

**BRIGHTON & HOVE CITY COUNCIL**

**CABINET**

**4.00PM 11 JUNE 2009**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

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

**Also in attendance:** Councillors Elgood (Leader of the Liberal Democrat Group), Kitcat (Opposition Spokesperson, Green Group) and Mitchell (Leader of the Labour Group)

**Other Members present:** Councillors Allen, Davis and Morgan

**PART ONE**

**16. PROCEDURAL BUSINESS**

**16a Declarations of Interests**

16.1 There were none.

**16b Exclusion of Press and Public**

16b.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).

16b.2 **RESOLVED** - That the press and public be excluded from the meeting during consideration of items 36 onward.

**17. MINUTES OF THE PREVIOUS MEETING**

17.1 **RESOLVED** - That the minutes of the meeting held on 21 May 2009 be approved as a correct record.

**18. CHAIRMAN'S COMMUNICATIONS**

18.1 The Chairman noted that the meeting would be web cast.

- 18.2 The Chairman informed colleagues that Mr. Henry Allingham, who had recently been bestowed with the Freedom of the City, entered his second teenage on 6 June. He celebrated his 113th birthday which coincided with the D-Day commemorations. The Chairman wished Henry all the best and many more years of health and happiness.
- 18.3 The Chairman congratulated and thanked the Brighton Festival and Fringe for providing the city with a fantastically diverse series of cultural events and experiences during May. The city attracted varied artists, experts and personalities and it was vitally important to the City's economy.
- 18.4 The Chairman highlighted the City Futures job fair staged during the previous week with JobCentre Plus and the Argus, which was part of the council's ongoing work to help residents through the recession. There had been over 1,500 visitors and it was announced that over 2,000 job vacancies would be advertised in the coming months from the organisations that took part. She added that the Administration was committed to helping residents find work and to helping local businesses thrive.
- 18.5 The Chairman explained that Item 35 Pedestrian Network - Phase 2 had been deferred and would be presented to a future meeting of the Cabinet.
- 18.6 Councillor Norman wished to inform Members that Kim Philpott, manager at Homebase Support for the over 18s, had won the prestigious Registered Home and Care Manager Award at the National Home Care Awards. This was an excellent achievement and welcome recognition of the services provided by Kim and her team.

## **19. ITEMS RESERVED FOR DISCUSSION**

- 19.1 In response to concerns from Councillor Mitchell the Chairman apologised for the number of late reports on the agenda.
- 19.2 **RESOLVED** – That all the items be reserved for discussion.

## **20. PETITIONS**

- 20.1 There were none.

## **21. PUBLIC QUESTIONS**

- 21.1 There were none.

## **22. DEPUTATIONS**

- 22.1 The Cabinet considered a deputation presented by Ms Pamela McKellar (for copy see minute book). Ms McKellar spoke on behalf of parents who had raised concerns about the allocation of primary school places in the Goldsmid Ward area. She explained parents' disappointment at being allocated schools more than 2 miles away from their homes and the problems caused by this. She asked the Cabinet to commit to providing a new school in Hove, which parents' believed to be the only solution to the current problem.

22.2 Councillor Brown thanked Ms McKellar for her deputation and explained that she was aware of the anxieties and challenges that faced parents with regard to schooling and that she wanted to provide opportunities that enabled children to thrive. It was necessary to balance the desires of parents and children against the operational realities of providing education in such a unique city. Councillor Brown appreciated and recognised the genuine concerns and made the following comments:

