

Decision No: CAB226 – 11/11/10

Forward Plan No: CAB16789

This record relates to Agenda Item 101 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	TARGETED BUDGET MANAGEMENT (TBM) 2010/11
AUTHOR:	PATRICK RICE

THE DECISION

- (1) That Cabinet notes the provisional outturn position for the General Fund.
- (2) That Cabinet notes the provisional outturn for the Section 75 Partnerships and Housing Revenue Account (HRA) for 2010/11.
- (3) That Cabinet notes progress against achievement of the 2010/11 efficiency savings as set out in Appendix 2.
- (4) That Cabinet approves the changes to the capital programme, as set out in appendices 3, 4 and 5.

REASON FOR THE DECISION

Budget monitoring is a key element of good financial management, which is necessary in order for the council to maintain financial stability and operate effectively.

DETAILS OF ANY ALTERNATIVE OPTIONS

The forecast outturn position on council controlled budgets is an overspend of £0.319 million; any end of year overspend will need to be funded from general reserves which would then need to be replenished to ensure the working balance did not remain below £9 million. Directorates have developed financial recovery plans so that a break even position is achieved.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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:

11 November 2010

Decision Maker:

Councillor Mary Mears
Leader of the Council

Signed:



Proper Officer:

11 November 2010

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Or: This decision is urgent and not subject to call-in (date of CE's agreement to urgency of decision).

Call-In Period

12-18 November 2010

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: CAB227 – 11/11/10

Forward Plan No: CAB17837

This record relates to Agenda Item 102 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	TREASURY MANAGEMENT POLICY STATEMENT 2010/11 (INCLUDING ANNUAL INVESTMENT STRATEGY 2010/11) - MID YEAR REVIEW
AUTHOR:	PETER SARGENT

THE DECISION

- (1) That Cabinet endorses the action taken during the half-year to meet the TMPS and associated TMPs and the AIS.
- (2) That Cabinet notes the maximum indicator for risk agreed at 0.05% has not been exceeded.
- (3) That Cabinet notes the authorised limit and operational boundary set by the Council have not been exceeded.

REASON FOR THE DECISION

The TMPS requires the Director of Finance & Resources to report on the action taken by the council in meeting borrowing limits and investment parameters after the first 6 months and at the end of the financial year. This report fulfils the first reporting requirement.

DETAILS OF ANY ALTERNATIVE OPTIONS

This report sets out action taken in the six months to September 2010. No alternative options are therefore considered necessary.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB228 – 11/11/10

Forward Plan No: N/A

This record relates to Agenda Item 103 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	HOUSING
SUBJECT:	BRIGHTON STATION GATEWAY
AUTHOR:	JIM MAYOR

THE DECISION

- (1) That Cabinet formally recognises the Brighton Station Gateway project and agrees that the project is further developed within a Planning Brief.
- (2) That Cabinet approves the establishment of an Urban Design Framework Contract as set out in the main body of this report.

REASON FOR THE DECISION

The report recommendations set out the best means of delivering the objective of an enhanced Brighton Station Gateway.

DETAILS OF ANY ALTERNATIVE OPTIONS

During the process of developing a preferred concept, it was considered that a “do minimum” option based on tweaking the existing arrangement of space at the front of the Station would not provide sufficient benefit to be worthwhile. Knocking down buildings to create more space in front of the Station would be detrimental: this would simply result in an inappropriately sized space bounded by unsuitable buildings. A ‘do more’ solution – the preferred option - would require relocating either private vehicles or taxis to the rear of the station (due to the arrangement of the bus network, relocating buses is impractical). For various reasons, it is preferable to maintain a significant taxi presence at the southern station entrance and create an enhanced private vehicle drop off facility at the northern entrance.

Initial Transport Modelling tested two options for re-routing private vehicles from the Queens Road area of the Surrey Street Gyratory. The first tested the feasibility of moving traffic along New England Road, the second of making Surrey Street 2 way. The modelling suggested that the Surrey Street option is achievable in the short term if Terminus Road is made one way northbound to private vehicles, but that New England Road should be considered as a longer term aspiration.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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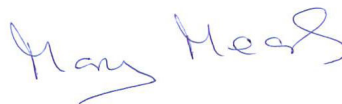
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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB229 – 11/11/10

Forward Plan No: CAB18729

This record relates to Agenda Item 104 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: HOUSING

SUBJECT: BRIGHTON & HOVE SEASIDE
COMMUNITY HOMES LTD –
RESPONSE TO FINANCIAL &
COMMERCIAL OFFER FROM
BRIGHTON & HOVE CITY COUNCIL

