

BRIGHTON & HOVE CITY COUNCIL

5.30PM - 12 JULY 2007

BRIGHTON TOWN HALL

MINUTES

Present: Councillor Mrs Theobald (Mayor); Councillors Alford, Allen, Barnett, Bennett, Mrs Brown, Carden, Caulfield, Mrs Cobb, Davey, Davis, Mrs Drake, Duncan, Elgood, Fallon-Khan, Fryer, Hamilton, Harmer-Strange, Hawkes, Hyde, Janio, Kemble, Kennedy, Lainchbury, Lepper, Marsh, McCaffery, Meadows, Mears, Mitchell, Morgan, Mrs A Norman, K Norman, Older, Oxley, Peltzer Dunn, Pidgeon, Randall, Roy, Rufus, Simpson, Mrs Simson, Smart, Smith, Steedman, Taylor, G Theobald, Turton, Wakefield-Jarrett, Watkins, Wells, West, Wrighton and Young.

1. DECLARATIONS OF INTEREST

- 1.1 Councillor Geoffrey Theobald declared a personal and prejudicial interest in Item No. 17(f) as he had an interest in the freehold of a property close to the New Road Post Office.

2. MINUTES

- 2.1 **RESOLVED** – That the minutes of the meeting of the Council held on 24 May 2007 be approved and signed as a correct record of the proceedings.

3. MAYOR'S COMMUNICATIONS

- 3.1 The Mayor informed the Council of various events that were forthcoming which were being organised by her Charity Committee and included a race night at the Coral Greyhound Stadium on 30 August, a sponsored walk of the 'Walk of Fame' on 23 September and a Banquet in the Royal Pavilion on 6 October.
- 3.2 The Mayor stated that the Chief Executive was taking part in a sponsored cycle ride from Brighton to Paris and encouraged Members to support his efforts by completing the sponsor form that was being passed round the Chamber.
- 3.3 The Mayor informed the Council that she had agreed to Councillor Mrs

Brown giving a statement on the Schools Admissions Review, and that this was for information and she would not call on any other Member to speak on the matter. She therefore called on Councillor Mrs Brown to address the meeting.

3.4 Councillor Mrs Brown stated that the Office of the Schools Adjudicator had approved the new secondary school admissions system on the understanding that the council would review the system in the light of its operation in the first year. She was very aware of the concerns expressed by those who opposed the system, and the equally strong concerns voiced by parents in areas of the city who have suffered injustices under the current system. However, it was recognised that the new system would not be perfect and for that reason the council was committed to reviewing it in the light of its operation in the first year. She therefore welcomed the adjudicator's recognition of the council's commitment to do this.

3.5 She also noted that the Adjudicator had proposed the slight rewording of the oversubscription criteria, which was accepted, in order to make sure that the welfare of looked after children was paramount in the new system. She stated that the new system gave all parents priority for at least one school near to them, a situation denied to many parents in the city by the current criteria based on home to school distance. She stated that under the new system Portslade Community College, Longhill, Falmer High and Patcham High will all have their own catchment areas. Hove Park and Blatchington Mill would share a joint catchment area, as would Varndean and Dorothy Stringer. The catchment areas had been drawn up to match as closely as possible the number of pupils in each area with the number of places available at the school or schools in each area.

4. PETITIONS

4.1 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.

4.2 Councillor Watkins presented a petition signed by 55 residents concerning Traffic in Waterloo Street.

4.3 Councillor Young presented a petition signed by 45 residents concerning the erection of wind turbines on Kings House in Grand Avenue.

4.4 Councillor Young presented a petition signed by 62 residents concerning parking arrangements in Grand Avenue and a request to

reduce the time limit to 2 hours.

- 4.5 Councillor Young presented a petition signed by 37 residents concerning the provision of a road crossing for Church Road/Wilbury Road.
- 4.6 Councillor Mitchell presented a petition signed by 76 residents concerning Leach Court.
- 4.7 Councillor Taylor presented a petition signed by 338 residents concerning parking in Viaduct Rise.
- 4.8 Councillor Simson presented a petition signed by 1,276 residents concerning traffic calming in Falmer.
- 4.9 Councillor Smith presented a petition signed by 743 residents concerning the need for speed restrictions outside Falmer School.
- 4.10 Councillor Wrighton presented a petition signed by 33 residents concerning a request for a one-way system in Hanover Terrace.
- 4.11 Councillor Oxley presented a petition signed by 43 residents concerning the maintenance of Stoneham Park.
- 4.12 Councillor Randall presented a petition signed by 64 residents concerning the need to keep the NHS public.
- 4.13 Councillor Duncan presented a petition signed by 68 residents concerning a request for a review of sports facilities in Queen's Park.
- 4.14 Councillor Elgood presented a petition signed by 45 residents concerning the use of biometrics in schools.
- 4.15 Councillor Roy presented a petition signed by 140 residents concerning improved traffic control in Middle Street.

5. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

- 5.1 The Mayor reported that one written question had been received from a member of the public.
- 5.2 Mr Brian Ralfe asked the following question:
- “Could Councillor Oxley please tell us what advice and counselling services the Council can offer and provide for ex-councillors as they adapt to the rigours of a new life away from this Chamber.”
- 5.3 Councillor Oxley stated that the council had no specific counselling or

advice services available to former councillors, though it did support various advice services across the city. He was not sure what an advice service specific to ex-councillors might look like but wanted to take the opportunity to pay tribute to the hard work and dedication to service shown by those ex-councillors of all political parties who left office after the May elections.