- With regard to travel to school, children of reception age directed to a school not of their choice more than two miles from their home would receive assistance with home to school transport.
- With regard to air pollution, Brighton & Hove was fortunate to have an extremely good public transport system; travel was a matter for parents, but in most cases it would be unlikely that travel by car was the only option.
- With regard to the council's pledge in the Children and Young People's Plan 2006-9, to "reduce journeys to school by car...by increasing journeys by foot...", there was a tension between the increasing demand for places in some parts of the city and the ability to provide places within easy walking distance. The council actively promoted healthier lifestyles and alternative transport solutions and encouraged more active lives for children, but there was no duty to legislate here.
- The council accepted that the 60 newly created places in Hove would not solve all the challenges, but the council had to establish that it would be using the limited available capital in the most effective way. In order to provide more places the council had to be satisfied that the trend in population growth in parts of the city would be sustained. Birth and GP registration data was limited to 4 years in advance of school places being required and both national and local longer term forecasting population data did not identified the population growth that had occurred; consequently the council's plans were still taking shape.
- With regard to the creation of new school in Hove, the council agreed that more places were needed and the council was actively investigating options to provide them. The council had made best provision possible this year and would provide transport assistance. The council responded quickly last year with the creation of new places at Davigdor and West Blatchington Infant Schools and further growth proposals for Davigdor Infant and Somerhill Junior Schools.

22.3 Councillor Brown appreciated that council responses could take time, which was not helpful to parents, but hoped that Ms McKellar and her deputation understood that the council took the situation very seriously.

22.4 The Chairman reiterated the Council's commitment to solving the problem and confirmed that Councillor Brown would keep in touch with the deputees.

22.5 **RESOLVED** – That the deputation be noted.

### **23. LETTERS FROM COUNCILLORS**

23.1 There were none.

**24. WRITTEN QUESTIONS FROM COUNCILLORS**

24.1 The Chairman reported that three written questions had been received.

24.2 Councillor Davis had submitted the following question:

“We welcome the new document on the city’s Cultural Strategy presented at this committee. But, would like to ask what steps the Cabinet Member is taking now to ensure that the N1 11 ie. the participation in the arts indicator will reach its target in 2010?”

24.3 The following response from Councillor Smith had been circulated:

“The data from the Active People survey demonstrates and celebrates our current success in enabling our residents to actively participate in the arts. Brighton & Hove has the highest level of participation outside London and the highest in the south east region and of all the other local authorities that have selected NI 11.

Currently participation stands at 61.2 % and our target is 64 .2% by October 2010.

Our strategy is to recognise and build on our current success. It is a clear indication that our current approach is a good one.

The partnership working between the council and arts and cultural organisations of all sizes in the city is central in delivering the vibrant calendar of cultural events that our residents and visitors enjoy and will continue to be at the heart of the city council’s plans to increase participation in the arts to 2010 and beyond.

**The regional and national picture**

We are sharing good practice and knowledge around NI 11 with Arts Council England and the 3 other local authorities in the region that have selected NI 11 (Wokingham, Kent and Milton Keynes) through regular planning meetings. We have also participated in a national conference about NI 11.

**The local picture**

We are consolidating data from local and regional sources about the current opportunities for participation in the arts in the city, who delivers them, who participates and attends and who doesn’t.

We will then share this with our local cultural delivery partners and work with them to establish how we can reach those who are not currently participating.

To this end we are organising an NI 11 meeting working with the audience development agency Audiences South in Brighton for the 3 July. This meeting has been funded by ACE.

The meeting will have 3 main aims:

1. To introduce the cultural delivery partners to the detail of NI 11 including an introduction to the LAA and to the Active People survey

2. To share the ACE produced Propensity to Engage which shows where in the city the pockets of highest and lowest engagement in the arts are.
3. To ascertain what information on their audiences they already hold, identify gaps in participation and to share good practice in audience development.

Alongside this we are making the most of the opportunity of the Festivals Clusters pilot to invest in our festivals recognising that they play a key role in developing participation in the arts particularly at those traditionally non-engaged. An initial audit of the city found there to be 60 annual cultural festivals.

### **Building on current good practice**

We have been focusing our existing investment, support and initiatives more tightly around NI 11 under our 'priority of 'providing excellent cultural opportunities for all'

ACE have identified 3 main types of event and activities that have the greatest potential to increase participation in the arts:

- Flagship outdoor events including initiatives in unexpected places
- Participatory projects with local people culminating in a community event
- Arts activities that people experience as part of everyday life

These are 3 areas in which the city's cultural sector already excel and which the city council will continue to prioritise through our annual and 3 year grant funding and through the Festival Clusters initiative which takes us through to 2010.

