

<p style="text-align: center;">Meeting of the</p> <h1 style="text-align: center;">CABINET</h1> <p style="text-align: center;">held on Thursday 5 December 2002</p> <p style="text-align: center;">PRESENT:-</p> <p>Councillor <b>Mrs HEALY</b> (Chairman and Leader of the Council), Councillor <b>TUTT</b> (Deputy Chairman and Deputy Leader of the Council), Councillors <b>HARRIS</b>, and <b>THOMPSON</b>.</p> <p>An apology for absence was reported from Councillor Leggett.</p>	
<p style="text-align: center;"><b>82.</b></p>	<p><b>MINUTES.</b> The minutes of the meeting held on 7 November 2002 were submitted and approved and the Chairman was authorised to sign them as a correct record.</p>
<p style="text-align: center;"><b>* 83.</b></p>	<p><b>ELECTED MEMBER INVOLVEMENT IN THE CRIME REDUCTION PARTNERSHIP.</b> The Cabinet considered the report of the Director of Housing, Health and Community Finance on the background and current arrangements for the partnership. The partnership had been formed in 1998 in response to the Crime and Disorder Act which gave the Council, the police and other key partners, new responsibilities for the prevention of crime and disorder. The aim of the partnership was to “reduce the crime, disorder and the fear of crime in Eastbourne”. The partnership currently had one main group, two working groups and ten action groups and forums that all fed back comments and issues to the main partnership. In future it was proposed that Councillors from both political parties would be represented on the majority of the groups.</p> <p><b>RESOLVED:</b> (1) That the Council be recommended:-</p> <p>(a) To approve proposed new member representation and community representatives on the partnership working groups and action groups as set out in appendix 2 to the report.</p> <p>(b) That member representatives be nominated by the two Group Leaders.</p> <p>(c) That the partnership representation structure be set out in the Council’s Constitution.</p> <p>(2) That the Cabinet agrees that all action groups are organised and administered from within the membership of the relevant group.</p> <p>(3) That in future years the Council receive the annual report of the Crime Reduction Partnership at one of its meetings with an associated presentation on the content from the Cabinet portfolio holding member.</p> <p>(4) That the Cabinet notes the changes to the responsible authorities arising from the Police Reform Act 2002 which will add to the membership of the Crime Reduction Partnership main board.</p>

\* 84. **SUPPLEMENTARY PLANNING GUIDANCE ON PARKING STANDARDS FOR DEVELOPMENT IN EAST SUSSEX** (page 327, minute 105, 2001/02 minutes). The Cabinet considered the report of the Director of Planning, Regeneration and Amenities and Head of Planning providing an update on the content of guidance approved by the East Sussex County Council in February 2002. The guidance was supplemental to the East Sussex and Brighton and Hove structure plan 1991-2011 and took account of Government guidance and the Local Transport Plan. A similar report was being submitted to the Planning and Licensing Committee on 10 December 2002.

The Cabinet had previously considered this matter in January 2002 when concerns were raised about the maximum standard approach to car parking provision which it was felt would be unreasonably restrictive and could stifle further development. The County Council had taken account of representations received from boroughs and districts in East Sussex and in February had approved revised guidance. The guidance reflected Government policy and promoting maximum rather than minimum standards for parking provision at new developments. Towns in East Sussex had been divided into zones with reference to their accessibility by all transport modes and levels of retail and commercial activity. Zones with greater travel choices and a more buoyant local economy could operate effectively with less parking provision.

**Following the concerns raised by the then Cabinet in January an analysis had been undertaken to determine the likely impact of the revised guidance. The conclusion was that concerns regarding the application of the zonal approach to residential development in the majority of the town centre were unfounded and that adoption of the guidance would not prove to be unreasonably restrictive and would not stifle residential development opportunities within the town centre. The Council was already operating to the standards laid down in the supplementary planning guidance for much of zone one. Furthermore whilst the guidance had not yet been formally adopted by the Council, the Highway Engineers as agents to the County had been using the standards to provide advice on development proposals since February 2002 and the comments made since this time had been taken into consideration by Members of the Planning and Licensing Committee in the determination of planning applications.**

Councillor Taylor was permitted to address the Cabinet expressing dissatisfaction with the minimum standards and zonal approach.

