

BRIGHTON & HOVE CITY COUNCIL

25 NOVEMBER 2004

4.30PM

BRIGHTON TOWN HALL

MINUTES

Present: Councillor Mrs Drake (Mayor); Councillors Allen, Barnett, Battle, Bennett, Bodfish, Mrs Brown, Burgess, Carden, Mrs Cobb, Davidson, Edmond-Smith, Elgood, Fitch, Forester, Framroze, Giebeler, Hamilton, Hawkes, Hazelgrove, Hyde, John, Kemble, Lepper, Mallender, McCaffery, Meadows, Mears, Meegan, Mitchell, Morgan, Mrs A Norman, K Norman, Older, Oxley, Paskins, Peltzer Dunn, Pennington, Pidgeon, Randall, Mrs Simson, Smith, Taylor, Mrs C Theobald, G Theobald, Turner, Turton, Watkins, Williams, Willows, Wrighton and Young.

40. DECLARATIONS OF INTEREST

40.1 There were no declarations of interest.

41. MINUTES

41.1 **RESOLVED** - That the minutes of the ordinary and special meetings of the Council held on 30 September 2004 be approved and signed as a correct record of the proceedings.

42. MAYOR'S COMMUNICATIONS

42.1 The Mayor reported on the death of two former Councillors.

42.2 Muriel Edelshain had represented the Westbourne Ward of Hove from 1974 to 1987 and had been a highly regarded Member of the Housing Committee and former Chair. She had also been an extremely popular and hard working Member who represented her community with distinction.

42.3 Charles Knight had represented the Valley Ward in Portslade from 1967 to 1974 and Portslade South from 1974 to 1976. He had also been Chairman of Portslade Urban District Council from 1972 to 1973. He was a well respected and very hard working Ward Councillor for 9 years and dedicated to working for the community that he served.

42.4 The Mayor asked the Council to stand for a minute's silence to honour their memory.

42.5 The Mayor invited Councillor Edmond-Smith to say a few words about the Gold Level Green Apple Award awarded to the Sustainability Team.

42.6 The Mayor invited Councillor Fitch to say a few words about three green flags that have been received for Preston Park, Easthill Park and St Anne's Well Gardens.

42.7 The Mayor invited Councillor Burgess to say a few words about the award of Charter Marks to Bereavement Services and Cashiers, Enquiries and Concessionary Travel Teams.

42.8 The Mayor invited Councillor Mitchell to say a few words about the award of the Guardian Service Award for Public Transport.

42.9 The Mayor invited Councillor Edmond-Smith to say a few words about the Environment Champions campaign and to present the certificates.

42.10 The Mayor invited Councillor Hazelgrove to say a few words about the Empty Homes Agency to the best partnership between the Council, the Brighton Housing Trust, the South Downs Health NHS Trust and the Brighton and Sussex University Hospitals NHS Trust.

42.11 The Mayor informed the Council that in relation to Agenda Item 7(f) concerning a question raised by Councillor Pidgeon on the policy on siting of mobile phone masts, that a copy of the policy had been placed on Members' chairs.

42.12 The Mayor asked Members to note that in relation to Agenda Item 8.1(a) concerning the protocol for site visits, a copy of the revised protocol including all the proposed amendments had been placed on Members' chairs.

42.13 The Mayor reported that in relation to Agenda Item 14(a) and 14(c) she intended to have one debate followed by two separate votes as they covered broadly the same subject.

43. PETITIONS

43.1 The Mayor invited the submission of petitions from Councillors. She reminded the Council that petitions would be referred to the appropriate Committee or Sub-Committee without debate and the Councillor presenting the petition would be invited to attend the meeting to which the petition was referred.

43.2 Councillor Hyde presented a petition signed by 480 residents concerning the unification of the permission process for mobile phone and TETRA installations.

43.3 Councillor Paskins presented a petition signed by 164 residents concerning the licensing of paid operatives of street fundraisers.

43.4 Councillor Carden presented a petition signed by 380 residents concerning the new practice of waste collection in Portslade.

43.5 Councillor Barnett presented a petition signed by 326 residents concerning the maintenance of the Hangleton Library.

43.6 Councillor Barnett presented a petition signed by 567 residents concerning the installation of CCTV cameras for the Grenadier shopping area.

43.7 Councillor Burgess presented a petition signed by 200 residents concerning the reinstatement of the No. 7 bus route along Upper St. James's Street and St. George's Road.

