

**BRIGHTON & HOVE CITY  
COUNCIL MEETING**

**4.30PM 28 JANUARY 2010**

**COUNCIL CHAMBER, HOVE TOWN HALL**



**AGENDA**



Brighton & Hove  
City Council

# Council Meeting

Title:	<b>Council</b>
Date:	<b>28 January 2010</b>
Time:	<b>4.30pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<b>All Councillors</b> You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
Contact:	<b>Mark Wall</b> Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

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**AGENDA**

**38. STATUTORY OR VOLUNTARY DISCLOSURE BY COUNCILLORS OF INTERESTS IN MATTERS APPEARING ON THE AGENDA.**

**39. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 10 DECEMBER 2009 (COPY ATTACHED).**

**1 - 36**

**40. MAYOR'S COMMUNICATIONS.**

**41. TO RECEIVE PETITIONS FROM MEMBERS.**

Petitions will be presented to the Mayor by Members of the Council at the meeting.

**42. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.**

A list of public questions received by the due date of the 21 January 2010 will be circulated separately as part of an addendum at the meeting.

**43. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

A list of deputations received by the due date of the 21 January 2010 will be circulated separately as part of an addendum at the meeting.

**44. WRITTEN QUESTIONS FROM COUNCILLORS.**

**37 - 40**

Councillors written questions as listed will be taken as read along with the written answer at the meeting. The Councillor asking the question may ask one relevant supplementary question which shall be put and answered without discussion. One other supplementary question may be asked by any other Member of the Council which shall also be put and answered without discussion (a separate addendum with the written answers will be circulated at the meeting).

**45. REPORTS OF THE CABINET, CABINET MEMBER MEETINGS AND COMMITTEES.**

(a) Call over (items 46 - 51) will be read out at the meeting and Members invited to reserve the items for consideration.

(b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.

## COUNCIL

- (c) Oral questions from Councillors on the Cabinet, Cabinet Member and Committee reports, which have not been reserved for discussion.

**46. STUDENTS IN THE COMMUNITY - SCRUTINY REVIEW PANEL REPORT** **41 - 236**

Report of the Director of Strategy & Governance, together with the report of the Adult Social Care & Housing Scrutiny Review Panel and an extract from the minutes of the Cabinet meeting held on the 12<sup>th</sup> November detailing the Executive response to the Review Panel's report (copies attached).

*Contact Officer: Tom Hook* *Tel: 29-1110*  
*Ward Affected: All Wards;*

**47. PROCUREMENT OF A BRIGHTON & HOVE GP-LED HEALTH CENTRE: - SCRUTINY REVIEW PANEL REPORT** **237 - 264**

Report of the Director of Strategy & Governance, together with the report of the Health Overview & Scrutiny Panel and the PCT's Executive response to the Review Panel's report (copies attached).

*Contact Officer: Giles Rossington* *Tel: 01273 291038*  
*Ward Affected: All Wards;*

**48. OLDER PEOPLE AND COMMUNITY SAFETY - SCRUTINY REVIEW PANEL REPORT** **265 - 344**

Report of the Director of Strategy & Governance, together with the report of the Environment & Community Safety Scrutiny Panel, the Cabinet's Executive response to the Review Panel's report and an extract from the proceedings of the Cabinet meeting held on the 9<sup>th</sup> December 2009 (copies attached).

*Contact Officer: Tom Hook* *Tel: 29-1110*  
*Ward Affected: All Wards;*

### **6.30 - 7.00PM REFRESHMENT BREAK**

Note: A refreshment break is scheduled for 6.30pm although this may alter slightly depending on how the meeting is proceeding and the view of the Mayor.

**49. LICENCE FEES 2010/11** **345 - 352**

Report of the Director of Environment (copy attached).

*Contact Officer: Tim Nichols* *Tel: 29-2163*  
*Ward Affected: All Wards;*

## COUNCIL

### 50. **COMMUNITY SAFETY, CRIME REDUCTION AND DRUGS STRATEGY 2008 -2011** **353 - 456**

Report of the Director of Environment, together with an extract from the proceedings of the Cabinet meeting held on the 14<sup>th</sup> January 2010, (copies attached).

*Contact Officer: Linda Beanlands Tel: 29-1115*  
*Ward Affected: All Wards;*

### 51. **12-MONTH REVIEW OF THE CONSTITUTION** **457 - 548**

Report of the Director of Strategy & Governance, together with an extract from the proceedings of the Cabinet and Governance Committee meetings held on the 14<sup>th</sup> and 12<sup>th</sup> January respectively (copies attached).

*Contact Officer: Elizabeth Culbert Tel: 29-1515*  
*Ward Affected: All Wards;*

### 52. **NOTICES OF MOTION.** **549 - 562**

- (a) **Support Fairtrade in the City.** Proposed by Councillor Mitchell.
- (b) **Support consideration of a new Co-operative Trust Primary School for Hove.** Proposed by Councillor Davis.
- (c) **High Pay Commission.** Proposed by Councillor Randall.
- (d) **Protecting Neighbourhood Policing Services in Brighton and Hove.** Proposed by Councillor Duncan.
- (e) **Licensing.** Proposed by Councillor Fryer.
- (f) **Van Dwellers.** Proposed by Councillor Mears.
- (g) **Sussex University.** Proposed by Councillor Randall.

## COUNCIL

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The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

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For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email [mark.wall@brighton-hove.gov.uk](mailto:mark.wall@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk).

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Chief Executive

King's House  
Grand Avenue  
Hove  
BN3 2LS

**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30pm 10 DECEMBER 2009****COUNCIL CHAMBER, BRIGHTON TOWN HALL****MINUTES**

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

**PART ONE****25. STATUTORY OR VOLUNTARY DISCLOSURE BY COUNCILLORS OF INTERESTS IN MATTERS APPEARING ON THE AGENDA.**

25.1 Councillors Fryer and Rufus declared a personal but non-prejudicial interest in Item No.37 (b) Notice of Motion Support Consideration of a New Co-Operative Trust Primary School for Hove, being members of a Co-op Area Committee.

**26. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 8 OCTOBER 2009 (COPY ATTACHED).**

26.1 The minutes of the last meeting held on the 8<sup>th</sup> October 2009 were approved and signed by the Mayor as a correct record of the proceedings.

**27. MAYOR'S COMMUNICATIONS.**

27.1 The Mayor called on Councillor Theobald to come forward and present Tim Nicholls, Head of Environmental Health & Licensing the Best Partnership Award for Managing the Night-Time Economy, which had been given at the recently held Brighton and Hove Public Service Awards 2009.

27.2 The Mayor then noted that Councillor Smith in his capacity as Cabinet Member for Culture, Recreation & Tourism had recently attended the Eurocities Annual Conference and been issued with the new Members' Certificate for the Eurocities Network and offered her congratulations to him and the Leader of the Council.

- 27.3 The Mayor then offered her thanks to the Democratic Services Team who had offered their services to the Martlets, one of her mayoral charities, and had spent a day painting the basement of the new charity shop in Blatchington Road, Hove. Both she and her consort, Councillor Norman had joined the team for part of the day and know that the team enjoyed giving their time to such an organisation. She had received a letter of thanks from the Retail Manager of the shop for what proved to be a sterling effort with up to three coats of paint going on in places and hoped that such support to voluntary organisations would be something that the whole council would take forward.
- 27.4 The Mayor then referred to Item 36 on the agenda, the Local Development Framework – Brighton and Hove Core Strategy: Submission and in particular to the proposed protocol for the debate and approval of the Core Strategy which was detailed in the Addendum papers that had been circulated prior to the meeting. She noted that Councillor Mears wished to speak in relation to the protocol and therefore called on Councillor Mears.
- 27.5 Councillor Mears thanked the Mayor and stated that in view of the revision to the protocol at the Leaders Group on Monday to incorporate joint amendments, she wished to propose an amendment. She felt that in the interests of openness and transparency, each of the elements making up the overall amendments should be taken and voted on separately rather than as a block.
- 27.6 Councillor Simson formally seconded the proposed amendment.
- 27.7 The Mayor put the proposed amendment to the vote, which was lost.
- 27.8 The Mayor then moved that the protocol as detailed in the addendum papers should be accepted and used to govern the debate and any resolution in relation to agenda item 36. She also noted that in agreeing to the use of the protocol, the council would be agreeing to the suspension of Standing Orders to the extend that was necessary for the business to be transacted as set out in the protocol.
- 27.9 **The motion was carried.**
- 28. TO CONSIDER NOMINATIONS FOR (A) THE MAYOR-ELECT AND (B) THE DEPUTY MAYOR-ELECT**
- 28.1 The Mayor called on the Monitoring Officer to outline the process for nominations for the Mayor-elect for 2010/11.
- 28.2 The Monitoring Officer informed the council that dependent on the number of nominations received, either a straight vote by show of hands or a recorded vote with Members indicating their preferred candidate would be used to determine the successful candidate. He then invited nominations for the Mayor Elect for the municipal year 2010/2011.
- 28.3 It was moved by Councillor Mears and seconded by Councillor Oxley that Councillor Geoff Wells be Mayor-Elect for the municipal year 2010/2011.



- 28.4 The Mayor noted that no other nominations were forthcoming, and having put the motion to council, which was carried, duly declared Councillor Wells as the Mayor-Elect for the municipal year 2010/11.
- 28.5 Councillor Wells thanked the Mayor and the council for his nomination and stated that he looked forward to undertaking the role following the Annual Council meeting in May.
- 28.6 The Monitoring Officer then invited nominations for the Deputy Mayor Elect for the municipal year 2010/2011.
- 28.7 It was moved by Councillor Mears and seconded by Councillor Simson that Councillor Ann Norman be Deputy Mayor-Elect for the municipal year 2010/2011.
- 28.8 There being no other nominations, and having put the motion to council, which was carried, the Monitoring Officer duly declared that Councillor Ann Norman as the Deputy Mayor-Elect for the municipal year 2010/11.

**29. TO RECEIVE PETITIONS FROM MEMBERS.**

- 29.1 The Mayor invited the submission of petitions from councillors. She reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the councillor presenting the petition would be invited to attend the meeting to which the petition was referred.
- 29.2 Councillor Elgood presented a petition signed by 70 residents concerning the request for a Gating Order for Farman Street.
- 29.3 Councillor Elgood presented a petition signed by 35 residents concerning a request for the reinstatement of communal bins in the Waterloo Street area.
- 29.4 Councillor Marsh presented a petition signed by 400 residents concerning the site access for the Falmer Academy.
- 29.5 Councillor West presented a petition signed by 167 residents concerning traffic in Ditchling Rise.
- 29.6 Councillor Watkins presented a petition signed by 2,500 residents concerning the Old Market.
- 29.7 Councillor Watkins presented a petition signed by 120 residents concerning parking in Landsdowne Road.
- 29.8 Councillor Drake presented a petition signed by 105 residents concerning parking in Tivoli Crescent.
- 29.9 Councillor Drake presented a petition signed by 22 residents concerning parking north of Tivoli Crescent.
- 29.10 Councillor Mitchell presented a petition signed by 1,056 residents concerning parking in Zone A.

- 29.11 Councillor Oxley presented a petition signed by 100 residents concerning ten pin bowling at the King Alfred.
- 29.12 Councillor Taylor presented a petition signed by 336 residents regarding EDO.
- 29.13 Councillor Phillips presented a petition signed by 45 residents requesting the ability to make use of travel cards for journeys to work.

**30. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.**

- 30.1 The Mayor reported that six written questions had been received from members of the public and invited Mr. Hawtree to come forward and address the council.
- 30.2 Mr. Hawtree asked the following question:

“Could Councillor Theobald please tell us what plans he has for bringing back ten-pin bowling to the King Alfred?”

- 30.3 Councillor Smith replied, “The ten-pin bowling facility at the King Alfred Leisure Centre, as you probably know and most people in this Chamber, closed down about 10 years ago when the new one was opened at the Brighton Marina.

At the present time it would cost so much money, because it was the site maybe neglected for many, many years, to reinstate at the moment but when we do the Brief for the new King Alfred Centre obviously every option will be taken into consideration and obviously we will look at the ten-pin bowling at that time.”

- 30.4 Mr. Hawtree asked the following supplementary question,

“That’s rather encouraging Councillor Smith and I think our petition which was just gathered as a beginning yesterday showed residents recognised that ten-pin bowling provides social cohesion, inclusivity, fitness, even fun and also, I think as in Worthing, being somewhere to go in Hove of an evening, it would also be an economic force.

I hope, as you suggest, you are not now going to dash immediately residents’ hopes to smithereens and so to get this (awful pun) ball rolling would you now agree to join with the dual opposition in actively setting up and studying the means to fulfil this entirely reasonable ambition?”

Councillor Smith replied, “Any option, as I said before when we do the Brief we’ll look into it in real one, and if a commercial operator thinks it is viable to have two ten-pin bowling alleys in this city it could be possible.”

- 30.5 The Mayor thanked Mr. Hawtree for his questions and invited Miss Nina Willcock to come forward and address the council.
- 30.6 Miss Willcock asked the following question:

“Would Councillor Smith please define the ways in which he considers the Jubilee Library to be successful in fulfilling its potential for community engagement?”

30.7 Councillor Smith replied, “The aims of community engagement are to inform, consult, involve, collaborate and empower. Jubilee Library fulfils these roles in the following ways:

- Jubilee Library helps to inform people, through the provision of books, journals and online resources that are made freely available.
- Jubilee Library regularly consults with library users, for instance, through the recent survey that took place in October.
- Jubilee Library involves the diverse communities in the city. For instance, working with Brighton & Hove Black History Group to deliver exhibitions, events and activities for Black History month.  
Jubilee Library also gets people involved through volunteering, for instance, supporting children’s activities or working with Rare Books.
- Jubilee Library collaborates with different community organisations to provide better services for local people. For instance, by collaborating with Amaze, who support children and young people with special needs, to produce interactive story bags for children with learning difficulties.
- Jubilee Library helps empower people by providing access to information and knowledge to help them make informed decisions about important things in their lives, such as: pensions – through the Pensions Advisory Sessions; or about their health – through the health information that Jubilee Library provides, and the Books on Prescription schemes.
- Jubilee Library also empowers people through free access to the internet, enabling people who do not have access at home (and that is 68% of residents of the city who are library computer users) to do things like apply for jobs online.”

30.8 Miss Willcock asked the following supplementary question, “That is really excellent but one more point. Happening upon a flyer, a leaflet or a poster can change a life. The Jubilee Library has an abundance of empty floor and wall space, yet so little of this is available for display of grass roots community information. Having said this it was delightful to discover yesterday an additional leaflet dispenser/carousel in the entrance foyer but there is still plenty of room for more.

Can we have your assurance please Councillor Smith that the Jubilee Library will take further steps to support public spirited endeavour by displaying local event information in dedicated spaces where it can easily be found?”

30.9 Councillor Smith replied, “We’ll do it where we can but obviously it’s more important for us as a public library to have local news and other news like the Health Authority and everything else there but we will look into it and do what we can.”

30.10 The Mayor thanked Miss Willcock for her questions and invited Mr. Stephen Neiman to come forward and address the council.

30.11 Mr. Neiman asked the following question:

“Could Councillor Smith please tell us what provision the Council will be making for the arts in Hove?”

- 30.12 Councillor Smith replied “Brighton and Hove has been only one city since 1997, and the cultural provision that we have across the city is for our residents everywhere. We have the highest level of engagement in the arts outside of London at just under 62%. This survey was conducted across the whole city and represents all of our residents.

We are very proud of the cultural offer that we have in the city on a year round basis. There are around 60 festivals in Brighton and Hove including the main Brighton Festival in May with the Festival Fringe and the Great Escape and the Open House trails. In the autumn, there is another cluster of festivals with Cine City the film festival, the Brighton Photo Biennial, the Early Music Festival, the Sacred Music Festival and the very successful White Night.

Audiences, participants, performers, artists, musicians – are from all parts of the city. We will continue to promote and support the arts in the city – it is clearly one of our strengths and something that we are known internationally for. Part of the reason that people visit the city and part of the reason they want to live here is because of the arts and you know, personally, I 100% support the Old Market Arts Centre and I am the last person who would want to see it closed.”

- 30.13 Mr. Neiman asked the following supplementary question, “I am relieved to hear that and I do know of your commitment. However, would you not agree with me that critical to that strength of the city’s cultural terrine a variety of venues is important and must be distributed throughout the conurbation? The Brighton Centre, The Dome, the Hove Centre and the Old Market have all benefited from public funding of one kind or another, although you will be aware that the Old Market, in its 11 years, has not benefited from revenue funding from this council.

Under your instructions Councillor Smith, as Cabinet Member for Culture, you instructed the Acting Chief Executive Officer in February of this year to write to Her Majesty’s Revenue & Customs to confirm, and I have the letter here, that ‘my officers are working closely with the Old Market to provide a financial solution to their historical position’. As I say I have a copy of that letter with me.

Would you, therefore, Councillor Smith assure me and this council and the 3,500 people who have, to date, signed the Old Market petition for financial support that the commitment in that letter was not misleading, erroneous or mischievous and that you will give further commitment to ensure that the council provides financial support to enable the continuation of the Old Market which is west of this Town Hall as a cultural venue?”

- 30.14 Councillor Smith replied, “I can’t answer on the financial report but you have got the full council backing for the Old Market Centre and that letter that we sent to the Inland Revenue there was really alright for the officers to do it.”
- 30.15 The Mayor thanked Mr. Neiman for his questions and invited Mr. John Davys to come forward and address the council.

30.16 Mr. Davys asked the following question:

"The Planning Officer for the i360 has confirmed that not all of the required pre-commencement Conditions had been discharged as of 27<sup>th</sup> November 2009. Every single one of these Conditions must be discharged before any development may commence. Given this, the works undertaken in the week beginning 12<sup>th</sup> October 2009 cannot be considered as constituting lawful commencement of development. What is the Administration's view on whether the i360 Planning Consent (BH2006/02369) expired on 25<sup>th</sup> October 2009 i.e. 3 years after it was granted?"

30.17 Councillor Kemble replied, "I understand that the planning officer also advised Mr Davys that the Planning Authority had taken legal advice on commencement and is satisfied that the development may be treated as having lawfully commenced. The legal advice is based on current case law.

The vast majority of the pre-commencement conditions of the full planning permission and listed building consent have been met, with the exception of conditions relating to hard landscaping and the WWII gun emplacement located beneath the West Pier. Further discussion and agreement is required regarding condition 17 in respect of the hard landscaping. Condition 49 and listed building consent 5 require the submission of an historic building report on the WWII gun emplacement located beneath the Pier. This will be submitted after completion of demolition. The balustrade details required under condition 21 have been amended and will require a separate planning permission. The developer has been notified of this. The controlled pedestrian crossing over the Kings Road cycle path and footway during the construction period for deliveries (condition 9 of the full planning permission) will no longer be implemented. The structures that support the Upper Promenade are suitable for footway loadings only. All construction traffic will be from the Lower Esplanade.

The Local Planning Authority received written notification of the developer's intention to commence advanced piling works on 3 September 2009, to comply with listed building consent 7 and clause 3.1 of the S106 Legal Agreement, dated 16 October.

The advanced piling works commenced on 14 October 2009 at the foot of the stairs to the west of the West Pier within the curtilage of i360. The piling foundations are accepted as comprising a 'material operation' as defined in Section 56(4) of the Town and Country Planning Act 1990.

Based on these factors, I would reiterate that it is the opinion of the council's solicitor that the development may be treated as having lawfully commenced."

30.18 Mr. Davys asked the following supplementary question, "I would just like to ask then, given that there is on file some record of various people being of the opinion that the consent has expired and that the four bore holes filled in October do not constitute the start of development. Given this, is the council prepared to defend a legal challenge that it is, and I am aware of the case law that you mention there, is the council prepared

to defend a legal challenge that it is breaking planning law by bending the rules for the i360?"

30.19 Councillor Kemble replied, "I can only repeat that the council's solicitors' view is based on current case law and that the council is therefore satisfied that the i360 development has legally commenced."

30.20 The Mayor thanked Mr. Davys for his questions and invited Ms Valerie Paynter to come forward and address the council.

30.21 Ms. Paynter asked the following question:

"In an email to the Brighton O planning application agent Ian Coomber, copied to The Brighton Sailing Club, Chris A. Wright stated that "The construction and operation of the Brighton O and future dismantling will require the temporary relocation of the Brighton Sailing Club." and invites Mr. Coomber to contact the club "with a view to arriving at some form of agreement". This email was withheld from his working case file even after I requested it be added.

Does the administration want the sailing club off the beach to make way for the Brighton O and support the officer's statement?"

30.22 Councillor Smith replied, "The short answer is no, we do not want the Sailing Club to leave the beach. We are fully supportive of the Sailing Club and always have been. We recognise the longstanding and valued use of the Sailing Club. If planning permission is granted for the O it will be on the basis of minimum disruption to and full consultation with the Sailing Club. The council will not hesitate to use its position as landlord to safeguard the Sailing Club's position and I am confident that a satisfactory solution can be reached."

30.23 Ms. Paynter asked the following supplementary question, "The Sailing Club I can tell you has no intention of voluntarily leaving the beach or reneging on the agreement it made with the i360 developers for temporary boat storage. Officers are not prepared to allow the Brighton O to operate simultaneously with i360, so the question arises: why is the Brighton O not on the plans list for December 16 with an outright recommendation of refusal, why has it been deferred to January?"

30.24 Councillor Smith replied, "I understand we are dealing directly with the Sailing Club on this issue."

30.25 The Mayor thanked Ms. Paynter for her questions and invited Ms Christina Summers to come forward and address the council.

30.26 Ms. Summers asked the following question:

"As a member of Calvary Church situated on Viaduct Road, and an active member of several local community groups including Transport21, I appreciate the complexities that the Council face as they begin to tackle the problems of traffic, pollution and noise around Preston Circus. These issues are serious, present a constant danger to public

health & safety and the pollution alone exceeds EU limits. Can the Council at least give assurances that it will take measures that are affordable, effective and quick to implement such as a speed camera to deter traffic speeding into, and along, Viaduct Road?"

- 30.27 Councillor Theobald replied "I agree with you that the issues in and around the London Road area are complex and also not just about transport. This is why we are developing a master plan, known as a Supplementary Planning Document, to tackle these issues, especially air quality levels.

Speed cameras can only be installed where specific criteria are met and are associated with casualties and excessive speed. In the last three years there have been no recorded collisions. However, if there is evidence that the installation of cameras will meet the criteria in this area in future, we will seriously consider them. In the meantime, I will ensure that the Police are made aware of your concerns about speeding drivers."

- 30.28 Ms. Summers asked the following supplementary question, "The Minister of Calvary Church recently highlighted his concern about pollution caused by traffic in a letter to several Councillors. He referred to a young mum living in Shaftesbury Road who, some 35 years ago, had expressed her distress at air pollution levels and the effect this would have on her babies. He assured her then that the council were bound to take measures to deal with it. This never happened and she moved out of the area.

Could the current Administration assure mums like her that they will do something, somewhat quicker, before they all move out of the area?"

- 30.29 Councillor Theobald replied, "Well we have been in Administration for just over two years and you refer to 35 years ago. I can remember the area extremely well because I was the Councillor for that area some 15/20 years ago in opposition.

I cannot answer your question specifically and say any more than what I have just said to you and that is that the Supplementary Planning Document is one that is being considered later this evening and there are many points in that which hopefully will alleviate your concerns."

- 30.30 The Mayor thanked Ms. Summers for her questions.

### **31. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

- 31.1 The Mayor reported that four Deputations had been received and invited Mr. Mark Dyson as the spokesperson for the deputation to come forward and address the council.

- 31.2 Mr. Dyson thanked the Mayor and stated that:

"On behalf of the residents of Tivoli Crescent I would like to highlight the significant issues that we now face due to the failure of the local council to properly consider the impact of the recently introduced Controlled Parking Zone to the local area. In our view the consultation leading to the introduction of the current scheme has been extremely poor and inadequate, and furthermore we have not had satisfactory responses to our many complaints since the scheme's introduction.

We have now conducted our own survey resulting in another petition which I presented to Councillor Drake earlier this afternoon from all of the 97 properties in Tivoli Crescent that we have identified. An overwhelming 92%(?) of these are now in favour of being included in an extension to the scheme. We could not include Woodside Lodge as the council did in their 2007 survey as being part of Tivoli Crescent. Importantly we have discovered that these 27 flats are, in fact, eligible to apply for residents' parking permits in Zone A, despite having their own more than adequate underground parking facility. So we would question the validity of the results of the 07 survey, that included them, upon which the overall 'NO' vote excluded us from further consultation.