5.4 Mr Ralfe asked the following supplementary question:

“As I am sure you are aware the next local elections will be upon us very soon so can you assure us that such services will be in place as there are likely to be more casualties, especially in Brunswick and Adelaide?”

5.5 Councillor Oxley acknowledged that there was a serious concern, albeit that it had been raised in a jocular fashion, and stated that there were services available within the city if people wished to use them.

6. DEPUTATIONS

6.1 The Mayor reported that one Deputation had been received and invited Mr David Bloomfield as the spokesperson to come forward and address the Council.

6.2 Mr Bloomfield thanked the Mayor and stated that

“Hove Park Way used to be a quiet residential road, a minor road compared to The Drove way and Hove Park Road, with virtually no through traffic: not any more it isn't!

Legal and General arrived at City Park with what is widely perceived as totally inadequate on-site parking and now we have parking restrictions imposed in Goldstone Crescent and Hove Park Road. I have shown these hatched black on the site plan. We are now the next local car park: cars, vans, even a taxi, have made it their home for days on end, in some cases for weeks. In contrast Hove Park Road is now virtually deserted and Goldstone Crescent not much less so.

Hove Park Way is narrow, barely nineteen feet wide. With cars parked opposite each other in the road there is scarcely room for cars to move between them, certainly not larger vehicles and many residents have insufficient turn to get in and out of their driveways. On the other hand, pavement obstruction makes life difficult for pedestrians, more particularly those with children's pushchairs, etc, frequently forcing them into the road. We have been making representations for some parking controls for the last twelve months when it was blindingly obvious to us what was to happen. We do not welcome any controls

but reluctantly perceive them as a necessary evil.

When City Park becomes fully occupied we anticipate the situation will deteriorate further. Access for refuse collection therefore is becoming a problem, they regularly have to enter from The Drove way and then reverse out the way they came in. The south end of Hove Park Way is particularly prone to congestion, the first forty yards or so up from Hove Park Road being a particular pinch-point. Problems also arise for Royal Mail and other delivery vehicles, all this makes the situation generally difficult and inconvenient not to say dangerous. But it gets worse, in the days of football at the Goldstone Ground the police placed 'no parking' cones on one side of the road on match days, limiting parking to one side only. This could only have been done to ensure access for emergency vehicles. If it was considered necessary then for three hours on Saturday afternoon, we submit some restriction now becomes very much more necessary as we suffer uncontrolled parking for some ten hours every Monday to Friday. To suggest otherwise makes no sense to us.

We are now talking of emergencies requiring the fire or ambulance services, life and death situations, it does happen. An elderly resident has required an ambulance four times in the last year. The last occasion was since the problems arose. Okay that time but next time, who knows. You do not need us to spell out the possible mishaps or worse if access for emergency vehicles is blocked. I would not want it on my conscience and nor would you. Frankly, we are living with a disaster waiting to happen.

The need is urgent and being advised that the general review of the area will take two years is unacceptable. This needs sorting out please, not in years or months but in weeks and not too many of them. We do not need any lengthy consultation, we have already consulted among ourselves. What we require please is something like the one hour controls in Hove Park Road. In the meantime maybe consideration could please be given to police 'no parking' cones on the east side at the south end of Hove Park Way, indicated with small crosses on the site plan."

- 6.3 Councillor Geoffrey Theobald thanked Mr Bloomfield for expressing the concerns of the residents and stated that he lived quite near so knew the road only too well and sought to avoid driving along it, because he knew exactly how difficult it was, when you have got cars parking on the pavement on one side, getting emergency vehicles through and he did sympathise.

He stated that this was the first deputation that he had responded to in the four weeks since the Conservative Group had taken over, and no doubt it would not be the last. He understood the frustration but the

problem was it would take time to resolve. It was not possible to deal with just one road on its own, as there was a need to deal with an area and that was what was happening at this very time. It would take two years because there was a need to consult all those affected and then take a report back to committee. However, this was an area that was on the priority list, along with the Preston Park Station area, and he assured Mr. Bloomfield that as soon as this could be done it would be.

On the question of cones he noted that it was really a matter for the police.

He acknowledged that this did not help very much but stated that the Deputation certainly had his sympathy and his assurance that he would deal with this just as quickly as he could. He assured Mr. Bloomfield that both his Ward Councillors were working very hard for the residents affected. Councillor Bennett had attended the Environment Committee to express their concerns and Councillor Vanessa Brown had asked him, as Chairman of the Environment Committee, to move this scheme forward.

He thanked Mr Bloomfield for presenting the deputation and stated that he understood the concerns and that officers had listened to what had been said and he hoped to be able to progress matters as soon as possible.

- 6.4 The Mayor thanked Mr Bloomfield 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.

7. WRITTEN QUESTIONS FROM COUNCILLORS

- 7.1 The Mayor reminded the Council that Councillors' questions and the replies from the appropriate Councillor were now taken as read by reference to the list, which had been circulated as detailed below.
- 7.2 The Mayor therefore invited the Member responsible for the written question to ask one relevant supplementary question and for that to be answered accordingly as detailed below.
- 7.3. Councillor Morgan asked, "Does the Leader of the Council support the proposals in the Conservative Party "Cities Taskforce" report by Lord Heseltine, commissioned and supported by David Cameron, calling for a "massive transfer of power" to directly elected mayors with only "loose scrutiny" by Councillors?"