### **Flagship events**

The city council and Arts Commission led White Night has participation at its heart and will continue to develop new partnerships in order to provide accessible arts activities in unexpected places and which people will experience as part of everyday life. New plans for 2009 include a programme of work with Sports Development and with Adult Learning Group with a focus on participatory cultural activity.

Our aim is for White Night to reach 20,000 people this year.

### **In Summary**

In summary, our action plan is:

- To raise awareness of the requirements of NI 11 amongst our cultural delivery partners; to celebrate our success and develop a shared action plan
- To collate and share a picture of our current cultural offer and who is and is not participating
- To prioritise NI 11 outcomes through our grants programmes and through our strategic initiatives (such as Festival Clusters) and strategic events (such as White Night) and projects (such as participatory public art projects)
- To work with colleagues in other directorates to help embed NI 11 outcomes in projects and initiatives that are not arts initiated (for example input into Streets for People day, Adult Learning and Sports development)

To develop performance indicators and monitoring and evaluation for this investment that will help demonstrate NI 11 outcomes and provide additional context for the Active People survey."

24.4 Councillor Davis asked the following supplementary question:

“The target increase for participation the arts in only 3% and I have seen the measures proposed before; is there anything new planned?”

24.5 Councillor Smith gave the following response:

“This is all part of our culture audit; we want to aim for a target that we can reach in the current circumstances. It is excellent that we are the top authority for participation in the arts outside of the London Boroughs.”

24.6 Councillor Davis had submitted the following question:

“There is growing concern among parents of young children in my ward of Goldsmid at the shortage of local primary school places. Many parents have been told that they must send their children to schools a considerable distance from their homes, in some cases as much as four miles away. This is unacceptable for many young families.

Please would Cllr Vanessa Brown inform me how many children living in Goldsmid Ward have not been allocated places at primary schools in the recent admissions round that are within a walk of one mile from their homes, as encouraged by Brighton & Hove Council’s own policy?”

24.7 The following response from Councillor Brown had been circulated:

“The Council is investigating options to increase the number of primary school places in Hove and parts of Brighton in response to an unprecedented increase in the number of school age children. This increase is particularly evident in Hove, and Councillor Davis will be aware of the moves already made to permanently increase the size of the Davigdor and Somerhill schools, and the provision of additional places at West Blatchington Primary School.

Of the 136 children in the Goldsmid Ward allocated a Reception place for September, 91 will be attending a school less than a mile from their home.

There are 32 children who will be going to a school between 1 and 2 miles from their home, 15 by choice (10 first preferences, 2 second and 3 third) and 17 directed.

12 children were offered a school further than 2 miles but less than 3 miles, 10 were directed and 2 were by choice (one first preference and one third preference) One child was directed to a school over three miles from home.

Further options of both new build and the extension of existing schools are under evaluation, with the aim of providing two additional forms of entry in Hove beyond the permanent additional places already proposed.”

24.8 Councillor Davis asked the following supplementary question:

“Can more primary places be found in the Goldsmid area by this September?”

24.9 Councillor Brown gave the following response:

“We take this issue very seriously. We have already provided 30 extra places in the Goldsmid area; however, we are unable to find more at the moment because the schools cannot accommodate more children. We are actively looking into this and are considering two sites; an option paper will come to my Cabinet Member Meeting in due course. Since we’ve been in Administration we have put extra places in a number of schools and are committed to addressing parents’ concerns.”

24.10 Councillor Kitcat had submitted the following question:

“Can Cllr [Fallon-Khan] explain why the Regency Square war memorial continues to be in a state of disrepair nearly 8 months after residents, veterans and ward councillors first reported problems and what action is he taking to restore it?”

24.11 The following response from Councillor Fallon-Khan had been circulated:

“In early 2008 at the request of ex Service Associations, T.E.Tilley, the local stonemasons who maintain all the council war memorials were instructed to scaffold out The Royal Sussex Regiment Boer War Memorial at the bottom of Regency Square and undertake a minor refurbishment to include replacement of a number of missing letters, cleaning down of the stonework and treating the metalwork including redecoration of any previously decorated surfaces. Tilleys have maintained this memorial for many years and advised that the metalwork had previously been painted. A specification was consequently agreed with the paint manufacturers and applied to the metal surfaces during the refurbishment.