43.8 Councillor Mrs Norman presented a petition signed by 33 residents concerning the removal of the high kerb and reinstatement of the vehicular access to Curwen Place and the provision of a bollard to effect the closure enabling residents to access the puffin crossing, the post box and the bus stops safely.

43.9 Councillor Mrs Norman presented a petition signed by 153 residents concerning the use of wheelie bins in Westdene.

43.10 Councillor K Norman presented a petition signed by 131 residents concerning the reinstatement of the entrance into Withdean Rise from the A23 London to Brighton Road.

43.11 Councillor K Norman presented a petition signed by 130 residents concerning the re-opening of The Approach (northern exit) and the reinstatement of the traffic island opposite The Approach, Brighton.

43.12 Councillor K Norman presented a petition signed by 146 residents concerning the closure of the vehicular access to Curwen Place and seeking an alternative access, by extending the existing slip road into Elms Lea Avenue.

43.13 Councillor Giebeler presented a petition signed by 290 residents concerning the provision of a safe crossing from the Fonthill Road side of Old Shoreham Road to Hove Park and from Hove Park across Goldstone Crescent.

43.14 Councillor Mears presented a petition signed by 200 residents asking that the old boundary wall between the Black Rock Gas works site and

Boundary Road be listed and conserved in its entirety for its historic, landscape and aesthetic value.

43.15 Councillor Bennett presented a petition signed by 25 residents concerning the reinstatement of the old 81 bus route instead of travelling up Woodland Avenue and along King George VI Avenue, Hove.

43.16 Councillor Meegan presented a petition signed by 130 residents requesting the closure of Cissbury and Wolstonbury Roads to Old Shoreham Road and traffic calming for Highdown Road.

43.17 Councillor Hazelgrove presented a petition signed by 55 residents requesting that the cuts for family services in Moulsecoomb, i.e. Hillview, after school clubs, etc, be stopped.

43.18 Councillor Taylor presented a petition signed by 6 Councillors requesting a debate about the teaching assistants' dispute. (NB This petition was subsequently rejected as it did not fulfil the requirements of Procedural Rule 11.1 that requires petitions to be signed by persons other than Members of the Council.)

44. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

44.1 The Mayor reported that eight written questions had been received from members of the public.

44.2 Ms Vicki Davies asked the following question:

"On many issues it appears that the Council feels that it is a law unto itself. On what authority does it feel that it has the power to refuse the public admittance to a meeting and that, according to a letter from David Panter, attending meetings is a 'privilege not a right'?"

Councillor Bodfish replied. Ms Davies asked a supplementary question and received a further reply from Councillor Bodfish.

44.3 Ms Nicola Bevins submitted the following question:

"Brighton & Hove Council already receives vast sums of revenue through parking fines and charges. Why was it deemed so necessary to increase parking charges four- and five-fold (from 10p to 50p for half an hour and from 50p to £2.00 for two hours) and without warning or consultation through local press issues such as City News and The Leader? Are the price hikes not simply greed?"

As Ms Bevins was not present Councillor Turton provided a written reply.

44.4 Mr R Baker asked the following question:

“Will the Council tell me how much money has been spent so far on the Housing Stock Options Appraisal process, giving a breakdown of costs including money paid to consultants HACAS Chapman Hendy, PriceWaterhouseCoopers, to FPD Savills for their ‘stock condition survey’ and to SOLON, the tenants ‘independent adviser’, as well as money used for the consultation including officer time and the cost of mailings to tenants and leaseholders and money spent on working groups and focus groups and on visits and training for such groups?”

Councillor Allen replied. Mr Baker asked a supplementary question and received a further reply from Councillor Allen.

44.5 Mr Mike Wilson asked the following question:

“Why has the Council not placed an immediate moratorium on the demolition of family homes and the erection of flats in their place until the Characterisation Study has been completed?”

Councillor Mitchell replied. Mr Wilson asked a supplementary question and received a further reply from Councillor Mitchell.

44.6 Mr Brian Ralfe asked the following question:

“Can Councillor Sue John, as Chair of the Committee for Culture and Tourism, kindly inform us as to the whereabouts of the magnificent, historic flint wall which, until Tesco got their hands on it and trashed it was such a feature of our Regency Hove in Church Road? I would hate to think this wall went the same way as our Regency railings around Pavilion Gardens.”

