3) That the Director of Children's Services be authorised, after consultation with the Cabinet Member for Children's Services, to finalise the detailed terms of the s75 agreements and to take all steps necessary or incidental to the implementation of the proposals.
- (4) That the Head of Law be authorised to prepare and execute the s75 agreements.
- (5) That the proposed new duties in relation to establishing a Children's Trust Board be noted and the Cabinet Member for Children's Services be authorised to approve the steps necessary to establish the new Board.

198. CIVITAS UPDATE & WORK PROGRAMME

198.1 The Cabinet considered a report of the Director of Environment updating Members on the CIVITAS programme.

198.2 Councillor Mitchell welcomed the interesting selection of projects and stated that she looked forward to seeing them progress.

198.3 In response to a question from Councillor Randall, Councillor Theobald confirmed that £400,000 of the £2.2 million had been spent to date.

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

- (1) That progress to date be welcomed, and the approaches relating to delivery of individual projects be supported.

The meeting concluded at 5.03pm

Signed

Chair

Dated this

day of