

Decision No: CAB1 - 12/06/2008

Forward Plan No: CAB0007

This record relates to Agenda Item 14 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: FINANCE & RESOURCES

SUBJECT: TARGETED BUDGET MANAGEMENT
(TBM) REVENUE OUTTURN 2007/2008

AUTHOR: DAVID NICHOLLS

THE DECISION

1. That the provisional outturn for the General Fund, Section 75 (S75) Partnerships and Housing Revenue Account for 2007/08 and the impact on reserves and balances be noted.
2. That the contribution of £0.500 million to the Single Status reserve and the creation of a Car Parks Maintenance reserve of £0.400 million be agreed.
3. That the changes to the 2008/09 budget allocations as set out in paragraph 3.6 of the report and the use of unallocated general reserves as set out in paragraph 3.5 of the report be agreed.
4. That the carry forward of £0.799 million to 2008/09 relating to the Older People Mental Health Services S75 pooled budget, managed by Sussex Partnership Trust be agreed, subject to Joint Commissioning Board approval at their meeting on 16th June 2008.
5. That an additional contribution from the General Fund to the S75 Partnership pooled budget to meet the shortfall of £0.199 million against the Integrated Community Equipment Services S75 pooled budget managed by South Downs Health Trust be agreed.
6. That the proposed distribution of the unallocated Local Authority Business Growth Incentive Scheme (LABGI) funding as set out in Appendix 2 of the report be agreed.

REASON FOR THE DECISION

1. The recommendations have been made in the context of the overall financial standing and future outlook of the council. The movements on specific reserves and the earmarking of unallocated general reserves represent prudent financial management and make best use of the limited financial resources available to the council.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The proposed contribution to the Single Status reserve (£0.500 million) and the creation of a Car Parks Maintenance (£0.400 million) reserve are prudent actions based on current financial risk assessments. If these proposals were not approved, unallocated general reserves would increase by a corresponding amount.
2. If the earmarking of an amount (£1.070 million) of unallocated general reserves to support the collection fund deficit were not approved, alternative funds would need to be identified to cover the deficit to avoid future council tax levels being affected.
3. The £0.100 million allocation to the transformation fund if not made could delay service transformation projects/ value for money improvements. This is a modest amount that should support the speedier delivery of improvement projects and associated efficiency and productivity gains.
4. The proposed carry forward of £0.799 million in respect of S75 Older People Mental Health Services will be reported to the Joint Commissioning Board (JCB) for approval and is considered vital to ensure the setup and delivery of the new "Dementia at Home" service in 2008/09. Decisions regarding the utilisation of underspends on partnerships are taken jointly by the partners through the JCB. If this was not approved by the JCB and/or the Cabinet, the underspend would revert to both partners and would normally be shared in proportion to the partners' contributions to the pooled budget. However, given the additional investment of over £1.9 million in this service in 2007/08, it is highly likely that this would be successfully disputed by the Primary Care Trust and that the underspend would revert to the Primary Care Trust in full.
5. The overspend on the Integrated Community Equipment Store (£0.199 million) has been reported for many months and the demands on the service are known to have increased. South Downs Health NHS Trust were expecting to manage this pressure but higher than anticipated costs on other S75 services has meant that financial recovery could not be achieved. Provider trusts are expected to deliver within budget provided there are no significant changes in demand. In this case, there is some evidence of a change in demand for social care equipment and the provider is highly likely to be successful in arguing the case for additional contributions from the commissioners (council and/or PCT). If the additional contribution was not approved, South Downs Health Trust is likely to seek redress under the terms of the S75 agreement.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

Having declared a personal and prejudicial interest in the matter Councillor Mears withdrew from the meeting and took no part in the discussion or decision thereon.

In the absence of the Chairman, Councillor Mears, Councillor Brown chaired the meeting during consideration of the item.

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

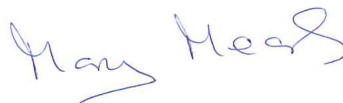
Date:

12 June 2008

Decision Maker:

Councillor Mary Mears
Leader of the Council

Signed:



Proper Officer:

12 June 2008

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny 'Call-In' provisions.