The works were completed in May 2008. In November it became evident that the repainted surfaces were fading badly, with patchy discoloration although the paint film itself did not appear to be de-bonding. Once this was discovered, Tilleys were recalled to the site and since that time investigations have been undertaken between themselves and the paint manufacturer to establish the cause of the discoloration and identify a remedial procedure. Initial advice from the paint manufacturer in January 09 was to let the new coatings weather in so that the extent of the problem could be established. Since February the Council has had discussions with the Conservation Officer of the War Memorials Trust, Joanna Sanderson and Tilleys to agree the way forward.

Unfortunately we have been unable to establish the cause of the failure but all parties now accept that the new paint film clearly was not suitable. Tilleys have accepted **responsibility** for **resolving** the problem and remedial works will be carried out at no cost to the council.

Tilleys are currently on site cleaning the lower parts to see if the discolouration on the paint can be removed. The discolouration may have been caused by a reaction of the metal to the previous paint or between the paint surface and the atmosphere. It is a matter of testing out solutions on trial areas to see the specific results. If this test area proves that the discolouration can be successfully removed and over time remain as such, the advice is that if the discolouration does not return after a few months this may be considered the reasonable solution for the memorial.

However, if this is not the case we would look to remove the paint and see what condition the base bronze underneath is in. On this basis initial instructions have been issued to re-erect the scaffold around the structure so that the paint can be removed from a section of the monument to establish the surface condition of the underlying metal. Based on this investigation a joint group including the council's conservation officer, the War Memorials Trust, Tilleys and Property & Design will meet on site to agree the remedial work specification and the contractor will be instructed accordingly. This meeting will also aim to establish an effective conservation regime for the future.

Property & Design have corresponded with ward councillors and with the Royal Sussex Regimental Association to keep them updated with progress and to reassure them that the necessary action will be taken to rectify this problem. We are fully aware of the sensitive nature, and importance, of the memorial and hope to have an effective solution and way forward within the next few months and anticipate completion of the remedial works this Summer."

24.12 Councillor Kitcat asked the following supplementary question:

Can you provide an update on when work will begin in the West Pier area opposite the memorial where hoarding are currently in place?"

24.13 Councillor Kemble gave the following response:

"You will be aware that a planning application was granted for the I360 project. We have had some problems overcome. The area is boarded up for health and safety reasons and will let you know when work on the site is going to begin."

## **25. NOTICES OF MOTION**

25.1 There were none.

## **26. CORPORATE PLAN: PROGRESS REPORT**

26.1 The Cabinet considered a report of the Acting Director of Strategy & Governance updating Members on the progress made against the five priorities and related actions in the Corporate Plan that was published in June 2008 (for copy see minute book).

26.2 Councillor Smith commented that the 'red' status of target 1.4.5 'Provide new spaces for professional and amateur sport at the Community Stadium and Brighton International Arena' was misleading; lots of work was being done on both developments and residents should be able to see the progress being made.

26.3 Councillor Fallon-Khan confirmed that information was now available for those actions which had been left blank.

26.4 In response to a queries from Councillor Elgood concerning diversity in council's workforce, Councillor Simson and the Acting Director of Strategy and Governance gave the following response respectively:



- Unlike the old Equalities Standard the new Standard only had 3 Levels; the council's recent achievement translated in to Level 2 of the new Standard and it was hoped that the new Level 3 would be reached by March 2010.
- Although progress is currently at 'amber' for percentage of the workforce from BME groups, the council had made good progress and was not far off 'green' status. The Assistant Director for Human Resources would write to Councillor Elgood with more details.