With the introduction of this new residents' parking scheme next to the Tivoli area the council have essentially created a free parking zone right on the edge of a controlled parking zone and a two minute walk from a busy commuter railway station at Preston Park. This is Tivoli Crescent. Residents now find it extremely difficult to park with virtually no off-street parking options, unlike Reigate Road, with non residents cars displaced from the zone being left for days or even weeks. There is no overflow now available because Tivoli Crescent is bordered at either end by Woodside Avenue and The Drove - two roads now in the new zone with its excessive restrictions. Even the council parking strategy officer, Charles Field, responsible for the scheme has had to admit and I quote: "We do monitor schemes as they first go in and ask that residents give things some time to settle down. We do appreciate that currently commuters appear to be resisting paying to park, which has not been the case in other schemes."

Residents now have first-hand experience of the issues this has created. Most issues are around safety and accessibility which now affect families, children and the elderly.

Cars now park extremely close to each other. Can councillors imagine what it is like having to take a detour around several cars with an elderly resident who has great difficulty in walking in order to get into a waiting vehicle? Families, tradespeople and visitors routinely double-park in the street as they have little option. Parents with young children are understandably not prepared to leave children unattended in cars parked in a different street whilst they transfer their shopping. Tradespeople similarly have little option other than to double-park when transferring heavy tools and equipment to sites. All of this adds to the congestion in the area.

Parking on verges and corners has become much more frequent creating added danger for children who play in the street. Visibility for traffic using the road has been reduced significantly. We acknowledge the recent council planning notice to introduce 'no waiting' restrictions around the junction of Tivoli Crescent North. However, short term, this will make parking even more difficult to find for residents. These issues need to be addressed immediately and we cannot wait another two years to be slotted into a future timetable. May we please remind you that the council has legal obligations in this respect under the Road Traffic Act of 1984.

What do Tivoli Crescent residents want now? I refer to key points in your March 2008 environment report:



- 4.3.4 In order to draw up a viable scheme with clear boundaries, and to minimise any displacement, officer recommendation is to include all the roads around the Preston Park Station area in one parking scheme zone.
- 4.3.5 Only two roads were against inclusion and officer recommendation is that these roads could suffer displacement and cause confusion over scheme boundaries if they were excluded.

It is now patently obvious that Tivoli Crescent should have been included in the scheme, judging by the criteria applied to both Inwood Crescent & Millers Road.

We have liaised with local residents through meetings and door to door discussions. The vast majority of residents believe that there is now no possible way forward without introducing a residents' parking scheme in Tivoli Crescent. However, as Zone A have found out to their cost any scheme need only be 9am-6pm on weekdays. Anything beyond this is excessive and punitive, spoiling the character of the area and simply designed to generate revenue for the council. We fully support residents in Zone A campaigning for a change to their scheme.

We have been informed by the Parking Strategy Manager that and I quote: 'if, after the scheme has been running a while, residents would still like the times or days reviewed, then the best course of action would be to raise a petition stating what is preferred.' Residents have now raised two petitions and believe that Tivoli Crescent should be urgently included within the current Controlled Parking Zone A, with the restrictions on parking 9am-6pm excluding weekends."

- 31.3 Councillor Geoffrey Theobald stated that "The council is aware that the introduction of a parking scheme may cause some displacement into adjacent areas although to what level is very hard to predict.

For this reason we made sure that we consulted a wide area, not just the roads immediately next to Preston Park Station. In October 2007 a letter was sent to every household in Tivoli Crescent, Tivoli Crescent North, Tivoli Place, Matlock Road, Maldon Road and Tivoli Road. The letter did draw residents' attention to the fact that nearby roads may decide to opt for a scheme and asked whether they wanted to be included. However all these roads voted overwhelmingly against a scheme. 44% is a high response rate for a parking scheme consultation and so although officers have considered displacement effects the council did not feel able to proceed in these roads without a suitable mandate from the residents. Equally officers felt that not to proceed with the scheme in the immediate Preston Park Station locality would not be fair on residents suffering parking pressures and safety issues and who voted in the majority for a scheme, hence proceeding with a scheme within these roads. Following the decision at committee a postcard was sent to every address stating how their area had voted and which contained details of where to look up this report.

There was a petition from Tivoli Crescent residents which was presented in April of this year. The petition requested that all residents in Tivoli, Maldon and Matlock were consulted again to see if they would like to be included within a parking scheme. Unfortunately, such extensive consultation requires a huge amount of time and

resources and by this stage the Area A parking scheme had already progressed to the final Traffic Order stage.

It was therefore too late to begin consultation again within the Tivoli area. Any future consultation would have to look at the area as a whole rather than individual roads and the current timetable is committed up to 2011 consulting other areas of the city who have been waiting for some years. However, the council will look at future schemes when resources become available.”

- 31.4 The Mayor thanked Mr. Dyson for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and deputation would be referred to the Environment Cabinet Member Meeting for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 31.5 The Mayor then invited Mr. Duncan Blinkhorn as the spokesperson for the second deputation to come forward and address the council.
- 31.6 Mr. Blinkhorn thanked the Mayor and stated that “This week sees two events which highlight the links between fossil fuel emissions and public health. Firstly, as you all know the Copenhagen Climate Conference, where nations are struggling to agree a plan to curb CO2 emissions.

Secondly, and perhaps less well known and closer to home, this week is an anniversary – it’s five years since the Lewes Road and London Road were declared an Air Quality Management Area committing the City Council to make a plan, to curb vehicle emissions along these key routes, to protect public health – it’s a sort of local microcosm of the Copenhagen challenge. If the plan that comes out of Copenhagen achieves for the planet what the Air Quality Action Plan has so far for the Lewes Road, then we really are all doomed.

I would like to draw your attention to some of the information in the supporting notes and, in particular, a graph based on the city’s Air Quality Action Plan which tells the story of air quality on the Lewes Road during the last five years, showing actual against predicted nitrogen dioxide levels. You will see that after five years of monitoring and in spite of various measures to make the Lewes Road a sustainable transport corridor the air quality has, in reality, not improved significantly at all. In fact, in 2008 it was much worse than even the ‘do nothing’ scenario which had been predicted back in 2004.

These issues were illustrated, perhaps clearly, by the decision in May where planning permission for flats on the Vogue Gyrotory on Lewes Road was turned down because the air was considered so foul it would be unsafe to open the windows. You only have to spend a Friday afternoon outside the Lewes Road Co-op, as I often do, for your throat and lungs to tell the story about the quality of air there.

We have recently set up a Lewes Road for Clean Air Campaign because of our deep concern, local residents that is in the area, about the lack of progress on all of this. We are part of Transport 21, a new umbrella of other local community groups intent on freeing our neighbourhoods from being overrun by cars and heavy traffic. We believe

that Brighton & Hove can be a vibrant and prosperous city, and the Lewes Road can serve this as an important transport route but do so *without* damaging the health of the people that live, work and travel along it and, one day, without damaging global climate.

The City's Transport Plan points out that: 'only reductions in car use of 10% to 20% will achieve a significant improvement in air quality that is measurable and noticeable'. The 10:10 Climate Campaign, which the city recently signed up to and which we applaud and welcome, has engaged thousands of people, hopefully millions eventually, who believe that 10% is a realistic target for reducing emissions during the next year. We believe that such targets are achievable if we approach them with enough ambition and imagination.

We've been conducting our own research which backs up the Department for Transport records that 18,000 vehicles a day use the Lewes Road. Our research shows about 1,250 motor vehicles per hour up and down the Lewes Road but perhaps more significant than that we have found that three-quarters of those are private cars and the majority of those private cars, 60%, carry only one person, the driver. We feel this is a totally inefficient and unsustainable use of road space and clean air.

We believe there is plenty of scope for reducing this part of the traffic. Our research has also found that many potential cyclists are scared to cycle along the Lewes Road because of the sheer volume of traffic and inappropriate parking.

We would like to direct you to examples, such as Copenhagen, which have impressive records on managing these issues and they constitute, certainly in the case of Copenhagen but also cities like Amsterdam, a genuine cycle city which has 250km cycle tracks, every taxi has racks for carrying bikes on, they have co-ordinated traffic lights to favour cyclists during the rush hour. These are the sorts of ideas that we feel Brighton & Hove should be looking at. They are not complacent about what they have achieved and have upped their target for people cycling to work from 30% to 50%.

We welcome the City Council's current commitment to the 10:10 Climate Campaign and the vision of a low-carbon Brighton & Hove. Lewes Road for Clean Air would like to see this commitment applied to transport. We have also signed up to 10:10 because we aim to reduce traffic on the Lewes Road by 10% during 2010.

We plan to encourage motorists, who use the road, to make a pledge to find alternatives to car use on at least one day per week. We believe that a lot can be achieved, even within the next year. We would like to call upon your support in achieving such an ambitious target within the next year. We are proposing ideas like weekend 'Park and Ride' using empty university car parks, mass cycle rides to create a safety in numbers environment for cyclists along Lewes Road and perhaps signposts discouraging car use. Those are the sorts of ideas I would certainly like to explore further and I hope 10% less traffic in 2010 is certainly a good place where we can work together to start."

- 31.7 Councillor Geoffrey Theobald stated that "I am aware of your group's campaign work and the interest that exists in this particular area of the city about this important issue. Lewes Road is one of many important transport corridors now included in the city's Air Quality Management Area and in which we have to seek to reduce pollution levels.

We set out to manage traffic and tackle congestion through implementing several measures and planning future proposals, providing information on transport options and travel conditions through signs on our 'Journey-on' website: delivering new ways of reaching the city centre such as new 'Park and Ride' sites: new cycle routes and new bus routes and services such as the proposed bus-based coastal transport system along the seafront. Making stations more accessible: managing, extending and enforcing parking schemes, reducing the need for some people to leave the city on a daily basis by increasing job opportunities and through the Local Development Framework planning strategy making changes to speed limits where appropriate, once the current city-wide review of speed limits is completed. And something which I am personally very keen on, and if only the Government would listen and act on, is the re-opening of the Lewes to Uckfield railway line, because I am quite convinced that quite a few people drive their motor cars from Crowborough, from Uckfield, from Tunbridge Wells into this city when they ought to be coming by rail and that's something that, you know, I personally very strongly support.

I would just add one other point and that is that officers have checked the data that has been submitted with your deputation and we have found it to be incorrect and this is explained as follows:

The 2005 monitoring value on the graph is incorrect, out of date 2004 model predictions are being used for 2010. With the correct results for 2005 a downward nitrogen dioxide trend is seen. On central Lewes Road most NO<sub>2</sub> concentration is derived from sources other than cars, like heavy goods vehicles, buses and domestic equipment sources like gas boilers and cookers.

Now if it's helpful to you officers will be happy to write to you to explain this matter further."

- 31.8 The Mayor thanked Mr. Blinkhorn for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and deputation would be referred to the Environment Cabinet Member Meeting for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 31.9 The Mayor then invited Ms Jessica Balkwill as the spokesperson for the third deputation to come forward and address the council.
- 31.10 Ms Balkwill thanked the Mayor and stated that "I would like to thank you for the opportunity to present the results of our survey about the parking scheme that has recently been introduced in Zone A.

We have over the last two weeks knocked door to door over the entire affected area which is somewhere around 651 households. We have managed to speak to 335 residents to gauge their response on four separate queries we have about the scheme. The resounding response that we have seen is that the residents are unhappy with their scheme. We feel that this is very disappointing given the length of time the council has spent introducing the scheme, the money it has cost and the hard work by the people in

the council who have designed the scheme. The majority of complaints are around the hours of operation which the majority of residents think are excessive. Residents who originally voted in favour of the scheme have now voted for a review of this as they are unhappy with the hours. We are now also paying for a service that was previously free and many feel we are not getting value for money and are, in fact, being penalised.

From the results of our survey we would like to propose that the council consider the following points:

Firstly, that the council needs to review their procedures for how the scheme was implemented. It should not take between three and five years to put a scheme in place and then be this badly received. Our suggestion within this is that the way the boundaries are defined could be changed and that to implement the scheme a minimum response rate from affected households would be needed. This change would have prevented the problems we have had with Tivoli Crescent, Matlock Road and also Maldon Road.

The council needs to review the way it communicates with residents about the implementation of a scheme. The most important information about the scheme, noticeably the hours, was not posted directly to the residents with an explanation of the proposed hours and the logic behind them. Displaying the information on lampposts and in local churches is no longer a viable way to communicate in the modern world. We believe that the council should have sent a letter to the residents outlining the proposed hours of the scheme and the reasons behind this and then invite them to vote on those hours. This would have resulted in a scheme that suited the needs of the majority and not the minority who have pushed for its inception.

The council needs to find whether parking schemes are for residents' benefits or whether they are for revenue generation. If the schemes are for the residents' benefits then surely each scheme should be assessed on its own merits and designed for the needs of that area specifically. We appear in our scheme to have opposing needs. I believe the residents of Reigate Road initiated the campaign to protect themselves from displacement parking in Zone Q - Prestonville. The residents of Reigate Road are not affected directly by commuter parking unlike most of the other roads in Zone A. I am not sure why Reigate Road is so badly affected, as the neighbouring roads of Compton, Inwood Crescent and Millers seem unaffected and voted against the scheme. The roads closer to the station, namely Hampstead, Kingsley, Woodside, The Drove, Robertson Road and Scarborough all suffer with commuter parking, as does Tivoli Crescent.

It would seem to us that a more sensitive option would have been to include Reigate Road in Zone Q and open up Zone A for those affected by the station parking. Currently the pay and display bays are virtually unused as commuters can park for free in the roads surrounding Zone A and although it is only a cost of £4 a day, which seems like a small amount of money, this adds 25% to the cost of a commuter trying to use a local station which many of us value greatly and specifically move to the area to take advantage of.

What we would like to do is give you the feedback from our survey which was over 335 households. The main complaint for the people who responded was that the severity of

the hours of operation were restrictive and as all the roads, apart from Reigate, suffer from commuter parking we do not need restrictions on the weekend. Out of the 335 households 84% voted in favour of removing the weekend restrictions. This also commuted to nine roads in favour and one road against that recommendation.

We surveyed the households about the weekday hours to see if residents would prefer a 9am-6pm or a lighter touch styled scheme, as many residents have found the daily restrictions of 9am-8pm very restrictive in terms of communication with the community, families, childcare and the elderly. 74% voted that they would like a review of the weekday hours, which is eight roads in favour, one road 50-50 and one road against.

We were interested to see what residents thought of the council's consultation process, whether it was adequate and whether it was well communicated. 73% of the 335 households voted that they did not feel it was adequate, with eight roads in favour of the statement and two roads against. We also proposed that visitor permits should be increased to an annual allowance of £100 per person per annum at a cost of £1, not £2 as the current cost is. Almost everybody in the survey felt the scheme was too expensive, especially the permits. The increase in allowance would mean that those who used the road during the day for childcare, tradesmen or the elderly who rely on non-professional visitors would be able to lead their life without invasion for a reasonable price.

Effectively, the final point, we have managed to have an 84% vote in favour of doubling the allowance of visitor permits and no roads against that statement at all."

- 31.11 Councillor Geoffrey Theobald stated that "As you are aware we are also hearing from residents that changes have made a huge improvement to the parking and general environment. I believe that is the next deputation saying that they are happy with the scheme.

The 9am-8pm Monday-Sunday residents' parking scheme proposal has, as you have said, been through extensive consultation, including leaflets with questionnaires and plans indicating proposed hours, days of operation and these went to every household. There was little correspondence asking the council to change the hours or days of the scheme. There was also a further opportunity to comment on the plans when the final draft Traffic Regulation Order was advertised in the spring of 2009 and all comments were included in the report to the Environment Cabinet Member meeting in July 2009.

The consultation procedures have also been through the Standards & Complaints Team who concluded that the consultation process had been carried out as per procedure and legislation and therefore correctly.

In terms of the finances, the council borrow the costs of setting up the scheme against the future income and schemes usually take about five to seven years to pay back the initial set-up costs. Income from residents' parking schemes must fund the ongoing maintenance, running costs and enforcement and any surplus must be spent on transport related projects, including concessionary bus fares, public transport subsidies and safety schemes.

Any major changes, such as size of zone or time of operation would require considerable consultation and redrafting of the Traffic Order and would have to be considered alongside other areas on the list for parking scheme consultation. However, we always advise residents to allow a scheme to settle in for a while before making decisions about major changes. This is because it takes a while for parking patterns to change and for residents and visitors to get used to how the scheme operates and fits their needs. If, after the scheme has settled in, a majority of residents would still like the times or days reviewed then the best course of action, as has already been said this afternoon, would be to raise a petition stating clearly what is preferred. Any such change though would have to apply to the entire parking area and not just to one road, so we would need to know that there was wide-spread support for any alternative proposals.”

- 31.12 The Mayor thanked Ms Balkwill for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and deputation would be referred to the Environment Cabinet Member Meeting for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 31.13 The Mayor then invited Mr. Paul Crawford as the spokesperson for the fourth deputation to come forward and address the council.
- 31.14 Mr. Crawford thanked the Mayor and stated that “The substance of my deputation is in front of you and if I can just make a few main points, I would like to tell you how vastly improved the quality of life in our area has been since the inception of the parking scheme in Zone A.

No scheme is going to meet the complete, unanimous support of all residents but it’s a substantial and drastic improvement. As Councillor Theobald said all parking schemes take time to settle in and we urge you to agree that considering any changes to the scheme would be grossly premature while it’s only been in operation for a matter of weeks.

I can’t ignore the petition that was presented by Councillor Mitchell and I would like to point out that it was actually in the nature of a questionnaire and not a petition. There was the opportunity to say whether you were for or whether you were against, so the gross numbers that are quoted do not give a representative view of all the residents in the area. Without wanting to sound argumentative, I can’t allow the previous speaker’s claim to speak for all the residents of the area to go unchallenged. There are many of my neighbours who are very happy with the scheme and I feel that the way in which the opposition has been presented is tendentious, unrepresentative and inaccurate and certainly that speaker does not speak for me or my neighbours.

We certainly oppose any change in the hours or days of the scheme. We have bought our permits. We don’t want to find that those of us who go out to work, come home after 6 o’clock and find the area swamped with white vans again (thank you very much) and we don’t want white van dumping starting all over weekends again as we have had to suffer for years in the past. We would also echo the point which you have heard from several other members here today about the problems of other people in other parts of

the city who have not been considered, even once, for some solution to their parking problems. It would, of course, be selfish to reconsult Zone A so soon after it has last been consulted.

Many of my neighbours and I have been working, for what, five years or so to get to the situation we are in now and we are very grateful, very appreciative of what has been done and we have no wish to sort of queue jump for other parts of the city where they are still suffering and where they haven't had any solution proposed at all. I think the consultation was professional, thorough and fair and took place over a long period and I completely disagree that it was inadequate in any way or that anybody did not have the opportunity to put their views across.

As I say I have been to many meetings of the previous Environment Committee, now the Environment Cabinet Member meetings, and as I said we had to lobby hard and long to get to the position that we are at now. We are very grateful and we resist any change to it, certainly for the time being until it's had a chance to settle in.

Finally, if I could just thank our local Ward Councillors, Ken and Ann Norman and Pat Drake, who have been very supportive throughout the process and the lead officers in bringing the scheme to fruition, particularly Charles Field and Christina Liassides, who have been extremely professional, supportive and helpful in providing information and I would like to thank them for all their hard work and support and just finally to say we are very grateful. Thank you for what you have done for us and please don't wreck it."

- 31.15 Councillor Geoffrey Theobald stated that "I do think that colleagues here and those out in the wider world will appreciate, if they hadn't before, what a difficult job the council's officers have in dealing with residents' parking schemes where you have some people in favour and some people maybe, think the other way.

I do want to thank Mr Crawford very much, obviously, for his remarks and, of course, particularly his remarks to the council's officers. I am very glad to hear his support for the fact that the consultation in his view has been done professionally and well and it is, as I say, rather nice to hear from residents that changes have made a huge improvement to the parking and general environment. I agree with the suggestion, and I have said this already this afternoon, that schemes do need time to settle in and that's exactly what Mr Crawford has said, because that enables residents both inside and outside the scheme to see how well it operates for their needs.

We do not review schemes as a matter of course now because there are other areas waiting on the list for consultation on new schemes. However, we can make minor changes up to twice a year: for example, addition of a disabled bay or other minor changes to the signing or lining but any major changes such as size of zone or times of operation would require considerable consultation and redrafting of the Traffic Order. It would have to be considered alongside other areas on the list for parking scheme consultation."

- 31.16 The Mayor thanked Mr. Crawford for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and deputation would be referred to the Environment Cabinet Member Meeting for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed



subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

## **32. WRITTEN QUESTIONS FROM COUNCILLORS.**

32.1 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 included in the addendum, which had been circulated as detailed below.

32.2 (a) Councillor McCaffery asked:

"This Council is responsible for the safety of children in our care. The number of children in care has increased from an average of 375 in December 2008 to an average of 460 at the present time, an increase of 25%. Would the Cabinet Member inform this Council of the increase in the budget necessary to meet this substantial increase in demand?"

32.3 Councillor Brown replied:

"Pressure on the children's social care budget has been considerable this year and there have been significant additional costs (£1,519,000) stemming from increased activity.

These have arisen from an increase in legal fees (£650,000), an increase in agency placements for children (£487,000) and an increase in area social work teams (£305,000).

This pressure is being felt nationally across other Local Authorities and arises from a number of factors:

- the introduction of the Public Law Outline
- an increase in court fees
- an increase in referrals following the death of Baby P and other high profile cases
- credit crunch and other economic factors

Our staff have done an excellent job managing the increased activity and the focus has been on running a service which ensures the safety and well-being of children in Brighton and Hove. But we are not complacent about this and we will continue to work to ensure good standards of child protection and safeguarding.

Going forward we are taking steps to keep children safe and ensure effective use of resources at a time when child protection is under national scrutiny and central Government grant funding is failing to keep pace with the increased demand. This work includes a renewed focus on preventative services to support children and families at risk. It also includes reviewing how we work with partner agencies. We are also doing work to ensure best value placement costs and care planning arrangements."

32.4 Councillor McCaffery asked a supplementary question; "I do understand you are doing your best and I note indeed you are not complacent but currently you have to make a £4.3m saving. The schools' budget is in many ways rightly protected which means that

the saving falls on children's services. The base budget is around £45m and savings of £4m are required. Am I right in thinking that means this is a saving of around 10% and is required on work relating to safeguarding children? This seems an undue burden.

Does the council agree that this will be more than difficult to find and as such is an unfair burden on a service which is about protecting and saving lives and that this saving could be more equitably distributed across the council departments to ensure that the children for whom we are responsible are kept safe?"

32.5 Councillor Brown replied; "Yes, you are quite right, it is very difficult to make those amounts of savings and obviously child protection is always highest in our minds. We have very carefully worked out where we can make savings next year and we are still looking to make another £940,000 worth of savings but I do have to say that we have been given an above average inflationary rise next year of over £900,000 and there has been £1m put in a contingency fund if it is needed for looked after children."

32.6 (b) Councillor Kitcat asked:

"Can Cllr Geoffrey Theobald provide details on what is done with the biodegradable waste produced by the work of City Parks in particular where it is taken, how it is processed and whether this is done by contractors or the Council itself?"

32.7 Councillor Theobald replied:

"Waste from our gardens and parks is dealt with in separate ways - depending on the nature of the waste. Wood predominantly produced from the maintenance of the city's trees is chipped and used to mulch the city's shrub beds, thus replacing residual herbicides which used to be used for weed control in these areas.

Chipping and mulching waste wood is carried out by our own staff. Mixed garden waste is taken to Stanmer Park where it is shredded and then transported to Isfield for composting to be completed. This is carried out by a specialist contractor selected following an open tendering procedure."

32.8 Councillor Kitcat asked a supplementary question; "The council's Stanmer Park site, if I am right, stands next to a local composting co-operative but instead you are trucking it to Isfield, which is a shame.

Can Councillor Theobald confirm or deny that the Environment Agency requested the council clean up City Parks waste dumped on the Stanmer Park area and, if so, provide details?"

32.9 Councillor Theobald replied; "I don't think that is a supplementary at all, Madam Mayor."

32.10 Councillor Caulfield asked a further supplementary question; "Can Councillor Theobald agree with me that the sheep grazing scheme that we have rolled out across the city, for example Wild Park and Moulsecomb, has demonstrated how a Conservative led council can deal with grass and shrub waste?"

32.11 Councillor Theobald replied; "I certainly agree."

32.12 (c) Councillor Kitcat asked:

“Can Cllr Geoffrey Theobald clarify for members the contractual arrangements with Veolia regarding municipal waste collection? Is it the case that any residential waste collected from the street must be processed by Veolia?”

32.13 Councillor Theobald replied:

“The Waste PFI Contract, like many contracts across the country is with a sole service provider. This means that they alone have the contract to handle the council's waste and receive an income, and this income provides for the construction of the waste facilities for Brighton & Hove City Council and East Sussex County Council.

The contract is complex and the details are on the website.”

32.14 Councillor Kitcat asked a supplementary question; “So Councillor Theobald is it this regrettable, expensive PFI Waste Contract which is holding up plans for food and garden waste collections?”