Call-In Period

13-19 June 2008

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: CAB2 - 12/06/2008

Forward Plan No: CAB0008

This record relates to Agenda Item 15 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	TARGETED BUDGET MANAGEMENT (TBM) CAPITAL OUTTURN 2007/08
AUTHOR:	STUART TAYLOR

THE DECISION

1. That the changes to the capital budget, as set out in Appendix 1 of the report be approved.
2. That it be noted that the programme slipped by 3.48%, as set out in paragraph 3.3 of the report.
3. That the carrying forward of 2007/08 slippage (£1.407 million) into the 2008/09 capital programme, to meet on-going commitments on these schemes, be approved.

REASON FOR THE DECISION

1. The budget changes are requested in order to begin or complete capital investment projects previously agreed by Members.
2. The slippage and re-profiling requests are required to be carried forward into 2008/09 in order to complete capital investment projects already committed to.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. It would be possible to consider redirecting slippage and re-profiling requests to other priorities. This is not recommended in this report as the resources were allocated to schemes by previous Member decisions and are required in order to complete the schemes the council has committed to. Some resources are also ring-fenced for a specific purpose by the sponsor.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

The decision-maker(s) did not declare a personal or prejudicial interest in the matters set out in the report.

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Date:

12 June 2008

Decision Maker:

Councillor Mary Mears
Leader of the Council

Signed:



Proper Officer:

12 June 2008

Mark Wall, Head of Democratic Services

Signed:



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13-19 June 2008

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB3 - 12/06/2008

Forward Plan No: CAB0006

This record relates to Agenda Item 16 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: STRATEGY & GOVERNANCE

SUBJECT: CORPORATE PLAN AND MEDIUM TERM FINANCIAL STRATEGY

AUTHOR: ANTHONY ZACHARZEWSKI

THE DECISION

1. That the Corporate Plan, as amended below by the Overview and Scrutiny Committee be forwarded to Council for approval:

A. Add reference to support for city car clubs in 1.2 (p. 9)

Proposed amendment: Add new action bullet point reading "support the roll-out of car club cars across the City".

B. Clarify third action bullet in 1.3 (p. 11)

Proposed amendment: Change bullet to read "Work with local businesses and others to ensure that workers have the skills they need."

C. Add reference to work on private rented sector housing in 1.5 (p. 15)

Proposed amendment: New action bullet reading "Maintain our high level of performance in reducing the number of empty private sector homes in the city."

D. Add reference to supported housing in 1.5 (p.15)

Proposed amendment: New action bullet reading "Provide financial assistance and support to householders and landlords to enable more vulnerable owner-occupiers and private tenants to live in decent homes."

E. Add reference to improving energy efficiency of housing stock in 1.5 (p. 15)

Proposed amendment: New action bullet reading "Improve the energy efficiency of the city's housing stock across all tenures, and reduce the number of people on low incomes living in homes with a low energy efficiency rating."

F. Describe the action being taken to deliver the commitment on drug users in 3.3 (p. 34)

Proposed amendment: New action bullet reading: "Bring the drug treatment system

in line with new and emerging best practice, training staff better and providing a high-quality, stable service.”

G. Add reference to health benefits of environmental health enforcement work in 3.3 (p. 34)

Proposed amendment: New action bullet reading: “Improve public health by improving the health and safety of workplaces, the fitness of food sold, and the quality of the city’s air.”

H. Add specific action bullet on NEET in 3.4 (p. 35)

Proposed amendment: New action bullet reading: “Expand the breadth of the curriculum offer to take into account the needs of all young people and increase the number of in-year enrolment opportunities to encourage those not in education to re-engage.

REASON FOR THE DECISION

1. The Council needs a single overarching statement of its priorities, key targets and actions.
2. The Corporate Plan provides such a statement, and has been prepared with the co-operation of all parts of the Council.
3. The Corporate Plan enables the Council to fulfil its commitment to deliver the Local Area Agreement.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. During the drafting of the Plan, alternative drafting suggestions were considered, but the fundamental structure of the plan, including the principal targets, was drawn from the Local Area Agreement.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

The decision-maker(s) did not declare a personal or prejudicial interest in the matters set out in the report.

