

Decision No: CAB001 – 09/06/11

Forward Plan No: N/A

This record relates to Agenda Item 11 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	ALL PORTFOLIOS
SUBJECT:	STATE OF THE CITY REPORT AND SUMMARY
AUTHOR:	PAULA BLACK

THE DECISION

- (1) That Cabinet reviews and notes the contents of the State of the City report and summary.
- (2) That Cabinet approves the report and summary for publication by July, to inform future commissioning decisions.

REASON FOR THE DECISION

The report will provide a benchmark for key issues in the city as they currently stand. This will provide an evidence base for informing priorities but also to assess future impact. It provides a picture of the city to the incoming administration.

Assist with the creation of a shared sense of priorities.

Our commissioning programme has a requirement for robust evidence and a shared sense of city priorities to facilitate the allocation of resources for maximum benefit. It is therefore important to publish this report as soon as possible.

The report will be useful for a variety of audiences including planners, strategists and commissioners, politicians, service providers in statutory, community and voluntary sectors and advocates working across the city. They will be able to use it as a ready source of information, to quickly get up to speed with the “big picture” and to gain an overview of the city and the main issues.

DETAILS OF ANY ALTERNATIVE OPTIONS

Possible alternatives to the State of the City report include not producing the report and allowing information to remain fragmented. This was deemed not to fulfil the requirements for a single, user-friendly, informative source of information as requested by PSB and SLB.

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:

09 June 2011

Decision Maker:

Councillor Bill Randall
Leader of the Council

Signed:



Proper Officer:

09 June 2011

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

Note: This decision will come into force at the expiry of 5 working days from the date of the meeting at which the decision was taken subject to any requirement for earlier implementation of the decision.

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

Call-In Period

10-19 June 2011

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: CAB002 – 09/06/11

Forward Plan No: N/A

This record relates to Agenda Item 12 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: CULTURE, RECREATION & TOURISM

SUBJECT: OLYMPICS TORCH RELAY

AUTHOR: PAULINE FREESTONE

THE DECISION

- (1) That Cabinet notes the contents of the report, and in particular, the agreement to host the Olympic Torch Relay event and associated celebrations.
- (2) That Cabinet authorises the Chief Executive, the Strategic Director for Communities and other relevant officers to take any steps necessary or incidental to organising and holding the event.
- (3) That Cabinet notes that a further report will be submitted in November 2011 that sets out, in detail, how Brighton & Hove City Council, and the city as a whole, will seek to ensure the significant opportunities arising from the Games are exploited fully for those that live, work and visit the city.

REASON FOR THE DECISION

Hosting the Torch Relay will be a major global event and therefore full consultation and a full Event Management Plan will be required for the event.

DETAILS OF ANY ALTERNATIVE OPTIONS

Not applicable.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Leader of the Council

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Call-In Period

10-16 June 2011

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: CAB003 – 09/06/11

Forward Plan No:

This record relates to Agenda Item 13 on the agenda for the Decision-Making

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	COMMUNITIES, EQUALITIES & PUBLIC PROTECTION
SUBJECT:	SINGLE EQUALITY SCHEME UPDATE
AUTHOR:	MARY EVANS

THE DECISION

- (1) That Cabinet supports the work to reduce inequality across the city and note progress made so far against the objectives set out in the Single Equality Scheme Action Plan.
- (2) That Cabinet notes plans for a review of the Scheme and, concurrently, the council's Equality and Inclusion Policy, to build on existing good practice and ensure outcomes that make a real and lasting difference to the way the city deals with these priority areas of work.

REASON FOR THE DECISION

It was agreed that six-monthly reports would be made on progress against the Single Equality Scheme to be discussed and noted by the Overview and Scrutiny Commission.

The current Single Equality Scheme and Equality and Inclusion Policy run out at the end of 2011 and need to be reviewed. Creating a single combined policy and scheme will simplify and streamline the council's equalities approach.

DETAILS OF ANY ALTERNATIVE OPTIONS

Councils are required to produce schemes relating to the equality groups covered by legislation. The alternative to a single scheme was to produce multiple schemes (one for each of the 6 equality strands, plus carers, socio-economic disadvantage and others). However, this was not considered appropriate, as it creates significant duplication and would not effectively address issues of cross-cutting disadvantage or multiple discrimination. Therefore it was decided to develop one Single Equality Scheme.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Call-In Period

10-16 June 2011

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: CAB004 – 09/06/11

Forward Plan No: N/A

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

RECORD OF CABINET DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: LEADER

SUBJECT: SURVEILLANCE POLICY

AUTHOR: JOHN PEERLESS

THE DECISION

- (1) That Cabinet approves 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 Cabinet notes the surveillance activity undertaken by the authority since the last report to Cabinet in March 2011 as set out in Appendix 1.
- (3) That the Cabinet notes the outcome of the internal review and approves the implementation of the proposed changes with immediate effect.