**RESOLVED (Key Decision):** That the Council be recommended to:

**(1) Support the zonal approach to parking provision for residential development as detailed in the report at paragraph 3.1.**

**(2) Acknowledge the results of the parking analysis for proposed residential development in the central area of Eastbourne (as described in appendix 1 to the report) and formally adopt supplementary planning guidance for “parking standards and development”.**

	<p><b>85. PERFORMANCE MONITORING</b> (page 125, minute 37). The Cabinet considered the report of the Chief Executive presenting performance monitoring information for the second quarter of the year. This focussed on 13 indicators which had been selected for in-depth monitoring covering key areas of the Council service delivery. It was noted that detailed attention was being given by Councillors to several of the service areas covered by the performance indicators in the service and financial planning exercise currently being undertaken.</p> <p><b>RESOLVED:</b> (1) That Cabinet note the second quarter performance.</p> <p>(2) That Cabinet note the action planned and that a further report on the impact of action be submitted to the Cabinet at the end of the third quarter.</p> <p>(3) That specific attention during the service and financial planning process continue to be given to those areas which are predicted not to achieve their targets by the end of the year.</p> <p>(4) That a further report be made to the next meeting of the Cabinet in respect of two particular targets giving cause for concern (i.e. payment of invoices within 30 days and the time taken to complete planning applications).</p>	
	<p><b>86. DRAFT SEAFRONT STRATEGY.</b> The Cabinet considered the report of the Director of Tourism and Leisure highlighting proposed changes to the seafront strategy. Details of amended initiatives and some new initiatives were provided. In addition a revised action and implementation plan was provided. It was intended to undertake public consultation in the period March to May 2003 with a further report to the Cabinet in June to progress the strategy.</p> <p>Councillor Elkin was permitted to address the Cabinet. He asked that new development on the seafront should be suitable for all-weather activity and open all year round. He added that development should be of high quality.</p> <p><b>RESOLVED (Key Decision):</b> (1) That a further report be made to the Cabinet on the Fisherman's Green/Community Water Sports Centre in 2003 outlining potential partnership and funding opportunities.</p> <p>(2) That the draft Seafront Strategy 2003 be approved as a consultation document.</p> <p>(3) That the consultation arrangements described in paragraph 6 of the report be approved.</p>	

	<p><b>87. FREEDOM OF INFORMATION ACT 2000 – PUBLICATION SCHEME.</b>  The Cabinet considered the report of the Head of Communications drawing the Cabinet’s attention to the requirement under this Act for public bodies to have a publication scheme. The scheme had to be submitted to the Office of the Government’s Information Commissioner by 31 December 2002 for implementation by 28 February 2003.</p> <p>The Act gave a general right of access to all types of recorded information held by public authorities. From 2005 when the full right of access is introduced a person could request any piece of information and the Council would be under a duty to disclose that information providing it was held and not subject to a specific exemption specified in the legislation. The Act required all public bodies to produce a publication scheme that would act as a guide to the information routinely made available. Providing such information was available through the publication scheme the Council would not otherwise be under a duty to make it separately available.</p> <p><b>RESOLVED:</b> (1) That the draft Publication Scheme appended to the report be approved for submission to the Information Commissioner.</p> <p>(2) That the Head of Communication regularly review the scheme and incorporate additions as necessary.</p>	
	<p><b>88. EAST SUSSEX COUNTY COUNCIL PUBLIC SERVICE AGREEMENT – DISTRICT AND BOROUGH INVOLVEMENT.</b> The Cabinet considered the report of the Director of Housing, Health and Community Finance and the Director of Finance and Corporate Services on the progress of discussions with the County Council with regard to the County’s proposed Public Service Agreement with the Government through the Office of the Deputy Prime Minister. The Borough Council was being asked to participate directly in two targets. The target for improvements to houses in multiple occupation and the cost effectiveness target. In addition the Council would play a role in achieving other targets through partnership activity.</p> <p><b>RESOLVED:</b> That the Cabinet agree to the Council’s participation in the achievement of targets in the East Sussex County Council Public Service Agreement and delegates final agreement on terms to the Chief Executive in consultation with the Leader of the Council.</p>	
	<p><b>89. JOINT STAFF COMMITTEE.</b> The minutes of the meeting of the Joint Staff Committee held on Wednesday 20 November 2002 were submitted for the Cabinet’s information.</p> <p><b>NOTED.</b></p>	