AUTHOR: GEOFF RAW

THE DECISION

- (1) That Cabinet accepts in principle the revised financial and commercial approach set out in the provisional offer from BHSC, as set out in paragraphs 5.1 – 5.9 of the report and detailed in the Part 2 report, subject to the effects of the council's and funder's due diligence.
- (2) That Cabinet accepts the revised risk table in appendix 2 and that this table is subject to a final review of the risks relating to income streams and additional funder requirements.
- (3) That Cabinet gives delegated authority to the Chief Executive, Strategic Director of Place and Director of Finance, in consultation with the Leader of the Council, the Cabinet Member for Housing and the Cabinet Member for Finance to take all necessary steps to conclude the matter and bring about financial, legal and commercial close, including the completion of any and all documents as necessary.
- (4) That Cabinet agrees that a further tranche of set up funding of up to £600,000 is made available to enable the project to reach financial and commercial close, on the basis that officers will seek to recover BHCC set up costs as part of the overall funding arrangement (see paragraph 6.4).
- (5) That Cabinet notes the revised timetable detailed in paragraph 6.3.

REASON FOR THE DECISION

As detailed in the report.

DETAILS OF ANY ALTERNATIVE OPTIONS

As detailed in the report.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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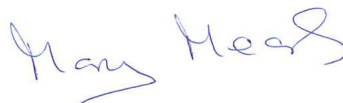
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Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB230 – 11/11/10

Forward Plan No: N/A

This record relates to Agenda Item 105 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: HOUSING

SUBJECT: BUILDING NEW COUNCIL HOMES & HOUSING ESTATE MASTER PLANNING

AUTHOR: MARTIN REID

THE DECISION

- (1) That Cabinet approves the development of a comprehensive estates masterplan in partnership with tenant representatives to inform best use of HRA assets and identify opportunities to build new Council homes.
- (2) That Cabinet approves the development of procurement, design and delivery options for new Council housing on identified sites.
- (3) That Cabinet delegates authority to Lead Commissioner for Housing in consultation with Cabinet Member for Housing to further develop options to enable delivery of estate masterplan objectives and building of new Council homes.

REASON FOR THE DECISION

At Housing Management Consultative Committee the Cabinet Member for Housing has reported that the Council is committed to take forward opportunities to build new council homes on Housing Revenue Account sites. A commitment was given to make sure that tenants are fully consulted and engaged in plans from the start and that any development would be council led with the new homes delivered owned and managed by the Council. This report seeks approval for development of a comprehensive estates masterplan in partnership with tenant representatives and development of procurement design and delivery options for new Council housing on identified sites.

DETAILS OF ANY ALTERNATIVE OPTIONS

The Council could decide not to proceed with the development of a comprehensive estates masterplan. However this would mean that we would be less able to meet our strategic housing goals, as less affordable homes would be available to our residents to meet housing need in the City.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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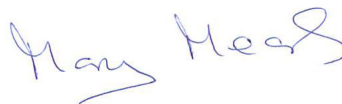
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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB331 – 11/11/10

Forward Plan No: CAB18542

This record relates to Agenda Item 106 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	CHARTER HOTEL 12-15A KINGS ROAD - DISPOSAL UPDATE
AUTHOR:	ANGELA DYMOTT, RALPH LONG

THE DECISION

- (1) That Cabinet approves and authorises:
- (a) The disposal of the Charter Hotel on a 150 year lease to the preferred bidder for a premium and a peppercorn rent, following the marketing exercise, full evaluation of informal bids and recommendations by the Council's appointed agents.
 - (b) The detailed terms to be settled by the Strategic Director Resources and the Solicitor to the Council provided terms are certified by the valuer to be best consideration reasonably obtainable.
 - (c) Continuing with the disposal to the reserve bidder should the preferred bidder withdraw or are unable to agree detailed terms.

REASON FOR THE DECISION

The hotel disposal on a long lease would enable the building's deterioration to be addressed at the earliest opportunity, avoid the need for the council to spend any further money on maintenance and provide a capital receipt. The preferred purchaser has a good track record on funding and deliverability in the hotel sector and of providing local employment.

DETAILS OF ANY ALTERNATIVE OPTIONS

In the previous Cabinet Report on 17th September 2009 consideration was given to the possibility of working with joint venture partners to establish a training hotel to improve the training and employment prospects for those who face barriers to employment. However as it represents a high risk strategy which would take some time (about 2 years) to work up the previous Cabinet decision confirmed proceeding

with marketing on a long lease.

The long lease disposal would be a more straightforward financial transaction for the Council, quicker and easier to deliver than a training hotel. It will produce a capital receipt, will address the urgent issue of the deteriorating building more quickly, will readily appeal to hotel operators and create employment for an established local market.

For these main reasons and the other factors identified in this report the commercial disposal option is considered as the most beneficial and appropriate way forward.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB332 – 11/11/10

Forward Plan No: N/A

This record relates to Agenda Item 107 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	SUSSEX STATIONERY CONSORTIUM CONTRACT
AUTHOR:	JAMES BREEN

THE DECISION

- (1) That Cabinet approves the tendering for the provision of office stationery, office sundries, computer consumables and paper (“Office Supplies”) for a period of 3 years with an option to extend for up to 12 months (the “Contract”).
- (2) That the Director of Finance, in consultation with the Cabinet Member for Central Services, be given delegated authority to award the contract to the successful bidder following evaluation and recommendations of the evaluation team and to determine whether to award the twelve month extension when such consideration becomes due.

