

BRIGHTON & HOVE CITY COUNCIL

27 NOVEMBER 2003

4.30PM

BRIGHTON TOWN HALL

MINUTES

Present: Councillor Jeane Lepper (Mayor); Councillors Allen, Battle, Bennett, Bodfish, Mrs Brown, Burgess, Carden, Mrs Cobb, Davidson, Mrs Drake, Edmond-Smith, Elgood, Fitch, Forester, Framroze, Giebeler, Hamilton, Hawkes, Hazelgrove, Hyde, John, Kemble, Kielty, 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, Tonks, Turner, Turton, Watkins, Williams, Willows, Wrighton and Young.

45. DECLARATIONS OF INTEREST

45.1 Councillor Mitchell declared a personal interest in item 55.8 as her son is a Police Community Support Officer working for Sussex Police.

46. MINUTES

46.1 **RESOLVED** - That the minutes of the meeting of the Council held on 25 September 2003 be approved and signed as a correct record of the proceedings.

47. MAYOR'S COMMUNICATIONS

47.1 The Mayor informed the Members that the Council had received a number of awards and invited the appropriate Executive Councillor to present them. The following awards were presented:

Councillor Burgess presented Charter Mark awards to Ian Long for Registrars and Revenues

Councillor Hazelgrove presented the Carelink ASAP Accreditation to Ian Long

Councillor Mitchell presented the Charter Mark for Building Control to Jenny Rowlands

Councillor Mitchell presented the Green Apple award to Kim Jackson for the Brighton and Hove and East Sussex Real Nappy Network

Councillor Edmond-Smith presented the NPower award to Angela Dymott for supporting the renewable energy generation.

Councillor John presented PR Week Award for the 'Make my Day' Campaign and the PR Week Commendation for City News to Tony Miller

47.2 The Mayor also stated that it gave her great pleasure to celebrate the publication of a book entitled "A Prince's Passion – The Life of the Royal Pavilion" written by Jessica Rutherford. She invited Councillor Bodfish to say a few words about the publication.

47.3 The Mayor reported that it was with regret that she had to make the following remarks. Previous Council meetings had been plagued by constant interruptions and heckling from the public gallery. It had come to her attention that members of the public had been discouraged from attending meetings by these constant interruptions, and those that did stay were unable to hear what was being said. The Mayor stated that she was no longer prepared to accept what appeared to be a deliberate attempt by a small number of individuals to frustrate the democratic process. In the circumstances she very much regretted that she would have no option but to ask any member of the public causing such interruptions to leave the public gallery. If necessary she would adjourn the meeting in order to facilitate this. She very much hoped, however, that this would not be necessary.

48. PETITIONS

48.1 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.

48.2 Councillor John presented a petition signed by some 16 residents requesting the Council to provide an extra lay-by between 47 and 59 Gladstone Road and to extend the lay-by outside 50 and 52 Gladstone Road to provide additional on street parking.

48.3 Councillor Forester presented a petition signed by some 107 residents requesting the Council to provide a pelican or zebra crossing in place of the traffic island outside the Orchard Day Nursery.

48.4 Councillor Paskins presented a petition signed by some 49 residents requesting the Council to provide a controlled parking scheme in Richmond Terrace, Brighton.

48.5 Councillor Carden presented a petition signed by some 200 residents concerning the proposal by Post Office Ltd to remove post offices from Mile Oak as part of a national review.

48.6 Councillors Davidson and Pennington presented a petition signed by some 68 residents opposing the introduction of communal rubbish containers for a trial period in Victoria Road, Brighton.

48.7 Councillor Young presented a petition signed by some 1127 residents requesting the Council to suspend the experimental Traffic Order in George Street to allow vehicular access after 4pm

48.8 Councillor Mrs Simson presented a petition signed by some 108 residents requesting better parking facilities in Cowley Drive, Woodingdean, Brighton.

48.9 Councillor Bennett presented a petition signed by some 365 residents requesting the provision of additional parking bays in Shirley Drive as required by the Section 106 agreement.

48.10 Councillor Oxley presented a petition signed by some 93 residents concerning the introduction of rigorous traffic calming measures to prevent drivers using Westbourne Gardens as a short cut.

48.11 Councillor Burgess presented a petition signed by some 209 residents concerning the improvement of street lighting in the High Street, Ardingly Street and Cavendish Street, Brighton.

48.12 Councillor Pennington presented a petition signed by some 200 residents concerning the proposal of Post Office Limited to close Hampton Place Post Office and calling on Post Office Ltd to withdraw the plans and to ensure residents have access to local post office services.

49. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

49.1 The Mayor reported that five written questions had been received from members of the public.

Questioner	Subject	Reply by
Kevin Dale (and supplementary question)	Extension of COMART consultation period	Councillor Hawkes, Chair of Children, Families & Schools Sub-Committee
John Francis (and supplementary question)	Council Tax Increases	Councillor Burgess, Deputy Chair of Policy & Resources

Questioner	Subject	Reply by
		Committee
Dean Menzies	Woodingdean Off-Road Bikers Club	Councillor Mitchell, Chair of Environment Committee
Christopher Hawtree (and Supplementary question)	Opening hours of Jubilee Street Library	Councillor John, Deputy Leader of the Council
Sue Forrest (and supplementary question)	Travellers	Councillor Mitchell, Chair of Environment Committee

50. DEPUTATIONS

50.1 The Mayor reported that no Deputations had been received from members of the public.

51. WRITTEN QUESTIONS FROM COUNCILLORS

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

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

Questioner	Subject	Reply by
Councillor Oxley (and supplementary question from Councillor Oxley)	Cleanliness and litter collection in railway stations	Councillor Mitchell
Councillor Paul Elgood (and supplementary questions from Councillor Elgood and Councillor Smith)	The number of telecommunication masts, etc on Council owned buildings, land or schools	Councillor Bodfish
Councillor Lynda Hyde (and supplementary question from Councillor Hyde)	Staff Consultation Forum	Councillor John
Councillor Lynda Hyde (and supplementary questions from Councillor Hyde and Councillor Smith)	Cityclean helpline	Councillor Mitchell

52. APPOINTMENT OF INDEPENDENT MEMBER

52.1 It was moved by the Mayor that the appointment of Helen Scott as an Independent Member of the Standards Committee be approved.

52.2 The motion was carried.

53. REPORTS OF COMMITTEES: CALLOVER

53.1 **RESOLVED** - That the report to the following Committee with the recommendations contained therein be approved:

Committee	Item
Standards Committee: 16 September 2003	9.1(a) Guidance and procedure for Local Determination of Complaints against Members

53.2 The following items were reserved for discussion:

Committee	Item
Policy and Resources Committee: 19 November 2003	9.2(a) Review of Members' Allowances Scheme

54. ORAL QUESTIONS FROM MEMBERS

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

54.A REVIEW OF MEMBERS' ALLOWANCES SCHEME

54.1 Councillor Bodfish moved that the report of the Policy and Resources Committee dated 19 November 2003 be approved.

54.2 The motion was carried.

55. NOTICES OF MOTION

(a) Post Office Closures

55.1 The following Notice of Motion was moved by Councillor John and seconded by Councillor Bodfish:

This council notes with concern the recent review of Post Office branches in Brighton and Hove which has resulted in 19 sub-post offices being recommended for closure. We are particularly sorry to have only first read of these proposals in the local newspaper, rather than to have been notified in advance in writing.

Whilst understanding the need for regular reviews to ensure that Post Office services keep pace with the times and continue to operate efficiently, we are concerned that the Post Office has concluded that it would be in the public interest to reduce the number of local outlets, estimated at about 50 in 2002, by such a large number.

The Post Office states that it has considered aspects such as availability of public transport, parking facilities, topography and ease of pedestrian access to the branches in question and has identified viable alternative

branches for customers to visit in each case. Regrettably, the council has not been approached about supplying information to help form a judgement about such issues.

The Post Office further states that the list of proposed branch closures only represents an outline proposal at this stage but that planned improvements have been discussed and agreed with the sub postmasters in question. However, it seems that as a part of that process, some retailers currently operating branch facilities have already been offered a considerable sum of money in return for agreeing to cease to trade as a sub-post office and indeed some branches have already closed as a consequence. Payments of up to £20,000 to persuade sub postmasters to withdraw from operations before a public consultation period seem highly inappropriate.

This council deplores the fact that the review to date has not been transparent and that certain of these proposals appear irreversible. We trust that Post Office Ltd will now go some way towards redressing the balance during the current consultation period by actively seeking views and information before reaching any final conclusions about how best to provide access to modern postal services across the city in an equitable way.

55.2 The following amendment was proposed by Councillor Oxley and seconded by Councillor Theobald:

This council notes with concern the recent review of Post Office branches in Brighton and Hove which has resulted in 19 sub-post offices being recommended for closure. We are particularly sorry to have only first read of these proposals in the local newspaper, rather than to have been notified in advance in writing.