	<p><b>90. PERSONNEL STANDARDS.</b> The Cabinet considered the report of the Head of Personnel seeking approval to both revised and new personnel policies and procedures in respect of disciplinary, grievance, alternative employment, appeals against selection decisions, human resources performance management and attendance management. The policies and procedures had been considered and endorsed by the Joint Staff Committee.</p> <p><b>RESOLVED (Key Decision):</b> That the policies and procedures described in the report be approved and included within the Council's Personnel Standards handbook.</p>	
	<p><b>91. CORPORATE GOVERNANCE AND FINANCIAL REPORTING ARRANGEMENTS.</b> The Cabinet considered the report of the Director of Finance and Corporate Services drawing attention to a consultation paper recently issued by the Office of the Deputy Prime Minister on proposals to amend the Accounts and Audit Regulations 1996. Although the new regulations would be effective from the 1 April 2003 certain proposals would apply to the accounts in the current financial year. An appendix to the report summarised proposed new requirements and action to be taken by the Council.</p> <p>The report also discussed the need for a review of the Council's Corporate Government arrangements in line with the Audit Commission framework developed by CIPFA and SOLACE.</p> <p><b>RESOLVED:</b> (1) That the proposed action set out in the appendix to the report be agreed.</p> <p>(2) That a Corporate Governance Review be started as early as possible in 2003 to be led by the Head of Audit.</p> <p>(3) That a response be made in respect to the Office of the Deputy Prime Minister consultation paper with particular regard to the proposal to increase the right of electors to inspect the Council's accounts from the present 15 working days up to a whole year and instead to suggest that the period be set at a maximum of six months.</p>	

	<p><b>92. SERVICE AND FINANCIAL PLANNING 2003/04.</b></p> <p>The Cabinet considered the report of the Director of Finance and Corporate Services on the proposed approach to setting the 2003/04 budget. Service and financial plans for the Council's services had been drafted and were currently being examined by groups of Councillors.</p> <p><b>The Director reported on Government grant allocations. Since the report had been published the Government had announced their initial proposals for allocating grant. All Councils would receive a minimum increase at 3% and it appeared that this would be the increase that Eastbourne would receive. An increase of £10,000 was expected in relation to the forecasted figures for the Housing Revenue Account allocation.</b></p> <p>Consultation arrangements (planned or undertaken) included the following:-</p> <ul style="list-style-type: none"> <li>· Report to the Council's Scrutiny Committee on 9 December 2002.</li> <li>· Leaflet to all householders on the new cleansing and recycling arrangements and an invitation to the public to write in or comment via the web-site.</li> <li>· Consultation with Council house tenants.</li> <li>· Consultation with representatives of business and community organisations.</li> </ul> <p><b>RESOLVED:</b> That the planning and consultation arrangements for next year's budget as set out in the report be approved.</p>	
	<p><b>93. PROPOSED CLOSURE OF SOVEREIGN CENTRE CRECHE ('FLIPPERS').</b></p> <p>(<b>Note:</b> The report on this matter had previously been circulated in the confidential part of the agenda under the exempt information reason concerning personal details of members of staff affected by the proposed closure. The Cabinet agreed that, at the Chairman's request, this matter now be taken in the open part of the meeting with consideration of staffing matters taken separately in the confidential session. An amended report excluding staffing details was circulated to press and public present at the meeting).</p> <p>The Cabinet considered the report of the Director of Tourism and Leisure drawing attention to the inability to recruit a crèche supervisor and to the high turnover of staff at the crèche. Currently there was a general difficulty in recruiting qualified staff. The crèche was registered with OFSTED and the standards required for its crèche had first been registered with the East Sussex County Council Inspection Unit in 1996.</p> <p><b>The crèche operated Monday to Friday from 9.00 a.m. to 1.00 p.m. and the current average daily attendance was ten children over the four hour period. The current cost of operating the crèche entailed a net loss of £860 per month.</b></p> <p>The option of increasing the rate of pay had been considered but this would increase the running costs and result in a higher operational loss. This would not guarantee that the supervisor post would be filled. The need to employ more suitably qualified staff would present a problem to the current workforce as they would have to obtain qualifications in order to work in a crèche or nursery setting.</p> <p>Councillor Marsden was permitted to address the Cabinet. He presented a petition that had been given to him by Ms Anne-Marie Field containing 65 signatures. The petitioners said that the crèche was much needed and a well used facility and that the Council should reconsider the proposal for closure.</p> <p><b>RESOLVED (Key Decision):</b> (1) That the Cabinet agree to the closure of the Sovereign Centre Crèche due to the inability to recruit qualified staff in order to meet OFSTED requirements and the severe financial losses the facility was</p>	