- 26.5 In response to Councillor Mitchell's request for an update on the proposed monorail, the Chairman explained that the Administration was keen to consider all forms of transport; a business plan was being drawn up and the prospect was really exciting for the city.
- 26.6 Councillor Brown explained to Councillor Mitchell that schools now work collaboratively, resulting in a reduction in permanent exclusions. She confirmed that information temporary exclusions would come to the Children & Young People's Cabinet Member Meeting.
- 26.7 Councillor Theobald assured Councillor Kitcat that new plans for cycling would be presented to an upcoming Environment Cabinet Member Meeting to coincide with the award of more funding from Cycle England.
- 26.8 In response to Councillor Kitcat's query regarding actions relating to pollution, the Acting Director of Strategy and Governance confirmed that this was not in the Corporate Plan, but was part of the Local Area Agreement which would be considered at the next meeting of the Cabinet.
- 26.9 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That it be noted that progress against the Corporate Plan outcomes is generally good and that close monitoring of actions is integrated into the organisations' business plans.
  - (2) That Cabinet Members will review any areas of poor performance in greater detail at future Cabinet Member Meetings.

## 27. CULTURAL STRATEGY

- 27.1 The Cabinet considered a report of the Director of Culture & Enterprise concerning the council's Cultural Strategy for the city (for copy see minute book).
- 27.2 Councillor Elgood commended the strategy and involvement of all political groups in its formation. He requested that Local Community Festivals be included as case studies when the strategy was reviewed.
- 27.3 Councillor Davis welcomed the strategy and the opportunity for another year of consultation and further case studies to be added.
- 27.4 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That the Cultural Strategy set out in the appendix to this report be agreed.
- (2) That the strategy be reviewed in 12 months time and as part of that review further detailed consultation with partners and a full Equalities Impact Assessment be undertaken.

## **28. MUSEUM PLAN**

- 28.1 The Cabinet considered a report of the Director of Culture & Enterprise concerning the council's Strategic Forward Plan for the Royal Pavilion and Museums (for copy see minute book).
- 28.2 Councillor Kitcat commended the strategy and customer satisfaction rates and asked the Museums service was coping in the current economic climate given that 60% of its revenue came from admissions, retail, catering, corporate functions and charges for services.
- 28.3 Councillor Smith was unable to confirm figures, but explained that people were still coming to the city, but that they were more careful with their secondary spending; Brighton and Hove was coping well compared with the rest of the country.
- 28.4 Councillor Simson wished to record her gratitude for the detailed equalities implications contained in the covering report.
- 28.5 Councillor Davis felt that the report was very candid in regard to the financial implications; it was clear that the council needed to invest in basic areas in order to keep up with the market.
- 28.6 The Chairman explained that the council was restricted by the level of funding awarded by central government, but that what had been achieved offered good value for money.
- 28.7 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
  - (1) That the extract from the proceedings of the Culture, Recreation & Tourism Cabinet Member Meeting held on 9 June 2009 be noted.
  - (2) That the Royal Pavilion & Museums Strategic Forward Plan 2009-2012 be agreed.

## **29. LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY - AMENDMENTS TO THE SPATIAL STRATEGY**

- 29.1 The Cabinet considered a report of the Director of Environment concerning the Core Strategy's 'spatial strategy' regarding the broad location of development in the city and in particular the urban fringe (for copy see minute book).
- 29.2 In response to Councillor Mitchell's concern that the downturn in the housing market had led to a proposed change in policy, Councillor Theobald assured her that the intention

was to protect the urban fringe; he was confident that the council could meet government targets on housing without building on the urban fringe.

29.3 The Assistant Director for City Planning added that it was prudent to include the urban fringe as a last resort for housing development to ensure that the Core Strategy is found to be 'sound' by the Planning Inspector.

29.4 Councillors Kemble and Caulfield agreed that the report sought to protect the urban fringe and provide assurances that the council was actively looking at development sites within the city.

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

- (1) That the Spatial Strategy, Urban Fringe and Housing Delivery policy options be agreed for consultation and inclusion in the Council's Core Strategy subject to any minor alterations being made by the Director of Environment in consultation with the Cabinet Member for Environment.

### **30. TARGETED BUDGET MANAGEMENT (TBM) PROVISIONAL OUTTURN 2008/09**

30.1 The Cabinet considered a report of the Interim Director of Finance & Resources concerning the provisional outturn position (Month 12) on the revenue and capital budgets for the financial year 2008/09 (for copy see minute book).

30.2 Councillor Simson was pleased that funding had been found from inside the council to support The Bridge, a community education centre based in Moulsecoomb previously funded under EB4U, in order that it could continue its activities and secure long term funding.