Councillor John replied. Mr Ralfe asked a supplementary question and received a further reply from Councillor John.

44.7 Ms Valerie Paynter submitted the following question:

“In May of this year Hove Library computers were shut down for reprogramming involving a new booking system. This was to be for only a few weeks. At the end of November these computers are not converted or entirely functional. The programme written was for a system other than what we have installed and over the summer had to be re-written. For a few days in November converted computers

were in use but then taken out of service mysteriously. Who is paying for this fiasco, the Council or private contractors?"

As the period of 15 minutes allowed under Procedural Rule 10.9 had expired Councillor John provided a written reply.

44.8 Mr Christopher Hawtree submitted the following question:

"Will Councillor Burgess please tell us whether the Council has made a loan to the Old Market Arts Centre and whether it has now been repaid?"

As the period of 15 minutes allowed under Procedural Rule 10.9 had expired Councillor Burgess provided a written reply.

44.9 Mr Richard Scott submitted the following question:

"The now-closed Vantage Point Central Reference Library held many non-lending works not available in other city libraries. Can we please be told what arrangements have been or are being made to provide access now to these important works; how is this shown on the city libraries website and in-house electronic catalogue; and what is the timescale for completing such arrangements?"

As the period of 15 minutes allowed under Procedural Rule 10.9 had expired Councillor John provided a written reply.

45. DEPUTATIONS

45.1 The Council heard a Deputation concerning the closure of Withdean Rise entrance to/from A23-London Road. Mr Michael Murray was the spokesperson on behalf of residents. Councillor Turton replied.

45.2 The Mayor thanked Mr Murray for attending the meeting and speaking on behalf of the Deputation. She explained that the points made had been noted and would now be referred to the appropriate Committee. The persons forming the Deputation would be invited to attend the Committee meeting and would be informed subsequently of any action taken or proposed in relation to the matters set out by the Deputation.

46. WRITTEN QUESTIONS FROM COUNCILLORS

46.1 The Mayor reminded the Council that Councillors' questions were now taken as read by reference to the list, which had been circulated.

46.2 Questions on the following subjects were replied to by the appropriate Councillor as follows:-

Questioner	Subject	Reply by
Councillor Mrs Cobb (and supplementary question from Councillor Mrs Cobb)	King Alfred	Councillor John
Councillor Kemble (and supplementary questions from Councillors Kemble and Peltzer Dunn)	Penalty Charge Notices	Councillor Turton
Councillor Mears (and supplementary questions from Councillors Mears and Peltzer Dunn)	Arms Length Management Organisation	Councillor Hazelgrove
Councillor Mrs Theobald (and supplementary questions from Councillors Mrs Theobald and Kemble)	Parking Charges	Councillor Mitchell Councillor Turton
Councillor Young	Agency Staff	Councillor Bodfish
Councillor Pidgeon (and supplementary questions from Councillors Pidgeon and Kemble)	The Council's Landlord's Policy on Telecommunications	Councillor Burgess
Councillor Pidgeon (and supplementary questions from Councillors Pidgeon and Peltzer Dunn)	Cityclean – Wheelie Bins	Councillor Mitchell
Councillor Mrs Theobald (and supplementary question from Councillor Mrs Theobald)	Conservation Areas	Councillor Mitchell

Questioner	Subject	Reply by
Councillor Randall (and supplementary question from Councillor Randall)	Pension Fund	Councillor Hazelgrove
Councillor Mrs Norman	Difficulty in recruiting and retaining Clerks to assist the Governing Bodies	Councillor Hawkes
Councillor Williams	Disability Discrimination Act	Councillor Burgess
Councillor Mallender	Reduction in CO2 emissions	Councillor Mitchell

47. REPORTS OF COMMITTEES: CALLOVER

47.1 The following items were reserved for discussion:

Committee	Item
Environment Committee: 27 May 2004	8.1(a) Planning Applications Sub-Committee protocol for public representations and site visit criteria
Licensing Committee: 7 October 2004	8.2(a) Adoption of sections 14 to 17 of the Local Government (Miscellaneous Provisions) Act 1982 Part VIII – Acupuncture, Tattooing, Semi-Permanent Colouring, Cosmetic Piercing and Electrolysis
Children, Families and Schools Sub-Committee: 18 October 2004	8.4(a) Annual report of Brighton & Hove music and performing arts
Policy and Resources Committee: 20 October 2004	8.3(a) Licensing Act 2003 – Adoption of statutory licensing policy
Environment Committee: 21 October 2004	8.5(a) Stanmer Park Consultation
Policy and Resources Committee: 17 November 2004	8.6(a) Brighton and Hove Local Plan : proposed modifications
Policy and Resources Committee: 17 November 2004	8.6(b) Review of Members' Allowances Scheme

