

Decision No: CMM4 – 04/07/2008

Forward Plan No: N/A

This record relates to Agenda Item 29 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: EXPANDING THE REMIT OF TRADING STANDARDS SOUTH EAST LTD

AUTHOR: JOHN PEERLESS

THE DECISION

1. That approval be given to allow the Trading Standards Service to continue to contribute fully to company developments and joined-up working and continue to incorporate the Business Plan objectives into the Service's own planning process.
2. That the nominated Director (currently the Head of Trading Standards) be empowered to agree to the development of the role of the company (within the terms of its Memorandum and Articles of Incorporation and the objectives set out in paragraph 3 below), subject to seeking of advice from the Head of Legal Services, and the approval of the relevant Cabinet Member in respect of any contemplated development beyond those activities referred to in paragraph 3 below.

REASON FOR THE DECISION

1. To ensure representation on the regional Trading Standards partnership via the limited company, Trading Standards South East Limited.
2. To build capacity, avoid duplication of effort and enhance operational functionality of the partnership to the benefit of the Brighton & Hove City Trading Standards Service.
3. To limit the liability carried by the council.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. Operating as a limited liability partnership has been explored. Independent legal advice advised against this option stating that the limited company route provided a more robust infrastructure for our purposes with proven test case material. The advice indicated that ultimately a LLP would not safeguard us from the current liabilities that we are exposed to within the partnership.

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

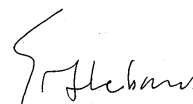
Date:

04 July 2008

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

04 July 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

7-11 July 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: CMM5 – 04/07/2008

Forward Plan No: N/A

This record relates to Agenda Item 30 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: TRANSPORT TERM CONTRACT

AUTHOR: JIM MAYOR

THE DECISION

1. That the Director of Environment be given delegated authority to approve appointment of consultants identified through the Transport Term Consultancy tender process.

REASON FOR THE DECISION

1. Because the value of works awarded through the consultancy agreement has potential to exceed £500,000, Cabinet Member approval is required to appoint the consultants.
2. The Cabinet Member will not have an opportunity to approve appointment of consultants until after the existing PBA contract has expired. If the Cabinet Member gives the Director of Environment delegated authority to approve the appointments, the new agreement can begin as soon as the existing arrangement ends, offering the council constant access to services it may wish to draw on.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The alternative to a term contract is multiple single commissions as and when consultant support is required. However this approach would not offer value for money offered by consistency of approach. Also more internal resource would be required to manage what could be many individual tender processes.
2. A framework contract is preferable to an agreement with a single consultant as this retains the benefits associated with a consistent approach whilst offering the council greater choice – and therefore flexibility and assurance of value for money.

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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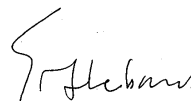
Date:

04 July 2008

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

04 July 2008

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

7-11 July 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: CMM6 – 04/07/2008

Forward Plan No: N/A

This record relates to Agenda Item 31 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: POOL VALLEY ENHANCEMENT
SCHEME - ARBITRATION

AUTHOR: TOM CAMPBELL

THE DECISION

1. That officers be authorised to initiate and partake in arbitration proceedings between the council and Imperial Property and the council and Brighton Coaches Limited in order to secure the consent of both parties, as required by Part VIIA of the Highways Act 1980, to the construction of a ticket office and associated facilities at Pool Valley Coach Station.

REASON FOR THE DECISION

1. That officers be authorised to initiate and partake in arbitration proceedings between the council and Imperial Property and the council and Brighton Coaches Limited in order to secure the consent of both parties, as required by Part VIIA of the Highways Act 1980, to the construction of a ticket office and associated facilities at Pool Valley Coach Station.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. As stated above, the consent of the frontagers with an interest is required before consent can be granted under section 115E of the 1980 Act. In this case the frontagers with an interest have been identified as:-
 - Brighton & Hove Council
 - Lace House
 - Imperial Property
 - Brighton Coaches Limited
2. Each party was approached in December 2007 and to date consent has been received from Brighton & Hove Council and Lace House. Discussions have been held with the remaining two parties although to date their consent has not been secured.

3. Insofar as consent has not been obtained from Brighton Coaches Limited and Imperial Property, and in order to take matters forward, the issue of the withholding of consent will need to go to arbitration for determination.

