

BRIGHTON & HOVE CITY COUNCIL**CABINET****4.00PM 21 MAY 2009****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

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

Also in attendance: Councillor Hawkes (Spokeperson, Labour), Randall (Spokesperson, Green) and Watkins (Spokesperson, Liberal Democrat)

Other Members present: Councillors Harmer-Strange, Kennedy, Kitcat and Oxley

PART ONE**1. PROCEDURAL BUSINESS****1A Declarations of Interests**

- 1a.1 Councillor Theobald declared a personal and prejudicial interest in Item 11 Three Year Strategic Grants 2010-13: Decision on Outline Bids as he was a member of Brighton & Hove Cricket Club, who had bid for funding.
- 1a.2 Councillor Randall declared a personal and prejudicial interest in Item 11 as he was a trustee of Same Sky, a member of the Credit Union and worked with people involved in Artists Open Houses Limited, all of whom had bid for funding.
- 1a.3 Councillor Watkins declared a personal and prejudicial interest in Item 11, as he was a member of the grant committee and also a trustee of Cornerstone Community Centre who had bid for funding.
- 1a.4 Councillor Simson declared a personal, but non-prejudicial interest in Item 11 as she was involved in Woodingdean Youth Centre in her capacity as a ward councillor and they had bid for funding.

1B Exclusion of Press and Public

- 1b.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).

- 1b.2 **RESOLVED** - That the press and public be excluded from the meeting during consideration of items 14 onward.

2. MINUTES OF THE PREVIOUS MEETING

- 2.1 **RESOLVED** - That the minutes of the meeting held on 23 April 2009 be approved as a correct record.

3. CHAIRMAN'S COMMUNICATIONS

- 3.1 The Chairman noted that the meeting would be web cast.
- 3.2 The Chairman explained that Item 13 on the agenda on the Local Development Framework: Core Strategy had been deferred and would be considered by the Cabinet in June.
- 3.3 The Chairman confirmed that she had agreed to accept a late report on Aboriginal human remains, which would be considered later on the agenda.
- 3.4 The Chairman highlighted the challenges and successes of the last two years and set out her vision for the city over the next year with a strong focus on making Brighton and Hove a City of Opportunity for residents, businesses and visitors.

4. ITEMS RESERVED FOR DISCUSSION

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

5. PETITIONS

- 5.1 There were none.

6. PUBLIC QUESTIONS

- 6.1 There were none.

7. DEPUTATIONS

- 7.1 There were none.

8. LETTERS FROM COUNCILLORS

8(a) Letter – fraudulent school admissions applications

- 8.1 A letter was received from Councillor Kennedy concerning the problems caused by fraudulent school admission applications and the available sanctions (for copy see minute book).

- 8.2 The Chairman stated that there was a need to take care in discussing the issue further as there was a danger that individuals could be identified.
- 8.3 Councillor Brown explained that the council took offences of dishonesty very seriously and would not hesitate to take action where appropriate. She added that this was the general policy of the council and she could not comment further on individual cases for the reasons given by the Chairman.
- 8.4 **RESOLVED** – That the letter be noted.

9. WRITTEN QUESTIONS FROM COUNCILLORS

- 9.1 The Chairman reported that seven written questions had been received.
- 9.2 Councillor Kitcat had submitted the following four questions:
- (a) "Can Cllr G Theobald provide detail on the cost of the metal stoppers being added to the non-foot pedal communal bins? In particular:
- The cost per bin of adding the stoppers;
 - The total cost to the council of adding the stoppers;
 - How this cost will be met and from which budget."
- (b) "Can Cllr G Theobald explain why a small number of non-foot pedal communal bins have rubber seals on the flaps which reduce the noise of closure whilst most do not?"
- (c) "Does CityClean have any plans to expand the use of communal bins in the city?"
- (d) "Could Cllr G Theobald update the meeting as to current versus previous recycling and waste tonnages in the city centre where communal bins are used?"
- 9.3 The following response from Councillor Theobald to all four questions had been circulated:

"Thank you for your questions Councillor Kitcat.

As you are aware, beginning with the Council meeting on 4 December, you have asked some 30 questions at Council and Cabinet meetings. Notwithstanding my reservations and the pressure it was putting on officers, I have, up to now, endeavoured to answer all your questions in the hope that they are the last ones. I have a list of all your questions with the answers supplied if anyone wishes to see them. However, as is obvious to any fair minded, objective and impartial observer, this number of questions coming from a single Member about a single issue is excessive by any standards and certainly unprecedented in the history of this authority

Given the number, frequency and nature of the questions, a disproportionate amount of officer time and resources has been spent in doing the research and preparing the answers. I firmly believe that the interests of the hard working Council Tax payers of

Brighton & Hove is better served with officer time and resources being spent in delivering the service rather than having to research and answer an endless list of questions that add no value to the service.