32.15 Councillor Theobald replied; “The answer is no.”

32.16 (d) Councillor Davey asked:

" At the first full meeting of the recently formed city wide Transport Partnership the Cabinet Member for Environment who chairs the partnership suggested that he had been told to be there and thought that the meeting was a waste of time that would achieve nothing.

In light of this could the Leader of the council please clarify whether or not her administration is committed to cross sector partnership working to address the acute transport problems facing Brighton & Hove and whether she agrees or not that the council needs to bring about a widespread shift to sustainable low carbon transport across the city?"

32.17 Councillor Mears replied:

“I have been assured by the Cabinet Member for Environment that he did not say those words at the Transport Partnership meeting but I really am unable to comment with any authority on what may or may not have happened because I was not there.

What I can say is that I personally endorsed the setting up of the Transport Partnership at the LSP meeting in October so that we could have a forum which enables the Council and our partners to work together on finding solutions to some of the City's transport problems. I stand by this decision. We are already making progress in terms of low carbon transport through for example electric vehicle charging points, committing to park and ride and looking at our own vehicle fleet as part of the 10-10 campaign commitment.”

32.18 Councillor Davey asked a supplementary question; “I am pleased that you feel there is progress on low carbon transport, so I would be grateful if you could update us on the progress of the Old Shoreham cycle route. When will you publish the results of the public consultation which ended in October and when, in light of what I understand was a very substantial response with the significant majority in favour, will you authorise the building of this cycle route which should have started in November and according to our agreement with Cycling England who are funding it must be completed this financial year?”

32.19 Councillor Mears replied; “Thank you Councillor Davey for your question and it will be published shortly.”

32.20 (e) Councillor West asked:

“In 2005 Peter Brett Associates conducted a study of potential park and ride sites. Of the 11 potential sites that were considered worth looking at in detail, Braypool Sports Ground, Waterhall, Waterhall (“the Borough Plan site”), Mill Road West (Green Ridge) and Patcham Place all now fall within the National Park. Patcham Court Farm is being marketed for business development, Woollards Field will be home to The Keep (records office). The former Gasworks and Roedean Miniature Golf Course are now at the wrong end of the new coastal bus lane. As an indication of the feasibility of finding suitable sites it is worth noting the two top scoring sites were shockingly Patcham Place and Green Ridge! Of the remainder, that leaves just Basin Road, Shoreham Harbour and Court Farm, neither of which were judged able to properly serve the important A27/A23 junction.

In the light of this can Councillor Theobald state which sites are being considered in the new study commissioned of Peter Brett into Park and Ride, and by what miracle he expects this to reveal any better conclusions about the availability of feasible sites, and how the expense of such a study is therefore justified?”

32.21 Councillor Theobald replied:

“Thank you for drawing out some aspects of the work that was undertaken by the previous administration. We have not commissioned a new study, but we have asked consultants to review and update the past work in the light of changes in circumstances that have occurred since 2005, for example the announcement on the National Park.

We want to consider the possibility of identifying sites that are smaller than those that were previously considered. Once we are able to report on the outcome of that review, we will do so.”

32.22 Councillor West asked a supplementary question; “May I thank Councillor Theobald for his interesting answer and from that I understand that the 2005 Park and Ride study is now to be reviewed rather than there being a new study: yet we know from that study that most of the sites considered are now either off limits or in the wrong place as I have expressed in my question.

As the 2005 study also concluded that small Park and Ride sites to be unfeasible, that’s why it was looking at large ones, how does Councillor Theobald now believe a different

conclusion will be found from the review of a redundant study, also in light of the uncertainty that this reveals about the feasibility of Park and Ride, how does Councillor Theobald justify the solid commitment to three to five sites in the draft Core Strategy?”

32.23 Councillor Theobald replied, “As I have said in my answer here we have gone out to consultants and our own officers because of the changes of circumstances to look at other sites and look again at previous sites and as I say in my answer here, once we have the results of that we will report the outcome of that review, and we will do that.”

32.24 (f) Councillor West asked:

“The 2005 Park & Ride study (using Halcrow Demand Modelling) also revealed that 2 out of 3 morning peak hour car trips begin and end within the city. Of the remainder more leave the city than are incoming. This pattern is repeated for daytime traffic as well. Only a small proportion of traffic in the city is therefore in-bound, perhaps only 10% of total trips. Moreover, the scale of in-bound traffic is such that even given a park and ride capacity of 1500 spaces, only around 10 percent of in coming traffic could make use of such a service. In other words the impact Park & Ride could have on overall city traffic is slight, perhaps a reduction of only a few percent.

In light of this, would Councillor Theobald agree that the greatest challenge for our transport policy is to make it possible for large scale modal shift by the city's own population, and that a comprehensive city wide rapid transit system (most feasibly bus based), plus measures to reduce the need to travel, will be essential to bringing this about?”

32.25 Councillor Theobald replied:

“Park & Ride has never been expected to be the sole solution to Brighton & Hove's transport issues. It has to be part of a broader strategy for the city that gives choice for everybody. We know that travel patterns are complex in a city where people have many different needs. We have therefore produced a joined-up strategy in our Local Development Framework, and will no doubt be discussing it in detail later on in this meeting.

We already have a more comprehensive bus service than in most towns and cities in the UK and proposals in the Local Development Framework, will increase job opportunities to help increase the number of people working within the city rather than travelling outside, thus reducing the need for travel for some residents.”

32.26 Councillor West asked a supplementary question; “As you recognise and I quote: ‘Park & Ride has never been expected to be the sole solution to Brighton & Hove's transport issues’, which I can completely agree with, then can you explain why Park and Ride and not also a major rapid transit system that would serve the suburbs as well as the coast it is not also sited as an integral part of improving transport choice in the Core Strategy, improving choice, I would say, for citizens across the city not to use a car?”

32.27 Councillor Theobald replied; “The Leader of the Council made a statement yesterday on a number of issues city-wide and the Leader actually referred to Park and Ride and

other issues and I am sure that Councillor Randall who was there would be able to acquaint Councillor West with what the Leader of the Council said.”

### **33. REPORTS OF THE CABINET, CABINET MEMBER MEETINGS AND COMMITTEES.**

#### **(a) Callover**

33.1 The following items on the agenda were reserved for discussion:

Item 34 – Brighton and Hove Children & Young People’s Plan

Item 36 – Local Development Framework – Brighton and Hove Core Strategy:  
Submission

#### **(b) Receipt and/or Approval of Reports**

33.2 The Chief Executive confirmed that Item No’s. 34 and 35 had been reserved for discussion and that the Gambling Act 2005 – Revised Policy, Item 35 on the agenda with the recommendations therein be approved and adopted.

#### **(c) Oral Questions from Members**

33.3 The Mayor noted that there were no oral questions.

### **34. BRIGHTON AND HOVE CHILDREN AND YOUNG PEOPLE’S PLAN**

34.1 Councillor Brown, Cabinet Member for Children & Young People introduced the report, which outlined the proposed Children & Young People’s Plan for 2009-12. She noted that the Plan was jointly owned by the partner organisations that made up the Children’s Trust Board and that they fully supported the Plan. She also wished to thank the officers involved in bringing the Plan together and in particular the Assistant Director Strategic Commissioning & Governance.

34.2 Councillor Hawkes welcomed the Plan and stated that she felt it was an excellent document which outlined the way forward and also wished to add her thanks to the officers involved in its formulation.

34.3 Councillor Fryer also welcomed the Plan and highlighted aspects that she felt would be important elements to look at over the plan’s duration and hoped that these could be taken on board.

34.4 Councillor Brown noted the comments and stated that the plan outlined the strategic direction for children’s services over the coming years and hoped council would approve the plan.

34.5 The Mayor noted that the recommendations had been moved and put them to the vote which was carried.

**34.6 RESOLVED –**

- (1) That the Brighton and Hove Children and Young People's Plan 2009-12 be approved;
- (2) That it be noted that all partners had agreed to take the Children and Young People's Plan 2009-12 through their respective governance arrangements once the Children and Young People's Trust Partnership had approved the plan; and
- (3) That the arrangements for publication and distribution as set out in paragraphs 3.3 and 3.7 to the report be agreed.

**35. GAMBLING ACT 2005 - REVISED POLICY**

- 35.1 That the Statement of Gambling Policy be approved and adopted.

**36. LOCAL DEVELOPMENT FRAMEWORK - BRIGHTON AND HOVE CORE STRATEGY: SUBMISSION**

- 36.1 The Mayor noted that the council was quorate and therefore reconvened the meeting at 6.55pm.
- 36.2 Councillor Peltzer Dunn asked for a point of clarification on whether the detailed list of amendments circulated to all councillors on the evening of the 9<sup>th</sup> December showed the extent of the amendments known at that time.
- 36.3 The Head of Democratic Services confirmed that the detailed list that had been e-mailed to all Members was considered to be the correct version at the time of circulation.
- 36.4 Councillor Peltzer Dunn queried why the hard copy of amendments then circulated to Members just prior to the meeting differed from the version that had been e-mailed.
- 36.5 The Head of Law stated that an administrative error had been highlighted in the morning of the Council meeting, which officers had then sought to clarify and subsequently rectify so that the hard copy of amendments listed in the Addendum papers was correct. The difference being that elements in relation to the Labour Group amendment on the Marina should have been shown as part of the Joint Amendment rather than as part of the Labour Amendment under Theme 2 – The Economy.
- 36.6 The Mayor noted the information and called on Councillor Mears to introduce the report.
- 36.7 Councillor Mears introduced the report and formally moved that the Core Strategy be adopted and submitted to the Secretary of State.
- 36.8 Councillor Theobald formally seconded the report and wished to place on record his thanks to the officers involved in putting the revised Local Development Framework together.
- 36.9 The Mayor noted that the protocol covering the consideration of the item had been agreed and therefore each theme would be moved and seconded by representatives of

the Administration, followed by those moving seconding joint and/or individual amendments under each theme, before moving to a general debate and then voting on the amendments and the final substantive recommendations.

- 36.10 Councillor Theobald introduced the first theme covering 'The Spatial Strategy, Housing and Urban Fringe' and moved that the theme be approved.
- 36.11 Councillor Caulfield seconded the theme.
- 36.12 Councillor Mitchell moved the joint Liberal Democrats/Green/Labour Groups' amendment to the theme as detailed in the addendum papers.
- 36.13 Councillor Elgood seconded the joint amendment.
- 36.14 Councillor Meadows moved the Labour Group's amendment to theme.
- 36.15 Councillor Marsh seconded the Labour Group's amendment.
- 36.16 Councillor Wrighton moved the Green Group's amendment to theme.
- 36.17 Councillor West seconded the Green Group's amendment.
- 36.18 The Assistant Director – City Planner informed the council that the Green Group's amendment was unsound and could not therefore be regarded as a viable amendment to the Core Strategy.
- 36.19 The Mayor noted the information and ruled that the Green Group's proposed amendment could not be considered or voted upon.
- 36.20 Councillor Kemble introduced the second theme covering 'The Economy' and moved that the theme be approved.
- 36.21 Councillor Caulfield seconded the theme.
- 36.22 Councillor Elgood moved the joint Labour/Green/Liberal Democrats Groups' amendment to the theme as detailed in the addendum papers.
- 36.23 Councillor Randall seconded the joint amendment.
- 36.24 Councillor Hamilton moved the Labour Group's amendment to theme.
- 36.25 Councillor Carden seconded the Labour Group's amendment.
- 36.26 Councillor Kitcat moved the Green Group's amendment to theme.
- 36.27 Councillor Taylor seconded the Green Group's amendment.
- 36.28 The Assistant Director – City Planner informed the council that the Green Group's amendment was unsound and could not therefore be regarded as a viable amendment to the Core Strategy.



- 36.29 The Mayor noted the information and ruled that the Green Group's proposed amendment could not be considered or voted upon.
- 36.30 Councillor Theobald introduced the third theme covering 'Transport and Infrastructure' and moved that the theme be approved.
- 36.31 Councillor Young seconded the theme.
- 36.32 Councillor Mitchell moved the joint Green/Labour/Liberal Democrats Groups' amendment to the theme as detailed in the addendum papers.
- 36.33 Councillor West seconded the joint amendment.
- 36.34 Councillor Turton moved the Labour Group's amendment to theme.
- 36.35 Councillor Lepper seconded the Labour Group's amendment.
- 36.36 Councillor Duncan moved the Green Group's amendment to theme.
- 36.37 Councillor Phillips seconded the Green Group's amendment.
- 36.38 The Assistant Director – City Planner informed the council that four of the Green Group's elements listed under their overall amendment were unsound and could not therefore be regarded as viable amendments to the Core Strategy. However, two elements were sound and could therefore be included.
- 36.39 The Mayor noted the information and ruled that the four elements listed as unsound under the Green Group's proposed amendment could not be considered or voted upon. However, the remaining two elements could be debated and voted on in due course.
- 36.40 Councillor Elgood raised a point of order and asked if the Mayor would agree to a short adjournment as he believed there was an opportunity for the Group Leaders to reach an agreement on the various amendments and how they should be dealt with.
- 36.41 The Mayor noted the information and agreed to Councillor Elgood's request on the basis that it was hoped agreement could be reached which would assist the process for consideration of the matter before council.
- 36.42 The meeting was adjourned at 8.25pm.
- 36.43 The Mayor reconvened the meeting at 10.00pm and asked the Monitoring Officer to outline the process that had been agreed by the Group Leaders and their Groups during the adjournment.
- 36.44 The Monitoring Officer informed council that following discussions the Groups had been able to identify a number of the elements listed under each of the Joint Amendments where unanimity existed. It was therefore proposed that these should be taken on block and voted on. This would then leave a number of elements that could not be accepted and therefore would have to be taken on an individual basis and voted on separately. In

view of this, it was proposed to enable the remaining three themes and the amendments to be moved and seconded formally, to dispense with the intended general debate on the report and the amendments and to move to a vote on the various themes and amendments as necessary.

36.45 The monitoring Officer then confirmed that it was proposed to vote on the joint amendments as follows:

Theme 1,  
Theme 2 other than one element changes to DA2 Brighton Marina,  
Theme 4,  
Theme 5,  
Theme 6 with a slight change to wording to be clarified by the Assistant Director – City Planner,  
Theme 3 with the various elements not accepted taken individually, followed by:

The Labour Group's amendments in respect of Themes 1, 2 and 3; and  
The Green Group's two elements in respect of Theme 3.

36.46 The Mayor noted the information and put the proposals to the council which were agreed.

36.47 Councillor Mears noted that a number of elements under Themes 2 and 3 remained unaccepted and therefore requested that a recorded vote be taken when they were due to be voted upon.

36.48 The Mayor noted that sufficient support had been indicated for a recorded vote and also noted that the proposers of the four notices of motion listed on the agenda had asked to withdraw them in view of the lateness of meeting and sought agreement from the council, which was agreed.

36.49 Councillor Simson introduced the fourth theme covering 'Reducing Inequalities' and moved that the theme be approved.

36.50 Councillor Oxley seconded the theme.

36.51 Councillor Elgood moved the joint Liberal Democrats/Labour/Green Groups' amendment to the theme as detailed in the addendum papers.

36.52 Councillor McCaffery seconded the joint amendment.

36.53 Councillor Wakefield-Jarrett moved the Green Group's amendment to theme.

36.54 Councillor Fryer seconded the Green Group's amendment.

36.55 The Assistant Director – City Planner informed the council that the Green Group's amendment was unsound and could not therefore be regarded as a viable amendment to the Core Strategy.

- 36.56 The Mayor noted the information and ruled that the Green Group's proposed amendment could not be considered or voted upon.
- 36.57 Councillor Norman introduced the fifth theme covering 'Open Space, Biodiversity, Sports and a Healthy City' and moved that the theme be approved.
- 36.58 Councillor Brown seconded the theme.
- 36.59 Councillor Randall moved the joint Green/Liberal Democrats/Labour Groups' amendment to the theme as detailed in the addendum papers.
- 36.60 Councillor Watkins seconded the joint amendment.
- 36.61 Councillor Fallon-Khan introduced the sixth theme covering 'Sustainable Development, Design and Public Spaces and Climate Change' and moved that the theme be approved.
- 36.62 Councillor Older seconded the theme.
- 36.63 Councillor Kennedy moved the joint Labour/Liberal Democrats/Green Groups' amendment to the theme as detailed in the addendum papers.
- 36.64 Councillor Allen seconded the joint amendment.
- 36.65 The Assistant Director – City Planner confirmed that there was cross-party support for the Joint Amendment to Theme 1.
- 36.66 The Mayor moved that the Joint Amendment to Theme 1 be agreed.
- 36.67 **The motion was carried.**
- 36.68 The Assistant Director – City Planner confirmed that there was cross-party support for all the elements listed under the Joint Amendment to Theme 2, other than in respect of the proposed amendment to DA2 Brighton Marina (27 -29).
- 36.69 The Mayor moved that the various elements detailing changes under the Joint Amendment to Theme 2, other than DA2 Brighton Marina (27-29) be agreed.
- 36.70 **The motion was carried.**
- 36.71 The Mayor noted that a recorded vote had been requested and moved that the proposed amendments to the wording listed in the Joint Amendment for Theme 2, DA2 Brighton Marina (27-29) be agreed;

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford		x	
	Allen	x		
	Barnett		x	
	Bennett			x

	<b>Brown</b>		X	
	<b>Carden</b>	X		
	<b>Caulfield</b>		X	
	<b>Cobb</b>		X	
	<b>Davey</b>	X		
	<b>Davis</b>	X		
	<b>Drake</b>		X	
	<b>Duncan</b>	X		
	<b>Elgood</b>	X		
	<b>Fallon-Khan</b>		X	
	<b>Fryer</b>	X		
	<b>Hamilton</b>	X		
	<b>Harmer-Strange</b>		X	
	<b>Hawkes</b>	X		
	<b>Hyde</b>		X	
	<b>Janio</b>		X	
	<b>Kemble</b>		X	
	<b>Kennedy</b>	X		
	<b>Kitcat</b>	X		
	<b>Lepper</b>	X		
	<b>Marsh</b>	X		
	<b>McCaffery</b>	X		
	<b>Meadows</b>	X		
	<b>Mears</b>		X	
	<b>Mitchell</b>	X		
	<b>Morgan</b>	X		
	<b>Norman, Ann</b>		X	
	<b>Norman, Ken</b>		X	
	<b>Older</b>		X	
	<b>Oxley</b>		X	
	<b>Peltzer Dunn</b>		X	
	<b>Phillips</b>	X		
	<b>Pidgeon</b>		X	
	<b>Randall</b>	X		
	<b>Rufus</b>	X		
	<b>Simpson</b>	X		
	<b>Simson</b>		X	
	<b>Smart</b>		X	
	<b>Smith</b>		X	
	<b>Steedman</b>	X		
	<b>Taylor</b>	X		
	<b>Theobald, Carol</b>		X	
	<b>Theobald, Geoffrey</b>		X	
	<b>Turton</b>	X		
	<b>Wakefield-Jarrett</b>	X		
	<b>Watkins</b>	X		
	<b>Wells</b>		X	
	<b>West</b>	X		

	<b>Wrighton</b>	x		
	<b>Young</b>		x	
	<b>Total</b>	<b>28</b>	<b>25</b>	<b>1</b>

36.72 **The motion was carried.**

36.73 The Assistant Director – City Planner confirmed that there was cross-party support for the Joint Amendment to Theme 4.

36.74 The Mayor moved that the Joint Amendment to Theme 4 be agreed.

36.75 **The motion was carried.**

36.76 The Assistant Director – City Planner confirmed that there was cross-party support for the Joint Amendment to Theme 5.

36.77 The Mayor moved that the Joint Amendment to Theme 5 be agreed.

36.78 **The motion was carried.**

36.79 The Assistant Director – City Planner confirmed that there was cross-party support for the Joint Amendment to Theme 6, subject to a change in the wording in relation to Valley Gardens.

36.80 The Mayor moved that the Joint Amendment to Theme 6 with the revised wording in relation to Valley Gardens be agreed.

36.81 **The motion was carried.**

36.82 The Assistant Director – City Planner confirmed that the elements 11, 13 (first 13), 24a, 25b, 28, 32-33, 38a, 42a, 46-47, 51a, 57, 59b, 104 and 105 listed under the Joint Amendment to Theme 3 could not be accepted and therefore would be taken on an individual basis.

36.83 The Mayor moved that the various elements detailing changes under the Joint Amendment to Theme 3, other than those listed by the Assistant Director, which were to be the subject of separate votes be agreed.

36.84 **The motion was carried.**

36.85 The Mayor noted that a recorded vote had been requested and moved that the proposed amendment to the wording listed under 11 in the Joint Amendment for Theme 3, be agreed;

	<b>NAME</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
<b>Cllr</b>	<b>Alford</b>		x	
	<b>Allen</b>	x		
	<b>Barnett</b>		x	

	<b>Bennett</b>		X	
	<b>Brown</b>		X	
	<b>Carden</b>	X		
	<b>Caulfield</b>		X	
	<b>Cobb</b>		X	
	<b>Davey</b>	X		
	<b>Davis</b>	X		
	<b>Drake</b>		X	
	<b>Duncan</b>	X		
	<b>Elgood</b>	X		
	<b>Fallon-Khan</b>		X	
	<b>Fryer</b>	X		
	<b>Hamilton</b>	X		
	<b>Harmer-Strange</b>		X	
	<b>Hawkes</b>	X		
	<b>Hyde</b>		X	
	<b>Janio</b>		X	
	<b>Kemble</b>		X	
	<b>Kennedy</b>	X		
	<b>Kitcat</b>	X		
	<b>Lepper</b>	X		
	<b>Marsh</b>	X		
	<b>McCaffery</b>	X		
	<b>Meadows</b>	X		
	<b>Mears</b>		X	
	<b>Mitchell</b>	X		
	<b>Morgan</b>	X		
	<b>Norman, Ann</b>		X	
	<b>Norman, Ken</b>		X	
	<b>Older</b>		X	
	<b>Oxley</b>		X	
	<b>Peltzer Dunn</b>		X	
	<b>Phillips</b>	X		
	<b>Pidgeon</b>		X	
	<b>Randall</b>	X		
	<b>Rufus</b>	X		
	<b>Simpson</b>	X		
	<b>Simson</b>		X	
	<b>Smart</b>		X	
	<b>Smith</b>		X	
	<b>Steedman</b>	X		
	<b>Taylor</b>	X		
	<b>Theobald, Carol</b>		X	
	<b>Theobald, Geoffrey</b>		X	
	<b>Turton</b>	X		
	<b>Wakefield-Jarrett</b>	X		
	<b>Watkins</b>	X		
	<b>Wells</b>		X	

	<b>West</b>	x		
	<b>Wrighton</b>	x		
	<b>Young</b>		x	
	<b>Total</b>	<b>28</b>	<b>26</b>	

36.86 **The motion was carried.**

36.87 Councillor Simson moved that the remaining elements which made up the joint amendment for Theme 3 be taken on block rather than on an individual basis.

36.88 The Mayor put the proposal to council which was agreed.

36.89 The Mayor noted that a recorded vote had been requested and moved that the proposed amendments to the wording listed under 13 (first 13), 24a, 25b, 28, 32-33, 38a, 42a, 46-47, 51a, 57, 59b, 104 and 105 in the Joint Amendment for Theme 3, be agreed;

	<b>NAME</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
<b>Cllr</b>	<b>Alford</b>		x	
	<b>Allen</b>	x		
	<b>Barnett</b>		x	
	<b>Bennett</b>		x	
	<b>Brown</b>		x	
	<b>Carden</b>	x		
	<b>Caulfield</b>		x	
	<b>Cobb</b>		x	
	<b>Davey</b>	x		
	<b>Davis</b>	x		
	<b>Drake</b>		x	
	<b>Duncan</b>	x		
	<b>Elgood</b>	x		
	<b>Fallon-Khan</b>		x	
	<b>Fryer</b>	x		
	<b>Hamilton</b>	x		
	<b>Harmer-Strange</b>		x	
	<b>Hawkes</b>	x		
	<b>Hyde</b>		x	
	<b>Janio</b>		x	
	<b>Kemble</b>		x	
	<b>Kennedy</b>	x		
	<b>Kitcat</b>	x		
	<b>Lepper</b>	x		
	<b>Marsh</b>	x		
	<b>McCaffery</b>	x		
	<b>Meadows</b>	x		
	<b>Mears</b>		x	
	<b>Mitchell</b>	x		

	<b>Morgan</b>	x		
	<b>Norman, Ann</b>		x	
	<b>Norman, Ken</b>		x	
	<b>Older</b>		x	
	<b>Oxley</b>		x	
	<b>Peltzer Dunn</b>		x	
	<b>Phillips</b>	x		
	<b>Pidgeon</b>		x	
	<b>Randall</b>	x		
	<b>Rufus</b>	x		
	<b>Simpson</b>	x		
	<b>Simson</b>		x	
	<b>Smart</b>		x	
	<b>Smith</b>		x	
	<b>Steedman</b>	x		
	<b>Taylor</b>	x		
	<b>Theobald, Carol</b>		x	
	<b>Theobald, Geoffrey</b>		x	
	<b>Turton</b>	x		
	<b>Wakefield-Jarrett</b>	x		
	<b>Watkins</b>	x		
	<b>Wells</b>		x	
	<b>West</b>	x		
	<b>Wrighton</b>	x		
	<b>Young</b>		x	
	<b>Total</b>	<b>28</b>	<b>26</b>	

36.90 **The motion was carried.**

36.91 The Mayor then put the Labour Group's amendment under Theme 1 to the vote.

36.92 **The motion was carried.**

36.93 The Mayor then put the Labour Group's amendment under Theme 2 to the vote.

36.94 **The motion was lost.**

36.95 The Mayor then put the Labour Group's amendment under Theme 3 to the vote.

36.96 **The motion was lost.**

36.97 The Mayor then put the Green Group's two remaining elements which proposed amendments to Theme 3 to the vote.

36.98 **The motion was carried.**

36.99 The Mayor then put the substantive motion, that the Core Strategy and supporting documents as amended be approved and adopted for submission to the Secretary of



State, preceded by a 6-week publication stage, subject to any minor editorial changes agreed by the Cabinet Member for Environment in consultation with the Director of Environment.