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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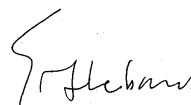
Date:

04 July 2008

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

04 July 2008

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

7-11 July 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: CMM7 – 04/07/2008

Forward Plan No: N/A

This record relates to Agenda Item 32 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR JAN YOUNG
(in place of Councillor Geoffrey Theobald)

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: NORTH STREET MIXED PRIORITY
ROUTE (MPR) ROAD SAFETY SCHEME

AUTHOR: OWEN MCELROY

THE DECISION

1. That a preferred scheme for Stage Two of the North Street Mixed Priority Route (MPR) scheme be approved as detailed in Appendix A which included:
 - a) The creation of a high quality public space at the Clock Tower/Quadrant for pedestrians;
 - b) Making Ship Street one way southbound only from its junction with North Street to its junction with Duke Street; and
 - c) Retention of the North Street/East Street mini roundabout junction.
2. That the detailed design together with the advertising of orders under the Road Traffic Regulation Act 1984 in respect of elements of the preferred scheme be authorised.
3. That the Director of Environment be authorised to implement Stage Two of the MPR scheme in the 2008/9 financial year, within the budget available, subject to the satisfactory resolution to any representations received following the advertisement of the Traffic Orders.

REASON FOR THE DECISION

1. To seek approval of the preferred scheme and for the implementation of Stage Two of the improvements to the North Street Mixed Priority Route road safety scheme, following public consultation.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The primary objective for the North Street MPR corridor is to address the particular road safety problems that have resulted in casualties to people and therefore casualty data have been taken into account in designing appropriate engineering measures. Where possible to do so, options were designed for consideration through the consultation at the three key locations described earlier in the report, taking into account any previous consideration of those locations by officers e.g. the Clock Tower junction.
2. A summary of the options consulted on for particular locations along the MPR corridor, and the responses received are set out in Appendix A.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

The Cabinet Member for Environment declared a personal and prejudicial interest in the matters set out in the report (see minutes). The Cabinet Member for Finance was nominated by the Leader of the Council to take this decision.

CONFIRMED AS A TRUE RECORD:

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Date:

04 July 2008

Decision Maker:

COUNCILLOR JAN YOUNG
Cabinet Member for Finance

Signed:



Proper Officer:

04 July 2008

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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**Call-In Period
7-11 July 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: CMM8– 04/07/2008

Forward Plan No: N/A

This record relates to Agenda Item 33 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR JAN YOUNG
(in place of Councillor Geoffrey Theobald)

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: DESIGNATION OF NEW AND
EXTENDED CONSERVATION AREAS

AUTHOR: TIM JEFFERIES

THE DECISION

1. That the proposed Carlton Hill conservation area, as set out at Appendix 2, be approved and formally designated and the Character Statement for the area be adopted.
2. That the proposed extension of the Tongdean Avenue/Road conservation area, to include properties in Dyke Road Avenue as set out in Appendix 3, be approved and formally designated.
3. That the extended Tongdean Avenue/Road conservation area be renamed Tongdean and the revised Character Statement for the area be adopted.

REASON FOR THE DECISION

1. It is considered that the proposed new and extended areas meet the criteria for a conservation area as set out in the council's adopted Conservation Strategy (2003) and accord with Government guidance (Planning Policy Guidance note 15: Planning and the Historic Environment). The results of public consultation were broadly supportive and some amendments have been made to the proposals in response to concerns raised.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. None considered.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

The Cabinet Member for Environment declared a personal and prejudicial interest in the matters set out in the report (see minutes). The Cabinet Member for Finance was nominated by the Leader of the Council to take this decision.

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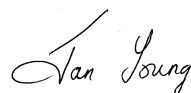
Date:

04 July 2008

Decision Maker:

COUNCILLOR JAN YOUNG
Cabinet Member for Finance

Signed:



Proper Officer:

04 July 2008

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

7-11 July 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: CMM9 – 04/07/2008

Forward Plan No: N/A

This record relates to Agenda Item 34 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: MAINTENANCE OF HISTORIC BUILDINGS

AUTHOR: TIM JEFFERIES

THE DECISION

1. That the priorities for current and future action to secure the maintenance and repair of historic buildings in Brighton & Hove be noted and agreed.
2. That the updated list of historic buildings that are considered to be 'at risk' be endorsed (Appendix 1).
3. That the proposed arrangements for the service of notices under delegated powers, as set out in paragraphs 3.18 and 3.19 of this report, be agreed.

REASON FOR THE DECISION

1. The report recommendations will allow resources to be directed to those historic buildings that are most in need of repair and to ensure consistent and transparent approach to future enforcement action.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. None considered.

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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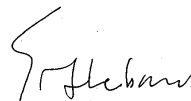
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Proper Officer:

04 July 2008

Mark Wall, Head of Democratic Services

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Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*