I have always treated questions from Members and the public with respect and answered them. However, given what I have just said, and having taken advice, I do not feel it would be appropriate to continue to reply to a constant and endless list of questions on this subject from one Member.

As you are no doubt aware, at the Environment CMM on 7 May, I extended an invitation to all Members to meet Officers to share any concerns they have about waste and recycling issues. I repeat that invitation again. I do not therefore intend to answer your questions on communal bins as I believe that, for anyone genuinely interested in helping to improve the service, taking the invitation that I have again extended to all Members is a more appropriate way of making a difference than constantly tabling questions after questions at Council and Cabinet.

Thank you.”

9.4 In response to a Point of Order raised by Councillor Kitcat, the Head of Law clarified that paragraph 9.5 of the council’s Standing Orders permitted the Cabinet Member to decline to answer any question put by a Member of the council providing that a reason for the decision was given in writing.

9.5 Councillor Kitcat asked the following supplementary question to question (a):

“Is Councillor Theobald aware of the problems of the stoppers being welded on to the bins and what is he going to do about them?”

9.6 Councillor Theobald gave the following response:

“I am aware and we are looking into it.”

9.7 Councillor Kitcat asked the following supplementary question to question (b):

“Will Councillor Theobald apologise for the poor design of the communal bins and admit that the problems would have been avoided if residents had been consulted?”

9.8 Councillor Theobald gave the following response:

“I have apologised for the problems caused by the changes to refuse collections, but will not apologise for this.”

9.9 Councillor Kitcat asked the following supplementary question to question (c):

“Does Councillor Theobald agree that a communications campaign is not enough to boost recycling in communal bin areas?”

9.10 Councillor Theobald gave the following response:

“No.”

9.11 Councillor Kitcat asked the following supplementary question to question (d):

“Are you unable to answer because you do not know these figures?”

9.12 Councillor Theobald gave the following response:

“No, it is not because I do not know these figures.”

9.13 Councillor Kitcat had submitted the following question:

"Can Cllr Smith provide details on the usage of the Jubilee library meeting rooms? What percentage of the total bookable time for these rooms is used?"

9.14 The following response from Councillor Smith had been circulated:

“The three rooms that are available for hire in Jubilee Library are occupied approximately 75% of the time. The bookings range from educational activities such as adult learning sessions, to meetings and conferences run by external organisations, through to council internal meetings or training sessions. We are looking to increase the occupancy levels during optimum times such as targeting the main conference periods in the spring and autumn.”

9.15 Councillor Kitcat asked the following supplementary question:

“Are the bookings all charged at the same rate or varied dependent on who the customer is?”

9.16 Councillor Smith gave the following response:

“I can confirm that the rates are varied.”

9.17 Councillor Kitcat had submitted the following question:

"Can Cllr Smith provide a list of the books on sale in the Jubilee library shop to the meeting?"

9.18 The following response from Councillor Smith had been circulated:

“There are approximately 70 titles held in stock at any one time, and these vary according to current trends and themes. For example, at the 40th anniversary of Hungary Caterpillar we increased the number and range of editions to meet different customer needs.

The books can be grouped into a number of different categories, and here are some examples of titles under each:

Classics - including Dickens/Lawrence/Chaucer/Austen etc. (we offer 'buy 3 books and get the cheapest free')

Local History Titles (including tourist type guides) - Brighton Explorer/City Breaks/Brighton Boozers/Local Street Atlas/Pevsner Architectural Guide (B&H)/Seaside Album/Spirit of Brighton George the Pavilion Cat etc.

Children's non fiction & interactive style titles - complete range of Miffy (board and paperback)/ Elmer (Early years board and Paperback) / Spot / Hungary Caterpillar (board/interactive & paperback) / Princess & Fairy cookery and many other interactive and instructional titles assisting reading writing etc, stickers & cookery.

Children's Classics - C.S.Lewis/Lewis Carroll (board & paperback) Fairy Tales

Miscellaneous & Learning – Encyclopaedia of Immaturity (for adults!) Use The Book! Know It All/Sets of classics e.g. Narnia in presentation boxed sets / Sudoku / Pocket Guides various games/quiz books."

9.19 Councillor Kitcat asked the following supplementary question:

"Is the shop justified given the odd selection of titles and would it be better to have more books on loan in the library and give the space over to be used by the community?"

9.20 Councillor Smith gave the following response:

"The shop is used by the community all the time and the selection of titles on sale is excellent."

10. NOTICES OF MOTION

10.1 The Chairman reported that two Notices of Motion had been referred to the Cabinet from Full Council on 30 April 2009 under procedural rule 8.2.