The Council also notes that it was the Labour Government's decision to switch benefit payments to bank accounts and the Government's Own Order, agreed in October 2002 under Section 8 of the Industrial Development Act, with the three local Members of Parliament voting for a post office 'reinvention' programme, that has accelerated the rate of post office closure in general and has provided the incentives, mentioned elsewhere in this Notice of Motion, for sub-postmasters to leave the profession and for a number of post offices around the city to be proposed for closure.

Whilst understanding the need for regular reviews to ensure that Post Office services keep pace with the times and continue to operate efficiently, we are concerned that the Post Office has concluded that it would be in the public interest to reduce the number of local outlets, estimated at about 50 in 2002, by such a large number.

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This council deplores the fact that the review to date has not been transparent and that certain of these proposals appear irreversible. We trust that Post Office Ltd will now go some way towards redressing the balance during the current consultation period by actively seeking views and information before reaching any final conclusions about how best to provide access to modern postal services across the city in an equitable way.

55.3 On being put to the vote the amendment was carried.

55.4 The motion as amended was approved.

(b) Rainbow Flags on Main Council Buildings

55.5 The following Notice of Motion was moved by Councillor Elgood and seconded by Councillor Williams:

In recognition of the large and diverse lesbian, gay, bi-sexual and transgender community within Brighton and Hove and to signify the growing success of Pride in Brighton and Hove, this Council agrees that the Rainbow Flag is flown on main Council buildings during Pride Week.

55.6 The Labour Group put forward the following amendment, which was accepted by Councillor Elgood:

~~In recognition of the large and diverse lesbian, gay, bi-sexual and transgender community communities within Brighton and Hove and to signify the growing success of Pride in Brighton and Hove, this Council agrees that the Rainbow Flag is flown on main Council buildings during Pride Week.~~

importance of these to the City, the Council agrees the following:

The work which is currently underway to develop new ideas of "dressing the city" should include the use of flags and in particular a protocol regarding the display of flags from civic buildings. The new approach to city decoration will include visibly celebrating key events such as Christmas and Diwali in the Brighton & Hove calendar. These could include, for example, celebrating Pride by flying the Rainbow flag at various locations around the city. Other examples could be welcome banners for key conferences, or local recognition of national events. Officers are instructed to develop a simple protocol which would allow appropriate events to be marked in this way.

55.7 The motion as amended was approved.

(c) Tackling Violence in a Public Place – The Work of the Violent Crime Task Group

55.8 The following Notice of Motion was moved by Councillor Mitchell and seconded by Councillor Forester:

The City Council and the Brighton & Hove Police Division have a statutory responsibility under the Crime and Disorder Act 1998 to reduce crime.

Of the 10 priority areas for action identified in the City's Crime Reduction Strategy 2002-2005, reducing violent crime in public places is one of the most challenging and important.

The Council would like to place on record its acknowledgement and support for the achievements and ongoing work of the Violent Crime Task Group whose work has achieved a 9% reduction in such incidents compared with the previous year. It also welcomes the 5.2% reduction in overall crime in Brighton & Hove.

The Council is committed to working with and supporting the efforts of our partner organisations and community representatives including the police, business sector, licensees, health trusts and public transport providers to further reduce levels of violent crime and make Brighton & Hove a safer city.

55.9 The motion was carried.

Councillor Mitchell declared a personal interest in this item as her son is a Police Community Support Officer working for Sussex Police.

(d) Telecommunications Masts: Health Considerations in Planning Applications

55.10 The Mayor informed the Council that the following Notice of Motion would be referred to the Environment Committee without discussion:

This Council notes that:

1. Research into the potentially harmful effects of radiation emitted from telecommunications masts is ongoing and incomplete. The results of the research to date have been at best, inconclusive.
2. Local residents, therefore, hold legitimate concerns about the ease with which mobile phone companies are able to get permission to site masts in residential areas, often close to schools and hospitals.
3. At present, local authorities say that objecting to masts on health grounds is not a relevant planning consideration because the emissions fall within guidelines set by the International Commission on Non-Ionizing Radiation Protection.
4. However, a number of recent High Court judgements have ruled that issues of public health must be taken into account by planning officers when making a decision on whether to allow a mast. The most prominent of these occurred in October of this year when Mr Justice Richards revoked the permission of Hutchinson 3G to erect a 40-foot mast 22 yards from the front door of a pregnant 27 year old woman in Hampshire.

Therefore, this Council resolves that, from the next Planning Applications Sub-Committee meeting on 17 December 2003, planning officers be obliged to take potential adverse health effects to residents into account when making recommendations on the siting of telecommunications masts.