- 7.4 Councillor Oxley replied, "The proposals in Lord Heseltine's report, *Cities Renaissance*, are not official Conservative Party policy, and have not yet been taken before the Shadow Cabinet, as was made clear by Lord Heseltine and David Cameron in the statement on 15 June announcing the report's publication.

As for the possibility of an elected mayor in Brighton and Hove, my views, and the views of the residents of the city, are clear and well-known."

- 7.5 Councillor Morgan asked a supplementary question, "Given that David Cameron has made very clear his support for elected mayors and that Lord Heseltine said 'mayoral referendums are often misleading' and that a General Election victory would allow Mr Cameron to impose a mayor on Brighton and Hove, is voting Labour at the next election the only way to stop that happening?"

- 7.6 Councillor Oxley replied, "I don't think voting Labour helps anybody frankly, but I am aware of what Councillor Morgan is saying here, it is in 'First News', I have even got the picture to show people if they want to see it.

I have to say to Councillor Morgan that the reality is that David Cameron says what he thinks is good for the country. We will do what is right for Brighton and Hove and I have to say that it is the Labour Government, no doubt of which he is very proud, which will force this council to abandon its much loved committee system in four years time if the Bill goes through as it is presently constituted. I find this whole question a bit rich from a Member of the Group who six years ago were so keen to have elected mayors for this city."

- 7.7 Councillor Morgan asked, "Is the Leader of the Council aware of the recent Times/Populus poll of Conservative MPs which showed 48% of Tory MPs disagree with the statement: '*The diverse mix of races, cultures & religions now found in our society has improved Britain*' and that only 54% of Tory MPs think gay couples should have the same rights as heterosexual couples? Will he disassociate his Group from these views and will he reassure this city's BME and sizeable LGBT communities that the Conservative Administration is fully committed to the Equalities policies established over the past twenty years under Labour?"

7.8 Councillor Oxley replied, "Thank you Councillor Morgan.

I am aware that the Populus Poll was conducted on 39 out of 197 Conservative MPs, and therefore analysed a very narrow sample of the Parliamentary Party.

I am also aware that the same Poll analysed a sample of Labour MPs, of which 17% were apparently opposed to equal rights for same sex couples.

As the Conservative Manifesto for the city stated: 'We will show our commitment to being the party that represents, and listens to, all sections of society, to people from all backgrounds and all walks of life.'

That is why we have put forward some clear proposals for taking Equalities in the city to the next level:

- setting specific deadlines for actions in the Equalities Policy Review
- increasing accountability for Equalities policy
- having a clear focus to our work

We aim to build on the work we took to the Equalities Forum in Opposition, not least in the field of LGBT bullying in schools and LGBT housing issues. We also aim to continue and further develop the good work that the Council has been doing in the field of reducing inequality."

7.9 Councillor Morgan asked a supplementary question, "Given that almost half the Conservative MPs questioned did not support equal rights for gay couples, can the Leader of the Council assure us that his commitment to equalities is shared by all Members of his Party?"

7.10 Councillor Oxley replied, "Once again, it is a pity that Councillor Morgan did not read the answer before composing his supplementary question, because as my original answer explains the poll to which he refers actually was an absolutely tiny sample out of the number of Conservative MPs who were polled.

I have to say that these questions which come from the Labour Group on a regular basis now really do fly in the face of the actual facts and reality about what this Administration is doing and what this Group is about.

First of all, I have to point out to the Labour Group that the first gay Leader of this Council is a Conservative and I have also pointed out that within the Equalities Forum, I have made it my policy to make sure

that the work of that Forum is focused, is relevant and is of direct benefit to residents across this city. We have already taken forward the inclusive council policy, we have already introduced a reducing inequality policy which has been widely welcomed across a whole range of partnerships across this city. We are standing by our commitment in our Manifesto to enhance equalities and we are working hard on assisting the 'Count Me In Too' survey and its implementation, which I attended the launch of and spoke at in support and so as I say I think Councillor Morgan wants to actually look at what is happening rather than being taken in by his own propaganda."

- 7.11 Councillor Mitchell asked, "The introduction of Communal Bins in some city centre areas has significantly reduced the incidence of sacks of refuse being dumped on pavements that are then torn open by wildlife. This has considerably improved the cleanliness of these neighbourhoods.

However, there are still many areas of the city where split refuse sacks on pavements is an ongoing concern, leading to refuse spilling across streets and complaints from residents. Very many sub-divided properties in the city do not have refuse storage areas.

Would the Chairman of the Environment Committee give specific details of how he will be solving this problem by addressing the need for residents in areas of high density housing to have somewhere convenient to place their refuse for regular collection instead of having to contain a week's refuse within their flats and bed-sits?"