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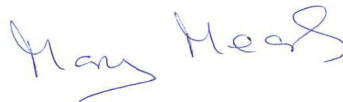
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Leader of the Council

Signed:



Proper Officer:

12 June 2008

Mark Wall, Head of Democratic Services

Signed:



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13-19 June 2008

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: CAB4 - 12/06/2008

Forward Plan No: CAB0005

This record relates to Agenda Item 17 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	STRATEGY & GOVERNANCE
SUBJECT:	LOCAL AREA AGREEMENT 2008-11
AUTHOR:	ANTHONY ZACHARZEWSKI

THE DECISION

1. To recommend to Council the Local Area Agreement for approval.
2. That it be noted that the Local Area Agreement would be reviewed in January 2009, when targets still outstanding would be determined, and other targets and indicators removed or amended.
3. That it be noted that cross-partner delivery plans for all national indicators in the LAA were being determined and would be reported and monitored to the Public Sector Board and Local Strategic Partnership in due course.

REASON FOR THE DECISION

1. The Council has a statutory duty to draw up a Local Area Agreement for the city. In doing so, it must consult the council's key partners in service planning and delivery.
2. The Agreement (attached at Appendix One) is the result of wide consultation through the various partnership mechanisms in the city, and has been discussed with all the main political groups on the Council.
3. The Agreement is in line with the Administration's priorities. It focuses on new ways of working to tackle cross-service issues such as worklessness and mental health, and provides an opportunity for the Council, as the democratically elected element of local service provision, to give a lead to others working in the city.
4. The Agreement is also brings key partners together in delivery of targets related to the City Employment and Skills Plan and the Reducing Inequality Review.

5. The formal deadline for the submission of the Agreement was 31 May 2008. This would have required us to bring the Agreement to Council on 24 April. Because of the changes to governance structures in the city, we believed that this timetable did not give sufficient time for consideration. We therefore agreed with GOSE that the Agreement would be submitted after the next Council meeting, but that concerns with targets or indicators should be reserved for the first review of the Agreement, which will take place in January 2009. At that point, any indicators and targets can be changed in the light of experience.
6. As Cabinet will see from the Agreement, not all targets are yet finalised. This is due to delays on the Government side in defining some of the targets and measures in the National Indicator Set. Any missing targets will be completed at the time of the first review in January 2009.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. During the drawing up of the Agreement, various options for indicators were considered and rejected, based on prioritisation by partnerships and officers. Details of these can be obtained from officers, but the Agreement has never existed in an alternative form.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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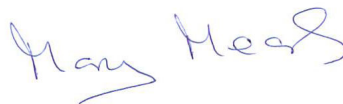
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Leader of the Council

Signed:



Proper Officer:

12 June 2008

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period
13-19 June 2008

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: CAB5 - 12/06/2008

Forward Plan No: CAB0001

This record relates to Agenda Item 18 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	ENVIRONMENT
SUBJECT:	LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY - REVISED PREFERRED OPTIONS
AUTHOR:	HELEN GREGORY

THE DECISION

1. That the nature of the representations made to the original Core Strategy Preferred Options document (appendix 2 of the report) be noted.
2. That the officer responses and recommendations to the representations set out in the schedule attached to the Statement of Consultation placed in the Members' rooms be approved.
3. That the Revised Core Strategy and supporting documents for the purposes of a minimum six week period of public consultation, subject to any minor editorial changes agreed by the Cabinet Member for Environment in consultation with the Director of Environment be approved; and
4. That it be noted that the final version of the Core Strategy would be brought back to the Cabinet and Council in January 2009 for approval for submission to the Secretary of State following a final formal period of consultation to take place during February and March 2009 (the exact procedure would be subject to the publication of The Town and Country Planning (Local Development) (England) (Amendment) Regulations anticipated May/June 2008).