(e) Council Tax Rebates, Support for Weighting Claims

55.11 The following Notice of Motion was moved by Councillor Taylor and seconded by Councillor Randall:

This Council notes the cross-party letter sent to Rt Hon Nick Raynsford MP requesting a review of the Rate Support Grant paid to Brighton & Hove, and notes with disappointment his reply that there is no intention to provide the city with any monies in 2004/5 additional to those provided for within the 'floor' limit. As a result of this refusal of extra funding there will be further pressure to increase next year's Council Tax by double figures and/or cut services, following increases in the previous two years of 12.9% and 12% respectively.

The economies in Brighton & Hove, and the South East in general are overheating as a result of central government regional policies.

Local housing is particularly badly affected with a high local private rented sector, and a desperate shortfall in social housing. An income of £37,000 per annum is needed to buy a 1-bedroomed flat, and an income of eight

times the national average is needed to buy the average house. Recent reports have indicated that eight city families a day are being made homeless. People are being priced out of the city by a cost of living which is comparable to many London Boroughs, yet there is no regional weighting payment scheme available to local staff similar to that which exists in London.

As the largest local employer the Council recognises that the local cost of living presents problems to staff recruitment and retention and that it has a special responsibility to its own employees and their welfare.

Also bearing in mind this Council's legal responsibility to ensure the economic, environmental and social well-being of the whole city and its residents enshrined in the Local Government Act 2002, this Council recognises:

- The continuing rise in cost of living in Brighton is exacerbated by the continuing government cutbacks in Rate Support Grant.
- That for people on low/fixed incomes and/or in receipt of pensions and benefits the continued and forecast increases in Council Tax are unsustainable.
- That central government is failing in its moral and democratic responsibility to ensure that local authorities are adequately funded to meet the needs of the citizens they represent.

Accordingly this Council resolves:

- To recognise that claims from Trade Unions campaigning for regional weighting payment supplements are made within an environment of spiralling disproportionate regional costs and should be met through extra funding from central government
- In particular as employers to recognise the claim from UNISON for regional weighting payment of £2000 per employee is justified and valid and in consideration of recent and anticipated cutbacks in Rate Support Grant levels accept that in this claim should only be met through extra funding from central government allocated for that purpose.
- To recommend that the Policy & Resources Committee consider instructing officers to investigate the possibility and impact of introducing a Council Tax rebate system which offsets all or part of tax increases for Older People who have a low income and/or low savings, to be reported back to that Committee for possible inclusion in the 2004/5 Budget proposals.
- To instruct the Chief Executive to write to Rt Hon John Prescott MP on behalf of the Council and the people of Brighton & Hove, expressing our grave concerns and disillusion at the government's unwillingness to restore Rate Support Grant levels to a level which enables the Council to provide adequate services to the community it represents.

55.12 The Mayor informed the Council that Councillor Taylor had amended the Notice of Motion in accordance with Procedural Rule 22.5 and that the Motion now read as follows:

This Council notes the cross-party letter sent to Rt Hon Nick Raynsford MP requesting a review of the Rate Support Grant paid to Brighton & Hove, and notes with disappointment his reply that there is no intention to provide the city with any monies in 2004/5 additional to those provided for within the 'floor' limit. As a result of this refusal of extra funding there will be further pressure to increase next year's Council Tax by double figures and/or cut services, following increases in the previous two years of 12.9% and 12% respectively.

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As the largest local employer the Council recognises that the local cost of living presents problems to staff recruitment and retention and that it has a special responsibility to its own employees and their welfare.

Also bearing in mind this Council's legal responsibility to ensure the economic, environmental and social well-being of the whole city and its residents enshrined in the Local Government Act 2002, this Council recognises:

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Accordingly this Council resolves:

- To recognise that claims from Trade Unions campaigning for regional weighting payment supplements are made within an environment of spiralling disproportionate regional costs and should be met through extra funding from central government

- In particular as employers to recognise the claim from UNISON for regional weighting payment of £2000 per employee is justified and valid and in consideration of recent and anticipated cutbacks in Rate Support Grant levels accept that in this claim should only be met through extra funding from central government allocated for that purpose.
- To recommend that the Policy & Resources Committee consider instructing officers to investigate the possibility and impact of introducing a Council Tax rebate system which offsets all or part of tax increases for Older People who have a low income and/or low savings, to be reported back to that Committee for possible inclusion in the 2004/5 Budget proposals.
- To instruct the Chief Executive to write to Rt Hon John Prescott MP on behalf of the Council and the people of Brighton & Hove, expressing our grave concerns and disillusion at the government's unwillingness to restore Rate Support Grant levels to a level which enables the Council to provide adequate services to the community it represents.

55.10 The motion was lost.

The meeting concluded at 8.20p.m.

Signed

Mayor

Dated this

day of

2004