REASON FOR THE DECISION

It is essential that officers are able to use the RIPA powers where necessary within the new threshold, but only after exhausting all other methods of enforcement. An authorisation should now be given by a Director and above, and scrutinised by a 'gatekeeper', therefore, it is unlikely that these powers will be abused.

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

DETAILS OF ANY ALTERNATIVE OPTIONS

A review of 'surveillance activities' could be the subject of the normal scrutiny process.

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: CAB005 – 09/06/11

Forward Plan No: CAB21073

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

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & CENTRAL SERVICES
SUBJECT:	TARGETED BUDGET MANAGEMENT (TBM) PROVISIONAL OUTTURN 2010/11
AUTHOR:	JEFF COATES

THE DECISION

- (1) That Cabinet notes the provisional outturn position for the General Fund, which is an underspend of £2.560m.
- (2) That Cabinet notes the provisional outturn for the Section 75 Partnerships and Housing Revenue Account (HRA) for 2010/11.
- (3) That the Cabinet approve the carry forwards as detailed in Appendix 3.
- (4) That the Cabinet note the provisional outturn position on the capital programme.
- (5) That the Cabinet approve the following changes to the capital programme:
 - i) The budget reprofiling as set out in Appendix 4;
 - ii) The carry forward of slippage into the 2010/11 capital programme, to meet on-going commitments on these schemes as set out in Appendix 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.

The capital budget changes are necessary to maintain effective financial management.

DETAILS OF ANY ALTERNATIVE OPTIONS

The provisional outturn position on Council controlled budgets is an underspend of £2.560m, any underspend will be added to unallocated general reserves unless approval is given to allocate funds to specific reserves or contingencies. At budget setting time the assumed outturn position was an underspend of £1.597m including the reversal of the provision for S117 Mental Health Act which is no longer required. The provisional outturn will contribute an additional £0.963m to unallocated general reserves which leaves a total unallocated general reserves balance of £1.243m.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Leader of the Council

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB006 – 09/06/11

Forward Plan No: CAB22711

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

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & CENTRAL SERVICES
SUBJECT:	PHOTOVOLTAIC SOLAR PANEL IMPLEMENTATION PLAN FOR NON- HOUSING PROPERTIES
AUTHOR:	ANGELA DYMOTT GLYNNAN BARHAM

THE DECISION

- (1) That Cabinet notes the outcome of the initial soft tendering exercise and recent framework contract development indicates that there is an outline business case to support delivery of a solar photovoltaic scheme across the council's non-housing stock that saves energy costs and reduces carbon emissions.
- (2) That Cabinet approves the installation of Photovoltaic Solar Panels on the properties highlighted in appendix 1 subject to completion of the tendering exercise and the financial viability of each site.
- (3) That Cabinet approve funding of up to £2.6m for the sites identified within Appendix 1. The business case will be funded through a combination of borrowing and the use of reserves subject to the Council's overall financial position.
- (4) That Cabinet delegates authority to the Strategic Director Resources and the Director Finance, in consultation with the Cabinet Member for Finance & Central Services to allow them to approve the purchase and installation of the panels for these identified properties through the self finance route, once more detailed costs are provided at the end of the tender process. This will allow the Council to move quickly and take advantage of the energy savings and be able to collect the full Feed in Tariff from the start.

REASON FOR THE DECISION

To move quickly to assess the benefits of the Feed in Tariff scheme and to take advantage of any opportunity this offers the Council to gain investment and energy savings before the Feed in Tariff is reviewed in April 2012.

To take forward any procurement of the supply and installation of solar PV panels in order to establish actual costs to inform economies of scale and further consideration of business case and appropriate funding model.

DETAILS OF ANY ALTERNATIVE OPTIONS

The Council wishes to take forward any procurement of the supply and installation of PV solar panels in order to establish actual costs to inform economies of scale and further consideration of business case and appropriate funding model. Any final decision on funding options, level and source of funding to progress this scheme will be subject to Cabinet approval. However, an initial options appraisal by the Corporate Energy Water Team indicates that the greatest benefits to the Council could be achieved through a fully owned and funded model.