Committee	Item
Policy and Resources Committee: 17 November 2004	8.6(c) Annual Investment Strategy 2004/05 revisions

47.2 The Acting Chief Executive confirmed that with the exception of the items reserved for discussion in 47.1 above the reports of the Committees appearing under item 8(a) on the agenda with the recommendations or resolutions contained therein be approved and adopted. The Council agreed.

48. ORAL QUESTIONS FROM MEMBERS

48.1 There were no oral questions from Councillors on the items, which had not been reserved for discussion.

49. PLANNING APPLICATIONS SUB-COMMITTEE PROTOCOL FOR PUBLIC REPRESENTATIONS AND SITE VISIT CRITERIA

49.1 It was moved by Councillor Mitchell that the report of the Environment Committee in relation to the protocol for public representations and site visit criteria be approved.

49.2 The Motion was carried.

50. ADOPTION OF SECTIONS 14 TO 17 OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 PART VIII – ACUPUNCTURE, TATTOOING, SEMI-PERMANENT COLOURING, COSMETIC PIERCING AND ELECTROLYSIS

50.1 It was moved by Councillor Turner that the report of the Licensing Committee in relation to the adoption of sections 14 to 17 of the Local Government (Miscellaneous Provisions) Act 1982 Part VIII – Acupuncture, Tattooing, Semi-Permanent Colouring, Cosmetic Piercing and Electrolysis be approved.

50.2 The Motion was carried.

51. ANNUAL REPORT OF BRIGHTON & HOVE MUSIC AND PERFORMING ARTS

51.1 It was moved by Councillor Hawkes that the Annual Report of the Brighton & Hove music and performing arts be received.

51.2 The Motion was carried.

52. LICENSING ACT 2003 – ADOPTION OF STATUTORY LICENSING POLICY

52.1 It was moved by Councillor Turner that the report on the Licensing Act 2003 – Adoption of Statutory Licensing Policy be approved subject to the following amendment:

That the Council also delegates to the Director of Environment authority to approve changes needed, unless significant, in consultation with the Chair, Deputy Chairs and Opposition Spokesperson of the Licensing Committee.

52.2 The Motion as amended was carried.

53. STANMER PARK CONSULTATION

53.1 It was moved by Councillor Mitchell that the report on the Stanmer Park Consultation be received.

53.2 The Motion was carried.

54. BRIGHTON AND HOVE LOCAL PLAN: PROPOSED MODIFICATIONS

54.1 It was moved by Councillor Mitchell that the report on the proposed modifications to the Brighton and Hove Local Plan be approved.

54.2 The Motion was carried.

55. REVIEW OF MEMBERS' ALLOWANCES SCHEME

55.1 It was moved by Councillor Bodfish that the report on the Members' Allowances Scheme be approved.

55.2 The Motion was carried.

56. ANNUAL INVESTMENT STRATEGY 2004/05 REVISIONS

56.1 It was moved by Councillor Bodfish that the report on the Annual Investment Strategy 2004/05 Revisions be approved.

56.2 The Motion was carried.

57. SCRUTINY REVIEW ON PROCUREMENT

57.1 It was moved by Councillor Edmond-Smith that the report of the Scrutiny Panel on Procurement be approved together with the Executive response. Councillor Edmond-Smith wished to place on record her thanks to Mary van Beinum and Lisa Johnson for their contributions in helping the Panel with the report.

57.2 The Motion was carried.

58. SCRUTINY REVIEW ON COMMUNAL BINS

58.1 It was moved by Councillor Young that the report of the Scrutiny Panel on Communal Bins be approved together with the Executive response.

58.2 The Motion was carried.

59. APPOINTMENT OF CHIEF EXECUTIVE

59.1 It was moved by Councillor Bodfish that the report of the Appointments Panel concerning the appointment of the Chief Executive be approved.