- 7.12 Councillor Geoffrey Theobald replied, "I agree that communal bins have significantly cleaned up the streets and that is why I had already decided to bring this matter to the Environment Committee in September."
- 7.13 Councillor Mitchell asked a supplementary question, "Can the Chair of Environment give assurances to the residents most affected by the problem of spilt refuse sacks on pavements to have practical measures to solve the problem in place by the beginning of next summer which is the time that this problem is at its most acute?"
- 7.14 Councillor Geoffrey Theobald replied, "Gill, you are the Lead Member on the Environment Committee for your Group. If you were in agreement then the answer would be 'yes' because the priority for our Group this summer is to have a clean, tidy Brighton and Hove."
- 7.15 Councillor Lepper asked, "Following all party agreement, both at the Licensing Committee and Full Council, to pursue the option of promoting a Private Bill through Parliament to deal with licence

applications for sex encounter establishments, can Councillor Oxley tell the council what steps he has taken to take this matter further?"

- 7.16 Councillor Oxley replied "In response to Department of Culture, Media & Sport consultation, officers have requested that licensing authorities should be permitted discretion over adult entertainment in order to protect the character of local neighbourhoods.

In response to a notice of motion to full council on 8 March, officers have lobbied DCMS to put licensing controls available to London on a national footing so that democratically elected members could be better involved in making licensing decisions in the interests of their community and officers used the consultation on revised licensing guidance to do that.

Officers have written to DCMS requesting their advice on obtaining a Private Act to regulate the impact of strip clubs in order to protect character of localities. Unfortunately, probably due to current Government changes, no response has been received.

In the absence of DCMS advice, it is difficult to anticipate the level of opposition – possibly from the Government itself – that a Private Bill of this nature might attract during its scrutiny in Parliament. The council's lawyers will therefore recommend to P&R that they delay a decision on whether to pursue a Private Bill until DCMS' views are ascertained.

Licensing Committee

On 19 April 2007, Licensing Committee resolved to refer the matter to Policy & Resources Committee for approval of expected costs and, if approval granted, to forward the matter to Full Council for consideration and passing of required resolutions. That has not yet been reported to Policy & Resources Committee and at the last Licensing Committee on 21 June 2007, the Head of Environmental Health & Licensing gave a verbal report explaining the issues concerning strip clubs, the weakness in depending on the council's Statement of Licensing Policy to control this activity (that censoring regulated entertainment is contrary to Guidance, striptease is not a separate licensable activity requiring separate permission and any application cannot be refused unless an objection is made). Additionally, the council are looking for something greater than the local London legislation which only controls massage parlours and strip-joints; and not premises licensed for regulated entertainment.

Policy & Resources

Licensing Members resolved on 19 April to continue to press for this matter to be heard by P&R and so the council's lawyers expect to

report to that committee on 26 July.”

- 7.17 Councillor Lepper asked a supplementary question, “The Notice of Motion that was passed on 5 March and the resolution of the Licensing Committee on 19 April, requested that a Private Bill should be brought to the next P&R and after another request from another Licensing Committee on 21 June, we now learn that this will finally be done on 26 July.

The supplementary question to Councillor Oxley is: “as the Notice of Motion and the Licensing Committee requests were not dependent on the opinion or the approval of DCMS, can Councillor Oxley explain why there appears to be yet another delay in pursuing a Private Bill or is he just using the DCMS as an excuse for not finding a way to stop Brighton and Hove from becoming Sin City by the Sea?”

- 7.18 Councillor Oxley replied, “I will say that we are very well advocated over this particular issue and my recollection is that there was all party support for the Notice of Motion going forward. I am aware of the discussions that we have been having in the Licensing Committee and elsewhere and so I cannot really add anything further to my response which I have given here but there will be a report, I can promise you and assure you, coming to the 26 July P&R, a fortnight today.”

8. REPORTS OF COMMITTEES:

(a) Callover

- 8.1 The following items were reserved for discussion:

Committee	Item No.
Shoreham Airport Landraise Joint Scrutiny Panel	9 – Shoreham Landraise
Independent Remuneration Panel	10 – Review of Members' Allowances
Standards Committee: 12 June 2007	11 – Adopting New Codes of Conduct
Environment Committee: 15 March 2007	12 – Food Law Enforcement Service Plan
Housing Committee: 14 June 2007	13 – Housing Enabling Programme Outturn
Policy & Resources Committee:	15 – Disposal of Uneconomic to

29 March 2007

Repair Garages and Vacant Land
to a Registered Social Landlord
16 – Amendments to the
Constitution

Policy & Resources Committee:
28 June 2007

(b) Receipt and/or Approval of Reports

8.2 The Chief Executive confirmed that with the exception of the items reserved for discussion in 8.1 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.

8.3 The Council agreed.

(c) Oral Questions from Members

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

9. SHOREHAM AIRPORT LANDRAISE JOINT SCRUTINY PANEL

9.1 Councillor Watkins introduced the report and stated that it had been an important review undertaken jointly with Members from Worthing Borough Council. He wished to thank all the Members involved and the officers who supported the Panel. The Joint Scrutiny Panel had taken into account the District Auditor's report and heard evidence from a number of people. Overall he hoped that lessons would be learnt from the matter and that the recommendations of the Panel would be accepted. He therefore moved that the report of the Shoreham Airport Landraise Joint Scrutiny Panel be approved.

9.2 Councillor Oxley stated that he wished to thank the Panel for its report and the work the Members put into the review. He stated that the Administration were happy to accept all the recommendations and believed that both Members and officers would take on board the lessons to be learnt from the issue and that there was a need to move forward.

9.3 Councillor Mitchell thanked the Panel for what was a thorough report and the Councillor Watkins for his role as the Chair. She welcomed the recommendations and acknowledged how well the joint review had worked.