36.100 **The motion was carried.**

**Note:** The full set of amendments to the Core Strategy as approved by the Council are appended to the minutes (appendix 1).

**37. NOTICES OF MOTION.**

37.1 The Mayor noted that with the agreement of council and following the requests of each of the proposers the four Notices of Motion listed on the agenda had been withdrawn.

37.2 The Mayor then closed the meeting.

The meeting concluded at 10.45pm

Signed

Chair

Dated this

day of



**WRITTEN QUESTIONS FROM COUNCILLORS****(a) Councillor Fryer**

“What measures did the council take to ensure that school closures were kept to a minimum during the cold weather and to address the impact this has on children and young people's education and their families?”

**Reply from Councillor Brown, Cabinet Member for Children & Young People**

**(b) Councillor Kitcat**

“Will Cllr G Theobald make clear to this meeting and colleagues in East Sussex County Council that this city has no wish to ship its waste to landraise sites in the East Sussex countryside?”

**Reply from Councillor G Theobald, Cabinet Member for Environment**

**(c) Councillor Kitcat**

“Does Councillor Theobald agree that recycling municipal waste is the cheapest way of handling waste for this council and that greater rates of recycling can play an important part in improving this council's financial situation in the face of the extremely low central government grant?”

**Reply from Councillor G Theobald, Cabinet Member for Environment**

**(d) Councillor Kitcat**

“Can Councillor Smith explain why he responded to a public question on the Brighton 'O' at our last council meeting by saying that this Council was 'dealing directly' with Brighton Sailing Club yet the club report no such talks are happening?”

**Reply from Councillor Smith, Cabinet Member for Culture, Recreation & Tourism**

**(e) Councillor Hamilton**

“On 18<sup>th</sup> January 2010 the Leader of the Council's current Forward Plan listed a key decision relating to Hangleton Bottom as being Key Decision CAB 5498:

“to seek agreement to the marketing approach and the future use of the site.”

This decision was marked "deferred" and had been marked as such on successive Forward Plans since it first appeared on the Forward Plan in October 2008. In the interest of openness and transparency will the Leader of the Council explain why a report went to the Central Services CMM on January 18th seeking agreement to the marketing approach and future use of the site without having been listed in advance on her publicly available Forward Plan?"

**Reply from Councillor Mears, Leader of the Council**

**(f) Councillor McCaffery**

"At a training event for school governors on Safeguarding Children in November, I asked who the Brighton and Hove Local Children's Safeguarding Board reports to. The officer did not know and has since informed me that despite asking she has not yet received an answer. We as Councillors are legally responsible for the children in our care, Would the Cabinet member for Children Families and Schools please inform this Council who the LCSB reports to?"

**Reply from Councillor Brown, Cabinet Member for Children & Young People**

**(g) Councillor Mitchell**

"In his departmental budget report for 2010/11, the Cabinet Member for Environment is proposing a £200,000 cut to the council's Supported Transport budget with effect from April 2010. Given that this would have entailed the formal three month prior notification of contract termination, could the Cabinet Member inform the council as to whether this notification has been served and which bus service contracts and routes will be affected?"

**Reply from Councillor G Theobald, Cabinet Member for Environment**

**(h) Councillor Caulfield**

"In the light of 1) her Scrutiny Committee's examination of the Administration's housing budget proposals last week and 2) comments in Gscene from the Leader of the Labour Group and her housing spokesperson that the LDV is not worth pursuing, could Cllr. Meadows, in her capacity as Chair of the Adult Social Care & Housing Overview & Scrutiny Committee, reassure council members that she, and the rest of the Labour Group, are fully committed to supporting tenants in ensuring that the LDV is successfully set up this spring?"

**Reply from Councillor Meadows, Chair of the Adult Social Care & Housing Overview & Scrutiny Committee**

**(i) Councillor Davey**

“Brighton & Hove Buses are justifiably an award winning service provider and the partnership with the city council is often cited as an example of best practice yet, concerns remain over aspects of the bus service in the city. These concerns include: high prices as recently highlighted by the Office of Fair Trading, a limited service to the outer areas of the city, congestion in the city centre and poor air quality. Could the Cabinet Member for Environment please tell us what he is doing to address these issues?”

**Reply from Councillor G Theobald, Cabinet Member for Environment**

**(j) Councillor Simson**

“As the Council’s representative on the Sussex Police Authority, could Cllr. Duncan please tell me how much it has cost to police the last two ‘Smash EDO’ demonstrations (in May 2009 and January 2010)?”

**Reply from Councillor Duncan, Council Representative to the Police Authority**

**(k) Councillor Bennett**

“Residents are asking me... Dyke Road is a gateway into Brighton and Hove and sets visitors first impressions of the City. Cars are being parked on the grass verges on the western side causing damage, even though the road is wide enough for cars to be parked correctly; these appear to be overspill cars from nearby parking schemes. How will the council rectify the situation?”

**Reply from Councillor G Theobald, Cabinet Member for Environment**

**(l) Councillor Bennett**

“The school parking sign outside Lancing Pre Prep has the wrong times for no parking. The school operates at different hours to those displayed; could I please have a date for when the council will amend the sign to the correct hours?”

**Reply from Councillor G Theobald, Cabinet Member for Environment**

**(m) Councillor Bennett**

“Will the council commit to work with City Park to ensure maximum use of the car parks to help reduce the problems on local roads by overspill parking?”

**Reply from Councillor G Theobald, Cabinet Member for Environment**



**Subject:** **Students in the Community: Overview & Scrutiny Report**

**Date of Meeting:** **28 January 2010**

**Report of:** **The Director of Strategy and Governance**

**Contact Officer:** Name: Tom Hook Tel: 29-1110  
E-mail: Tom.Hook@brighton-hove.gov.uk

**Wards Affected:** All

## **FOR GENERAL RELEASE**

### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The Council's Constitution (Part 6, Paragraph 15.4) requires reports from Overview & Scrutiny Ad Hoc Panels and Select Committees, together with the Executive response to these reports, to be submitted to full Council for information.
- 1.2 This report presents the Adult Social Care and Housing Overview & Scrutiny Committee (ASCHOSC) ad hoc panel report on "Students in the Community" (**Appendix 1**) and the Cabinet response (November 12 2009) to the ad hoc panel report (**Appendix 2**) along with an extract from the minutes of the relevant cabinet meeting (**Appendix 3**) and further information on the detailed implementation of the recommendations (**Appendix 4**).

### **2. RECOMMENDATIONS:**

- 2.1 That Members note the ASCHOSC ad hoc panel report on Students in the Community (**Appendix 1**) and the Cabinet response to this report (**Appendix 2**).

### **3. BACKGROUND INFORMATION**

- 3.1 In Autumn 2008, ASCHOSC members agreed to form an ad hoc panel to investigate issues relating to growing numbers of students in the city, and their interaction with settled communities, particularly in the central and eastern parts of Brighton.

- 3.2 The panel comprised Councillors Tony Janio, Anne Meadows and Georgia Wrighton, with Councillor Meadows elected as Chairman.
- 3.2 The panel held several evidence gathering meetings, interviewing council officers, officers from the city's two universities, student union representatives, representatives of landlord associations and a large number of local residents (including students living in the city).
- 3.3 The ad hoc panel report was endorsed by ASCHOSC at its 05 March 2009 meeting. The ad hoc panel report and its appendices is included as **Appendix 1** to this report.
- 3.4 The matter was initially considered by the Council's Cabinet at its 23 April 2009 meeting, where it was decided to refer the report on to the Strategic Housing Partnership (SHP) in order to inform the SHP's development of a student housing strategy.
- 3.5 The issue was considered again by Cabinet at its 12 November 2009 meeting. An extract of the relevant minutes is included as **Appendix 2** to this report.

#### **4. CONSULTATION**

- 4.1 No formal consultation has been undertaken in relation to this report.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### **Financial Implications:**

- 5.1 As this report is to note only there are no direct financial implications, however members should be aware of the implications outlined in the appended reports.

##### **Legal Implications:**

- 5.2 As indicated in paragraphs 1.1 and 2.1 above, and in accordance with the council's procedure rules on overview and scrutiny, this report is purely for Council to note. There are no further legal implications arising directly from the report.

Lawyer consulted: Oliver Dixon

Date: 08 January 2010

##### **Equalities Implications:**

- 5.3 None specific to this report for information. Please see the implications on the attached report to Cabinet.

##### **Sustainability Implications:**

- 5.4 None specific to this report for information. Please see the implications on the attached report to Cabinet.



**Crime & Disorder Implications:**  
5.5 None specific to this report for information. Please see the implications on the attached report to Cabinet.

**Risk and Opportunity Management Implications:**  
5.6 None specific to this report for information. Please see the implications on the attached report to Cabinet.

**Corporate / Citywide Implications:**  
5.7 None specific to this report for information. Please see the implications on the attached report to Cabinet.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Report of the ASCHOSC ad hoc panel on “Students in the Community”
2. The Executive Response
3. Extract from the minutes of 12 November 2009 Cabinet
4. Additional information supplied on the implementation of the recommendations

### **Documents in Members’ Rooms:**

None

### **Background Documents:**

The Council’s Constitution



# **Adult Social Care and Housing Overview and Scrutiny Committee**

## **Investigative Panel**

### **Scrutiny Report - Students in the Community**

**February 2009**

#### **Overview & Scrutiny**

**Brighton & Hove City Council**

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## **Chairman's Introduction**

It is recognised in Brighton and Hove that the student population is making a positive contribution to the city's economy and diversity. However, we need to find a balance between the energy, vibrancy and economic value that students bring to our city with the genuine concerns of local residents, to maintain a positive sense of community for everyone who lives here.

As a city, we need to take steps to manage and reduce any adverse impacts on particular areas. This can only be achieved by the local authority working together with the universities, colleges, local residents, students and other partners.

This investigation and report have been borne out of the desire to recognise and balance the lifestyles of all of Brighton & Hove's residents, whether they are living in the city for the short term or have settled here more permanently

We should all strive to achieve a more equitable residential mix of housing to ensure that our city's community spirit is maintained. I hope that the recommendations made in this report will contribute to achieving this ambition.

On behalf of all three of the panel members, I would like to thank everyone who took the time to contact the panel with their views and comments and all of those people who attended our meetings; your input was greatly appreciated

Anne Meadows, Chairman Adult Social Care and Housing Overview and Scrutiny

Committee Ad Hoc Panel

February 2009

## **Executive Summary**

1. The Scrutiny Review on Students in the Community was instigated by members of the Adult Social Care and Housing Overview and Scrutiny Committee at Brighton & Hove City Council in autumn 2008.
2. The initiative for the work came following the Committee's consideration of Brighton and Hove City Council's draft Housing Strategy. The draft strategy had been formulated with extensive reference to issues relating to student housing, but following discussions with the Directorate, the Adult Social Care and Housing Overview and Scrutiny Committee members felt that there was an opportunity for a more focused piece of work on the issues relating to the effect of students living in Brighton and Hove.
3. The scrutiny panel was established, consisting of three members of the Committee, Councillors Anne Meadows, Georgia Wrighton and Tony Janio. Councillor Meadows was Chairman of the panel.
4. The panel recognised at the scoping stage that there was the potential for a very large piece of work; they were conscious that their work had to be focussed on the effect of student accommodation on other residents.
5. Panel members felt that hearing from members of the public was vital to establish an understanding of the effect of students living in the city; they sought public comments in a variety of ways, including inviting people to speak to the panel or send in letters or emails. A total of 42 letters and emails were received, as well as a representation on behalf of 87 Elm Grove residents. In addition, 12 city residents including students spoke to the panel at the public meeting.
6. The panel heard that residents' frustrations could be broken down into a number of broad categories:
  - noise complaints from within student houses or from halls of residence
  - noise complaints in the street, particularly late at night when students were returning home or due to non smoking legislation within buildings
  - refuse and recycling was being left out on the wrong collection days
  - refuse, especially bulky waste, was being left on the pavement or in front gardens for extended periods of time, causing an inconvenience
  - student households having multiple cars per house, and using a lot of on-road parking spaces
  - residents did not know who to contact when they had a problem with a student household, or what action they were able to take
  - student landlords did not maintain the properties adequately, leading to a run-down appearance in the neighbourhood and a poor standard of accommodation
  - that there were no restrictions on the number of student households in an area,
  - some areas were becoming saturated with student households, affecting the balance of the community and the infrastructure.
  - There were problems associated with accommodation in both halls of residence and in private sector housing.
7. Residents were also keen to make the point that the problems that they had

experienced were often limited to a minority of students and that they were aware that the majority of students lived in the city without causing any disturbance to other residents.

- 8.** In addition, the students who attended the panel raised further issues:
  - There was a wide spread tendency to view all problems associated with young people as being student related but this was not always the case
  - There should be an accreditation system for student landlords, to ensure that all accommodation was of an acceptable standard
  - The council, universities and students' unions should work together on campaigns that targeted students
  - Students brought a lot of positive benefits to the city, and carried out volunteering work which benefited the city. They should be encouraged to play an active role in the community
  - The Students Unions could encourage students to use public transport rather than private cars
- 9.** The panel recognised that residents might not differentiate between a student and a non-student occupied House of Multiple Occupation, tending to assume that the property was tenanted by students if it was tenanted by young people. Nevertheless, it was still beneficial to consider the impact of students on residents and neighbourhoods, as there was felt to be a correlation between student households and residents' concerns.
- 10.** The focus was on the two large universities in the city, the University of Sussex and University of Brighton as the majority of students living in the city attend one of these two institutions. However this should not be taken to mean that the panel's discussions and recommendations exclude other establishments such as City College and Brighton Institute of Modern Music, amongst others, as both of these have their own students living in private rented accommodation and will invariably have their own student effect issues.
- 11.** Following the first public meeting, the panel held three evidence gathering public meetings over November and December 2008, inviting a number of expert witnesses to speak to them, including officers of the City Council, Brighton and Sussex Universities, the police and city landlords, in order to understand the various issues that they had heard about from residents, and suggest recommendations to remedy areas where there may be problems.
- 12.** At the end of the evidence gathering process, the panel met again to discuss the evidence that they had heard and to compile their recommendations. The panel have made a total of 37 recommendations which they hope will help to address the negative effects that residents reported.
- 13.** The recommendations are aimed at a variety of audiences, including Cabinet Members within Brighton and Hove City Council and to the universities themselves.
- 14.** The panel's work is intended to complement other research going on across the city through the Strategic Housing Partnership but it does not duplicate that work. It is hoped that this report and recommendations will be included in the ongoing work that is developed through the Partnership, helping them to formulate future policy documents.



## **Summary of Recommendations**

### **Noise Nuisance**

Recommendation 1 - The panel recommends that the Cabinet Member for Environment extends the council-run Noise Patrol to operate over more nights of the week, probably Wednesday and Thursday, and to extend the existing weekend operating hours, (page 28)

Recommendation 2 - The panel recommends that there should be increased publicity to advise residents that they can report a noise nuisance problem retrospectively; this could be included in City News, on the council's website and perhaps in leaflets in public offices.(page 29)

Recommendation 3 - The panel recommends that the Out of Hours emergency noise patrol service should be properly resourced and properly publicised, (page 29)

Recommendation 4 - the panel recommends that the Cabinet Member for Environment resources a 24 hour telephone line for the public to report non-emergency noise and anti-social behaviour, (page 29)

Recommendation 5 - the panel recommends that the Environmental Health and Licensing Team reviews its noise nuisance procedures in order to assess whether the noise nuisance diary sheets are always the most effective and user-friendly way of addressing noise complaints, (page 29)

Recommendation 6 - the panel would like to see the SShh campaign developed by Students' Unions and publicised widely in conjunction with community association representatives and ward councillors. This should be an ongoing annual campaign due to the turnover of students. (page 30)

Recommendation 7 - the panel recommends that the universities, the Police and the Student Union work together to find ways to jointly address the issue of street noise nuisance in residential areas, caused by groups of students returning from nights out. (page 30)

Recommendation 8 - the panel recommends that the University of Brighton considers whether there is a more suitable outside space that might be used, and that measures are put in place to address noise from smokers and other students gathering on the Podium at the Southover Street Phoenix Halls, (page 30)

Recommendation 9 - The panel would recommend that the University of Brighton considers introducing a policy asking students on the Phoenix Halls site to close their windows before playing music at night, in order to minimize noise nuisance for neighbours. The panel would also ask that clearer, more visible signage is installed across the Phoenix Halls site asking that noise is kept to a minimum after 11pm. (page 30)

Recommendation 10 - the panel would like to suggest that the University of Brighton considers the staffing resources that might be needed to provide an effective way of managing and minimising the noise nuisance and how its premises in residential areas are controlled, (page 31)

Recommendation 11 - the panel recommends that the University of Brighton considers planting trees and bushes on the Phoenix Halls site, in order to assess whether this would help to mask any noise. The panel would like to suggest that the university talks to local residents about their experiences after a trial period, (page 31).

Recommendation 12 - the panel would like to ask that the universities and developers have regard to possible noise impact on neighbours and the particular architectural nature of the area in which they will be built when they are being designed, especially in relation to the provision of smoking areas for residents. The panel also recommends that this suggestion is formalized in any relevant planning documents relating to student accommodation, (page 31)

### **Community Liaison Staff**

Recommendation 13 - the panel recommends that the University of Sussex considers following the good practice established by the University of Brighton and establishes a role of a dedicated Community Liaison Officer for the University of Sussex. The two officers could work together to address shared student problems across Brighton and Hove, (page 32)

### **Refuse & Recycling**

Recommendation 14 - the panel recommends that CityClean issues wheeled bin stickers giving information about collection days so that all households know when to put their refuse out. It is recommended that this would be an alternative to the magnets that are currently issued, (page 33)

Recommendation 15 - the panel recommends that for those areas of the city that do not currently have council-issued wheeled bins, CityClean should erect additional notices on lamp-posts advising residents of their collection day. (page 34)

Recommendation 16 - the panel recommends that CityClean places the information stickers for their recycling boxes in order that they can be stuck to the box rather than on the lid, as the lids tend to blow away, (page 34)

Recommendation 17 - the panel recommends that CityClean advertises information about changes in collection dates for refuse and recycling in both of the universities' newspapers and on the universities' websites, in addition to the usual council publication locations. (page 35)

Recommendation 18 - the panel recommends that the Cabinet Member for Environment considers the issue of how to tackle the problem of bulky waste being fly tipped by student households, both throughout term-time and at the end of term. The panel recommends that the Cabinet Member gives the suggestions made in the body of the report due consideration, (page 36)

Recommendation 19- the panel suggests that the universities organise termly clean up days in conjunction with their student unions, (page 36)

## **Car Parking**

Recommendation 20 - the panel recommend that the universities include information in their prospectuses and accommodation guides about the range of public transport and Car Clubs in the city and that they explicitly recommend that students do not bring cars with them, (page 37)

Recommendation 21- Students should be treated on the same basis as non-students when it comes to the issue of residents' parking permits, (page 37)

## **Council Tax**

Recommendation 22 - the panel would encourage Council Tax officers to continue to liaise regularly with the universities in order to establish current and future student numbers, (page 38)

Recommendation 23 - the panel recommends that the Council Tax service considers the four suggestions made in the body of the report about how to improve levels of registered student household exemptions, (page 39)

## **Planning Policies**

Recommendation 24 - the panel recommend that the existing Planning Strategy team carries out research into the various planning options available to control the level of student housing, and to consider whether there would be any merit in introducing such controls into Brighton & Hove where this was appropriate for the area. If planning controls were introduced, this would help to ensure balanced and mixed communities across the city.

The Planning Strategy Team should also consider the feasibility of adopting a planning condition regarding the need for universities who have planning permission to expand their educational space to provide a commensurate increase in bed spaces.

The findings should be published as a Supplementary Planning Document, (page 41)

Recommendation 25 - the panel recommends that the Cabinet Member for Environment lobbies central Government on behalf of Brighton & Hove City Council with regard to the planning Use Classes Order and the associated permitted development rights, (page 41)

Recommendation 26 - the panel recommends that the Cabinet Member for Housing lobbies central Government on behalf of Brighton & Hove City Council to request that student housing is given its own targets with regards to providing accommodation, (page 41)

Recommendation 27 - the panel recommends that the Planning Strategy team recognises the need for student accommodation to be planned and that the team considers positively identifying land suitable for halls of residence in the Local Development Framework. The team could consider the scope for including small numbers of units of student housing amongst major new- build developments (page 42)

## **Provision of Halls of Residence**

Recommendation 28 - the panel would suggest that the universities, working with the students' union consider the potential for offering alternative, affordable accommodation in halls of residence for students with low incomes, (page 43)

Recommendation 29 - the panel would suggest that the universities consider whether there is scope to expand the offer of rooms in halls of residence, not only to first year students but also to those second and third years who would like to live there, (page 43)

Recommendation 30 - the panel would suggest to the universities that they explore the possibilities of expanding their portfolio of directly managed properties over the long term, in order to increase the range of options available to student tenants, (page 44)

## **Student Landlord Issues**

Recommendation 31 - the panel recommends that the Private Sector Housing Team discuss the potential benefits of extending the landlord accreditation scheme in relation to student accommodation, which does not fit into the existing Houses of Multiple Occupation accreditation scheme, with representatives from Brighton and Hove's landlord associations and other parties, (page 46)

## **Empty Properties**

Recommendation 32 - the panel recommends that the Empty Properties Team works proactively with student landlords and managing agents to ensure that student properties that are unoccupied can be reused for social housing, (page 46)

## **Partnership Working and Communications**

Recommendation 33 - the panel recommends that a Student Working Group is formed, comprising of both of the universities and local colleges, the council, police, residents representing Residents' Associations, the students' unions, ward councillors, representatives for landlords and community liaison staff or staff from the accommodation teams. This would facilitate ongoing and improved communication and liaison between the partners.

The Group should consider the operational issues caused by the impact of students living in the city and discuss ways of addressing possible solutions where necessary. The Group should also coordinate a shared database of sanctions that the partners already have. (page 48)

Recommendation 34 - the panel recommends the immediate benefits of a shared information pack for all partners in the city to issue to students and that the Student Working Group could implement this as one of their first actions, (page 49)

Recommendation 35 - the panel recommends that the Student Working Group considers the benefits of carrying out a 'Neighbourhood Health Impact Assessment' or a cumulative

impact zone in student neighbourhoods, (page 49)

### **Positive Impact of Students to Local Community**

Recommendation 36 - the panel would recommend that the universities continue to encourage students to take part in volunteering opportunities in the residential areas in the city where there is a significant student population in order to foster improved community relations. The ward councillors and community association should become involved in helping to prioritise tasks, (page 50)

Recommendation 37 - the panel would encourage students, via their Students' Unions, to attend their Local Action Team meetings and to play an active part in the community. (p50)

## **Part A - Introduction**

### **1-The Scrutiny Review**

- 1.1** The Scrutiny Review on Students in the Community was instigated by members of the Adult Social Care and Housing Overview and Scrutiny Committee in Autumn 2008, as part of Brighton and Hove City Council's Overview and Scrutiny programme.

Brighton and Hove City Council's draft Housing Strategy had been formulated with extensive reference to issues relating to student housing, but the Adult Social Care and Housing Overview and Scrutiny Committee members felt that there was an opportunity for a more focused piece of work on the issues relating to the effect of students living in the local community.

The scrutiny panel was proposed, with its remit to seek to take evidence from local residents including students and from a variety of expert sources, including officers of the City Council, Brighton and Sussex Universities, the police and city landlords, in order to understand the various issues and suggest recommendations to remedy areas where there may be problems. Please see Appendix 2 for copies of the letters and emails and Appendix 4 for a list of witnesses.

- 1.2** The Adult Social Care and Housing Overview and Scrutiny Committee agreed to form the proposed ad-hoc investigative panel to investigate this issue at its 4 September 2008 meeting.