30.3 Councillor Elgood requested more information on the carry forward proposed in respect of the Aiming High programme for disabled children. He requested a written list of the carry forward.

30.4 The Director of Adult Social Care & Housing explained that it was joint funding across Children's and Adult services, which had to be carried forward to develop the services in the next year

30.5 The Director of Children's Services added that the funding was being transferred from the adult budget to the children's budget so it would not be lost; this was accounting mechanism.

30.6 In response to concerns from Councillor Mitchell regarding the increased demands on the Older People and Physical Disability Services, the Director for Adult Social Care & Housing explained that the current trend had not been expected and that future trends were difficult to predict; the financial recovery plans for the next year set out how the pressures will be managed.

30.7 In response to similar concerns from Councillor Mitchell regarding demand on Children's Services, Councillor Brown confirmed that the council had a higher number of looked

after children and a higher number of children on the child protection register due to the national focus on this area. An analysis of figures was currently being done in order to make better predictions in the future with regard to this very sensitive area.

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

- (1) That the significantly improved provisional outturn position for the General Fund, which is now forecasting an underspend of £2.441 million be noted.
- (2) That the provisional outturn for the Section 75 Partnerships and Housing Revenue Account (HRA) for 2008/09 be noted.
- (3) That the budget changes and future commitments set out in paragraph 3.5 be approved.
- (4) That the provisional outturn position on the capital programme be noted.
- (5) That the following changes to the capital programme be approved:
  - (i) The budget reprofiling as set out in Appendix 2;
  - (ii) The carry forward of slippage of £2.578 million into the 2009/10 capital programme, to meet on-going commitments on these schemes as set out in Appendix 3;
  - (iii) The new schemes as set out in Appendix 4.

### 31. HOUSING REVENUE ACCOUNT BUDGET 2009/10 REDUCTION IN RENT INCREASES

31.1 The Cabinet considered a joint report of the Director of Adult Social Care & Housing and the Interim Director of Finance & Resources seeking approval to revise the approved rent increases for 2009/10 in line with the Government's revised Subsidy Determination (for copy see minute book).

31.2 Councillor Caulfield wished to record her apologies to the Housing Management Consultative Committee (HMCC); usually such a report would be considered there first, however if was felt that, given the timing of the next HMCC meeting, it would be better to pass on the reduction in rent increases as soon as possible by bringing the report to Cabinet for approval.

31.3 Councillor Caulfield explained that the original increase could not be retained and invested in Decent Homes; the subsidy calculation would not allow the council to keep any increase in its income, therefore there was no benefit as the council would be paying more money to the government. It was possible that this would be addressed by government in the near future.

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

- (1) That the extract from the proceedings of the Housing Cabinet Member Meeting held on 3 June 2009 be noted.

- (2) That the amendments to individual rent increases and decreases in line with rent restructuring principles as determined by the latest Government Subsidy Determination issued in May 2009 be approved.

## **32. KING ALFRED LEISURE CENTRE – UPDATE ON URGENT WORKS AND POTENTIAL IMPROVEMENTS**

- 32.1 The Cabinet considered a joint report of the Director of Environment and the Interim Director of Finance & Resources concerning urgent works being undertaken at the King Alfred Leisure Centre, a request to release further funding and options for further works to improve the building in the medium term prior to redevelopment (for copy see minute book).
- 32.2 Councillor Smith informed Members that paragraph 3.18 should refer to paragraphs 3.22-3.29 of the report rather than paragraph 7.11.
- 32.3 Councillor Mitchell welcomed the investment to keep the King Alfred Leisure Centre open, but was keen to see what was being planned in the long term. She asked if usage figures had risen and whether the total investment achieved value for money.
- 32.4 Councillor Young explained that the King Alfred had maintained its turnover and it was hoped that usage would increase once the gym was moved to a bigger area. Proposals for the long term had not yet been developed yet as officers had been working on the proposals to keep the centre open.
- 32.5 The Director of Environment added that the decline in usage had coincided with the expectation that the centre would close; the proposed investment was expected to increase usage again.
- 32.6 In response to a question from Councillor Kitcat, the Chairman assured him that all options for a long term solution would be investigated and the council would consider any that were viable and deliverable.
- 32.7 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
  - (1) That the progress on the urgent works undertaken from the initial allocation of £859,000 to the capital programme as agreed at the Cabinet meeting on 20 November 2008 be noted.
  - (2) That an allocation of £641,000 to the capital programme to complete the health and safety and planned maintenance works as identified in the report to Cabinet on 20 November 2008 be approved.
  - (3) That an allocation of £0.75 million to undertake improvement works to benefit the operation of the building in the medium term (3-5 years) be approved.
  - (4) That it be agreed that the Director of Environment and Chief Finance Officer, in consultation with the Cabinet Member for Culture, Recreation and Tourism and the