59.2 The Motion was carried.

60. REVIEW OF COMMITTEE ALLOCATIONS

60.1 It was moved by Councillor Bodfish that the report of the Acting Chief Executive concerning the Review of Committee Allocations be approved.

60.2 The Motion was carried.

61. CALL IN AND URGENCY

61.1 It was moved by Councillor Bodfish that the report of the Director of Cultural Services on Call In and Urgency be approved.

61.2 The Motion was carried.

62. NOTICES OF MOTION**(a) 'Murder Music'**

62.1 The following Notice of Motion was proposed by Councillor Elgood and seconded by Councillor Pennington:

"This Council believes that musicians whose lyrics contain incitements to violence and murder are unacceptable if all people are to be valued and respected, regardless of their sexuality, background, race, gender, age or disability.

This Council notes that serious concerns have been raised over such "murder music" singers, which include Bounty Killer, Elephant Man, TOK, Capleton, Beenie Man, Sizzla Kalonji, Buju Banton and Vybz Kartel, who are seen as glorifying the killing of lesbian and gay people which makes life

intolerable for many lesbian and gay Jamaicans where homosexuality is outlawed.

In acknowledgement of the concerns raised by many people in Brighton and Hove's large LGBT community, this Council resolves by this Notice of Motion to:

1. Urge all music outlets in the City not to stock such music.
2. Ensure that such material is not available in the City's Libraries.
3. Request that all Public Entertainment Licence holders in the City take into consideration the views of the Council noting our concern over such music and potential hosting of such entertainment at their venues."

62.2 The Motion was carried.

(b) Megasinors

62.3 The following Notice of Motion was proposed by Councillor Taylor and seconded by Councillor Peltzer Dunn:

"This Council:

- Notes the recent parliamentary support for the second reading of the Gambling Bill, including the support of the three local MPs.
- Welcomes the increase in gambling regulation and controls but is concerned by the provision for large Las Vegas style casinos (megasinors), which may house up to 1250 slot machines and operate up to 24 hours per day and with £1m jackpots. Of special concern is the prospect of megasino developments within the city.
- Notes that the current demand for casino gambling within the city is met by four licensed casinos.
- Notes the perceived association of organised crime with some parts of the gambling industry.
- Notes the very real risks of increased gambling addiction, and the social damage that it is acknowledged to cause.
- Notes that under the emerging legislation Councils will have a duty to consult residents on any new casino proposals.

- Takes seriously its responsibility for the social, environmental and economic well-being of the city, as enshrined in the Local Government Act 2000.

Therefore this Council resolves:

- That it is concerned by the potential increased risk of gambling addiction that any new megasino, such as those provided for within the emerging Gambling Bill, may pose.
- That it is concerned that any new city megasino may be injurious both to the public good and to the city's general environment.
- To require the Chief Executive to make the Council's views known to government, and request our local MPs to vote against megasinos in any future vote in parliament."

62.4 The following amendment was proposed by Councillor Watkins and seconded by Councillor Turner:

"This Council:

- Notes the recent parliamentary support for the second reading of the Gambling Bill, including the support of the three local MPs.
- Welcomes the increase in gambling regulation and controls but is concerned by the provision for large Las Vegas style casinos (megasinos), which may house up to 1250 slot machines and operate up to 24 hours per day and with £1m jackpots. Of special concern is the prospect of megasino developments within the city, that the Bill could create the conditions for a large number of overseas-owned super casinos.
- Notes that the current demand for casino gambling within the city is met by four licensed casinos.
- Notes the perceived association of organised crime with some parts of the gambling industry.
- Notes the very real risks of increased gambling addiction, and the social damage that it is acknowledged to cause.
- Notes that under the emerging legislation Councils will have a duty to consult residents on any new casino proposals.
- Takes seriously its responsibility for the social, environmental and economic well-being of the city, as enshrined in the Local Government Act 2000.

- Welcomes the concessions made by the Secretary of State during the passage of the Bill in relation to the number of megasinos to be permitted.