[http://present.brighton-hove.gov.uk/Published/C00000139/M00001586/\\$\\$\\$Minutes.doc.pdf](http://present.brighton-hove.gov.uk/Published/C00000139/M00001586/$$$Minutes.doc.pdf)

- 1.3** Councillors Anne Meadows, Georgia Wrighton and Tony Janio agreed to become panel members. The panel members subsequently elected Councillor Meadows as Chairman of the panel.
- 1.4** The panel held one public meeting for residents and students to share their experiences with the panel, and three public meetings for evidence gathering, at which invited witnesses spoke to the panel, responding to questions about students in the local community.
- 1.5** The public meeting was very well attended. Many city residents took the opportunity to share their views about living alongside student households; students from both universities also spoke about their experiences of living in Brighton and Hove. In addition to the public comments, the panel received a number of written submissions from residents on this topic.
- 1.6** The witnesses at the three evidence gathering meetings included experts on student impact both nationally and locally; representatives for the Strategic Housing Partnership; representatives from Neighbourhood Police; officers of Brighton & Hove City Council (including managers from Private Sector Housing and Housing Strategy, Neighbourhood Renewal, Development Control, Planning Strategy, CityClean,

Environmental Health and Licensing, Council Tax and Strategic Finance); local letting agents; a representative on behalf of the National Federation of Private Landlords; senior officers from both the University of Sussex and Brighton University, and members of staff from both universities.

The panel would like to place on record its thanks to all of the people who took the time and effort to write in to them or gave evidence in person, to the expert witnesses for their invaluable contribution, and to all of the participants for the positive and helpful way in which they discussed the matter with the panel.

## **2 - Scope of the Review Panel**

- 2.1** The panel members met prior to the first public meeting in order to agree the scope of the review.
- 2.2** The members agreed that their focus would be to consider how best to investigate the effect of student accommodation in residential areas, whilst recognising the long and short term positive effects of the universities and colleges and their student population for Brighton and Hove. It was important to set the effects in a context of the advantages of having the universities and colleges and their students in the city.

The panel was aware that there were already high-level strategic partnerships in place between Brighton & Hove City Council, both of the city's universities and other housing partners through the work of the Strategic Housing Partnership, one of the family of partners in the Local Strategic Partnership.

The ad hoc panel's work was not intended to duplicate the Strategic Housing Partnership's work but rather to assist its work by considering operational and practical solutions to the effect of student accommodation.

- 2.3** The panel recognised from the outset that a significant proportion of the negative impacts that they were investigating were not limited to student households, but that they were often indicative of Houses of Multiple Occupation.

Brighton has one of the highest proportions of privately rented homes in England outside London, although not all of these will be Houses of Multiple Occupation. Nationally 48 per cent of heads of household in the private rented sector are under 35, compared to 20 per cent in social renting and 13 per cent in owner occupation (<http://www.communities.gov.uk/housing/housingresearch/housinasurvevs/survevofenali/shhousina/sehlivetables/survevenalish/224421/>)

The panel also recognised that residents might not differentiate between a student and a non-student occupied House of Multiple Occupation, tending to assume that the property was tenanted by students if it is tenanted by young people. Nevertheless, it was still beneficial to consider the impact of students on residents and neighbourhoods, as there was felt to be a correlation between student households and higher reports of residents' concerns.

- 2.4** The panel members had an initial range of ideas of the witnesses that they wished to invite to speak, but they felt that it was essential for residents to be able to have their input into the review at an early stage, so that members could attempt to identify and

understand the various issues involved from the outset. With this in mind, the first meeting was publicised as being open to anybody who wished to speak to the panel; written submissions were also actively encouraged, through press releases in the local newspaper, *The Argus*, and on the council's website, [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk).

- 2.5 There was evidence from the content of some residents' contact with ward councillors suggesting that student housing - and in particular what was felt to be an overwhelming level of student accommodation in some areas- was causing a significant level of resentment and unhappiness that it was hoped could be avoided or reduced.
- 2.6 Following the public meeting and the written submissions, the panel finalised their list of invited witnesses, arranging for the relevant people to be able to respond to the points that had been raised by residents.
- 2.7 During the investigative panel, the focus was on the two large universities in the city, the University of Sussex and University of Brighton as the majority of students living in the city attend one of these two institutions. However this should not be taken to mean that the panel's discussions and recommendations exclude other establishments such as City College and Brighton Institute of Modern Music, amongst others, as both of these have their own students living in private rented accommodation and will invariably have their own student impact issues.
- 2.8 Due to the time-limited nature of an ad hoc panel (with constitutional guidance that the work should be conducted within three meetings or less) the panel took an early decision to focus on areas of residents' complaints and concern, particularly within the accommodation arena, as this was felt to be the focus of residents' dissatisfaction. As a related issue, the panel also wished to cover associated aspects of student impact, such as the effect on Council Tax due to student-only households, as this has an effect on the city as a whole.
- 2.9 Again, due to the time restrictions of an ad hoc panel, at the scoping stage the members also took the conscious decision not to actively investigate the many positive aspects that students living in Brighton and Hove brought to the city, although several members of the public and a number of the invited witnesses did make specific reference to this. In particular, the panel decided that it would not be practical to include the economic effect of students on the city in its scope.
- 2.10 The final report will be considered by the Adult Social Care and Housing Overview and Scrutiny Committee, the parent committee of this panel. The report will then go to Cabinet Members for a formal decision on the recommendations that have been made.

### **3 - Number and Areas of Student Households**

- 3.1 There are two universities in Brighton & Hove, the University of Sussex and University of Brighton, as well as a number of other smaller colleges including City College and the Brighton Institute of Modern Music.
- 3.2 Mapping from 2002-2007 showed the greatest concentration of student households in the 'traditional' student areas of Hanover, Hartington Road and Moulescoomb but the situation had been fluid. Recent years have seen significant numbers of students residing near London Road Station and in Regency Ward, with future movements into



Hollingdean anticipated.

**3.3** Joanna Sage, a research student from the University of Brighton has provided the panel with a breakdown of student households from both of the universities in Brighton and Hove, by ward for the 2006/07 intake.

Table One shows students living in the private rented sector or their own homes (but not those living in the parental home). Table Two shows students living in halls of residence, for example, those living in Phoenix Halls in Southover Street.

**Table One:**

Ward	Students in Private Rented Sector or Own Home
Withdean	189
North Portslade	54
Hangleton and Knoll	92
Stanford	75
Moulsecoomb and Bevendean	1715
Hollingbury and Stanmer	711
Rottingdean Coastal	184
Woodingdean	63
Wish	103
Goldsmid	347
St. Peter's and North Laine	1650
South Portslade	81
Preston Park	568
Patcham	85
Hanover and Elm Grove	1497
East Brighton	253
Brunswick and Adelaide	429
Westbourne	154
Central Hove	210
Regency	569
Queen's Park	697
<b>TOTAL</b>	<b>9726</b>

Source: University of Brighton and University of Sussex enrolment: data

Coverage: 2006-07 intake, Brighton & Hove City

Description This data refers to undergraduate students living in the Private Rented Sector, or in their own home - this does not refer to the parental home, but a home owned by the student or their family, but lived in solely by the student. This data does not include the postgraduate population.

**Table Two:**

Ward	Number of Students Living in Halls/ University Managed Accommodation
Withdean	13
North Portslade	0
Hangleton and Knoll	3
Stanford	0
Moulsecoomb and Bevendean	419
Hollingbury and Stanmer	3334
Rottingdean Coastal	4
Woodingdean	0
Wish	0
Goldsmid	29
St. Peter's and North Laine	117
South Portslade	1
Preston Park	43
Patcham	1
Hanover and Elm Grove	161
East Brighton	6
Brunswick and Adelaide	179
Westbourne	3
Central Hove	3
Regency	230
Queen's Park	56
TOTAL	4602

Source: University of Brighton and University of Sussex enrolment data

Coverage: 2006-07 intake, Brighton & Hove City

Description: This data refers to the undergraduate student population living in halls of residence or University managed accommodation, and does not include the postgraduate population. This data has been mapped according to student term time postcode data provided by the student at the point of enrolment. Students living outside of the Brighton & Hove City boundary are not included in this data set.

**3.4** It can be seen from both of these tables that there are some areas of Brighton & Hove that are more sought after and populated by students as areas to live, in particular, the four Brighton wards of Moulsecoomb and Bevendean, Hollingbury and Stanmer, Hanover and Elm Grove, and St Peters and North Laine, each of which had in excess of 1500 students in the ward.

At the opposite end of the scale, there were a number of wards within Brighton & Hove that had a very low student population. Six wards - North Portslade, Hangleton and Knoll, Stanford, Woodingdean, South Portslade and Patcham - each had fewer than one hundred students living in the ward. It can be seen from the numbers above that

students are more likely to live in Brighton rather than Hove.

- 3.5** This pattern of a concentrated number of student households in certain areas of the city is not unique to Brighton and Hove. It is a situation that has been occurring nationally in university towns and cities. It has been termed 'studentification', a term coined by Dr Darren Smith of the University of Brighton.

'Studentification' can indicate the social and environmental changes caused by very large numbers of students living in particular areas of a town or city (Macmillan English Dictionary - <http://www.macmillandictionary.com/New-Words/040124-studentification.htm>)

However the term 'studentification' has taken on negative connotations in the media - page 11 <http://resource.nusonline.co.uk/media/resource/community%20report1.pdf> and the National Union of Students Welfare Campaign looking into the issue of student housing suggested that the term 'students in the community' was used as an alternative; we have endeavoured to use 'students in the community' in this report.

## **Part B - Evidence Gathering**

### **1 -Public Engagement**

- 1.1 Panel members considered it essential for residents to have the opportunity to describe how their lives were affected by students living in their neighbourhoods at the start of the process so that the investigation could be resident-led.
- 1.2 An article was published in the Argus on 4 October 2008 and on Brighton & Hove City Council's website at the same time inviting people to either write in with their comments or to attend the public meeting at Hove Town Hall on 17 October 2008. Subsequently, stories were published in the Argus on 21 October, 27 October, 29 October, 30 October, 31 October, 10 November and 24 November 2008. It was the topic of an on-line 'Friday Inquisition' on the Argus's website on 31 October 2008, where members of the public emailed in their questions about student housing and Councillor Meadows and representatives from both universities publically responded to the questions.  
[http://www.theargus.co.uk/search/3808497.Councillor Anne Meadows and Brighton universities Student Unions /](http://www.theargus.co.uk/search/3808497.Councillor+Anne+Meadows+and+Brighton+universities+Student+Unions/)
- Please see Appendix 1 for the press release and Appendix 5 for copies of the text of the above articles.
- 1.3 The panel ensured that both Sussex and Brighton's students' unions were aware of the public meeting. The student union presidents and students from both universities were encouraged to attend and did attend the meeting.
- 1.4 The panel received 42 individual letters and emails from residents, and a representation from David Lepper MP on behalf of 87 residents from the Elm Grove area of Brighton. Please see Appendix 2 for copies of the text of the letters, emails and representations.
- 1.5 Members heard detailed submissions and statements from twelve residents including students at the public meeting on 17 October 2008 in Hove Town Hall. The local media attended, as they did for the evidence gathering meetings, and stories and letters were published in the Argus after the meetings.
- 1.6 Members would like to formally thank everybody who took the trouble to contact them or to come to the public meeting. Members were particularly pleased to hear from students from both universities, including the presidents of both Students' Unions.

### **Residents' Comments**

- 1.7 As mentioned in Section 2a, there are four areas of Brighton and Hove which have a much higher student population than others. It was anticipated that the majority of resident comments would therefore come from residents living in those four wards - Moulscroomb and Bevendean, Hollingbury and Stanmer, Hanover and Elm Grove, and St Peters and North Laine. This proved to be the case.
- 1.8 Residents expressed a wide variety of views, both positive and negative, about the impact of student households in their neighbourhoods and in the city generally.

Residents were, in general, keen not to lay the blame for problems with students as a whole, recognising that the majority of student households did not cause trouble.

Residents felt that it was the problems that had been experienced were largely due to a combination of factors, including a lack of information being given to student households on a variety of issues such as refuse collection days, a lack of planning legislation specifically on student housing.

**1.9** The more negative comments that the panel received from the letters, emails and the public meeting are summarised in the list below.

- noise complaints from within student houses or from halls of residence
- noise complaints in the street, particularly late at night when students were returning home or due to non smoking legislation within buildings
- refuse and recycling was being left out on the wrong collection days
- refuse, especially bulky waste, was being left on the pavement or in front gardens for extended periods of time, causing an inconvenience
- student households having multiple cars per house, and using a lot of on-road parking spaces
- residents did not know who to contact when they had a problem with a student household, or what action they were able to take
- student landlords did not maintain the properties adequately, leading to a run-down appearance in the neighbourhood and a poor standard of accommodation
- that there were no restrictions on the number of student households in an area,
- some areas were becoming saturated with student households, affecting the balance of the community and the infrastructure.

It is important to note that there were problems associated with accommodation in both halls of residence and in private sector housing.

**1.10** In addition, the students who attended the panel - who are also residents in the city - raised further issues:

- There was a wide spread tendency to view all problems associated with young people as being student related but this was not always the case
- There should be an accreditation system for student landlords, to ensure that all accommodation was of an acceptable standard
- The council, universities and students' unions should work together on campaigns that targeted students
- Students brought a lot of positive benefits to the city, and carried out volunteering work which benefited the city. They should be encouraged to play an active role in the community
- The Students Unions could encourage students to use public transport rather than private cars

More information is given on each of these points in the relevant chapters of this report.

## **2 -Evidence Gathering Meetings**

**2.1** Following the public meeting on 17 October 2008, the panel held three expert witness meetings in public, where invited witnesses came to speak to the panel about their thoughts on the impact of students living in Brighton and Hove. These were on 7

November 2008, 21 November 2008 and 5 December 2008. Residents and students attended each of the meetings.

The panel decided to divide the meeting location between Hove Town Hall and Brighton Town Hall in order to allow for greater accessibility for members of the public.

Full copies of the minutes for each of the four public meetings can be found in Appendix 3.

## **2.2 7 November 2008 in Hove Town Hall**

**2.2(i) Dr Smith, Reader in Geography, and Ms Sage, University of Brighton** told the panel that they had studied the effect of increasing student numbers on several cities across the UK; they had mapped student households in Brighton and Hove. There was fluidity in the student housing market, with different areas of the city having higher concentrations and others lower numbers. The panel heard that Dr Smith and Ms Sage anticipated that there would be more student movement into Hollingdean in the near future.

The panel heard that Dr Smith and Ms Sage did not think it likely that de-studentification (where the overall numbers of students fall significantly) would occur in the city as it was an attractive destination for students. Both universities anticipated their attendance figures rising or staying stable until at least 2015.

Dr Smith and Ms Sage's research had shown that, in cities where de-studentification had occurred in some areas, this did not mean that the properties reverted to use as family housing; instead they were used for young professional tenants.

**2.2 (ii) Mr Mannall, Community Liaison Officer, University of Brighton** spoke about his role at the University of Brighton. He liaised with different agencies across the city on behalf of the University, as well as investigating and resolving individual complaints. Mr Mannall said that agencies welcomed there being a liaison officer.

Mr Mannall thought that it might be useful for there to be a shared information/ induction pack for all of the educational institutions to use, as well as the landlords, letting agents, the local authority and other partners. University of Brighton students were currently made aware of the standard of behaviour that was expected through compulsory inductions; the Student's Union was very involved in this process.

**2.2(iii) Mr Newell, Community 2020 Partnership Officer, Brighton and Hove City Council** spoke on behalf of the Strategic Housing Partnership, who were carrying out their own investigation into student impact on the city from both a positive and a negative stance. The Strategic Housing Partnership was focused on high-level strategic planning, coordinating discussions between various partners.

**2.2(iv) Mr Reid, Head of Housing Strategy and Private Sector Housing, Brighton and Hove City Council** told the panel about the legislation relating to Houses of Multiple Occupation from a private sector housing viewpoint. Legislation was fairly restrictive, both with regards to the way in which it defined a House of Multiple Occupation - a property of more than two storeys and/ or housing more than five people not living together as a single household - but also in terms of the powers given to local authorities. These powers tended to focus on ensuring a certain standard of

accommodation rather than managing any effect on the local community. Mr Reid said that most city landlords already provided good quality accommodation; any problems could be addressed through close working together between the universities and the local authority.

**2.2(v) Mr Allen, Director, ebndc ( East Brighton and New Deal for Communities) Partnership and Head of Neighbourhood Renewal Development and Strategy, Brighton and Hove City Council** spoke about the positive contributions made by students to Brighton and Hove. Both of the universities were heavily involved in community and voluntary work in the city.

### **2.3 21 November 2008 in Brighton Town Hall**

**2.3(i) Sergeant Belfield, Street Policing Team** explained that his team covered Hanover, St Peters and the North Laine areas. These were areas with high numbers of student residents, in both private rented accommodation and in halls of residence. Sergeant Belfield said that in his experience, students did not tend to cause difficulties in the city centre, but that the Street Policing Team would be tend to be called for noise complaints from students returning home or from noisy house parties. The police had powers to become involved in closing down noisy parties; tackling parking obstructions and double parking offences and so on.

Sergeant Belfield felt that students were often unaware that they were causing noise problems; it was important to raise students' awareness, perhaps by students attending residents' meetings to gauge the scale of the upset caused.

**2.3(ii) Mr Nichols, Head of Environmental Health and Licensing, Brighton and Hove City Council** explained that his officers had a statutory duty to investigate all noise complaints received. The largest proportion of environmental health complaints were about noise nuisance, with over 3200 complaints received in 2007/8. It was not possible to calculate what percentage of the complaints received were about student households as this information was not collected.

The panel heard that a variety of penalties could be imposed, with equipment seizure being the most stringent. In 2007/8 149 noise abatement notices had been issued, with 16 prosecutions and two audio equipment seizures. Noise nuisance complaints had escalated by approximately 10% last year and 7% the year before. So far in 2008/9, there had been six equipment seizures [This had now increased to eight equipment seizures by February 2009]. It was hard to quantify why complaints had escalated, but it could be due to a combination of factors including better audio equipment, smoking legislation leading to more people being outdoors, and the removal of artificially early fixed licensing hours. Mr Nichols listed the various ways that the team could investigate noise complaints; it was not limited to calling out the noise patrol.

Mr Nichols said that he felt that addressing the problem of street noise was a gap in protection for residents. The recent Noise Act had introduced the power to issue fixed penalty notices of £100 fine or £1000 on prosecution which assisted in remedying sporadic, occasional loud parties. The council had issued 67 warning notices in 2007/08 and 71 warning notices between April 2008 and 22 January 2009.

The Environmental Protection team carried out customer satisfaction surveys, which had shown a generally high level of customer satisfaction with the service. The most

common comment from residents was that the hours of the service should be extended or operated on other days of the week.

**2.3(iii) Mr Fraser, Head of Planning Strategy, Brighton and Hove City Council** told the panel that the current Local Plan had been based on information from 2001 at which time student housing had not been an issue for the city; therefore student housing had not featured within it. Central government gave local authorities various housing targets, but that there was no government target for student housing. He would be wary of allocating land for student-specific accommodation in the city centre, due to the competing demands for any such land.

Mr Fraser did not feel that planning controls were the way to tackle problems caused by student accommodation; instead, it would be more beneficial to work with the universities and housing colleagues to find ways of providing more adequate student accommodation near the universities. The Planning Strategy Team was actively working with both universities to address possible solutions to the student housing problem.

**2.3(iv) Ms Walsh, Head of Development Control, Brighton and Hove City Council**, outlined the role of the Development Control Team in making recommendations on planning applications, and in investigating breaches of planning control. Ms Walsh clarified the legislation on Houses of Multiple Occupation from a planning control perspective, which differed from the private sector housing viewpoint.

**2.3(v) Ms Marston, Head of CityClean, and Mr Marmura, Operations Manager, Brighton and Hove City Council**, explained CityClean's policies with regard to student households. Households of five or more people could request a larger wheeled bin from CityClean. There was no limit (within reason) to the number of recycling boxes that a household could have. Problems such as leaving refuse or recycling out on the incorrect day were not a student-specific problem but a city-wide issue; CityClean would be happy to consider other communication campaigns to help address this. CityClean worked with the universities on a communication campaign. It was felt that more could be done with landlords to keep information flowing to student households. CityClean would welcome telephone calls from residents advising them of any households that might be causing problems.

## **2.4 5 December 2008 in Brighton Town Hall**

**2.4 (i) Mr Ireland, Head of Strategic Finance, and Ms Pearce, Assistant Director, Customer Services, Brighton and Hove City Council**, spoke about the effect of student households on Council Tax, both in terms of households being exempt and in terms of the unnecessary costs incurred by the local authority in billing households who had not claimed exemption. This was particularly costly for those cases where the council had issued court proceedings before the household notified of their exemption status. The Council Tax Team already worked closely with the universities to try and encourage students to register for exemptions as early as possible, but it was always possible to improve the situation and raise students' awareness.

**2.4(ii) Mr Pearce, MTM Lettings** said that he had been a student landlord in the city for 14 years; MTM had been in operation for five years. They managed approximately two hundred properties in the city, mostly being student lets in popular student areas. MTM were keen to tackle any negative student impact issues, and issued an induction pack with useful information. MTM operated a complaints procedure and addressed resident



complaints directly with the students where necessary.

Mr Pearce felt that the supply of student accommodation exceeded demand, and that he already had some empty properties on his books. The key factor was the quality of the accommodation.

**2.4(iii) Mr Shields, G4 Lets** said that G4 Lets focused on student lets, particularly in the Ditchling Road area. G4 gave their tenants a welcome pack with useful information and aimed to visit each property once a month. If a neighbour reported a problem household, G4 would address this directly with the student.

Mr Shields spoke about the trend of adding conservatories to student properties in order to create a living area. Mr Shields felt there were a number of benefits to converting the garden to a conservatory; students tended not to garden and so it made the space more useful.

**2.4(iv) Ms Rich, National Federation of Private Landlords** explained her qualifications to the panel; these included being a previous director of the National Federation of Private Landlords and author of the Federation's Landlord Training Manual. Ms Rich felt that it was becoming harder for landlords to let to students due to the lack of power given to landlords to take any action against problem tenants. It would take several months for a landlord to take a case to court; this was not a practical solution. Ms Rich did not feel that planning controls would be the answer to tackling the problems; it depended on micro-management. Ms Rich felt that one solution to noisy tenants could be to introduce on the spot fines, to be imposed by the council or police.

**2.4(v) Mr House, Deputy Vice-Chancellor, University of Brighton** said that the university needed to expand its campus accommodation; if it wished to offer first year accommodation to those students who had expressed an interest, it would have to double the current level. There were plans to expand Varley Hall and to develop land in Circus Street. However private sector housing also had a key role.

Mr House spoke about the problems that had been reported from Phoenix Halls; the university had been surprised by the current level of complaints as this was a relatively new situation. The university was committed to dealing with the problems and resolving them for the benefits of all parties. The university had employed a fulltime Community Liaison Officer, which he hoped would show their commitment to tackling problems. They were also reviewing the adverse effect of the smoking ban, recognising that students gathering to smoke outdoors had caused significant noise problems.

**2.4(vi) Mr Dudley, Director of Residential, Sport and Trading Services and Ms Holness, Residential Services Manager, University of Sussex** said that the university did not have a designated community liaison officer but that they suggested residents contacted the Housing Team in the case of any problems. Ms Holness said that the university did not tend to receive many complaints about its students in general. The university took steps to teach skills for life to their first year students living in halls.

The university was committed to housing all first year students in university managed accommodation. An exit survey was carried out with first year students leaving halls; 45% of students would like to have remained living in halls for a further year. There was almost 100% occupancy rate for the accommodation, with a majority of students stating that they believed them to offer value for money.

A study was underway looking at shared services with the University of Brighton; it was possible that recommendations from this might include the University of Sussex having its own community liaison officer, and improved communication channels between the two universities.

# **Part C - Recommendations**

## **1 - Next steps**

- 1.1 Following the public meeting and the three expert witness meetings, the panel met to consider all of the evidence that they heard and to suggest recommendations that might improve or affect some of the negative student effects that residents had raised.
- 1.2 Recommendations that have been made about council services will need to be considered and responded to by the relevant Cabinet Ministers. There are recommendations which will be made to the Cabinet Member for Housing; recommendations made to the Cabinet Member for Environment; recommendations made to the Cabinet Member for Central Services; and recommendations made to the Cabinet Member for Communities.
- 1.3 There are a number of suggestions that the panel has made that are solely for the universities. The panel acknowledges that the universities will have their own requirements and priorities, and that the council cannot impose its own rules on the universities. Nevertheless, there were a number of issues that residents raised which the panel wished to address as much as they were able. It is hoped that the universities will give reasonable consideration to the suggestions that have been made.