9.4 Councillor Randall stated that as a member of the Joint Panel he believed it had worked well. However, he was slightly disappointed in that the Panel had not been able to determine who had been responsible for authorising the start of the tipping or that the process would be cost neutral. He hoped that having learnt from this

experience a similar situation would be prevented and welcomed the fact that the amendment moved at Policy & Resources had been accepted.

9.5 Councillor Young noted that it had been unique in that it was a Joint Review, and welcomed the outcome of the review. She wished to thank the Chairman and officers involved in bringing the report to the Council and hoped it would be accepted.

9.6 The Mayor noted that the recommendations of the report had been moved and sought confirmation from the council.

9.7 The motion was carried.

10. REVIEW OF MEMBERS' ALLOWANCES

10.1 It was moved by Councillor Oxley that the report of the Independent Remuneration Panel in relation to the Review of Members' Allowances be approved.

10.2 The Mayor noted that the recommendations of the report had been moved and sought confirmation from the council.

10.3 The motion was carried.

11. ADOPTING NEW CODES OF CONDUCT

11.1 The Mayor welcomed Dr Wilkinson, Chair of the Standards Committee to the meeting and invited him to introduce the report.

11.2 Dr Wilkinson thanked the Mayor, and stated that the Standards Committee had considered the new Codes of Conduct for Members and officers which came into force on 1 October and recommended that they be adopted with effect from 30 September 2007. This would enable the maximum opportunity for training to be provided to enable Members and officers to be fully aware of the changes to the codes. He also noted that the Standards Committee had recommended the retention of a local requirement within the code, to allow for the voluntary declaration of membership of private members clubs. He therefore moved that the recommendations contained in the report be agreed.

11.3 Councillor Oxley thanked Dr Wilkinson for attending the meeting and asked that the council's thanks be given to the Members of the Standards Committee for all of their work. He fully supported the new codes and hoped that all Members would take up the training that was to be offered.

11.4 The Mayor noted that the recommendations of the report had been moved and sought confirmation from the council.

11.5 The motion was carried.

12. FOOD LAW ENFORCEMENT SERVICE PLAN

12.1 Councillor Geoffrey Theobald introduced the report and stated that a great deal of work had been undertaken by officers which he wished to formally recognise and thank them for. He noted that there would be a further report to the Environment Committee in due course. He then moved that the report of the Environment Committee in relation to the Food Law Enforcement Service Plan be approved.

12.2 Councillor Mitchell stated that she wished to fully support Councillor Theobald's comments and to thank the officers concerned for their work.

12.3 Councillor Randall welcomed the report and stated that it was important to maintain standards, and hoped that there would be regular monitoring and review of the scheme.

12.4 The Mayor noted that the recommendations of the report had been moved and sought confirmation from the council.

12.5 The motion was carried.

13. HOUSING ENABLING PROGRAMME OUTTURN

13.1 Councillor Mears moved that the report of the Housing Committee in relation to the Housing Enabling Programme Outturn which had been referred to the council for information be noted.

13.2 Councillor Allen welcomed the report and noted that the continued support of the 40% Affordable Housing target was important, hence the notice of motion that he had submitted which was to be considered later on the agenda.

13.3 Councillor Randall stated that he supported Councillor Allen's comments and acknowledged that a lot of good work was being undertaken with the Directorate. He also suggested that consideration should be given to increasing the target to 50%, which would be in line with other authorities.

- 13.4 Councillor Mears noted the comments and stated that there was a recognition of the need to look at how the work in terms of the affordable housing programme could be taken forward. With regard to the possibility of a 50% target, she noted that other authorities with such targets did not necessarily deliver the same level as the council with a lower target. She believed there was a need to look at how well the programme could deliver rather than simply raise target levels.
- 13.5 The Mayor noted that the recommendations of the report had been moved and sought confirmation from the council.
- 13.6 The motion was carried.

14. AMENDMENTS TO CONTRACT STANDING ORDERS

- 14.1 The report of the Policy & Resources Committee in relation to Amendments to Contract Standing Orders had not been called and therefore the recommendations contained in the report were approved.

15. DISPOSAL OF UNECONOMIC TO REPAIR GARAGES AND VACANT LAND TO A REGISTERED SOCIAL LANDLORD

- 15.1 Councillor Oxley stated that he wished to propose that consideration of the report be deferred in view of the fact that a large amount of work was underway in relation to the council's housing stock and consideration of the land should be part of that process.
- 15.2 Councillor Mears formally seconded the proposal.
- 15.3 The Mayor put the motion to defer consideration of the report to a future meeting to the council.
- 15.4 The motion was carried.

16. AMENDMENTS TO THE CONSTITUTION

16.1 Councillor Oxley introduced the report and stated that he wished to move an amendment to recommendation 1 of the report, in order to take account of the fact that the Health Act 2006 had come into effect and the need to delegate authority to the Assistant Director (Public Safety). He therefore moved that the report of the Policy & Resources Committee in relation to Amendments to the Constitution be approved with the following amendment:

(1) That the amendments to the constitution identified in the table in paragraph 3.7 of the report be approved and come into effect on the 13th July 2007; with the addition in Part II of schedule 2 of the Scheme of Delegations to Officers of the Health Act 2006.