Indications from the initial options appraisal suggest that on balance a fully funded and owned model of delivering a solar PV scheme has the potential to create significant income, generated by the Feed in Tariff payment, to the council over a 25 year period.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Leader of the Council

Signed:



Proper Officer:

09 June 2011

Mark Wall, Head of Democratic Services

Signed:



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Call-In Period

10-16 June 2011

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: CAB007 – 09/06/11

Forward Plan No: N/A

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

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & CENTRAL SERVICES
SUBJECT:	COMMUNITY STADIUM - PARK WALL FARM
AUTHOR:	ANGELA DYMOTT JESSICA HAMILTON

THE DECISION

- (1) That Cabinet agrees in principle the disposal to The Community Stadium Ltd of land that previously formed part of Park Wall Farm (shown on plan attached at Appendix 1) on long leasehold for 125 years and that agreement to the terms of the disposal be delegated to the Strategic Director Resources in consultation with the Cabinet Member for Finance and Central Services.

REASON FOR THE DECISION

The existing planning consent for the stadium includes consent for the provision of a car park on the subject land to provide spaces (119no) on match days for Club Directors, senior staff, players and people with disabilities.

In January 2009 Cabinet agreed to a disposal of this site by way of a long leasehold interest to support the club's endeavours whilst achieving a capital receipt for the council reflective of the land's value. Those terms have now been agreed.

DETAILS OF ANY ALTERNATIVE OPTIONS

Given the previous Cabinet decision (15 January 2009), the planning permission granted, the construction works completed by the club and the limited access to the land by any other party it would be impractical to consider alternative options at this stage.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Call-In Period

10-16 June 2011

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: CAB008 – 09/06/11

Forward Plan No: CAB22908

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

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & CENTRAL SERVICES
SUBJECT:	PATCHAM PLACE
AUTHOR:	ANGELA DYMOTT JESSICA HAMILTON

THE DECISION

- (1) That Cabinet authorise the marketing of Patcham Place including the stable building by appointing agents for disposal by way of a long leasehold interest.
- (2) That Cabinet will consider a subsequent Cabinet report summarising the results of the marketing exercise and bids received and providing recommendations for disposal. The net capital receipt shall be used to support the council's corporate accommodation strategy, value for money and capital programme.

REASON FOR THE DECISION

The property has not been in use since the YHA vacated in 2007 and following a lengthy dilapidations settlement with the YHA whilst its use as an operational building was explored both internally and with potential partners it was not thought to be suitable for occupation by any of the council's services because of its age, configuration, listed status, costs of refurbishment and costs of maintenance. It has now been identified as a surplus asset.

In compliance with the council's Corporate Property Strategy & Asset Management Plan it is proposed to dispose of this surplus asset to achieve a capital receipt.

DETAILS OF ANY ALTERNATIVE OPTIONS

To retain the building as empty would diverge from the council's priorities and property objectives set out in the council's Corporate Property Strategy and Asset Management Plan. It would also continue to place upon the council a financial responsibility to maintain, repair, secure and manage the site.

To refurbish the building as offices and occupy as an operational property would require substantial financial investment by the council. Given the property's age and configuration it is not best suited to this use for the council. The building would not

lend itself to flexible use of space in the long term should the council's requirements change. Its ongoing maintenance would also put a budget pressure on the council. To date an appropriate service provision has not identified that would best make use of this space.

For the council to act as developer and refurbish and sell the properties the council would be required to provide a substantial level of finance and resources to design the refurbishment, obtain the appropriate statutory consents and complete the works. In addition it would also be required to take on an unacceptable level of risk associated with the refurbishment, the costs incurred and the ability to meet the demands of the market at a volatile and unpredictable point in the economic cycle. The council does not have the appropriate resources or experience in house to act competently on a development of this nature and the risks associated are therefore increased exponentially to outweigh any potential financial benefit, if obtainable from the development.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Councillor Bill Randall
Leader of the Council

Signed:



Proper Officer:

09 June 2011

Mark Wall, Head of Democratic Services

Signed:



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Call-In Period

10-16 June 2011

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: CAB009 – 09/06/11

Forward Plan No: CAB22053

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

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & CENTRAL SERVICES
SUBJECT:	PROCUREMENT OF VEHICLES
AUTHOR:	GILLIAN MARSTON

THE DECISION

- (1) That Cabinet approves the fleet vehicle replacement programme up to 2016/17 outlined in Appendix A, which will be subject to approval of the annual Capital Investment Programme by Full Council and subject to an annual review of all vehicle replacement programmes to determine if the need for new vehicles as specified still exists.
- (2) That following the approval of detailed business cases by the Director of Finance, tenders be placed through either the EU procurement process or through existing legally compliant national framework agreements and that delegated authority be given to the Director of Finance to award current and future years' the contract(s).
- (3) **That the recommendations from the Environment & Community Safety Overview & Scrutiny Committee be approved.**

REASON FOR THE DECISION

Brighton & Hove City Council will achieve significant service, financial and environmental benefit from procuring new vehicles. The report is in pursuance of the council's value for money programme and approved budget strategy.