Cabinet Member for Finance, determine the priority of works referred to in 2.2 and 2.3.

### 33. UPDATE ON THE FALMER ACADEMY PROJECT

33.1 The Cabinet considered a report of the Director of Children's Services updating Members on the process for the development of an Academy on the Falmer High School site (for copy see minute book).

33.2 The Chairman and councillors from all groups thanked the Project Director, Lorraine O'Reilly, for her hard work on taking the project forward and wished her well in her future career.

33.3 In response to queries from Councillor Kitcat, the Project Director made the following comments:

- The £2 million set aside for ICT would cover ICT systems and equipment for the children and the back office at the school.
- There had been informal meetings with 16 unions on a monthly basis over the last year; now that the TUPE negotiations had commenced, the meetings would become formal. It was hoped that individuals would be approached around Christmas time, but until the new staffing structure was announced in the Autumn, people could not be matched to jobs, but were being kept informed at all times.

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

- (1) That progress since the Cabinet Meeting of 16 October 2008 be noted.
- (2) That the outcome of the procurement process undertaken between mid November 2008 and mid May 2009 be considered and Kier be endorsed as the Council's preferred bidder to enter into the next stage of tendering.
- (3) That it be agreed that the preferred bidder undertakes the demolition of the central block and removal of trees as required during the school summer holiday period.
- (4) That the requirement for approval of the Final Business Case in September 2009 be noted.

### 34. FALMER COMMUNITY STADIUM - SPREADING OF EXCAVATED CHALK ON LAND SOUTH OF VILLAGE WAY

34.1 The Cabinet considered a report of the Interim Director of Finance & Resources concerning approval to grant consent *via* a seven year licence to the Community Stadium Limited to deposit excavated chalk arising from the construction of the Community Stadium onto a field owned by the council (for copy see minute book).

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

- (1) That the Club be granted a 7 year licence to deposit chalk on the Land and carry out a programme to restore the Land to agricultural use on substantially the terms set out in the confidential report elsewhere on this agenda and that authority to enter into the licence is granted to the Director of Environment and the Director of Finance and Resources in consultation with the Leader and Cabinet Member for Central Services.
- (2) That the urgency decisions taken by the Director of Finance and Resources in consultation with the Leader and Deputy Leader in respect of the surrender agreement with the tenant farmer and the grant of a temporary licence to allow works on site to continue be noted.

### 35. PEDESTRIAN NETWORK - PHASE 2

- 35.1 The item had been deferred until a future meeting of the Cabinet.

## PART TWO SUMMARY

### 36. FALMER COMMUNITY STADIUM - SPREADING OF EXCAVATED CHALK ON LAND SOUTH OF VILLAGE WAY

- 36.1 The Cabinet considered a report of the Interim Director of Finance & Resources concerning approval to grant consent *via* a seven year licence to the Community Stadium Limited to deposit excavated chalk arising from the construction of the Community Stadium onto a field owned by the council (for copy see minute book).
- 36.2 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the recommendations as detailed in the Part Two confidential report.

### 37. PART TWO ITEMS

- 37.1 The Cabinet considered whether or not any of the above items should remain exempt from disclosure to the press and public.
- 37.2 **RESOLVED** - That item 36, contained in Part Two of the agenda, remains exempt from disclosure to the press and public.

The meeting concluded at 5.45pm

Signed

Chair

Dated this

day of