## **Recommendations**

### **2 - Tackling Negative Impact in Residential Areas**

- 2.1 The panel heard about a range of ways in which student households had a negative effect on residents' day to day living. These included noise nuisance in a variety of forms, problems with refuse and recycling, and student households having more than one car, thereby taking up an excessive number of parking spaces.

#### **2.2 Noise Nuisance**

*'all night parties were a very regular, sometimes nightly occurrence both at the Phoenix and in the streets and gardens backing onto mine'*

*'there is the everyday disturbance that happens when people come home drunk at 2am, chase each other screaming up the stairs...a house filled with fire doors slamming through the night'*

*'the sshh campaign is a great idea'*

- 2.2(i) Nuisance caused by noise was one of the areas most commonly raised by residents who contacted the panel or who spoke at the public meeting and it is clearly an issue that generates a high level of public feeling.

Complaints fell into two broad themes, noise caused by students whilst they were inside their house, and noise caused whilst students were returning to their homes or were gathering outside them.

**2.2(ii)** Noise from within a student property could be because of a late night party or students and friends returning home late at night, or by slamming fire doors that are required under House of Multiple Occupation legislation

**2.2 (iii)** Residents told the panel that noise nuisance caused by students was the biggest issue and caused the most concern for residents. They commented on the current noise patrol service provided by Brighton & Hove City Council and its effectiveness in tackling noise complaints:

The service was currently only in operation on weekends until 3am, which meant that it could not address the issue of students coming home after clubs closed and having parties. It was suggested that some students might deliberately choose to have parties after 3am, knowing that the noise patrol was no longer in operation. If a house party was broken up, it was often the case that the noise was simply transferred into the street outside. Residents suggested that the service should be available on weekdays and with extended hours of service to help tackle some of the later parties

In addition, some residents felt that the current system of issuing diary sheets to people who made complaints about noise nuisance did not adequately address the noise complaints. For example, it might be the case that different houses in the same street had parties on different nights, and the noise diary sheets that are issued was not suitable for capturing this cumulative nuisance information.

In addition, some people felt that noise was more of a problem during the week, with students coming home late, taxi engines running, car doors slamming, people shouting, noise coming from rooms in the attic or the conservatory, front and internal doors banging and so on. This problem was exacerbated by the fire doors in the house; often the doors would be slammed shut throughout the day and the night. This could be addressed by insisting that door closers be fitted and maintained.

Residents commented on the length of the prosecution process in relation to noise nuisance; it could be the case that the offending neighbours might have moved on before the process is over, and potentially another set of noisy neighbours had moved in, meaning a new prosecution process must be started

**2.2(iv)** External noise nuisance was often caused by students returning home late at night and forgetting that other people were asleep or being disturbed by the noise. Other factors included students smoking outside properties due to the ban on smoking inside properties.

Residents in Hanover complained particularly about Phoenix Halls, and about the Podium, a large space where students gathered, often for extended periods of time well into the night. Due to the layout of the Hanover streets and houses, residents said that noise echoed around the streets and through the houses. Residents said that they had tried to complain to the security staff on duty at the halls and had asked them to take action, but that there seemed to be little that the staff were able to do to address the noise on a permanent basis. Some residents felt that it would make a significant difference to the noise levels if there were more security staff on duty; they appreciated that there was a mobile patrol that could attend from the Falmer site but this would invariably mean that the problem had already occurred and the patrol was attending in

reaction to this. If there were more security staff on site at Phoenix Halls, this would be a preventative measure. It was also requested that signs were installed on the halls site asking that noise be kept to a minimum after 11 pm.

Residents welcomed the SShh campaign and said that it had made some improvements but that these had been undermined by the decision not to allow smoking on campus, leading to students smoking outside the halls on Southover Street, and the subsequent noise that was caused.

**2.2(v)** The Head of Environmental Health and Licensing told the panel that noise control was an accepted local priority in Brighton and Hove. The panel heard about the noise nuisance complaints that were received and investigated, and the penalties that could be imposed, including the recent Fixed Penalty Notices issued under the recent Noise Act. The panel heard about the different ways that noise nuisance complaints could be investigated and dealt with. The noise patrol team was just one way to gather evidence; other methods included interviewing and corresponding with complainants and alleged offenders, collecting statements, installing recording equipment, visiting the premises at any time of the day or night, carrying out surveillance and stakeouts. However it was difficult to address complaints about sporadic noise complaints.

The Environmental Health and Licensing team operated an out of hours emergency service to deal with all environmental health emergencies, for example, widespread public noise nuisance, food poisoning and infectious disease outbreaks, severe pollution incidents, for instance, major fires, food hazard warnings, work place major injuries and fatalities. It is staffed on a voluntary basis by four managers and is unfunded, but its officers are on call 24 hours a day, seven days a week, and are called out approximately twice a month.

The team had carried out customer satisfaction surveys which showed a generally high level of customer satisfaction with the service. The most common comment from residents was that the hours of the service should be extended or operated on other days of the week.

**2.2(vi)** The University of Brighton said that they were aware that the Phoenix Halls had become a focus of resident concerns in relation to noise over the past year. In response to these concerns, the University had switched to direct employment of a night security officer with back up support from the University mobile security team, relocated the staff office at Phoenix to provide a better overview of the site, and were due to install an upgraded CCTV system with audio capacity and additional cameras. The University acknowledged that the smoking ban in halls introduced as a result of the legislation banning smoking in public places had resulted in an increase in noise from students smoking outside and they were exploring whether a shelter could alleviate the problem.

The universities and students told the panel that the SShh (Silent Students, Happy Homes) campaign was in operation in Brighton and Hove. The campaign aimed to ensure students were respectful of their neighbours to assist in creating a good community atmosphere.

The University of Brighton Students' Union launched its first SShh campaign in Eastbourne in 2006; this was successful in raising awareness about noise disturbance with the students, and the Students' Union reported receiving fewer complaints following its introduction. The University of Brighton's Students' Union had decided to launch the

SShh campaign across all of its campuses.  
(<http://www.ubsu.net/content/index.php?page=13651>)

## **2.3 Recommendations**

**2.3 (i)** The panel wished it to be noted that they fully appreciated all of the work that the Environmental Protection team was carrying out; they recognised that it was a service that was in high demand across the city and they wished the team to carry on the work that they were doing. The panel was aware that this was not an issue that could be dealt with solely by the council. The panel appreciated the fact that the SShh campaign was in operation in the city, recognising that this was a positive step to addressing some of the late night noise complaints that they had heard.

With these points in mind, the panel wished to make some recommendations to enhance those services:

**2.3(ii)** The panel was mindful of the fact that many residents who made submissions requested that the noise service be extended. The panel heard that the current provision did not adequately address the noise nuisance incidents in the city. The current patrol was consistently working at maximum capacity and it was clear that there was more demand than could be met by current provision.

The panel was aware that the noise patrol team currently operated between 10pm and 3am and that analysis had been carried out into the frequency of calls that were received. Between 10-11 pm, on average the team received 25% of their calls; 11pm-12am, a further 25%; between 12-1 am, a further 25%; between 1-2am, 12.5% and between 2-3pm, the team received 12.5%. The inference was that call numbers and requests for service tapered down throughout the evening and early morning, although there was still a significant demand for the service.

The panel was aware that the annual unit cost for providing one night of noise patrol for five hours once a week was approximately £25, 000. The panel recognised, therefore, that there would be considerable resource implications to extending the noise patrol service.

**Recommendation 1 - The panel recommends that the Cabinet Member for Environment extends the council-run Noise Patrol to operate over more nights of the week, probably Wednesday and Thursday, and to extend the existing weekend operating hours.**

**2.3(iii)** The panel heard that the Environmental Protection Team encouraged residents to report noise complaints to the council, whether this happened retrospectively or at the time, in order and to try and avoid a recurrence of the noise nuisance and to enable a central record of reported noise problems. It would generally be the case that a household that had caused an alleged noise nuisance would receive a warning letter from the Environmental Health Team; this was often enough to stop the problem from recurring.

However it did not appear that many residents were aware of the service. The panel felt that if awareness was raised of this facility, it might help address some of the frustrations that were expressed about the current operating hours. The panel considered various options to publicise the service, in order to reach as many residents as possible. It was felt that the two recommendations below could be combined to

ensure that residents had a twenty-four hour service.

**Recommendation 2 - The panel recommends that there should be increased publicity to advise residents that they can report a noise nuisance problem retrospectively; this could be included in City News, on the council's website and perhaps in leaflets in public offices.**

**Recommendation 3 - The panel recommends that the Out of Hours emergency noise patrol service should be properly resourced and properly publicised.**

**2.3(iv)** The panel heard that other local authorities, for example, Canterbury, had considered the introduction of a non-emergency 24 hour telephone line. The intention was that this would be used when the Noise Patrol was not in operation but the noise nuisance was not felt to be an emergency. The telephone line could be another means of recording noise nuisance complaints, keeping a central database of incidents and taking the necessary steps to deal with it.

The panel felt that this was an option that ought to be explored further within Brighton & Hove, as it may be another way for residents to register non-emergency noise nuisance complaints with the authority, and for the authority to build up a record of persistent offenders and assess the cumulative impact of such nuisance.

**Recommendation 4 - the panel recommends that the Cabinet Member for Environment resources a 24 hour telephone line for the public to report non-emergency noise and anti-social behaviour.**

**2.3(v)** The panel heard from residents that Brighton & Hove City Council's noise nuisance procedures and the issuing of noise diaries did not always seem to be particularly useful in addressing sporadic problems. The panel recognised that there were limited resources for the team and they were mindful that there were statutory requirements on the council but they felt that there were benefits to be gained from reviewing the team's procedures and considering whether there were alternative ways of addressing intermittent noise nuisance complaints.

**Recommendation 5 - the panel recommends that the Environmental Health and Licensing Team reviews its noise nuisance procedures in order to assess whether the noise nuisance diary sheets are always the most effective and user-friendly way of addressing noise complaints.**

**2.3(vi)** The panel heard that the University of Brighton promoted the SShh campaign across all of its campuses, including those in Southover Street. This was welcomed and the panel would encourage its ongoing expansion and promotion, particularly bearing in mind the turn-over of students on campus. The panel also felt that it might be beneficial to publicise the SShh campaign to people outside of the university so that residents were aware that the matter was not being ignored; this might help relations between students and non-students.

Residents told the panel that they were annoyed by students parking their cars and playing music from the car with their windows open. The panel felt that this was an issue that could be tackled by the SShh campaign. Residents said they would also welcome firmer action being taken against students playing music from the Phoenix Halls late at night with the windows open.

**Recommendation 6 - the panel would like to see the SShh campaign developed by Students' Unions and publicised widely in conjunction with community association representatives and ward councillors. This should be an ongoing annual campaign due to the turnover of students.**

**2.3(vii)** The panel heard that many residents were distressed and upset by the noise caused by students returning home late at night and it was felt that tackling street noise should be a priority for partners. The nuisance was exacerbated by the fact that the noise was unpredictable and it could extend for long periods into the night. Residents felt that this was a particularly student problem rather than one caused by young people in general. The panel felt that this noise nuisance was not generally within the local authority's power to address; it was suggested that it would be better addressed by the universities, the Student Union and the Street Policing Team.

**Recommendation 7 - the panel recommends that the universities, the Police and the Student Union work together to find ways to jointly address the issue of street noise nuisance in residential areas, caused by groups of students returning from nights out.**

**2.3(viii)** The panel heard from residents who lived near the Phoenix Halls in Southover Street that students often gathered in groups on an outside area known as the Podium; this was either when they had returned from nights out, or when they wished to smoke, as it was not permitted to smoke inside the halls. The panel heard that, due to the narrow residential streets, noise echoed from the students all around the streets and caused significant noise nuisance.

The panel would like the University of Brighton to consider whether there is a more suitable outside space that might be used instead of the Podium. The panel considered recommending that the University re-allowed smoking in private rooms, as this is within the University's power, but it was felt that this would be unfair on other residents in the property.

The panel would like the university to consider introducing a policy asking students to close their windows before playing music at night, in order to minimize noise nuisance for neighbours. The panel would also like the university to install clearer, more visible signs across the Southover Street site, requesting that noise was kept to a minimum after 11pm.

**Recommendation 8 - the panel recommends that the University of Brighton considers whether there is a more suitable outside space that might be used, and that measures are put in place to address noise from smokers and other students gathering on the Podium at the Southover Street Phoenix Halls.**

**Recommendation 9 - The panel would recommend that the University of Brighton considers introducing a policy asking students on the Phoenix Halls site to close their windows before playing music at night, in order to minimize noise nuisance for neighbours. The panel would also ask that clearer, more visible signage is installed across the Phoenix Halls site asking that noise is kept to a minimum after 11pm.**

**2.3(ix)** The panel heard that residents near to Phoenix Halls also expressed frustrations with



the level of staffing allocated to the halls, particularly late at night. When residents contacted the halls to complain about the noise caused by students gathering on the Podium, it did not seem that the security staff were able to control the noise on a permanent basis.

Residents asked whether consideration could be given to either moving the night reception area to a location nearer to the Podium in order to monitor any disruptive behaviour by students, or alternatively whether there could be a porter's lodge on the Podium to overlook the area. The panel would ask the university to consider both of these suggestions.

**Recommendation 10 - the panel would like to suggest that the University of Brighton considers the staffing resources that might be needed to provide an effective way of managing and minimising the noise nuisance and how its premises in residential areas are controlled.**

**2.3(x)** A number of residents explained that, inadvertently, the design of the Phoenix Halls of Residence and the inclusion of the Podium has led to unanticipated noise nuisance due to students gathering outside the halls. The panel recognised that this was entirely accidental but they would like to ask the universities to be mindful of what has happened in Phoenix Halls and to bear this in mind in any future developments. The panel will also recommend that this suggestion is included in any planning documents that relate to student accommodation.

With regard to the Phoenix Halls, residents were concerned that there were no trees or bushes to conceal some of the noise from the halls, and asked whether these could be introduced.

**Recommendation 11 - the panel recommends that the University of Brighton considers planting trees and bushes on the Phoenix Halls site, in order to assess whether this would help to mask any noise. The panel would like to suggest that the university talks to local residents about their experiences after a trial period.**

**Recommendation 12 - the panel would like to ask that the universities and developers have regard to possible noise impact on neighbours and the particular architectural nature of the area in which they will be built when they are being designed, especially in relation to the provision of smoking areas for residents. The panel also recommends that this suggestion is formalized in any relevant planning documents relating to student accommodation**

## **2.4 Community Liaison Staff**

**2.4(i)** The panel heard that the University of Brighton had chosen to employ a full time member of staff as a Community Liaison Officer. The Community Liaison Officer's remit includes: coordinating activity to promote social responsibility and good citizenship amongst students; advising students on maintaining good relations with local communities; liaising with community groups in areas near to the university's campuses; mediating between students and residents as necessary and acting as a focal point of contact for non-student residents with a complaint.

The Community Liaison Officer said that he was aware that partner organisations in the city welcomed his role and that they found it very useful to have a central contact.

- 2.4(ii)** The University of Sussex told the panel that they had opted not to have a designated Community Liaison Officer but that they had a dedicated housing team who could assist with any issues or complaints about student households. The University said that it seemed that they would need to do more work to promote awareness of this service amongst residents.
- 2.4(iii)** Residents told the panel that they appreciated having a known person to contact when they had problems with particular households and that the Community Liaison Officer was very effective at dealing with complaints about students from the University of Brighton and in identifying practical ways forward. The panel heard that some residents found it more difficult to make complaints about students from the University of Sussex; the existing service was reported to be insufficiently responsive to their needs. There seemed to be a lack of awareness about the role of the University of Sussex housing team in addressing complaints. If residents wished to complain about a student household, the residents would not necessarily be aware of whether they were students of Sussex or of Brighton. Residents were adamant that there should be a consistent service across the city, regardless of which university the students came from.
- 2.4(iv)** Residents from the Elm Grove Local Action Team requested that university representatives liaise regularly with Local Action Teams and other residents groups across the city, ensuring that their contact details are known to residents. It was asked that the universities provide clear and consistent advice to students about avoiding neighbour disputes, as well as informing them of their rights as tenants and providing support for them to enforce those rights where necessary.

## **2.5 Recommendations**

- 2.5(i)** The panel considered the comments made by the universities and by residents. They felt that there was a case to be made for the University of Sussex to appoint its own Community Liaison Officer, who could work with the officer from the University of Brighton to address issues about students across the city.

The panel felt that, in the interim period, it would be beneficial for the University of Sussex to promote their existing housing team's service, advising residents that they could contact the housing team if they wished to complain about a student household from the University of Sussex. The University of Sussex agreed that it would be useful to raise awareness of how to contact the team.

**Recommendation 13 - the panel suggests that the University of Sussex considers following the good practice established by the University of Brighton and establishes a role of a dedicated Community Liaison Officer for the University of Sussex. The two officers could work together to address shared student problems across Brighton and Hove.**

## **2.6 Refuse & Recycling**

*'they [students] do not take a blind bit of notice about the rubbish collection day, when their bags get ripped open by seagulls they just leave it on the pavement'*

*'the majority of students in this area do not recycle'*

*'at the end of summer term, the whole contents of houses are thrown onto the streets...this then encourages fly-tipping...it often remains on the pavements for weeks'*

- 2.6(i)** When the panel considered the comments made by residents about the influence of student households on residential areas, it was apparent that households who were not sticking to the correct refuse and recycling procedures were a particular problem. However it should be noted that these are not solely student problems, but happen across the city in student and non-student households.
- 2.6(ii)** Residents commented that student households were not always aware of their refuse/ recycling collection day. This could lead to refuse being left out for several days before collection and related environmental/ hygiene problems. Residents and students felt that this was in part due to a lack of information given to student households by CityClean, Brighton & Hove City Council's refuse and recycling service.

The panel heard examples of situations where residents had called CityClean on behalf of the student households to address problems with their refuse collections, as the student households had not been aware of who to contact or what they could request.

As well as problems with the weekly refuse collections, residents told the panel that they were unhappy about bulky waste and furniture being left either in front gardens or on the pavement. It was quite often left there for long periods of time, which was not only unsightly but caused obstructions on the pavement.

- 2.6(iii)** Students told the panel that at the end of term, some landlords encouraged them to leave all of their refuse including bulky furniture on the pavement regardless of the correct collection day, telling the students that CityClean would clear the refuse away.
- 2.6(iv)** The letting agents told the panel that they issued induction packs to their tenants at the start of their tenancy, which included information on refuse and recycling collections.
- 2.6(v)** CityClean told the panel that problems such as leaving refuse or recycling out on the incorrect day were not student-specific but a city-wide issue. CityClean worked with the universities on a communication campaign but they would be happy to consider other options and introduce new ways of notifying residents about their collection days. It was felt that more could be done with landlords to keep information flowing to student households.

## **2.7 Recommendations**

- 2.7(i)** The panel recognised that CityClean provided refuse and recycling services to all households across the city. The panel considered ways of increasing awareness of their refuse and recycling collection days for all households, including student households. They heard from CityClean that households were currently issued with fridge magnets,

leaflets and letters showing the collection dates for the year, but there was concern that the magnets and letters were liable to become lost or get thrown away as tenants moved in and out of the properties.

The panel felt that it might be more beneficial to issue stickers with the collection day to go onto the wheeled bin rather than the magnets currently used. It was more likely that the wheeled bin would stay with the property and so the information would stay with the house.

The panel felt that this could be a solution that could be implemented across the city, as it had been noted that this was not an issue caused solely by student households but by households across Brighton & Hove. It was suggested that the roll-out could begin in areas with the highest numbers of student households, but this would be an operational decision for CityClean.

**Recommendation 14 - the panel recommends that CityClean issues wheeled bin stickers giving information about collection days so that all households know when to put their refuse out. It is recommended that this would be an alternative to the magnets that are currently issued.**

- 2.7(ii) The panel was aware that there were a number of areas, including Hanover and Lewes Road, in which households did not have council-issued wheeled bins; it would not be possible for the recommendation above about wheeled bin stickers to be introduced in those areas. The panel considered that an alternative might be for streets in those areas to have notices fixed to lampposts advising residents of their collection day and of the possible penalties for refuse being put out on the wrong day. The panel was aware that this system had already been successfully introduced in some areas but felt that that was scope for it to be more widely spread.

CityClean updated the panel about their progress on this recommendation; they had begun to install signs in Kemptown, Hanover and Elm Grove. They would then be moving on to the Lewes Road and Bevendean/ Moulsecoomb areas. Cityclean also advised that they were trialing another refuse container known as 'binvelopes' in parts of Hanover. If this scheme were successful, CityClean would look to roll this out across other areas that could not have wheeled bins.

**Recommendation 15 - the panel recommends that for those areas of the city that do not currently have council-issued wheeled bins, CityClean should erect additional notices on lamp-posts advising residents of their collection day.**

- 2.7(iii) The panel heard that CityClean issued stickers to go onto recycling boxes to advise residents of what could be recycled, and of their collection dates for the year. However, the panel heard that the stickers were designed to go on the lids of the box, and these tended to blow away if it was windy and the information would be lost. The panel felt that the idea of the stickers was a positive one, but that it might be more beneficial if the stickers could be redesigned to go on to the box itself, rather than the lid. Again this was a recommendation that could benefit all households across the city, not just those with student tenants.

**Recommendation 16 - the panel recommends that CityClean places the information stickers for their recycling boxes in order that they can be stuck to the box rather than on the lid, as the lids tend to blow away.**

**2.7(iv)** The panel heard that the letting agents and landlords advised their student tenants on where to find information about their refuse and recycling collection; this was welcomed. It was recognised, however, that student households might not be aware of any changes in the collection schedule, for example, over bank holidays. The panel was aware that this information was published in CityNews and on the council's website but they were unsure how effective this might be in reaching student households. They thought that it would be useful for CityClean to publicise changes in the collection dates in the universities' own newspapers in order to try and reach student households that would be affected. It might also be prudent to include this information on the universities' websites.

**Recommendation 17 - the panel recommends that CityClean advertises information about changes in collection dates for refuse and recycling in both of the universities' newspapers and on the universities' websites, in addition to the usual council publication locations.**

**2.7(v)** Residents and students told the panel that there was an ongoing issue with regards to bulky waste, how it might be stored and where it might be left. Bulky waste might include such items as old furniture, unwanted mattresses, unwanted bicycles etc. Residents were upset that items might be abandoned in a front garden for months on end, causing a visual blight and possible health and safety risk. The panel heard that some residents had approached the student households to ask them to remove the bulky waste; this had received mixed reactions. Students told the panel that they knew landlords who had advised students to leave unwanted furniture on the pavement for collection and that the council would collect it.

The panel heard that there was a difference as to how refuse could be handled according to whether it was left on the pavement or whether it was left within the curtilage of a property, i.e. in a front garden. If the item was within a property's boundary, CityClean would be unlikely to be allowed to remove it, as it would be designated as private property. However if the item was on the pavement, CityClean could remove it, and may have the right to recharge the cost to the owner or tenants.

The panel was aware that this was a complicated issue, and that there might be a number of options that could help reduce the bulky waste being left out, either in a garden or on the pavement. The panel has suggested various options below but would recommend that further work is carried out by the Cabinet Member and/ or the Directorate to consider each suggestion, both on its own merits and in conjunction with other options.

Options to address this issue include:

- The city council carrying out more enforcement cases, either for refuse being left out on the wrong day, bulky waste being abandoned on the pavement or other cases of fly-tipping.
- An agreement between landlords and the council in which landlords would have a specified amount of time to clear a property and dispose of the waste, once it became empty, or CityClean would do this and re-charge the landlord.
- There might be an incentive offered where CityClean would offer a discount on their bulky waste collection service at the end of term for a fixed period of time.
- The end of term waste issue should also be tackled by better publicity and promotion of

the existing services that are available

**Recommendation 18 - the panel recommends that the Cabinet Member for Environment considers the issue of how to tackle the problem of bulky waste being flytipped by student households, both throughout term-time and at the end of term. The panel recommends that the Cabinet Member gives the suggestions due consideration.**

**2.7(vi)** The panel was aware that some cities, for example Canterbury and Loughborough, who had previously considered how to tackle the bulky waste issue had introduced termly clean-up days in student neighbourhoods. These were organised by the student's union in conjunction with ward councillors. During the termly clean-ups, the students took anything that was re-sellable to charity shops, arranging for the remainder to be collected for recycling or for landfill.

The panel thought that this might be a useful approach for Brighton and Hove; it could be introduced in student halls as well as in private sector student housing. The panel felt that it would be best led by the students' unions and the universities, as an indication that they were taking responsibility for the students. The panel suggested that the two students' unions work together, as student households will be made up of a mixture of students from both universities. The students' unions might wish to work in conjunction with Magpie as well as charity shops in the city.