10(a) Neighbourhood Policing, Council Services and Local Action Teams (LATS)

10a.1 The Cabinet considered the following Notice of Motion proposed by Councillor Duncan and amended respectively by the Labour Group and Conservative Group:

"This Council

Notes

1. That Sussex Police has adopted 'Neighbourhood Policing' as one of its three key priorities – and that the force's Local Policing Plan commits officers to working with communities across the city to help achieve its neighbourhood policing goals of (a) being visible and accountable, and (b) providing a quality response.
2. That a number of Local Action Teams (LATs) have either come into existence – or begun operating in place of a previously existing community group – to facilitate this.

3. The fact that many LATs have decided to broaden their remit into areas outside the scope of policing and this council's community safety team to include other matters relating to community safety: inter alia, licensing, planning, refuse collection and traffic problems and road safety.
4. The engagement of officers of this authority with LAT meetings to answer residents questions about service delivery.

Welcomes

1. The fact that Sussex Police have pledged to engage fully with LATs,
2. The formation of LATs – and the work that communities and members of this council have done and continue to do to allow them to function effectively,
3. The community-led, genuinely democratic, non party-political nature of LATs,

Resolves

1. To ask the Cabinet to acknowledge the work of LATS in reflecting the views of communities and neighbourhoods represented by them;
2. To ask the Cabinet to recognise the independence of LATS from the City Council; and that each LAT should have the autonomy to fix its own remit and to work together with other community organisations.
3. To ask that that the Cabinet Member responsible for community safety considers working with the Crime & Disorder Reduction Partnership to identify ways of supporting LATS;
4. To ask the Acting Chief Executive to write to the Chief Constable of Sussex, Martin Richards QPM, congratulating him on his commitment to neighbourhood policing and his officers' and PCSOs' pledges to attend future LAT meetings.

To ask the Cabinet to consider whether to provide proactive publicity for LATs on the council website and publications to encourage a greater involvement from the community.”

10a.2 The Chairman invited Councillor Kennedy to speak to the motion on behalf of Councillor Duncan who was unable to attend the meeting.

10a.3 Councillor Simson stated that the Cabinet acknowledged the importance of LATs and their work in the community in helping to ensure a successful local engagement network. The Cabinet also recognised their independence from the Council and Councillor Simson would be developing improved ways of working with the Crime and Disorder Reduction Partnership (CDRP) to help them find a stronger and clearer route through which they could support LATs.

10a.4 Councillor Simson confirmed that the Acting Chief Executive had written to the Chief Constable of Sussex Police to congratulate him on his commitment to neighbourhood policing and his officers pledges to attend LAT meetings at least 6 times a year.

10a.5 Councillor Simson added that an information pack for LATs on how to engage with the wider structures was being developed in addition to a guidance documents acknowledging and defining the role of LATs. A second event bringing together the chairs of all LATs was planned to ensure their engagement and involvement in any developments; it was hoped that the event would be as successful as the first one held in March 2009.

10a.4 Opposition councillors supported the approach and reiterated the importance of LATs and their independence.

10a.5 **RESOLVED** – That the Notice of Motion be noted.

10(b) Support Apprenticeship Programmes in Brighton and Hove

10b.1 The Cabinet considered the following Notice of Motion proposed by Councillor Turton:

“The number of people completing apprenticeships in England has risen from 50,000 to 112,000 in the last 4 years, due to the Government’s rapid expansion of apprenticeships.

Brighton and Hove has seen some of the biggest increases in the numbers of completed apprenticeships in the country. Apprenticeships in Hove alone have increased by over 500%.

Nationally, over 130,000 employers now offer apprenticeships across 80 different industry sectors including retail, manufacturing and the public sector and it is widely recognised that apprenticeships offer a valuable and worthwhile contribution to business, especially during an economic downturn.

This Council notes

- £140m has been made available to fund a further 35,000 apprenticeship places in 2009/10 with 21,000 of these will be in the public sector, across the country.
- Local Authorities like Kent CC, London Borough of Barking and Dagenham and Warwickshire have benefitted from apprenticeships.
- The Government is supporting a construction clearing house to help keep apprentices who fear losing their jobs employed and in training.

This Council actively supports the possible advantages and benefits of entering in to an apprenticeship programme. This Council requests that the Acting Chief Executive complete the online enquiry form at <https://apprenticeships.broadsystem.com/EmployerEnquiryForm.aspx> to get free information and advice on how the council could benefit more from apprenticeships and how best to promote apprenticeships across the city, amongst local businesses.

This Council requests that Cabinet members consider the following;

- Using the Council's positive influence on more local businesses to encourage the take up of apprenticeship schemes.
- Providing citywide information on the council's website about apprenticeships available in Brighton and Hove.
- Expanding its own apprenticeship programme within the Council and increasing the numbers of apprentices within the Local Authority."