Therefore this Council resolves:

- ~~That it is concerned by the potential increased risk of gambling addiction that any new megasino, such as those provided for within the emerging Gambling Bill, may pose.~~
- ~~That it is concerned that any new city megasino may be injurious both to the public good and to the city's general environment.~~
- ~~To require the Chief Executive to make the Council's views known to government, and request our local MPs to vote against megasinos in any future vote in parliament."~~

This Council requests the Chief Executive to make representations to the Secretary of State, Tessa Jowell, and the City's MPs to:

- Provide adequate powers to local authorities to reject specific casinos or the conversion of other D2 use class premises into casinos;
- Establish a single use class for casinos;
- Impose adequate controls on the number and location of regional casinos and on the number and type of gambling machines contained;
- Express concerns that the Bill could create the conditions for a large number of overseas-owned super casinos;
- Seeks assurances over concerns of a further reduction of funds available for good causes from the National Lottery and that a significant increase in problem gambling could arise."

62.5 Councillor Taylor accepted the amendment. The amendment then became the substantive motion.

62.6 The Motion as amended was carried.

(c) Hate Music Directed Against Social Groups

62.7 The following Notice of Motion was proposed by Councillor Randall and seconded by Councillor Williams:

"This Council notes the very small minority of mainly rap and reggae music containing lyrics that incite hatred against and the murder of lesbian, gay, bisexual and transgender (LGBT) people and that also incite hatred against women and some ethnic groups and others.

The Council believes that 'murder music' contributes to a climate where prejudice is seen as acceptable and exposes those groups who are targeted to an increased risk of violence.

Furthermore, the Council believes that 'incitement to murder' lyrics go way beyond acceptable freedom of expression and actively promote a message of hatred. The Council believes that this feeds community division and runs contrary to its core value of promoting community cohesion.

The Council also notes its duty, working with other agencies, including the Police, to help to make the city safer for everyone.

The Council notes that Brighton and Hove has one of the largest LGBT communities in the country and there is an on-going need in the city to address homophobic and other hate crime.

The Council also notes that the LGBT community enjoys no protection under incitement to hatred legislation in the way that ethnic minorities do (under the Race Relations Act 1976) and as do many social groups, including the LGBT community, in Northern Ireland, under recently introduced legislation.

The Council notes that the music industry, including the three large record chains with outlets in Brighton and Hove: Virgin Megastore, HMV and MVC, have so far refused to stop the production, promotion and sale of albums that contain murder lyrics.

Finally, the Council welcomes the Government's decision to refuse entry to Sizzla (real name: Miguel Orlando Collins) a Jamaican reggae artist who has incited the murder of LGBT people and ethnic groups in his music and concerts.

Accordingly, Brighton & Hove City Council mandates the Chief Executive to write to:

- the city's three MPs to request that they lobby the Government to extend incitement to hatred legislation to cover the LGBT community and other groups targeted by 'murder music'.
- the UK managing directors of Virgin Megastore, MVC and HMV, making plain the Council's view that to refuse to take music off-sale containing 'incitement to murder' lyrics ultimately contributes to a climate where homophobia and other forms of prejudice are seen as acceptable."

62.8 The Motion was carried.

(d) Graffiti Removal

62.9 The following Notice of Motion was submitted by Councillor Kemble and seconded by Councillor Older:

"This Council recognises that graffiti and 'tagging' remain a serious problem in many areas of Brighton & Hove and that failure to remove it quickly attracts more graffiti, lowers the tone of an area, attracts crime and discourages business investment. Further, much of the worst graffiti occurs on privately-owned street furniture such as telecommunications boxes owned by NTL and BT.

This Council endorses the Charter Mark award winning free Graffiti Removal Service, operated by Conservative-controlled Wandsworth Borough Council, as a beacon of best practice in the field of graffiti removal. The service combines a zero-tolerance approach to eradication and enforcement with a programme of educating young people on the issues surrounding graffiti. In practice, the owners of the property on which the graffiti appears are simply asked to sign an indemnity form that authorises the Council's contractors to remove the offending items.

Furthermore, this Council welcomes the new powers given to local authorities in sections 48-52 of the Anti-Social Behaviour Act 2003 enabling them to serve 'graffiti removal notices' on the owners of property defaced with graffiti. It regrets, however, that Brighton & Hove was not one of the 12 local authorities chosen to pilot this legislation, particularly given the Council's role as a Government-appointed national 'trailblazer' in the fight against anti-social behaviour.

Therefore, this Council resolves to:

1. Instruct the Chief Executive to write to the Home Secretary requesting that the section 48-52 powers of the Anti-Social Behaviour Act 2003 be rolled out to Brighton & Hove City Council as a matter of priority.
2. In the meantime, request officers to consider investigating the feasibility of adopting the Wandsworth approach to graffiti removal from privately-owned property in Brighton & Hove and to report back to the Environment Committee."