**Recommendation 19 - the panel suggests that the universities organise termly clean up days in conjunction with their student unions.**

## **2.8 Car Parking**

*' a car was parked outside my house for three months'*

*'the road simply can not cope with 4 or 5 cars per household'*

**2.8(i)** Residents told the panel that they were often frustrated at student households who had several cars per household and who occupied several parking spaces in the street. Residents felt that their opportunities to park near their homes were hampered by a proliferation of student cars in their neighbourhood. Some residents asked whether students needed their cars, pointing to the public transport links across the city. Students said that there could be scope for the students' union to promote the public transport and discourage students from bringing cars to the city.

The Sergeant from the Street Policing Team told the panel that parking obstructions and double parking offences were targeted on a regular basis, with fixed penalty notices being issued where necessary. More permanent measures had been put in where possible; for example in Elm Grove, barriers had been erected to stop on-pavement parking.

## **2.9 Recommendations**

**2.9(i)** The panel thought that a good way to encourage students to use public transport rather than rely exclusively on their own cars would be for both universities' prospectuses and accommodation guides to have promote public transport and explicitly recommend that

students do not automatically bring their cars with them. This could include reference to the 24 hour bus to the university campus the Big Lemon bus, the car clubs in the city, the cycle routes to and from the universities and the train stations.

The panel noted that the University of Brighton's accommodation guide did include a section on public transport and explained that students living in certain halls of residence must not bring cars with them, but it was felt that there was room for a more direct statement requesting that students think carefully before bringing cars to Brighton & Hove. The University of Sussex's accommodation guide did not appear to make reference to public transport, although it did explain that students living on campus must not bring cars with them. The universities could draw students' attention to the difficulties and potential costs of parking in the city.

**Recommendation 20 - the panel recommend that the universities include information in their prospectuses and accommodation guides about the range of public transport and Car Clubs in the city and that they explicitly recommend that students do not bring cars with them**

**2.9(ii)** The panel also considered what options there might be for those student households who did choose to bring cars to the city. There are a number of Controlled Parking Zones in Brighton & Hove, where residents must have a permit to park their cars. Permits are restricted to one permit per person, and the car must be registered to a Brighton or Hove address. Not each area of the city has a Controlled Parking Zone, and for those areas that do not have one, there are generally no restrictions on parking. The panel felt it was important that, where applicable, student households were treated equally with other households requesting permits. They understood this to be the case already and wished the practice to continue.

It was noted that the four areas with the highest student population numbers - Moulescoomb and Bevendean, Hollingbury and Stanmer, Hanover and Elm Grove, and St Peters and North Laine - only one, St Peters and North Laine, was subject to any type of parking restriction. There were plans to consult on a Controlled Parking Zone in Hanover in summer 2009, with a potential introduction date of 2011.

**Recommendation 21 - Students should be treated on an equal basis as non-students when it comes to the issue of residents' parking permits.**

## **2.10 Council Tax**

**2.10(i)** The panel heard from the Head of Strategic Finance and the Assistant Director, Customer Services that those student households who had not registered themselves as exempt under Council Tax legislation led to the local authority incurring costs in sending bills to those households, up to and including issuing court proceedings. These costs were incurred unnecessarily and this was therefore an inefficient use of council funds. The Assistant Director, Customer Services said that they worked closely with the universities in trying to publicise the importance of registering for exemption as soon as possible but recognised that this would not always be a priority for students.

The panel heard from one letting agent that they would return tenants' rent deposits only after the households could evidence that they had cleared their Council Tax obligations.

The panel also heard that it was important that the council had the correct number of student households registered, as this might affect central Government calculations for the council's funding. There were already regular information sharing meetings where this data was discussed but the panel queried whether these were as effective as they might be in communicating the necessary information between partners.

## **2.11 Recommendations**

**2.11(i)** The panel was pleased with the proactive work of the Council Tax officers in meeting students and registering student households for exemption but wished to make recommendations for ways in which this could be extended.

The panel discussed whether there might be scope for letting agents or landlords to take any steps with their student tenants to complete the exemption forms at the beginning of their tenancy.

**2.11(ii)** The panel understood that meetings already took place between the universities and the council to establish the numbers of students in the city and to estimate future numbers in order to advise central Government for their funding calculations and that such information was shared with the Strategic Housing Partnership. The panel felt that these were important and wished to encourage the various parties to continue the meetings, perhaps on a bi-annual basis. The panel requested that results from the meeting could be made available to the proposed Student Working Group so that they could take it into account in their considerations.

**Recommendation 22 - the panel would encourage Council Tax officers to continue to liaise regularly with the universities in order to establish current and future student numbers.**

**2.11(iii)** The panel was concerned at the unnecessary administrative overheads being incurred by the Council Tax team in billing student households because those households had not registered their exemption. They were aware that Council Tax was not often a priority for students, and that many students might incorrectly assume that they did not have to register their exemption. The panel heard that the Council Tax officers went to Freshers' fairs at the beginning of term and that this was successful in terms of a number of households registering for exemption. The panel wished to think of ways in which this could be extended, perhaps by involving letting agents or universities earlier in the process. The panel had a number of suggestions that they wished the Council Tax team to consider:

- Letting agencies and private landlords could be emailed a web link to access exemption certificates online and encouraged to provide a form to each student household at the start of their tenancy. The email link would mean that as many forms as were needed could be printed off by the landlords, and it would be in line with the council's sustainability agenda
- The universities and student unions could be emailed the same web link and students actively encouraged to complete the forms as soon as possible. The Council Tax team could consider whether an incentive could be offered to the universities if a certain percentage of households were registered
- The universities and students' unions could be asked to publish the form in their



newsletters and on their website on a regular basis. This would mean that students could either tear out the form from the printed newspaper or complete the form online via the university website. The university newspapers might wish to expand this by publishing occasional articles reminding students to register their exemption and explaining the benefits for students in registering?

- When students enrolled with the university with details of their address, they could authorise the university to share the information solely with Council Tax, to ensure that an exemption form is sent to the household as soon as possible.

**Recommendation 23 - the panel recommends that the Council Tax service considers the four suggestions made in the body of the report about how to improve levels of registered student household exemptions.**

## **3 - Planning & Accommodation Policies**

### **3.1 Planning Policies**

*'Neighbours ...tell me of feeling like they are virtual prisoners in their own homes because they are surrounded by HMOs. Many of these have conservatories built out into the garden so there is no escaping their presence.'*

*'overbuilding is a huge problem'*

*'one solution would be... to limit the numbers of extensions granted for HMOs'*

- 3.1 (i)** The panel heard from a number of residents that they felt that there should be a cap put on to the number of Houses of Multiple Occupation tenanted by students in certain areas. This was requested because it was felt that some areas were in danger of losing or changing their character as the make-up of tenants had changed. They pointed to the fact that one school had already closed one of its two reception classes due to low pupil numbers, because there were fewer families and more students living in the area.

The panel's research showed that some university cities had chosen to introduce restrictions on future student housing, for example Loughborough introduced a threshold approach and Newcastle established areas of Student Housing Restraint, where potential student landlords would be subject to tighter planning restrictions for future developments.

The universities and the Federation of Private Landlords told the panel that they did not think that further planning restraints would be of any benefit to Brighton & Hove; they recommended that it would be better to micro-manage the situation and address problems as they arose.

The panel heard that there was currently no requirement to report or obtain permission for plans to convert family accommodation for student use unless the accommodation in question was designated a 'House in Multiple Occupation'. Although there was widespread support for the notion of introducing some kind of 'class order' for such changes of use, this could not apply retrospectively, so even if it were to be introduced,

it would apply to only a small percentage of student housing.

The panel's research had indicated that local authorities had the discretion to extend licensing to other categories of Houses of Multiple Occupation to address particular problems that existed in smaller properties, although there was a corresponding requirement to compensate landlords who were negatively affected by any such licensing introduction. The panel said that an analysis of this option and its potential application in Brighton and Hove should be included in the research undertaken by the Planning Strategy team.

- 3.1 (ii)** The panel heard that some local authorities had a planning condition that stipulated that, for every square metre of additional educational space that was agreed, the university would agree to supply a corresponding number of bed-spaces rather than relying solely on private sector housing to meet the additional need that would be created. The panel thought that this was an interesting concept and one that should be explored further by the Planning Strategy team in their work on the Supplementary Planning Document.
- 3.1 (iii)** The Head of Planning Strategy and the Head of Development Control told the panel that there was a limited amount that Brighton & Hove City Council was able to do with regard to registering student households, due to the legislation on Houses of Multiple Occupation. The panel heard that there were two sets of legislation relating to Houses of Multiple Occupation, one from a planning perspective, and one from a private sector housing point of view, and the two sets of legislation did not correlate.

In terms of planning permission and property classification under the Use Classes system, the panel were told that, although it was relatively straightforward to re-classify a 'family home' as a 'student home', it was more complicated to change the classification in the opposite direction. This might discourage possible purchasers from buying an empty property. The panel's research indicated that there was already a national lobby regarding this issue. The panel thought that it would be helpful if the Government took action to make it easier to change property classification from 'student' house to 'family house'.

- 3.1 (iv)** The panel heard that the Planning Strategy team had to demonstrate how they would meet challenging government targets for different housing types in the Local Plan; at least 11, 000 new homes were needed by 2025. However there was no government target for student housing. This meant that the Planning Strategy Team was loath to allocate specific land for student housing in the Local Plan and it was not considered a priority. On-campus accommodation did not conflict with any other housing policies.

## **3.2 Recommendations**

- 3.2(i)** The panel considered residents' requests for the council to introduce a cap on student housing in the city. The panel concluded that they did not have sufficient time to explore all of the options in enough detail to provide meaningful comment. However they were mindful that it would be useful for further research to be carried out and that the conclusions be drawn up and included in a formalised Supplementary Planning Document by the council.

The panel therefore felt that it would be more appropriate for a recommendation to be made that the Planning Strategy team carry out research into the various planning

options available to control the level of student housing, and to consider whether there would be any merit in introducing such controls into Brighton & Hove. Their findings should either be published as or be included in a Supplementary Planning Document. The Supplementary Planning Document would be of use to the Strategic Housing Partnership in their work on strategic planning for student impact.

**Recommendation 24 - the panel recommend that the existing Planning Strategy team carries out research into the various planning options available to control the level of student housing, and to consider whether there would be any merit in introducing such controls into Brighton & Hove where this was appropriate for the area. If planning controls were introduced, this would help to ensure balanced and mixed communities across the city.**

**The Planning Strategy Team should also consider the feasibility of adopting a planning condition regarding the need for universities who have planning permission to expand their educational space to provide a commensurate increase in bed spaces.**

**The findings should be published as a Supplementary Planning Document.**

- 3.2(ii)** The panel heard about the discrepancies in the planning and private sector housing legislative systems with regard to the use classes order. The panel felt it would be of use for the local authority to make representations to the Government on these anomalies, requesting that the process was streamlined.

The panel was also mindful of residents' comments that developers were using permitted development rights to build conservatories at the rear of properties and using these as living rooms, thereby freeing up additional rooms to be used as bedrooms. Residents were aggrieved that there was no action that could be taken to prevent this from happening.

**Recommendation 25 - the panel recommends that the Cabinet Member for Environment lobbies central Government on behalf of Brighton & Hove City Council with regard to the planning Use Classes Order and the associated permitted development rights.**

- 3.2(iii)** The panel was mindful of the competing demands on land resources and it recognised that the Planning Strategy team had a number of demanding targets to accommodate, although student housing was not included within a target. The panel thought that it would be advantageous for the council, through the Cabinet Member for Environment, to lobby central Government to issue a target for student housing so that more forward planning could be carried out.

**Recommendation 26 - the panel recommends that the Cabinet Member for Housing lobbies central Government on behalf of Brighton & Hove City Council to request that student housing is given its own targets with regards to providing accommodation.**

- 3.2(iv)** The panel considered that it was necessary to take steps to plan for future student housing provision in Brighton & Hove, regardless of whether or not there were central Government targets for student housing. The panel appreciated the various competing demands on the available land, but they felt that it was short-sighted not to consider

allocating land space for the development of halls of residence. The panel thought that there might also be scope to include some units of student housing in major new build housing developments across the city, for example, Preston Barracks. This work would be best carried out in conjunction with the universities.

**Recommendation 27 - the panel recommends that the Planning Strategy team recognises the need for student accommodation to be planned and that the team considers positively identifying land suitable for halls of residence in the Local Development Framework. The team could consider the scope for including small numbers of units of student housing amongst major new- build developments.**

### **3.3 Provision of Halls of Residence**

*'reduce demand for student housing by encouraging the Universities to build more student halls on their own land'*

*'recent campus building has focussed on the luxury end of the market ...beyond the means of many students'*

- 3.3(i)** The panel, the universities, residents and students were all in agreement that providing more halls of residence would be valuable in addressing some of the issues of student effect, although it should be borne in mind that the halls of residence themselves led to certain problems. It was clear from listening to both of the universities that there was a high demand for accommodation in halls of residence and that the universities were unable to meet the demand.
- 3.3(ii)** The University of Sussex had drawn up a housing strategy campus master plan in consultation with planning officers from Brighton & Hove City Council. The University guaranteed to offer accommodation to all of its first year students who wanted to live in halls. It managed 3,400 bedspaces in total, with 3,145 at Falmer. 35% of students were housed, which was in line with the national average, and were aiming at a target of housing 40%. 18% of their students did not require housing, preferring to live at home or make their own arrangements. The University's housing strategy was having a positive influence, with the number of students living in private sector accommodation reducing by more than 1000 people. The University had recently received planning permission to build a new halls of residence on its land.
- 3.3(iii)** The University of Brighton told the panel that its supply of purpose built halls accommodation has not kept pace with the growth in student numbers; as a result, a high proportion of their students lived in private sector accommodation. The University considered it a high priority to increase the stock of halls accommodation on offer and was working with Brighton & Hove City Council to expand Varley Hall and on a development in Circus Street.

A comparison of the approximate numbers of full time students at each of the University of Brighton sites with the availability of halls of residence accommodation is below:

<b>Campus</b>	<b>Full time students</b>	<b>Number of halls beds</b>	<b>Shortfall</b>	<b>Halls places as % of students</b>
Falmer	3,500	1,128	2,372	32%
Moulsecoomb	5,000	163	4,837	3%
Grand Parade	1,500	298	1,202	20%
<b>Total</b>	<b>10,000</b>	<b>1,589</b>	<b>8,411</b>	<b>16%</b>

**3.3(iv)** The panel heard from some students, however, that they found the costs of the rooms in halls prohibitive, at up to £125 per week inclusive for an en-suite study room, and that they actively chose to live in lower standard private rented accommodation because it was much cheaper. The panel also heard that there was demand for accommodation in halls from some second and third year students, but that this could not be met at present.

**3.3(v)** The panel also heard from the universities that they currently managed some properties in the private rented sector that were tenanted by students. These were popular places to live for students, and the demand outstripped supply. The universities did not rule out the possibility of expanding their portfolio of managed properties, although they were mindful that they did not wish to become full landlords directly.

The panel was aware that halls of residence had to be carefully sited and planned, as they would also have a significant effect on the local community, as seen, for example, in the case of the Phoenix Halls. Both of the universities said that they would be happy to consider any suggestions for managing student impact.

### **3.4 Recommendations**

**3.4(i)** The panel recognised that the halls of residence were highly in demand and that there were almost 100% occupancy rates in halls. They were also mindful that the rent included gas and electricity, cleaning costs, broadband internet and other facilities.

However, members were concerned at the comments made by some students that the costs were too high for the students to consider living in halls and wished the universities to consider whether it was possible to offer cheaper rooms to students with a low income, perhaps in exchange for slightly fewer facilities to be offered.

**Recommendation 28 - the panel would suggest that the universities, working with the students' union consider the potential for offering alternative, affordable accommodation in halls of residence for students with low incomes**

**3.4(ii)** The panel heard that a significant proportion of second and third years who had lived in halls in their first year had expressed an interest in staying on in halls in their second and/ or third years but that this was not possible due to the limited number of rooms available. The panel considered that, if even a small number of second or third year students were able to live in halls, this might slightly reduce the number of private sector houses needed for students.

**Recommendation 29 - the panel would suggest that the universities consider whether there is scope to expand the offer of rooms in halls of residence, not only to first year students but also to those second and third years who would like to live there.**

**3.4(iii)** The panel considered the option of the universities directly managing accommodation in the private rented sector. It was apparent that there was unmet demand for such accommodation and the universities said that they would not rule out taking on more properties in this manner. The universities have their own occupancy standards for properties, and any private property would need to meet the standard.

The benefit of these properties for residents is that the university is directly involved with

the management and can take swift action against any complaints; the benefit for students is that the property would be of a certain guaranteed standard.

**Recommendation 30 - the panel would suggest to the universities that they explore the possibilities of expanding their portfolio of directly managed properties over the long term, in order to increase the range of options available to student tenants.**

### **3.5 Student Landlord Issues**

*'Landlords should be made, through their HMO licences to have more responsibility for their properties and tenants'*

*'Little money is spent in the upkeep of houses...HMO houses are easily identifiable by their scruffy exterior'*

**3.5(i)** The panel heard from residents unhappy with the condition of student properties in their neighbourhood; the panel heard about houses with flaking paint, broken windows, and unkempt gardens. Students told the panel that they often had to live in unsatisfactory conditions in private rented accommodation, and that they had little control over the condition of the building.

The panel was mindful that this was an issue that could cause tension between student and non-student neighbours, and that it was not a subject that could be resolved by either party, but that it was the responsibility of the landlords to resolve.

**3.5(ii)** The Head of Private Sector Housing told the panel about the legislation that already existed in terms of Houses of Multiple Occupation, from a housing perspective.

The Housing Act 2004 relating to the licensing of Houses in Multiple Occupation and the new Housing Health & Safety Rating System for assessing property conditions came in to effect in 2006. The Act requires landlords of many Houses in Multiple Occupation to apply for licences. Licences were needed for Houses of Multiple Occupation with:

- three or more storeys, which are
- occupied by five or more people forming two or more households (ie people not related, living together as a couple, etc), and
- which have an element of shared facilities (eg kitchen, bathroom, etc)

The council issued a set of standards for licensable houses in multiple occupation:

[http://www.brighton-hove.gov.uk/downloads/bhcc/housing/hmo\\_licensing/BH\\_HMO\\_Licensing\\_Standards.pdf](http://www.brighton-hove.gov.uk/downloads/bhcc/housing/hmo_licensing/BH_HMO_Licensing_Standards.pdf)

The panel heard that the legislation governing Houses in Multiple Occupation was quite restrictive, both in terms of defining an House in Multiple Occupation and in terms of the powers it granted to local authorities, which tended to focus on ensuring the quality of accommodation provided rather than on managing the effect upon the local community.

**3.5(iii)** In terms of landlord accreditation schemes, members were told that there was an existing scheme for Houses of Multiple Occupation and that most city landlords already provided good quality accommodation. However most student properties did not fit the House of Multiple Occupation definition, so it might be beneficial to extend the scheme's criteria. This might be achieved by closer co-working with the universities.

It might also be useful to encourage the universities to manage their own accommodation. It was recognised that the ultimate guarantor of housing quality was demand: if demand for a particular kind of housing outstripped supply, then accreditation could never be wholly effective, as non-accredited landlords would still find customers.

- 3.5(iv)** The panel heard that some private landlords were wary about the introduction of a formal accreditation system; there were concerns that some landlords might decide not to continue renting properties if the legislation were too onerous.
- 3.5(v)** Letting agents told the panel that potential student tenants would choose or ignore properties based on the standard of the accommodation. They already had some properties that were not tenanted and they felt that this number would be likely to increase.
- 3.5(vi)** Students told the panel that they felt there would be benefits to having an accreditation system for properties as this would mean it would be more likely that accommodation would be of a reasonable standard.
- 3.5(vii)** The panel heard that the universities limited the private sector rental properties that they advertised on their websites to those properties with a rent of £80 or under. They were concerned that this gave potential students who did not live in Brighton and Hove a false idea of rental levels in the city, and potentially restricted their access to better quality accommodation. The panel thought that it might be more beneficial if the universities were to offer the full range of housing options on their websites, and then allow students to make their own choice about costs.

## **3.6 Recommendations**

- 3.6(1)** The panel considered the comments of all of the parties involved and the experience of local authorities who had introduced a voluntary accreditation scheme. Canterbury, for example, reported that approximately 50% of private landlords had signed up to their voluntary accreditation system. Canterbury said that they had found it useful to offer incentives to the landlords, for example, additional refuse services for registered accredited landlords at the end of term.
- 3.6(ii)** The panel was mindful that it would not do to be too heavy-handed or forceful with any potential accreditation system as this would alienate landlords and not achieve the desired outcome. However it was hoped that a voluntary accreditation scheme would be of assistance to landlords too; if there was more of a supply of properties than was needed, the accreditation system might help to signpost students to properties of a better standard. It would help to improve the management and safety of student houses in the city.

The panel thought that it would be valuable to explore the potential for a voluntary accreditation system with the various parties concerned or to extend any scheme that was already in existence. It was suggested that this would be led by the Private Sector Housing Team as they would be likely to be the team to administer any such scheme. The research should take resource implications into account as well as any costs for the landlord.

**Recommendation 31 - the panel recommends that the Private Sector Housing Team discuss the potential benefits of extending the landlord accreditation scheme in relation to student accommodation, which does not fit into the existing Houses of Multiple Occupation accreditation scheme, with representatives from Brighton and Hove's landlord associations and other parties.**

### **3.7 Empty Properties**

**3.7(i)** The panel was concerned by comments from the letting agents that some properties were already sitting empty because they had not been let to student tenants. The panel thought it was more likely that these properties would become rundown and so become less desirable; any disrepair might have an adverse effect by spreading to neighbouring properties. The letting agents told the panel that they anticipated that more and more student properties would remain vacant as there was higher supply than demand in the city. Empty properties were of no benefit to the owners; they would be losing money for the entire time that the property is empty, and they would have to cover any resulting repairs costs etc.

### **3.8 Recommendations**

**3.8(i)** The panel was mindful that there was an overwhelming demand for family accommodation in Brighton & Hove, and that some of the student properties that were now standing empty had originally been intended as family housing. They considered whether there might be a citywide strategy to encourage landlords to use empty homes for family accommodation again. This might be particularly welcome in the current economic climate; any steps that could be taken to reduce the number of vacant properties, assist community cohesion, help landlords financially and ensure that family accommodation was brought back to its original use should be strongly considered.

The Panel discussed whether there might be a further role for the council's Empty Properties Officer to build on its existing good practice. The Officer could look at properties that had been empty for perhaps one or two years, assisting with grants or other ways of renovating property on the agreement that the property would then be let to families via a Housing Association.

**3.8(ii)** The panel was aware that there would be a great many factors to be taken into consideration when debating how the long term empty properties might best be used and that there were already empty property strategies in place within Brighton & Hove City Council. They felt that it was a piece of work that should be fully researched and the potential benefits of extending the Empty Properties Strategy to be considered.

**Recommendation 32 - the panel recommends that the Empty Properties Team works proactively with student landlords and managing agents to ensure that student properties that are unoccupied can be reused for social housing.**

## **4 - Partnership Working and Communications**

### **4.1 Partnership Working**

**4.1(i)** The panel felt that an overarching approach for all of the student impact issues could be useful in continuing to develop partnership working in the city. The partners might include:



stakeholders such as both of the universities and local colleges, the council, police, residents, the students' union, local councillors, landlords and community liaison staff. It was recognised that the Strategic Housing Partnership met to consider a wide range of strategic housing issues across the city and there was no intention to duplicate this work.

The panel felt that this was a significant piece of community work. The issues that had been raised could not be addressed in isolation but would be better tackled by cross-partner working and shared approaches; for example, the council might introduce an initiative to address noise problems but this would be more effective if, as suggested in recommendation 7, the universities and Students' Unions were involved and could promote the message amongst its students.

It was felt that local councillor involvement might be better coordinated through more joint working. At present, individual ward councillors tend to contact the universities separately, although it is likely that the issues are largely the same. In addition, the panel felt that there were also a number of initiatives going on across the city but they are not always joined up as well as they might be.

- 4.1(ii)** Residents told the panel that they were not concerned about which university or college a student household might attend; if there were complaints about the tenants, they would like there to be a consistent approach across all of the educational institutions in the city. Partnership working and shared communication could help to address this. Residents said that it was difficult to always know to which agency a particular complaint should be addressed; would it be a police matter, local authority or university. The panel heard that residents would welcome guidance and asked whether this might be publicised on the council's website.

## **4.2 Recommendations**

- 4.2(i)** The panel heard that the Strategic Housing Partnership met to develop strategic approaches to a variety of housing issues in the city, and that both of the universities were represented at the Partnership. There was debate amongst the panel as to whether the Strategic Housing Partnership might be best placed to deal with the operational issues that had been raised by residents or whether another forum ought to be established. It was felt that a number of the potential issues would fall outside of the remit of the Strategic Housing Partnership, for example, noise nuisance protocols or work involving CityClean.

The panel concluded that it wished to recommend a new Student Working Group, which might act like a 'Student Impact Local Action Team'. Their work would be community based, facilitating better relationships between residents and students, and covering the whole range of student effects that have been discussed in this report.