16.2 Councillor Mears formally seconded the amendment.

16.3 The Mayor noted that the recommendations of the report had been moved as amended and sought confirmation from the council.

16.4 The motion was carried.

17. NOTICES OF MOTION**(a) Providing Sites for Gypsies and Travellers**

17.1 The Notice of Motion as detailed in the agenda was proposed by Councillor Randall and seconded by Councillor Wrighton.

17.2 Councillor Mitchell proposed an amendment to the Notice of Motion, seconded by Councillor McCaffery, which was accepted by Councillor Randall.

17.3 Councillor Geoffrey Theobald proposed an amendment, seconded by Councillor Oxley to the amended Notice of Motion, which was put to the vote by the Mayor and carried.

17.4 The Mayor then put the following Notice of Motion as amended to the vote:

“This council notes the difficulties caused by the lack of permanent sites for gypsies and travellers in England and Wales, which has led inescapably to gypsies and travellers setting up informal campsites in Brighton and Hove.

It acknowledges the harm caused to the health, well-being and education of gypsies and travellers and their families who are constantly on the move because of an acute shortage of permanent

sites. It further notes the cost to the city's council taxpayers of clearing up the sites and making good the environmental damage caused.

It also notes that work on a regional strategy has been carried out on this issue and looks forward to actively participating in the assessment of local need for site provision and for developing a strategy to address that need.

It therefore calls on the Government to:

- Continue to place pressure on all local authorities to meet the legitimate needs of gypsies and travellers by providing permanent sites within a national and regional strategy and within an agreed timescale;
- Continue to ensure adequate funding is made available to provide the sites;
- Ensure gypsies and travellers and the organisations that represent them are fully involved in agreeing the plans for a national and regional network;
- Continue to provide adequate funding to upgrade and improve existing sites;
- Involve the gypsy and traveller community in the management of new and existing sites;
- As an interim measure, pay for the clean-up operations following unofficial encampments.

Furthermore, it calls on this council to:

- Request the Chairman of the Environment Committee to consider the benefits of identifying potential sites ahead of the confirmation of the regional strategy;
- Seek the support of the city's three MPs and the Local Government Association in its approaches to the Government on this issue."

17.5 The Motion was carried.

(b) Underground Car Parks

17.6 The Notice of Motion as detailed in the agenda was proposed by Councillor Mitchell and seconded by Councillor Turton.

17.7 Councillor Watkins proposed an amendment to the Notice of Motion, seconded by Councillor Elgood, which was accepted by Councillor Mitchell.

17.8 Councillor Steedman proposed an amendment, seconded by Councillor Rufus, to the amended Notice of Motion which was put to

the vote by the Mayor and lost.

- 17.9 The Mayor then put the following Notice of Motion as amended to the vote:

"This council expresses concern at the recent proposal for the construction of an underground car park between The Level and the Old Steine.

Furthermore it notes that at various times Conservative Councillors and election candidates have suggested that Regency Square style underground car parks at Preston Park and Hove Lawns might be considered as part of a Conservative Administration transport policy.

It further notes that despite the construction of underground city centre car parks being environmentally damaging, costly and detrimental to the urban/open space balance in the city, the Chairman of the Environment Committee has not ruled out these proposals and has instead instructed officers to evaluate the proposal.

This council therefore:

Deplores any suggestion that any of the city centre's valuable parks and open spaces should be dug up for underground car parks.

Specifically seeks to end any possible uncertainty by ruling out the provision of an underground car park under Hove Lawns.

Commits to further reducing the volume of traffic entering the city centre in line with the council's Sustainable Transport Strategy.

Notes that a report on the outcome of consultation was due to come before the council's Environment Committee and urges the Chairman to bring forward a report at the earliest opportunity that sets out the proposals for the enhancement of Valley Gardens that will provide for more public open space in the heart of the city and help to further improve air quality."

- 17.10 The Motion was lost.

(c) Budget Proposals

- 17.11 The Notice of Motion as detailed in the agenda was proposed by Councillor Mitchell and seconded by Councillor Morgan.

- 17.12 Councillor Ann Norman proposed an amendment to the Notice of Motion, seconded by Councillor Oxley, which was put to the vote by the Mayor and carried.

- 17.13 The Mayor then put the following Notice of Motion as amended to the vote:

“This council notes that the new Conservative Minority Administration was elected on a pledge to peg Council Tax at the level of inflation.

Furthermore, it notes that the Conservatives did not set out any detailed and costed alternative budget proposals for the city when the council set its budget on February 22nd 2007, despite having full access to all of the council's financial information. The only proposal put forward by the Conservatives was for new traffic signals at one junction in the city.

It further notes that at the Council's Budget meeting, the Conservative Finance Spokesperson praised Hammersmith and Fulham, Wandsworth and East Sussex Councils for their detailed four-year financial planning as an example of good practice and one that the Brighton & Hove Conservative Councillors would wish to follow.

This council wishes to note that the Conservative Administration of the City Council is being open and transparent with local tax payers about its financial plans by setting up a Financial Management Sub-Committee, the terms of reference of which the Labour Group recently opposed.

The Leader of the Council will:

- Bring forward a report to July 26th Policy & Resources Committee setting out the Administration's Budget Strategy.
- Continue the previous Administration's practice of agreeing the approach to budget consultation at the Budget Review Group where all parties are represented and can therefore all have equal access to the findings. We believe the approach should include consultation with the Older People's Council and the Youth Council.”