94. **CLEANSING CONTRACTS.** The Cabinet considered the report of the Director of Planning, Regeneration and Amenities on the outcome of negotiations in respect of tenders for the public convenience cleansing and attendant services contract, the dog litter bins and associated signs contract, the street cleansing contract and the refuse collection contract. The aim was to award all contracts prior to Christmas 2002 for implementation on 1 April 2003. The Council on 13 November 2002 had authorised the Cabinet to agree contractual commitments in respect of the letting of these contracts and had agreed to vary the budget framework to permit this to be done. This had followed a report to Council on the tender process and upon the financial implications for 2003/04 and future years.

**A further report was circulated in the confidential part of the agenda giving details of the tenders received and evaluation results. In addition, the Director had written to all Councillors providing further background information concerning the planned introduction of wheeled bins and recycling boxes.**

**Councillors Marsden and Taylor were permitted to address the Cabinet. They raised concerns that recycling targets would not be met, at the increased cost of the contracts and at the plans for kerb-side collection as opposed to collection from a point convenient to the householder (not necessarily 'back-door' collection).**

**RESOLVED (Key Decision):** (1) That the Director of Planning, Regeneration and Amenities in consultation with the Head of Legal Services and the Cabinet Member for the Environment be authorised to complete contract documentation with the preferred contractor and to award the following contracts:-

- Refuse Collection and Street Cleansing.
- Public Convenience Cleansing and Attendant Services.
- A two year extension period to the existing dog litter bins and associated signs contract.

(2) That the Director of Planning, Regeneration and Amenities be designated as the "Supervising Officer" for the purposes of the refuse collection and street cleansing contracts and public conveniences cleansing and attendant services contract.

(3) That the Cabinet Member for the Environment and the Opposition Spokesperson for the Environment, the Director of Finance and Corporate Services and the Director of Planning, Regeneration and Amenities be appointed as the Council's representatives on the Project Management Board which would be responsible for the implementation and ongoing monitoring of the refuse collection and street cleansing contracts.





	<p><b>95. EXCLUSION OF THE PUBLIC.</b></p> <p><b>RESOLVED:</b> That the public be excluded from the remainder of the meeting as otherwise there was a likelihood of disclosure to them of exempt information as defined in Schedule 12A of the Local Government Act 1972. The relevant paragraph of Schedule 12A and a description of the exempt information is shown in the summary below.</p>	
	<p><b>96. SUMMARY OF CONFIDENTIAL PROCEEDINGS FOR INFORMATION.</b></p> <p>(Note: The full minutes of the under-mentioned items are set out in the confidential section of these minutes. The reports remain confidential).</p>	
	<p>(a)</p>	<p><b>Cleansing Contracts.</b> The Cabinet noted tender and evaluation details in respect of the contracts considered at minute 94 above.</p> <p>(Exempt information reason – Paragraphs 7 and 9 – Identity of tenderers and terms of proposed contracts).</p>
	<p>(b)</p>	<p><b>Cemeteries and Crematorium Grounds Maintenance Contract – Proposed Extension.</b> The Cabinet approved a 12 month extension to the existing contract to 31 March 2004 on the understanding that a revised specification would be put out to tender in the autumn of 2003.</p> <p>(Exempt information reason – Paragraph 9 – Terms of a proposed contract).</p>
	<p>(c)</p>	<p><b>Proposed Closure of Sovereign Centre Crèche.</b> The Cabinet noted the staffing implications of the closure to the crèche otherwise dealt with at minute 93 above.</p> <p>(Exempt information reason – Paragraph 1 – Information relating to employees).</p>
	<p>(d)</p>	<p><b>The Cultural Hub Capital Project – Devonshire Park – Appointment of Design Team.</b> The Cabinet approved conditions under which this scheme would progress and appointed Rick Mather to lead the design team.</p> <p>(Exempt information reason – Paragraph 7 – Financial and business information - identity of tenderers).</p>

The meeting closed at 7.35 p.m.		
		<b>Mrs B Healy</b> <b>Chairman</b>
(der\P:\cabinet\minutes\02.12.05)		