REASON FOR THE DECISION

1. To ensure that Cabinet is aware of the extent and nature of comments received on the original November 2006 Core Strategy Preferred Options document and the proposed officer response.
2. To progress the Core Strategy towards its adoption and ensure the council has

an up to date strategic planning framework for the city to replace the current Local Plan. This will assist in bringing forward other local development documents and for the council to meet the Best Value Performance indicator BV200b. Progress towards adoption of the Core Strategy will also facilitate the implementation of other city-wide strategies.

3. To advise Cabinet that amended regulations for preparing development plan documents are due to be published in May/ June 2008. The likely implication of these amendments is that when the council agrees the next version of the document in January 2008 this will be the final version of the plan which will then be published for consultation and submission to the Secretary of State.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The purpose of the preferred option stage of the Core Strategy is to test a range of realistic and deliverable options to accommodating growth and development in the city to 2026. This testing includes consultation, a robust and up to date evidence base and a Sustainability Appraisal. The Revised Core Strategy sets out clearly the council's preferred option, what alternatives were considered and why they were discounted. The purpose of the consultation is to seek the views of the public and stakeholders on these preferred options before the final document is prepared.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

The decision-maker(s) did not declare a personal or prejudicial interest in the matters set out in the report.

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Date:

12 June 2008

Decision Maker:

Councillor Mary Mears
Leader of the Council

Signed:



12 June 2008

Proper Officer:

Mark Wall, Head of Democratic Services
Signed:



SCRUTINY

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Call-In Period
13-19 June 2008

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: CAB6- 12/06/2008

Forward Plan No: CAB0002

This record relates to Agenda Item 19 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	ENVIRONMENT
SUBJECT:	LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY – BACKGROUND STUDIES
AUTHOR:	MIKE HOLFORD

THE DECISION

1. That the six completed background studies and four interim background studies as supporting evidence for the revised preferred options Core Strategy, part of

the Local Development Framework be approved.

2. That it be noted that the final versions of those four studies currently at the interim stage would be brought back to the Cabinet in November 2008.

REASON FOR THE DECISION

1. To ensure that Cabinet is aware of the background studies informing policy development in the Core Strategy.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. None required as the studies are concerned with the identification of matters of fact. The Studies are required by Government planning guidance requiring plans to be supported by a sound evidence base.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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Leader of the Council

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Proper Officer:

12 June 2008

Mark Wall, Head of Democratic Services

Signed:



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Call-In Period
13-19 June 2008

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: CAB7 12/06/2008

Forward Plan No: CAB0004

This record relates to Agenda Item 20 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	ENVIRONMENT
SUBJECT:	DOG CONTROL ORDERS
AUTHOR:	ROY PICKARD

THE DECISION

1. That the making of an order pursuant to Section 55 of the Clean Neighbourhoods and Environment Act 2005 providing for offences relating to the control of dogs in respect of land within Brighton & Hove be agreed. The Dog Control Order shall relate to:-
 - (a) the removal of dog faeces,
 - (b) for keeping of dogs on leads
 - (c) the exclusion of dogs.

in respect of land specified in appendix 3.
2. That the level of fixed penalty for contravening a dog control order be set at

£80.00.