- 17.14 The Motion was carried.

(d) Nuclear and Wind Power

- 17.15 The Notice of Motion as detailed in the agenda was proposed by Councillor Steedman and seconded by Councillor Duncan.

- 17.16 Councillor Hamilton proposed an amendment to the Notice of Motion, seconded by Councillor Morgan, which was accepted by Councillor Steedman.

17.17 Councillor Geoffrey Theobald proposed an amendment, seconded by Councillor Ann Norman to the Notice of Motion as amended, which was put to the vote by the Mayor and lost.

17.18 The Mayor then put the following Notice of Motion as amended to the vote:

“This council is opposed to the possibility of siting a new nuclear power station within, or in close proximity to, Brighton and Hove, but welcomes sensitively-sited wind turbine installations as a contribution to combating climate change.

This council notes that:

- there have been recent media reports that were considering Brighton and Hove among possible locations for new nuclear power stations;
- the Government's independent advisory body on sustainable development (SDC) concluded that even doubling the UK's existing nuclear capacity would provide only an 8% cut in carbon dioxide emissions by 2035 and no cuts before 2010, and identified five major disadvantages to nuclear power: long-term waste, cost, inflexibility, the undermining of energy efficiency programmes and risks to international security;
- the council is a signatory to the Nottingham Declaration on Climate Change, committing us to “work with central government to contribute, at a local level, to the delivery of the UK Climate Change Programme, the Kyoto Protocol and the target for carbon dioxide reduction by 2010 [of a 20% cut in CO2 emissions on a 1990 baseline]”;
- sensitively-sited and designed onshore and offshore wind turbines represent a significant opportunity for cutting the carbon emissions associated with electricity generation, quickly, at relatively low cost, with no major security risks or waste issues. The SDC has found that UK wind resources are more than enough to meet the Government's renewable energy target of 20% of electricity by 2020;
- the council has held exploratory discussions on the concept of installing a significant amount of wind turbine capacity at Shoreham Harbour, some of which falls within the Brighton and Hove city boundaries.

This council therefore:

- asks the Chief Executive to write to the Secretary of State for Business, Enterprise and Regulatory Reform, attaching this Notice of Motion, seeking assurance that no new nuclear power station will be built within, or in close proximity to, Brighton and Hove;
- expresses its hope, without prejudice to any specific planning application, that future developments at Shoreham Harbour will incorporate significant, sensitively-designed renewable energy generation capacity, such as wind, to help meet our commitments under the Nottingham Declaration."

17.19 The Motion was carried.

(e) Affordable Housing

17.20 The Notice of Motion as detailed in the agenda was proposed by Councillor Allen and seconded by Councillor Simpson.

17.21 The Mayor then put the following Notice of Motion to the vote:

"This council notes that property prices in Brighton & Hove have risen to such an extent that a first-time buyer needs to be earning a very high salary in order to be able to purchase a home in the city.

This council therefore resolves to reaffirm its support for the current requirement that up to 40% of all new developments of ten or more units should be for affordable housing, being a mixture of social rented and shared ownership."

17.22 The Motion was carried.

(f) Ship Street Post Office Closure

17.23 The Notice of Motion as detailed in the agenda was proposed by Councillor Mrs Brown and seconded by Councillor Oxley.

17.24 Councillor Hawkes proposed an amendment to the Notice of Motion, seconded by Councillor Davis, which was accepted by Councillor Mrs Brown.

17.25 Councillor Watkins proposed an amendment, seconded by Councillor Elgood to the Notice of Motion as amended, which was also accepted by Councillor Mrs Brown.

17.26 Councillor Rufus proposed an amendment, seconded by Councillor Randall to the Notice of Motion as amended, which was put to the

vote by the Mayor and carried.

17.27 The Mayor then put the following Notice of Motion to the vote:

“This council notes the recent announcement by the Post Office that at least 70 crown branches nationwide are to be transferred as franchises to WH Smith.

This council notes with concern that the Ship Street branch, a key city centre post office, is one of those scheduled to be affected.

This council views the planned closure with particular concern in light of the fact that Brighton & Hove has already lost the post office at the Co-op in London Road. If the Ship Street branch closes, the Trafalgar Street branch will be left as the only central office in Brighton.

This council is mindful of the opposition expressed by Age Concern, the North Laine Traders Association, the Lanes Business Association and local MPs to the planned closure of the Ship Street branch. Concerns include the possible negative effect on service provision, and the possibility of job losses.

This council also notes the following comment from the Executive Director of the Brighton & Hove Economic Partnership: ‘It’s unfortunate the post office is moving because, in my experience, when dedicated post office services move into shops the service is not as good.’

This council further notes that AMICUS, the union representing WH Smith staff, has branded the transfer of the post office branch franchises: ‘an appalling move’.

Further, this council believes that the Post Office Ltd should commission a full, independent assessment of the disability access provision to the proposed relocated Post Office in the basement of Smiths and act upon it before the Ship Street Office is closed.

The council also calls upon the Post Office Ltd to release full operating and trading figures for the Ship Street Office as, whilst acknowledging that, according to the Post Office Ltd, the Crown Post Office Network overall loses £70m a year, the council does not believe that a commercial case has been made for closing this particular office.