10b.2 The Chairman invited Councillor Hawkes to speak to the motion on behalf of Councillor Turton who was unable to attend the meeting.

10b.3 Councillor Fallon-Khan reported that the council had been shortlisted for a national award for recruitment & innovation, linked to its work on the Local Employment Programme (LEP) and apprenticeships, and that the council had been a runner-up in regional awards in two other categories.

10b.4 Councillor Fallon-Khan explained that the council had the only dedicated LEP team in the country and in the last 6 months had helped 40 people from disadvantaged backgrounds into work with council. The council was also part of an 'exemplar network' with four other authorities.

10b.5 Councillor Fallon-Khan reported that the Administration had already built on previous numbers of apprenticeships with 19 in place since 2007 and a target of 30 for 2009/10. The council had already hit its LEP target of 40 within 6 months, giving an indication of their commitment in this area.

10b.6 Councillor Fallon-Khan assured opposition councillors that comments from all parties would be taken in to consideration; he hoped that they continued to support the approach and that people of all ages would benefit from the programme.

10b.7 **RESOLVED** – That the Notice of Motion be noted.

11. THREE YEAR STRATEGIC GRANTS 2010-13: DECISION ON OUTLINE BIDS

11.1 The Cabinet considered a report of the Acting Director of Strategy & Governance concerning the decision on outline bid applications for Three Year Strategic Grant funding 2010-13 from community & voluntary sector organisations (for copy see minute book).

11.2 Councillor Simson was pleased to announce that the council had been achieved first place in the Directory of Social Change's new funder ratings as the best community grant giver.

11.3 The Chairman and opposition members thanked officers for their hard work in this area.

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

- (1) That the recommended 74 applicants be invited to Full Bid Stage for Three Year Strategic Grants 2010-13.

- (2) That, where appropriate, the recommended alternative support package for the 24 applicants not invited to Full Bid stage be agreed.

12. LOCAL DEVELOPMENT FRAMEWORK - BRIGHTON & HOVE CORE STRATEGY: SHOREHAM HARBOUR PREFERRED OPTIONS (DA7)

- 12.1 The Cabinet considered a report of the Director of Environment concerning approval for consultation on a draft preferred option (DA7) for regeneration of the wider Shoreham Harbour area, as part of the Council's Core Strategy (for copy see minute book).
- 12.2 In response to questions from opposition councillors the Assistant Director for City Planning made the following comments:
- The Shoreham Airport area was not a part of this development, which focussed on port land and some areas to the north.
 - South-East England Development Agency (SEEDA) were in talks with the Homes & Communities Agency (HCA) regarding funding.
 - With regard to the issue of housing provision and environmental industries, regeneration of the area needed to deliver real communities and appropriate employment opportunities in appropriate place.
- 12.3 The Chairman added that the council had consistently sought reassurance that the objectives of securing regeneration, significant new jobs, community facilities and infrastructure were leading the redevelopment, rather than housing numbers alone.
- 12.4 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendation:
- (1) That the draft DA7 for the wider Shoreham Harbour area (as set out in the appendix) be agreed for consultation and inclusion in the Council's Core Strategy subject to any minor alterations being made by the Director of the Environment in consultation with the Cabinet Member for Environment.

13. LOCAL DEVELOPMENT FRAMEWORK, CORE STRATEGY: URBAN FRINGE (SPATIAL STRATEGY, POLICIES SA4 AND CP11)

- 13.1 The item had been deferred until the June meeting of the Cabinet.

13A. REQUEST FOR RETURN OF HUMAN REMAINS TO AUSTRALIA

- 13a.1 The Cabinet considered a report of the Director of Culture and Enterprise concerning the council's response to the request for the return of five items of/incorporating Indigenous Australian remains held in the Royal Pavilion & Museums' (RP&M) collections (for copy see minute book).
- 13a.2 Opposition Councillors commended the sensitive handling of this matter and welcomed the outcome.
- 13a.3 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendation:

- (1) That the return of a water carrier made from a human cranium (WA501838 / R2778/491) within RP&M World Art collection be agreed.

PART TWO

14. PART TWO MINUTES OF THE PREVIOUS MEETING

- 14.1 **RESOLVED** - That the Part Two minutes of the meeting held on 23 April 2009 be approved as a correct record.

15. PART TWO ITEMS

- 15.1 The Cabinet considered whether or not any of the above items should remain exempt from disclosure to the press and public.
- 15.2 **RESOLVED** - That item 14, contained in Part Two of the agenda, remains exempt from disclosure to the press and public.

The meeting concluded at 5.08pm

Signed

Chair

Dated this

day of