3. That the commencement of the Dog Control Order from Midnight 31st December 2008 be approved.

REASON FOR THE DECISION

1. The proposed final scheme consolidates and streamlines the existing bylaws making them simpler, easier to understand and follow. The new rules follow a risk based approach, in particular they have focussed on reducing the risk of toxocara transmitted to children (dog exclusion areas), of road traffic accidents (dogs on leads in urban areas), dogs out of control (dogs on a lead when asked to do so). It has also mirrored public opinion from the results of the 2 consultations.
2. In terms of the beaches only 10% of those respondents who mentioned the issue of beaches agreed with the second consultation proposal to exclude dogs from the beaches during the summer months. 82% of the public responses wanted a mixed use of dog friendly and dog exclusion on the beaches during the summer months. 8% of respondents wanted dogs to be allowed on all beaches all year round. This was also confirmed by 72% of the respondents from the citizen's panel who wanted some mix of designated beaches and summer restrictions. Consequently in view of public opinion it has been recommended to keep the existing system of dog friendly beaches between the months of May and September inclusive.
3. With regard to the golf courses. The first consultation received representations from the golf courses asking for some dog restrictions in this area and this option was consequently tested by public opinion during the second consultation. 54 of public respondents who mentioned the golf courses believed there should be no dog controls compared to 4 respondents that felt that there should be dog controls. It is therefore recommended that there should continue to be no dog controls on the golf courses.
4. During the first consultation the Children and Young Peoples Trust asked that playing fields of specified schools be included as dog exclusion areas. There was only one objection to this during the second consultation, in respect of BHASVIC. It is therefore recommended that the school playing fields listed in Appendix 3 are included as dog exclusion areas.
5. The first and second consultation highlighted that residents living next to the small city centre historic squares, William Sutton Park and Saunders Park, wanted these areas to continue to be dog free. Historic bylaws already include city centre squares and these 2 parks as dog exclusion areas. For the city centre squares, many residents living in these areas live in flats with no outdoor area and consequently the squares are used by families with young children. It is recommended that the squares and the 2 parks specified in Appendix 3 continue to remain dog exclusion areas.
6. During the first consultation the Council Life Events Service requested that the

cemetery bylaws relating to dogs were included in the new scheme. The cemeteries listed in Appendix 3 were included in the second consultation. There was limited feedback from the public regarding this issue. It is therefore recommended that the cemeteries listed are dog exclusion areas with the following exemptions; any person attending a funeral or remembrance service, visiting a grave of a loved one, or a person residing in premises of the specified cemeteries dogs must be kept on a lead at all times.

7. The undercliff walk was an area that was commented on by the public during the second consultation. Interestingly those that commented felt that the council was proposing to create new rules for this area whereas the current bylaws already require dogs to be on a lead. Due to the feedback from the public it is recommended that the undercliff walk becomes a dog off the lead area.
8. Rottingdean Parish Council commented in detail during the second consultation. New rules that were suggested included the school grounds of primary schools, Longhill School, beach restrictions and some open spaces restrictions with exemptions for older persons. It is recommended that some of these comments are taken on board including dog exclusions for Longhill School playing fields and the Kipling Gardens. It is also recommended to keep the existing system of dog friendly beaches during May to September inclusive.
9. New guidance has been issued by Defra stating that the level of fines that can be set for offences within a dog control order is £50 - £80. Where a fine is not set by the local authority the fine is to be £75. It is therefore proposed that the fine for each dog control offence should be set at the maximum of £80.
10. If Cabinet agree the final scheme it must then decide when the order will come into force. This must be at least 14 days from the date on which the order was made. It is recommended that the scheme comes into force at midnight on 31st December 2008. The lead in time will allow for the assessment and provision of new signage across the city and allow the new scheme to be publicised.
11. At least 7 days before the order comes into force the authority must publish a notice in a local newspaper stating that the order has been made and where the order can be inspected. It is the aim of the Animal Welfare Team to have a guide to the new rules available at City Direct Centres and Housing Offices. A copy of the scheme will be available on the council's website.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. Alternative options were considered for the beaches, golf courses and under-cliff walk. Rottingdean Parish Council also requested additional dog controls for the Rottingdean area.
2. The beach issue was the most commented on by the public during the second consultation exercise. The second consultation received 460 public representations, a 2,500 signed petition from the " Barking Mad " campaign and 823 respondents from the citizen's panel.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

The decision-maker(s) did not declare a personal or prejudicial interest in the matters set out in the report.