DETAILS OF ANY ALTERNATIVE OPTIONS

One alternative is not to procure any replacement vehicles and continue current practice of ad hoc purchase, contract hire and/or leasing. However, not only will this lead to increasing costs over the medium term as maintenance and repair costs increase as vehicles continue to exceed their lifespan but it will also not be possible to achieve the VFM and Service budget savings targets of £124,000 or to achieve the reduction of 22% in CO² emissions. Therefore, fuel costs will remain higher and so will CO² emissions. In addition, front line service provision could be disrupted due to increasing vehicle down time and this will lead to further additional costs.

As part of the procurement process, the council will evaluate the different options of procuring the new vehicles; including Contract maintenance. This evaluation will be carried out as part of the tender assessments of the tenders submitted from approved suppliers. Contracts will be awarded to suppliers who can offer the best value to the council.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Proper Officer:

09 June 2011

Mark Wall, Head of Democratic Services

Signed:



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Call-In Period

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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: CAB010 – 09/06/11

Forward Plan No: N/A

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

RECORD OF CABINET DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: LEADER

SUBJECT: CABINET PORTFOLIOS AND WAYS OF WORKING

AUTHOR: ABRAHAM GHEBRE-GHIORGHIS

THE DECISION

(1) That Cabinet:

- (a) Notes the Cabinet portfolios approved by the Leader on 19th May 2011 as set out at Appendix One and the explanatory note as set out in appendix 2;
- (b) Agrees the proposals in paragraph 4 of the report regarding the arrangements for Cabinet Member Meetings;
- (c) Notes that the new Cabinet arrangements and any further modification to ways of working will be considered by the Governance Committee and any changes reported to Cabinet for approval.

REASON FOR THE DECISION

The report aims to ensure transparency and facilitate discussion in relation to new Cabinet portfolios. It further seeks to inform Members of proposals for full consultation in relation to any future changes to the constitution.

DETAILS OF ANY ALTERNATIVE OPTIONS

Cabinet Member Meetings could be arranged differently but the proposals in the report best support the Cabinet appointments made by the Leader of the Council on 19th May 2011.

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: CAB011 – 09/06/11

Forward Plan No: CAB22849

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

RECORD OF CABINET KEY DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & CENTRAL SERVICES
SUBJECT:	CONCESSIONARY BUS TRAVEL - REIMBURSEMENT ARRANGEMENTS
AUTHOR:	MARK IRELAND

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

Councillor Kennedy and Wakefield declared a personal and prejudicial interest due to being shareholders in the Big Lemon Bus Company. Both left the room during consideration of the item and did not take part in the vote.

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CAB012 – 09/06/11

Forward Plan No: N/A

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

RECORD OF CABINET DECISION

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	FINANCE & CENTRAL SERVICES
SUBJECT:	COMMUNITY STADIUM - PARK WALL FARM
AUTHOR:	ANGELA DYMOTT JESSICA HAMILTON

THE DECISION

As per the Part 1 decision record and the Part Two confidential report.

REASON FOR THE DECISION

As per the Part 1 decision record.

DETAILS OF ANY ALTERNATIVE OPTIONS

As per the Part 1 decision record.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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Leader of the Council

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Signed:



SCRUTINY

Note: This decision will come into force at the expiry of 5 working days from the date of the meeting at which the decision was taken subject to any requirement for earlier implementation of the decision.

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

Call-In Period

10-16 June 2011

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: CAB013 –

Forward Plan No: CAB22908

This record relates to Agenda Item 24 on the agenda for the Decision-Making

RECORD OF CABINET KEY DECISION

DECISION-MAKER: CABINET

PORTFOLIO AREA: FINANCE & CENTRAL SERVICES

SUBJECT: PATCHAM PLACE

AUTHOR: ANGELA DYMOTT
JESSICA HAMILTON

THE DECISION

As per the Part 1 decision record.

REASON FOR THE DECISION

As per the Part 1 decision record.

DETAILS OF ANY ALTERNATIVE OPTIONS

As per the Part 1 decision record.

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:

09 June 2011

Decision Maker:

Councillor Bill Randall
Leader of the Council

Signed:



Proper Officer:

09 June 2011

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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