REASON FOR THE DECISION

The existing contract is due to expire in 1st December 2010. A new contract is needed to ensure that departments can purchase Office Supplies that are fit for purpose and represent best value for money.

DETAILS OF ANY ALTERNATIVE OPTIONS

Do Nothing – this is not recommended, as all corporate departments need to purchase stationery, it would not be possible to just let the current contract expire with no alternative in place.

Framework Agreements – There are existing framework agreements that the SSC (Brighton & Hove City Council) could use in place of a tender process, but it was decided that holding a restricted tender process and incorporating an e-Auction into the process would help achieve the most environmentally sustainable office supplies and best value for money.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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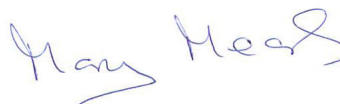
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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB333 – 11/11/10

Forward Plan No: CAB18258

This record relates to Agenda Item 108 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: SHAKEDOWN MUSIC EVENT,
STANMER PARK, BRIGHTON

AUTHOR: JAYNE BABB

THE DECISION

- (1) That landlord's consent be granted to stage the Shakedown Music Event in Stanmer Park, Brighton, on Saturday 9 July 2011 between midday and midnight with music and the sale of alcohol to finish no later than 11pm.
- (2) That officers be authorised to enter into formal agreement with the event organiser for the staging of the event subject to the event being approved by the Safety Advisory Group.

REASON FOR THE DECISION

Shakedown would be a major event and therefore full consultation and a full Event Management Plan will be required for the event.

Shakedown is a valuable addition to the events calendar.

DETAILS OF ANY ALTERNATIVE OPTIONS

Not applicable.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB334 – 11/11/10

Forward Plan No: N/A

This record relates to Agenda Item 109 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	SURVEILLANCE POLICY
AUTHOR:	JO PLAYER

THE DECISION

- (1) That Cabinet notes the continued use of covert surveillance and the accessing of communications data as an enforcement tool to prevent and detect all crime and disorder investigated by its officers, providing the necessity and proportionality rules are stringently applied.
- (2) That the Cabinet approves the continued use of the corporate Policy and Procedures which was updated in line with the recommendations made by the Surveillance Commissioner in June 2009 and the recommendations made in the revised Code of Practice on Covert Surveillance and Property Interference and the revised Code of Practice on Access to Communications Data that came into force on 6th April 2010 and the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010, and the Regulation of Investigatory Powers (Access to Communications Data) Order 2010.
- (3) That the Cabinet notes the surveillance activity undertaken by the Authority since the last full report to Cabinet in November 2009.
- (4) That the Cabinet notes the Government's current position regarding the use of surveillance by Local Authorities.

REASON FOR THE DECISION

The introduction of the Corporate Enforcement Policy has helped to ensure that identified breaches of the law are dealt with in the most appropriate manner. However, it is essential that officers are able to use the RIPA powers for all crimes regardless of how trivial some may be perceived, but only after exhausting all other methods of enforcement. As authorisation is generally given at Head of Service level and above, it is unlikely that these powers will be abused.

The implementation of an Annual Review has made the whole process transparent and demonstrated to the public that the correct procedures are followed.

DETAILS OF ANY ALTERNATIVE OPTIONS

Consideration was given to recommending that Cabinet stipulate those crimes that were trivial and therefore the powers referred to in the report should never be used. This approach is not considered necessary given the level at which authorisations are made.

A review of 'surveillance activities' could be the subject of the normal scrutiny process and this option has equal merit.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB335 – 11/11/10

Forward Plan No: CAB18729

This record relates to Agenda Item 110 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	HOUSING
SUBJECT:	BRIGHTON & HOVE SEASIDE COMMUNITY HOMES LTD – RESPONSE TO FINANCIAL & COMMERCIAL OFFER FROM BRIGHTON & HOVE CITY COUNCIL
AUTHOR:	GEOFF RAW

THE DECISION

As per the Part Two confidential report.

REASON FOR THE DECISION

As per the Part Two confidential report.

DETAILS OF ANY ALTERNATIVE OPTIONS

As per the Part Two confidential report.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB336 – 11/11/10

Forward Plan No: CAB18542

This record relates to Agenda Item 111 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & RESOURCES
SUBJECT:	CHARTER HOTEL 12-15A KING'S ROAD - DISPOSAL UPDATE
AUTHOR:	ANGELA DYMOTT, RALPH LONG

THE DECISION

As per the Part Two confidential report.

REASON FOR THE DECISION

As per the Part Two confidential report.

DETAILS OF ANY ALTERNATIVE OPTIONS

As per the Part One report.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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