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Date:

12 June 2008

Decision Maker:

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Leader of the Council

Signed:



Proper Officer:

12 June 2008

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period
13-19 June 2008

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: CAB8 12/06/2008

Forward Plan No: CAB0009

This record relates to Agenda Item 21 on the agenda for the
Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:

CABINET

PORTFOLIO AREA:

ENVIRONMENT &
CULTURAL SERVICES

SUBJECT: CITY COLLEGE BRIGHTON AND HOVE
– FALMER SITE PLANNING STRATEGY
FRAMEWORK

AUTHOR: ALAN BUCK

THE DECISION

1. That “in principle” support to the draft Planning Strategy Framework (Appendix 1 to the report) be agreed as a document that will
 - a) Assist the college in its submission for funding to the Learning & Skills Council in respect of realising its objectives to provide new and improved Further Education facilities for Brighton & Hove;
 - b) Provide a framework that will assist future discussions between the council and the college in respect of the proposed additional development at the Community Stadium,
 - c) Feed into a long-term property strategy that will deliver study skills centres in the East and West of the city, including accessible adult education facilities in Hove.

REASON FOR THE DECISION

1. The college’s plans for the Community Stadium involve building on the existing success of Study Support Centres associated with ‘Albion in the Community’ in attracting hard-to-reach learners. The college originally planned to take 2,000m² of space in one of the stands at the stadium, but in addition is now proposing a new building of 8,000m² next to the Stadium. It would occupy part of the City Council-owned site allocated for the stadium development.
2. The college is of the view that the opportunity to build a significant facility at the Community Stadium at Falmer not only offers the physical space for the building of efficient, sustainable and adaptable learning spaces for Construction, Care, Public Services and Sport in particular, but is in itself a landmark development with great potential to attract and inspire learners. In particular they point to the ability of the “power of sport” to engage harder to reach young people, including very successfully by Brighton and Hove Albion Football Club with whom the college has a working partnership.
3. The LSC has requested additional “in principle” planning support from the council in order to provide increased certainty prior to committing significant financial resources in funding the college through to a planning application. They are looking to control planning, cost and programme risk and require this comfort as part of the AiP to minimise the chances of unexpected problems at the planning stage. Given the timescale involved with the College seeking to apply for funding in June 2008, it was agreed that the preparation of a Planning Strategy Framework was the most realistic and achievable way forward. Whilst not a

statutory planning document, the brief has been prepared with regard to the Development Plan and produced as a partnership collaboration between the College's consultants Broadway Malyan, officers from City Planning and Economic Development & Regeneration, with planning officers being responsible for the final draft edit. The college's Falmer proposal would still need to be subject of a planning application in the future – this document in no way avoids that requirement.

4. The Planning Strategy Framework sets out the College's plans in the context of local, strategic and national planning policy. The site of the 'bund' proposal lies partly within the administrative boundary of Brighton & Hove and partly within Lewes (with the College advising that the greater proportion will fall within Brighton & Hove). It is therefore subject to development plan policies of both Local Planning Authorities, as well as the overarching Structure Plan. The site is wholly within the Sussex Downs Area of Outstanding Natural Beauty (AONB) and is therefore subject to government guidance in PPS7, as well as the relevant policies in the above documents. All of these factors would resist major developments within an AONB except in exceptional circumstances.
5. The Planning Strategy Framework sets out a proposed approach to address planning policy in this particular instance. This approach includes the following factors that address PPS7 and local plan requirements:
 - (i) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy.
 - (ii) Such considerations will need to clearly establish the link between the College's plans for radically improved Further Education facilities, the national need for the improved provision of vocational training and its fundamental linkages with the local economy, including the need to fill skills gaps and meet future predicated demands in the local labour market.
 - (iii) the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way.
6. A 'site sequential analysis' will need to be carried out, using a similar approach to that previously undertaken by Brighton & Hove Albion for the Falmer Community Stadium and examined in detail at the associated public inquiries and subsequent rounds of further representations to the Secretary of State. The Planning Strategy Framework sets out an approach to the site sequential analysis that takes account of the College's aspirations to establish key training opportunities linked with a major sporting facility as a valid criterion to be addressed in the consideration of all potential sites. It should be emphasised that this criterion would not override other fundamental planning policy considerations and that the College will also need to make a full and valid case to establish the 'Power of Sport' as an integral element of their educational strategy and thereby a 'material consideration' for planning purposes.
7. any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