This council therefore:

1. asks the Chief Executive to write to The Rt Hon John Hutton, MP, Secretary of State for Business, Enterprise and Regulatory Reform, and Alan Cook, Managing Director of Post Offices Ltd, outlining the council's concerns over the proposed removal of post office services from Ship Street and takes the opportunity in advance of the pending announcements on the future of all Post Offices in the city to urgently re-affirm that the council is opposed to the further loss of Post Offices which would seriously damage the communities which they are part of;
2. states its support for the Communications Workers Union in its current industrial action in seeking to preserve the network of Post Offices and the essential services these provide;
3. resolves to send a copy of this motion to the Argus."

17.28 The Motion was carried.

Note: Councillor Geoffrey Theobald having declared a personal and prejudicial interest in the item left the meeting and took no part in the discussion or the decision thereon.

(g) Council Tax and Value for Money

17.29 The Notice of Motion as detailed in the agenda was proposed by Councillor Ann Norman and seconded by Councillor Oxley.

17.30 The Mayor then put the Notice of Motion to the vote:

"This council notes:

1. That following consecutive years of above-inflation rises, council tax levels in the city are at all-time highs;
2. The role that Central Government has played in those rises through restricting funding and reducing the financial flexibilities available to councils;
3. The urgent need to restrain cost growth while protecting citizens' vital services.

and therefore resolves to:

1. Protect and enhance citizens' vital services;
2. Encourage the administration of the council to put a particular focus on effective and efficient delivery;
3. Promote value for money in delivery by supporting benchmarking of service costs, encouraging thorough budget

discipline and supporting opportunities for cost sharing with other authorities and public service organisations.

It further resolves, through this work, to work for reductions in the rate of council tax increases, with the intention that by the end of the current council's term, the annual increase is no more than the prevailing rate of inflation."

17.31 The Motion was carried.

(h) Infrastructure Deficit in the South East of England

17.32 The Notice of Motion as detailed in the agenda was proposed by Councillor Mears and seconded by Councillor Oxley.

17.33 Councillor Mitchell proposed an amendment to the Notice of Motion, seconded by Councillor Allen, which was accepted by Councillor Mears.

17.34 The Mayor then put the Notice of Motion as amended to the vote:

"This council notes the remarks made by the new Prime Minister after his appointment as Labour Leader on 24 June:

"Now, housing will be a priority. The Housing Minister will attend Cabinet and will lead the national debate on the new homes we must build. And this time the promise of a property owning democracy must be open to all those wanting to get on the housing ladder for the first time."

This council notes that, while it supports the notion of a property-owning democracy, the new homes to which the Prime Minister refers will be concentrated in the south east of England, and will bring considerable infrastructure pressures with them.

This council is pleased that the city of Brighton & Hove is so attractive to new businesses and new residents and welcomes inward investment and development in the community.

This council welcomes government investment into the infrastructure of the city that is currently funding improvements to hospitals, schools, sea defences, GP surgeries and transport as well as potential contributions to exciting regeneration projects.

It further notes that housing growth within the city needs to be balanced with environmental and social sustainability and that the council's agreed Local Development Plan Core Strategy includes these principals, among many others, in relation to: addressing the

causes of climate change (SO1), reducing the city's ecological footprint (SO2) and ensuring that all new developments provide for the demands that they generate (SO3).

This council notes with concern that the infrastructure deficit across the South East of England was £8 billion in 2005, according to a report by Roger Tym and Partners.

This council therefore calls on the new Prime Minister and the Secretaries of State for Transport and Communities to continue to make infrastructure improvements a priority for the South East Region and instructs the Chief Executive to write to them setting out the views expressed in this Notice of Motion."

17.35 The Motion was carried.

(i) To Give Support to Brighton & Hove as a Transition Town

17.36 Prior to consideration of the Notice of Motion, Councillor Fryer proposed that in view of the lateness of the day that it be deferred for consideration at the next meeting.

17.37 Councillor Wakefield-Jarrett formally seconded the proposal.

17.38 The Mayor put the proposal to the meeting and it was agreed to defer the Notice of Motion for consideration at the next ordinary council meeting scheduled for 18 October 2007.

(j) Options for New Road

17.39 The Notice of Motion as detailed in the agenda was proposed by Councillor Taylor and seconded by Councillor Davey.

17.40 The Mayor then put the Notice of Motion to the vote:

"This council notes the excellent redesign and regeneration of New Road, and congratulates the Architects, council officers and others involved in the project's design and implementation.

The redesign has resulted in increased pedestrian/leisure use of the street and has proved popular with the public and businesses alike. An Evening Argus web poll showed an 80%+ approval rating for the modifications, with support for permanent pedestrianisation.

This council notes the project's original intention was to trial New Road as a 'shared space' road, where vehicles were tolerated but not given automatic priority over other road users. However, since the completion of the works, and following several successful open air

events staged during the road closure, people have come to recognise the value and popularity of a car-free environment, evidenced by an increased enthusiasm for pedestrianisation.

Therefore, without compromising the original commitment to use New Road as a 'shared space' project, this council would welcome a report and options paper considering alternative New Road operations to be submitted to the Environment Committee for discussion.

This council resolves that any such report takes account of competing needs for access, balanced against the potential for increased leisure space that pedestrianisation may offer."

17.41 The Motion was carried.

The meeting concluded at 10.10pm.

Signed

Mayor

Dated this

day of

2007