62.10 The following amendment was submitted by Councillor Mitchell and seconded by Councillor Meegan:

- *That the Notice of Motion from Councillor Ted Kemble be noted.*
- *That the proposed amendment to the Notice of Motion set out below be noted.*
- *That the Notice of Motion and the amendment be referred to the Environment Committee so that a decision can be taken in the light of a report from officers.*

"This Council recognises that graffiti and 'tagging' remain a serious problem in many areas of Brighton & Hove and that failure to remove it quickly attracts more graffiti, lowers the tone of an area, attracts crime and discourages business investment. Further, much of the worst graffiti occurs on privately-owned street furniture such as telecommunications boxes owned by NTL and BT.

This Council ~~endorses~~ notes the Charter Mark award winning free Graffiti Removal Service, operated by Conservative-controlled Wandsworth Borough Council, as a beacon of best practice in the field of graffiti removal. The service combines a zero-tolerance approach to eradication and enforcement with a programme of educating young people on the issues surrounding graffiti. In practice, the owners of the property on which the graffiti appears are simply asked to sign an indemnity form that authorises the Council's contractors to remove the offending items.

Furthermore, this Council welcomes the new powers given to some local authorities in sections 48-52 of the Anti-Social Behaviour Act 2003 ~~enabling them to serve 'graffiti removal notices' on the owners of property defaced with graffiti. It regrets, however, that Brighton & Hove was not one of the 12 local authorities chosen to pilot this legislation, particularly given the Council's role as a Government appointed national 'trailblazer' in the fight against anti-social behaviour. where, as 'Trailblazer Authorities' they are able to pilot legislation enabling them to serve 'graffiti removal notices' on the owners of property defaced with graffiti.~~

Therefore, this Council resolves to:

- ~~1. Instruct the Chief Executive to write to the Home Secretary requesting that the section 48-52 powers of the Anti-Social Behaviour Act 2003 be rolled out to Brighton & Hove City Council as a matter of priority.~~
 - ~~2. In the meantime, request officers to consider investigating the feasibility of adopting the Wandsworth approach to graffiti removal from privately owned property in Brighton & Hove and to report back to the Environment Committee."~~
- *Speedily implement the new powers expected to be given to local authorities in March 2005 following evaluation of the pilots.*
 - *Instruct officers to pursue the use of Anti-Social Behaviour Orders wherever possible as an effective way of tackling graffiti and other environmental crimes.*
 - *To apply for funding for increased action against graffiti using these powers through a Local Public Service Agreement with stretched targets on the serving of ASBOs for environmental crimes.*

- To instruct officers to investigate the feasibility of adopting the Wandsworth approach to graffiti removal from privately owned property in Brighton & Hove, including financial implications, and to report back to Environment Committee.

In the meantime:

- To continue to work closely with the utility companies regarding graffiti removal from their street furniture and in particular welcoming:
 - ◆ The NTL 'hotline' being set up for graffiti reporting.
 - ◆ The targeting of graffiti removal by the utilities based on Council audits.
 - ◆ Graffiti removal from 106 NTL boxes in the first round and the consideration of anti-graffiti coatings being used as part of the second round of box cleansing.
- To instruct officers to continue to put pressure on BT and The Post Office with regard to graffiti removal from their property."

62.11 In view of the time Councillor Kemble withdrew the Notice of Motion. The Motion and the amendment will be submitted to the next meeting of the Council.

(e) Waste Reduction – Use of Real Nappies

62.12 The following Notice of Motion was proposed by Councillor Paskins and seconded by Councillor Mallender:

"This Council accepts that waste minimisation is the duty of all councils, and that we have a moral duty to reduce energy and material use on an already over-strained ecosystem.

Up to 9 million disposable nappies are thrown away each day in the UK, a yearly total of 800,000 tonnes or 4% of total domestic waste sent to landfill. The annual cost is estimated at £40 million, borne largely through Council Tax.

In households with one baby up to 50% of their rubbish will be disposable nappies. The cost of reusable nappies washed through a laundry is now broadly comparable with using disposables. As the cost of waste disposal rises, the balance will tip ever further in favour of reusable nappies.

Reusable cotton nappies use up to five times less energy, water and raw materials than disposables, including the washing process. The waste from washing is relatively benign compared to the waste incurred in manufacturing and disposing of disposables.