8. The proposed form (and to many extents the appearance) of the building within the envelope of an already permitted landscaping bund and the need to minimise any further impact on the wider downland landscape will be key considerations in establishing the above environmental case.
9. The Planning Strategy Framework notes that, notwithstanding the need to adequately address the above AONB planning policy issues, the present state of play in respect of the proposed South Downs National Park is that the site of the community stadium (including the 'bund' site) is not recommended to the Secretary of State for inclusion in the National Park by the planning inspector. Following a final decision by the Secretary of State in respect of the final boundary and the formation of the new National Park, the Sussex AONB will cease to exist.
10. In addition to the above, the Planning Strategy Framework will set out other planning policy considerations that will need to be addressed in the proposal, including:
 - transportation issues and the need for a sustainable transport plan, particularly in view of the fact that Pelham Street is in a far more accessible location;
 - issues relating to the proximity of FE facilities in such close proximity to two university campuses – e.g. whether there would be any adverse effect on their operations and future development aspirations, in particular the immediately adjacent campus of Brighton University;
 - the overall environment for the students, particularly in relation to outside congregation/informal recreational areas (an important aspect of the proposed Pelham Street experience);
 - overall issues relating to environmental capacity of the wider area arising from the cumulative impact of the proposal;
 - the role and financial contribution played by other sites within the ownership of the College in delivering the strategy, together with more detailed information relating to the LSC's funding criteria.
11. The education case for City College at the Stadium is persuasive. The College identifies local and national priorities and describes how new buildings will address these. The current buildings cannot meet current demand for vocational provision and this will increase both at pre and post 16. Having first class facilities will encourage more young people to remain in education and training to gain higher level of skill. This will also have the effect of reducing the number of young people who are not in education, employment or training (NEET) which is a priority for Brighton & Hove.
12. The current facilities do not meet the needs of many young people with learning difficulties and disabilities and new buildings will be fit for purpose and provide accommodation which is accessible and will help vulnerable young people to feel secure in order that can achieve the best that they can.
13. The College already works in partnership with other Colleges and with schools

across the city. The education case identifies gaps in provision in the City as a whole and seeks to fill these. The education case links closely with the 14-19 Strategic Plan and it is clear that all young people will benefit from the proposals.

14. The stadium site will be attractive to young people and will also attract adults with low skill levels. Increasing the number of adults with a full Level 2 qualification is a priority area and will help close the gap between the advantaged and disadvantaged households. The range of activities proposed for the site are in line with local skills needs.
15. The site for the Stadium and the adjacent bus and coach interchange is principally owned by Brighton and Hove City Council, the remainder being owned by Brighton University. Following member approval at Policy and Resources Committee in September 2007, agreement was reached with the tenant to enable the land required for the stadium to revert to the Council. Following completion of negotiations between the Council, the Football Club and the University of Brighton, Cabinet approval will be sought to the terms of the various legal documents required to enable the stadium to be constructed.
16. If all parties, including the University of Brighton, agree to the principle of the new City College building on the stadium site, further discussions and reports to Cabinet will be required on the terms of the disposal and lease agreement.
17. There is a finite pot of LSC funding available, with other colleges in the region bidding all the time for the money that is left. The college therefore needs to submit its AIP very soon, and has agreed a date in the middle of June with the LSC. This means there is a great deal of urgency for the college to secure some degree of endorsement from the city council to support the bid and to try and ensure the significant education capital funding investment is secured for Brighton & Hove. If the submission of the AIP is any later than June this year then the entire programme will have to move back a year as the college programme must be based on moving within the summer holidays. If the college were to have to rethink its property strategy and therefore its AiP it would delay the AiP by a year and could mean that most significant sums of capital funding are already allocated elsewhere by the time the college makes its application. The programme presently envisages occupation of both Pelham Street and the college element of the Community Stadium in early September 2011.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. One alternative to giving support to this document would be to adopt a do nothing approach and wait for city college to submit a planning application. This however would mean that the LSC would not receive the comfort they require that a solution should be possible. They would therefore be unwilling to commit funds to any further work towards a planning permission and therefore by extension would also not fund any capital costs. That capital expenditure would then be likely to be allocated elsewhere in the region, meaning that Brighton & Hove loses out on inward investment of well over £70m and there not being the potential advances there could be in vocational Further Education for the city. The college would still possibly need to consolidate its land holdings to undertake any further development at all.
2. Within the Planning Strategy Framework itself the need for a detailed site sequential analysis is outlined, along with the criteria for considering alternative sites. Within this there needs to be considerable weight given to the educational benefits of each site, and in the case of this particular campus the college is looking to utilise the power of sport to attract hard to reach learners and provide socio-economic benefits. The links to Community Stadium would enable the college to utilise this attraction. Further details about the site sequential analysis to evaluate the alternative options to Falmer are outlined below at section 7.4.
3. The decision of the college to seek a campus at Falmer was informed by their draft Property Strategy, which has been shared with officers and approved by the LSC. The Property Strategy itself included an options appraisal based on a number of sites across the city which showed that many other sites were unavailable or unsuitable for education and that the provision of additional space at Falmer was most beneficial for the college in both educational and financial terms. The Falmer Stadium and Pelham Street are both parts of the first phase of the property strategy. The College's property strategy also includes later phases covering the East and West study skills centres.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

The decision-maker(s) did not declare a personal or prejudicial interest in the matters set out in the report.

CONFIRMED AS A TRUE RECORD:

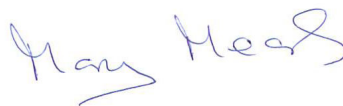
We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision

Date:

Decision Maker:

12 June 2008

Councillor Mary Mears
Leader of the Council
Signed:



Proper Officer:

12 June 2008

Mark Wall, Head of Democratic Services
Signed:



SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny 'Call-In' provisions.

Call-In Period
13-19 June 2008

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: CAB9 12/06/2008

Forward Plan No: N/A

This record relates to Agenda Item 22 on the agenda for the
Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:

CABINET

PORTFOLIO AREA:

STRATEGY & GOVERNANCE

SUBJECT:

CONFIRMATION OF EXECUTIVE
APPOINTMENTS (INCLUDING
APPOINTMENTS TO OUTSIDE BODIES)

AUTHOR: MARK WALL

THE DECISION

1. That the appointment of 9 Cabinet Members as detailed in paragraph 3.2 of the report be noted,
2. That the various appointments of councillors to the bodies listed in paragraph 3.3 of the report be confirmed.

REASON FOR THE DECISION

1. The Leader's actions in appointing a Cabinet and appointing representatives to the various bodies is vested in the powers vested in her role and confirmation of this action is being put to the Cabinet for information.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The council has the choice not to make appointments to the various bodies, however the benefits of having representatives on these is felt to be of greater value and therefore it is recommended that the appointments should be endorsed.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

The decision-maker(s) did not declare a personal or prejudicial interest in the matters set out in the report .

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:

12 June 2008

Decision Maker:

Councillor Mary Mears
Leader of the Council

Signed:



Proper Officer:

12 June 2008

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny 'Call-In' provisions.

Call-In Period
13-19 June 2008

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: CAB10 12/06/2008

Forward Plan No: N/A

This record relates to Agenda Item 23 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	STRATEGY & GOVERNANCE
SUBJECT:	AFFILIATIONS (2008/09)
AUTHOR:	MARK WALL

THE DECISION

1. That affiliation to the bodies listed below during 2008/09 be agreed;
 - a) The Local Government Association
 - b) The South East England Regional Assembly
 - c) The United Nations Association

REASON FOR THE DECISION

1. The Cabinet's approval to affiliate to the organisations listed above is required.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The council has the choice not to affiliate to the organisations, however the benefits of affiliation are felt to be of greater value and therefore it is recommended that the council should affiliate to them.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

The decision-maker(s) did not declare a personal or prejudicial interest in the matters set out in the report.

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:

12 June 2008

Decision Maker:

Councillor Mary Mears
Leader of the Council

Signed:



Proper Officer:

12 June 2008

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny 'Call-In' provisions.

Call-In Period

13-19 June 2008

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)*