When a new mother is in hospital she sees disposable nappies used, when she leaves hospital she receives a 'bounty bag', full of free gifts from companies who want her to use their products; disposable nappies are included. Dried baby milk used to be included in these bags; we wouldn't do that now, and we shouldn't include disposable nappies either.

Chris Wade Brighton & Hove and East Sussex's Real Nappy Lady and her team are doing a sterling job in spreading the news about reusable nappies, but are up against the might of big businesses. The disposable nappy companies spend vast sums on advertising their products, whereas real or reusable nappy companies are mainly small and community based. Chris and her team need our help.

Council therefore resolves to:

1. Thank Chris Wade and her team for their efforts towards waste minimisation.
2. Ask the Chief Executive to write to the Royal Sussex County Hospital asking them:
 - Not to include disposable nappies in the 'bounty pack'.
 - That in their own procedures they switch to using reusable nappies on their maternity wards.
 - That where mothers insist on using disposables, those mothers bring in their own.
 - That hospital shops be discouraged from selling disposable nappies."

62.13 The following amendment was proposed by Councillor Edmond-Smith and seconded by Councillor Mitchell:

"This Council accepts that waste minimisation is the duty of all councils, and that we have a moral duty to reduce energy and material use on an already over-strained ecosystem.

Up to 9 million disposable nappies are thrown away each day in the UK, a yearly total of 800,000 tonnes or 4% of total domestic waste sent to landfill. The annual cost is estimated at £40 million, borne largely through Council Tax.

In households with one baby up to 50% of their rubbish will be disposable nappies. The cost of reusable nappies washed through a laundry is now broadly comparable with using disposables. As the cost of waste disposal rises, the balance will tip ever further in favour of reusable nappies.

Reusable cotton nappies use up to five times less energy, water and raw materials than disposables, including the washing process. The waste from washing is relatively benign compared to the waste incurred in manufacturing and disposing of disposables.

When a new mother is in hospital she sees disposable nappies used, when she leaves hospital she receives a 'bounty bag', full of free gifts from companies who want her to use their products; disposable nappies are included. Dried baby milk used to be included in these bags, ~~we wouldn't do that now, and we shouldn't include disposable nappies either.~~ *however, to enable hospitals to sign up to higher quality standards in maternity care, milk formula has been removed from the bag. The same approach should be taken to disposable nappies.*

Chris Wade Brighton & Hove and East Sussex's Real Nappy Lady and her team are doing a sterling job in spreading the news about reusable nappies, but are up against the might of big businesses. The disposable nappy companies spend vast sums on advertising their products, whereas real or reusable nappy companies are mainly small and community based. Chris and her team need our help.

~~Council therefore resolves to:~~

~~1. Thank Chris Wade and her team for their efforts towards waste minimisation.~~

~~2. Ask the Chief Executive to write to the Royal Sussex County Hospital asking them:~~

~~—— Not to include disposable nappies in the 'bounty pack'.~~

~~—— That in their own procedures they switch to using reusable nappies on their maternity wards.~~

~~—— That where mothers insist on using disposables, those mothers bring in their own.~~

~~—— That hospital shops be discouraged from selling disposable nappies.~~

This Council therefore resolves to:

- *Praise the award-winning work of Chris Wade and Kim Jackson since the inception of the Real Nappy Network two years ago and congratulate them on their successful bid for WRAP funding of £78,000.*
- *Request that the Council's Chief Executive writes to the Brighton & Sussex University Hospitals Trust asking that:*

- ◆ *Disposable nappies are removed from the 'Bounty Bags' distributed in their clinics and on their maternity wards and that vouchers for washable nappies are included.*
- ◆ *Switch to using reusable nappies in their hospitals.*
- ◆ *Hospital shops be discouraged from selling disposable nappies.*
- ◆ *The Trust reinstate as a priority, a nappy laundering service similar to the very successful one started in 2002 that has since declined and stopped and that staff receive appropriate training.*
- ◆ *Use of washable nappies should be included in the Trust's Environment Policy together with appropriate staff training."*

62.14 Councillor Paskins accepted the amendment. The amendment therefore became the substantive Motion.

62.15 The Motion as amended was carried.

The meeting concluded at 9.10pm.

Signed

Mayor

Dated this

day of

2005