Subject areas might include residents' complaints about street noise; about refuse, recycling and bulky waste; planning policy; council tax implications; the quality of student housing; review students living in certain wards; student numbers in the private rented sector compared to numbers in halls of residence, joint work on promoting the SShh campaign as suggested in recommendation 7, review the provision of purpose built accommodation and so on.

- 4.2(ii)** The panel was mindful of Dr Darren Smith's comments that 'existing powers were often

enough to tackle problems' and that it might not always be necessary to introduce new policies but rather to use the existing ones. The partner organisations each already had a number of powers and sanctions that might be of use in tackling any kind of antisocial behaviour, not just that which could be attributed to students. The council, for example, had its noise abatement procedures, and CityClean could take enforcement action if households consistently left refuse or recycling out on the wrong days.

However, there was a sense that partners were not always fully aware of the extent of the power that other stakeholders might have. The panel thought that it would be beneficial for the members of the Student Working Group to summarise the powers that already existed, and to monitor and update the information as necessary. This information should be made available to the public, via the website and other means.

There may well be other occasions when various partners needed to meet up throughout the year; this suggested meeting is not intended to replace those other meetings. However the suggested Student Working Group would be an opportunity for all of the various stakeholders to be together to discuss operational issues and to allow them to consider possible solutions.

The panel recognised that there would be resource implications in establishing a new group. It was felt that the local authority could provide officer support and it was hoped that all of the partners, in particular the universities, would recognise the benefits and value of having such a group, and support it accordingly.

The panel felt that it would be important for the Student Working Group to be aware of the information gathering that was currently happening in the city. It welcomed the work that was being carried out by the University of Brighton on behalf of the Strategic Housing Partnership in mapping student numbers in Brighton & Hove and hoped that this research would be continued into the future, as this would help to inform planning and strategies for student housing in years to come.

**Recommendation 33 - the panel recommends that a Student Working Group is formed, comprising of both of the universities and local colleges, the council, police, residents representing Residents' Associations, the students' unions, ward councillors, representatives for landlords and community liaison staff or staff from the accommodation teams. This would facilitate ongoing and improved communication and liaison between the partners.**

**The Group should consider the operational issues caused by the impact of students living in the city and discuss ways of addressing possible solutions where necessary. The Group should also coordinate a shared database of sanctions that the partners already have.**

### **4.3 Communications**

**4.3(i)** The panel felt that one of the areas that the Student Working Group might wish to consider was that of the induction packs given to students. At present, the universities each have their own pack, the letting agents and landlords issue students with a pack, and the council has its own information that it wishes to give to students; this can lead to students being overloaded with information and discarding it all out of frustration.

The Community Liaison Officer from the University of Brighton confirmed that a joint

council/ university information pack for students would be useful, particularly if landlords and letting agents were encouraged to distribute it, as many students take up accommodation in advance of their university induction, meaning that landlords are a better initial contact than universities or student unions.

#### **4.4 Recommendations**

- 4.4(i)** It was felt that it might be more effective to have one induction pack that was used by all of the partners in order to coordinate the information that is given to students across the city.

The panel thought that this might be resourced by redirecting the funds that are currently spent on each partner's individual induction packs. It was considered that it could prove to be more cost-effective to have a centralized induction pack.

The pack might include a checklist that students ought to consider when setting up their tenancy, for example, suggesting that the students introduce themselves to their neighbours; that they check details of their refuse and recycling days; has the household completed its Council Tax exemption form etc. The panel was aware that the University of Sussex's current accommodation induction booklet included a checklist of this nature; they considered this to be an example of good practice that they would like to see continued.

**Recommendation 34 - the panel recommends the immediate benefits of a shared information pack for all partners in the city to issue to students and that the Student Working Group could implement this as one of their first actions.**

- 4.4(ii)** As a long-term goal, the Student Working Group might wish to commission a piece of work to look at various environmental factors in a student neighbourhood, in order to assess its 'healthiness'. This could include car pollution/ refuse/ effect of poor standard accommodation on health and stress levels, and so on. The research might include work about the hidden costs of student accommodation, for example, the number of students living in private rented accommodation means that a certain number of family type houses are no longer available for family use, and the ongoing effect that this might have on the demand for social housing.

Alternatively, the working group might wish to work in conjunction with researchers at the universities to carry out investigations into the feasibility of an Area Action Zone, also known as a cumulative impact zone.

**Recommendation 35 - the panel recommends that the Student Working Group considers the benefits of carrying out a 'Neighbourhood Health Impact Assessment' or a cumulative impact zone in student neighbourhoods.**

## **5 - Positive Impact of Students to Local Community**

- 5.1 (i)** The panel was concerned that it may seem as if Brighton & Hove did not welcome students and that the entire panel had been focused on listing the negative effects of students living in the city. The members wished to place on record their commitment to students living in Brighton and Hove.

The panel heard that students played a valuable and useful community role in the city in terms of carrying out volunteering in the city. This was welcomed and students were encouraged to carry on volunteering.

- 5.1(ii) The panel heard that the University of Brighton was linked to local communities through the Community University Partnership Programme which had been in operation since 2003. One of its main tasks was to develop the curriculum to give students the chance to contribute to their local community through their studies. Over 300 students were annually involved in community projects as a formal part of their learning, with each student would normally do 50 hours which equates to 15,000 hours of University of Brighton student resource going into the community each year. On top of this many students also volunteered in their own time. The panel heard that the University of Brighton was the winner of the national award for outstanding contribution to local community 2008, awarded by the Times Higher Educational Supplement. Students from the University of Sussex also contributed to community engagement in a large number of projects in the city.

## 5.2 **Recommendations**

- 5.2(i) The panel welcomed and supported the current volunteer arrangements that were in place at both universities. The panel thought that there may be benefits if students were encouraged to undertake volunteering opportunities in their immediate neighbourhood as much as possible, as this would help to foster good relationships between students and non-students. Members thought that it would be useful for the volunteer coordinator or organising group to work closely with ward councillors to establish what might need to be done in an area; this would help to ensure that the most pressing tasks were being prioritised. The panel would encourage the student volunteers to liaise with the local press and with the university newspapers in order that their achievements could be recognised and publicised.

The panel was aware that work was underway on a citywide volunteering strategy and would encourage the universities and students' unions to sign up to the strategy.

**Recommendation 36 - the panel would recommend that the universities continue to encourage students to take part in volunteering opportunities in the residential areas in the city where there is a significant student population in order to foster improved community relations. The ward councillors and community association should become involved in helping to prioritise tasks.**

- 5.2(ii) Dr Smith told the panel that students were traditionally under-represented on residents' groups and associations and any work which encouraged greater engagement should be welcomed. The panel also thought that it would be a positive move if students were encouraged to be active members of their Local Action Teams and Residents' Committees. This would help to build relationships between students and non-students, and break down barriers between the two groups.

**Recommendation 37 - the panel would encourage students, via their Students' Unions, to attend their Local Action Team meetings and to play an active part in the community.**

## **6 - Conclusion**

- 6.1** The panel heard and received evidence from a wide range of Brighton and Hove residents and bore this in mind throughout the three evidence gathering meetings. The panel members would like to sincerely thank all of the residents and witnesses who took part in the work of the investigative panel in any way.
- 6.2** The panel appreciated that the issue of students living on a temporary basis amongst longer established communities had a significant effect on residents, although it was often the case that the majority of students had little or no effect on other residents.
- 6.3** The panel has made a range of recommendations that it hopes will help to address the various aspects of the student impact on residents. These recommendations are not intended to stand alone but, if accepted, should form part of the policy framework for student housing that already exists in the city.



**Part D – Appendices**

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## Appendix One – Press Release

# Council seeks views on students in the city

The growing number of students choosing to study in Brighton & Hove and the impact they have on local communities, is to be discussed at a series of public meetings.

Brighton & Hove City Council's Scrutiny Team has set up its first investigative ad hoc Panel under the new Cabinet arrangements.

The Panel, made up of councillors and open to members of the public will be looking at the impact that growing numbers of student households in the private rented sector might have on longstanding communities within the city.

The Panel will be chaired by Councillor Anne Meadows, Chairman of the Adult Social Care and Housing Scrutiny Committee and will also include Councillor Georgia Wrighton and Councillor Tony Janio.

The Panel will be holding three public meetings to gather evidence and views. The first meeting, on 17 October 2008 from 2-4pm is for residents, including students, to tell the Panel about their experiences and make recommendations for feasible policy changes. If you would like to submit evidence but you are unable to make this meeting, you are able to provide a written statement to the Panel. Please email [scrutiny@brighton-hove.gov.uk](mailto:scrutiny@brighton-hove.gov.uk) or write to the Overview and Scrutiny Team, Brighton & Hove City Council, Kings House, Grand Avenue, Hove BN3 2LS.

These opinions and experiences will set the agenda for the second two meetings, in November 2008, when experts will provide evidence to the Panel.

Councillor Meadows said: "Everyone living in Brighton & Hove understands the benefits and the value that the two Universities bring to the city and we very much welcome their presence.

"This is the first time that Overview and Scrutiny at Brighton & Hove City Council has studied the effects that students living in the community might have on long standing local communities and we will be looking to make practical policy recommendations as a result of the Panel.

"I hope that residents in the city, including students, will take this opportunity to let us know their views, either by writing to us or by attending the meeting on 17 October 2008 at Hove Town Hall'.

Following these public meetings the Panel will report back to the Scrutiny Committee with practical recommendations.

Please contact the Scrutiny Team on (29)0450 or email [scrutiny@brighton-hove.gov.uk](mailto:scrutiny@brighton-hove.gov.uk) for further details or if you would like to provide any evidence for the meeting.



## Appendix Two –Letters from Residents

11 10 2008

Thank you for your letters. I am unable to attend the meeting as the time is not convenient, especially for those people who work. Shame as they are the very people being affected most by student problems. What about an evening meeting?

I live next door to five student house. The last two lots have been fine, but previous lot were very violent men. They were in their twenties so not young lads and they made my partner and I ill over the year they rented the house. Previous to that we had very noisy students, who dealt drugs we believe. With this in mind I am withholding my name and address as I do not want retribution from anything I have said in the statement I have put in the attachment. I hope it can go towards other statements, but if not then so be it. I like the many people who will be to scared to contact you or go to the meeting are to frightened of damage done to us or our property.

It sounds dramatic I know, but people are frightened, especially the elderly.

yours

A Brighton resident. (from Bevendean)

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### Statement for student meeting 17<sup>th</sup> October 2008

I am a resident in Brighton and the student population in my area has caused massive changes to a once quiet, tidy and clean residential estate. Here are my views on the impact students have made to the area.

1. Developers have bought nice family sized homes and turned them into student rooms, with the help of extensions many of these houses can have upwards of 6 students. This makes a problem straight away. Six people not recycling or putting their rubbish out in the bins provided. Six cars parked on the pavements, grass verges etc, as there is not the room. Mountains of vodka and lager bottles in the unkept gardens. This is the norm.
2. There are to many of these houses within the area. Many developers have 16 or more houses each. They do not take responsibility for their tenants, neither does Brighton University or the Council. Students have ridden rough shod over everyone in my area.
3. Noise levels during term time is unbelievable. Students wander around late at night into the early hours yelling and screaming, talking load on mobiles, playing football at 3am (yes 3am) on the green while the rest

of us who pay council tax have to get up in the morning for work.  
Children for school.

4. Many students have a drink abuse problem. By mid evening you see them up and down the street can or bottle in hand. The bottles end up smashed in the street or on the greens areas. Great for young children and dogs feet.
5. It has been said that students care for the community they are living in. My answer to that is utter rubbish. On the whole they only care about themselves. What are they supposed to do in the community to make us feel they are part of it.
6. Noise levels from their houses and outside is horrendous, parties going on from early evening till 5 am. Cars revving and doors slamming. Windows open at all times with sound systems on full blast. It seems that the landlords set the heating so in the winter if it gets to hot they resort to opening the windows but do not turn down the stereo.
7. Students are told to smoke outside the house. This also means more yelling and screaming and mobiles while the residents are trying to sleep.
8. Violence. Most students are non violent, lippy and rude yes, but not violent. However some are. We had some who were very violent towards us and we were very frightened, no-one wanted to help us. Even their landlord was frightened of them. Another student threatened to kill a friends husband when he asked them to be quiet. They were also dealing drugs from that house.
9. I feel that the student population has reached saturation point in my area. They are not part of the community and on the whole are not liked. The value of our houses has gone down. Who after all wants to move into a bunch of noisy people who might get abusive.
10. The rubbish is another real problem. These so called intelligent people are always in bed fast asleep when the rest of us lesser mortals have put our rubbish out on the right day. Students living a different day to the rest of us. They don't go to bed until the early hours and then stay in bed till noon. This rubbish stays in the street for the gulls, foxes and rats to pick over. This is a very common problem.

11. All people want is respect. Respect that we live there all year, respect that we work and want to sleep at night, respect for the environment, that's all we ask. With students in the area on mass this will never happen.

---

Ryde Road  
Brighton BN2

4 10 2008

Dear Sir/ Madam:

Re: Studentification/ multi-occupancy

1. At present, authorities ignore small student households of 3 or 4 residents but these can cause the same difficulties to neighbours as the larger houses with 7 or more in.
2. I believe the value of my house is reduced by having a student house next door.
3. I have had 3 years of 'good' students next door to me – but am always worried about whom I might get next time.
4. friends of mine had a happy family home in Hartington Road. They lived there until their children grew up and had every intention of staying there. They were eventually forced to move because they couldn't stand the noise from students on either side of them – after several years, they gave up the unequal struggle. That just is not fair.

Yours faithfully  
GP

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In response to your e-mail unfortunately I will not be able to attend but add the following for your consideration:-

I am chair of the Phoenix Community Ass which is located directly behind the halls of residence in Southover Street, Brighton.

Our estate comprises of 127 social housing units of mixed tenure ranging from single occupancy to family dwellings, situated in the middle of this is the Freebutt public house.

Over the past 11 years we have had to endure countless sleepless nights due to the noise levels emanating from the halls of residence to such an extent that residents have had to move into private sector rented accommodation because this impacted on their working lives.

When I was appointed chair I arranged a meeting between ourselves, the management and our local ward councillor to discuss the problems and try to find a way forward. From these meetings it was agreed that the councillor and a representation from our estate could attend their induction meeting with the students, the outcome of which was very positive with very few incidents that year. Another idea we implemented was to issue our residents with a direct number to the security office so as to inform them when there is noise emanating from the rear of the building so as they can act. Overall this has had the desired effect of reducing noise. The downside to this is every year

they have new students and noise levels increase. We as volunteers should not have to repeat this time consuming process every year. The management of these halls of residences should be responsible for getting the message across to their residents and made accountable where necessary with closure notices in relation to A.S.B.

As mentioned in my opening statement, the Freebutt Public House situated in the middle of our estate is an establishment frequented by students nightly to listen to live bands play. Again the history of this does not make good reading. Our resident's tolerated this establishment under the old licensing laws knowing that all should be quiet after midnight, but since the introduction to the new laws and longer hours the problems had increased to such an extent that the local authority issued a noise abatement order to the previous owner. On realising the cost needed to sound proof, immediately put the pub up for sale allowing another licensee to come in and start up again. The other problem we have to deal with is students cutting through our estate and jumping the boundary wall causing hundreds of pounds worth of damage to fencing that we have previously had raised in height at considerable cost to try and deter such action all to no avail.

I hope this enlightens you to some of the problems faced on the Phoenix Estate, if clarity is needed then I can be contacted on XXXX.

Kind regards

Malcolm Constable

Chair

Phoenix Community Association

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Mr L

Ewhurst Road  
Brighton

11 October 2008

**Re : Survey on impact of city's student houses**

Dear Sirs

Students are a continually changing population, so in streets with many houses rent to them, the character of the area has become less friendly as there are fewer neighbours to get to know and build a community spirit. The gardens of these houses are not maintained and soon become very untidy and overgrown. Houses rent to students will never become homes to them. From personal experience, I know that all a student requires is a room in which to sleep and study, not a house and gardens to maintain. Students have different lifestyles to townspeople.

Also, many students bring cars with them at the start of term, which makes parking extremely difficult, particularly close to one's home. Local residents need cars for a variety of reasons: to commute to work, bring home shopping, visit friends and family who live a few miles away, invite people to visit and to go out safely in the evenings. I suggest that students are prohibited from bringing cars to the city as they live near the universities and usually use buses and taxis anyway.

I think that large halls of residence in the city centre for students would be ideal for everyone. There are currently several empty buildings which could be converted. I can suggest the following: Anson House, Astoria Cinema, Circus

House, London Road Co-op, Preston Barracks, and Royal Alexandra Children's Hospital in Dyke Road.

I hope my comments and views will be helpful to you.

Yours faithfully

Mr L

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Mrs M

Dudley Road

Brighton

Survey on student homes

With regard to the above, when is someone going to take control and responsibility for these students?

There are far too many of them. I complained last year to the agents and was told to contact Health and Safety and Noise Abatement regarding rubbish and noise. It is not my responsibility to contact those authorities, there should be a central contact that should deal with complaints as this obviously is going to be an oncoming problem.

The street is noisy all hours and dirty, they are spoiling our streets in one house they have converted the garage into a room. Its not just the students in the house, its their friends that stop over plus all the cars.

As a pensioner who feels unsafe on the streets I do not want at night to have park my car at the other end of the street or the next road if I am lucky.

Owners should be local and not miles away who only visit between change-overs.

Agents and owners make money out of this and should be made more responsible, there are far too many students in our streets and quite frankly spoiling Brighton as a whole.

The houses and students should be monitored and limited.

Yours faithfully,

JM

PS Would the owners of those houses like them next door to them?

---

Southall Avenue

Brighton

Dear Sir,

With regard to your article about student population in off campus accommodation in Brighton, we wish to offer this photographic evidence as to the scruffy and dirty conditions living amongst these students entails.

They mostly don't bother to put bins in and out on correct collection days, they just leave them out all the time, blocking pavements. They put out stuff the recycling team won't take and that is there for weeks.

Rubbish gets thrown into their front gardens and left there for months. Some are noisy, not all I will admit.

Some front gardens are very untidy and the absentee landlords don't bother to get them done, maybe once a year.

All these factors will have devalued our property should we wish to sell, which is a distinct future possibility, as we are not happy having lived here for 43 years to now be living in a student ghetto.

Yours faithfully, JB

These photos are just 3 of the many incidents along the road.

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Brading Road Brighton  
BN2 3PD

Thank you for your letter dated. 7/10/08. Yes, I would be happy for you to keep my letter, regarding excessive noise from the students next door, in the public evidence file.

However I would now like to add, that since my husband has spoken to them, and made it clear that he would not tolerate the continuation of the excessive noise, it has now become much quieter, especially in the early hours, which is when we had most of the problem.

I am not sure if the fire doors have been fixed to stop them slamming, or if the students themselves are being more careful, but they are also much quieter

Yours sincerely

JD

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Dear councillor

I am writing on behalf of the Coldean Local Action team and Residences Association concerning the forthcoming investigation into student accommodation in our community.

This is of great concern to our residence. We have many elderly residents that have been approached by agents who want to buy their homes to be used for student use. In my area in a space of a hundred and fifty meters (approx ) there are four houses housing 5 students each. Unruly behaviour we can control ourselves with help from the Police and other bodies. But our main concern is we need families that would appreciate living in our village type community.

I do think the university could have retained the land at Falmer for accommodation for students and put the Stadium at Waterhall. There are many more concerns but I shall be at the meeting with our chairman on the 17th October.

Regards Mr Trevor Wood  
Coldean Local Action Team

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I am writing to make my views known to the Scrutiny Committee on student housing.

I have lived in Hartington Road for 17 years now and watched the area change from a lovely mixed residential area, with lots of families and people of all ages to one which is dominated by a people within a narrow age range who are transient and have little or no commitment to the community. Houses and gardens have become neglected and the level of noise on the street, particularly at night, has become so bad that it is impossible to sleep in the bedroom at the front of my house.

For the past five years the house next door to me has been occupied by 6 students. Until this happened I had lived very happily here and never had

occasion to complain to a neighbour. I had never been woken in the night by neighbours returning home, or having impromptu parties. Now I dread every September, knowing it will bring a new batch of people who haven't lived on their own before and have no sense of the boundaries required to live amicably in terraced housing.

The noise problems are not just those of parties. There is the everyday disturbance that happens when people come home drunk at 2am, chase each other screaming up the stairs, stand outside their front door having loud conversations in the middle of the night, or the general noise of a house filled with fire doors slamming through the night. However well, or not, we develop an understanding over the year of what the boundaries might be, I know that come the new academic year, the whole process will start again.

I am particularly aggrieved that the landlords who are effectively running their business next door to our homes are not held more to account. Like any business they should have obligations in terms of social responsibility to the area in which they operate. Their business generates noise pollution that invades our people's homes. If this was a matter of machinery running late at night next to my bedroom, it would be shut down.

This year I spoke to the landlady of the house next door and asked whether she could help in giving clear advice to the tenants about the level of noise before they moved in. She informed me that she already did this in her contract, but assured me that she would let both the tenants and their guarantors know that the house was under a "noise" warning. I felt greatly relieved that she was taking some of the responsibility.

I was therefore dismayed that the very first day the new tenants moved in, they had a party. When I asked them about the advice they had been given before moving in, they told me that they had been told by the landlord's agent that this was a "student area" and that they would be living next door to students.

I would urge the council to consider the following:

- Develop a Code of Practice for all student Landlords, which would include advice to be given to all new tenants about how to be a good neighbour and require agents to inform new tenants of their responsibilities before handing over keys.
- Implement sanctions against those landlords and agents who do not enforce the elements of their tenancies which are supposed to protect the quiet enjoyment of the neighbours. Fine landlords as well as tenants when a household creates excessive noise more than once, or is guilty of anti-social behaviour.
- Keep a register of all private landlords and agents so that neighbours can easily contact the council and find out who is responsible for a particular property.

- Limit the number of HMOs in any one street / area to prevent the development of ghettos.
- Create broader definitions of HMOs so that more properties can be regulated under this legislation
- Increase the requirements for sound insulation in HMOs and ensure that there are communal living spaces within them which are not conservatories.
- Encourage the development of more purpose built student accommodation blocks.
- Create a bigger public awareness campaign around the issues of noise / anti-social behaviour, so that everyone knows what the laws are.
- Ensure that complaints about noise are held on record for one year only, not 5, as this just discourages people from complaining.

I love my house. I've spent most of my adult life here and one of my children was born here. I'm committed to the local school. I've had wonderful neighbours, old and young. I've watched neighbours kids grow up and get married. Celebrated birthdays, Christmas and New Year with them. This area has been a tolerant, diverse place, but the community is disintegrating. So many of my neighbours, especially those with young children, have moved away from this area in the last 5 years because of the growing problem of noise. This used to be an area in which you could hear children playing in the early evening, dogs barking, people chatting to neighbours. Its ridiculous, but I crave hearing a dog bark. Now the noise you hear is drunk people careering through the streets at night. I feel on edge in my home, angry. Recently I spoke to woman in her 70 s who has lived here for 50 years. She wants to leave. How can this be right? People feeling uncomfortable, alienated, in homes they have lived in for most of their lives, because of unregulated commercial activities by greedy landlords who are not accountable to the community they are destroying. Unless we do something very soon, this place will become a ghetto of run-down properties with a completely transient population.

Please take action, both short term to manage the noise problems and stop the loss of non-student households, and long term to re-introduce diversity into the community and make it sustainable.

Many thanks

CF



To the Scrutiny Committee Members,

We have lived in Bonchurch Road for 8 years with our two young children. When we first moved into the area, we chose Elm Grove because it was very much a diverse but family orientated community with a great primary school nearby and a range of shops covering local needs.

However, in the last couple of years an increasing number of developers have out-bid family or first time buyers and consequently these properties have been over-developed and are now student accommodation. This has affected the community in many ways. Firstly the community atmosphere is very different for example: anti-social noise levels have increased, with students creating noise that ranges from their stereos to shouting in the street in the dead of night as well as spontaneous parties being held without any prior notice; litter and parking issues, not to mention the unbearable door slamming of the regulatory fire doors.

Personally speaking we do not have an anti-student mentality. We have lived next door to a property that until last year was owned by the University of Sussex and enjoyed for 6 years a very positive relationship with the ever-changing 4 students. Last year however the property was sold in a batch (it was not possible for a family or an individual to purchase a single property) to a private developer who has turned a three bedroom house into a HMO for 6 tenants. Houses in the Elm Grove area were purposely built for a family of 4. Overdeveloping these properties to house 6+ students, their cars, their noise, their rubbish and their friends has obvious consequences for the rest of the non-student community. Now that the area is being flooded with these properties the result is that families are choosing to move away. We also have another HMO directly opposite our house occupied by another 6 students. With 2 properties either side up for sale we are very concerned that every house that goes onto the market in Elm Grove will be bought by an 'anonymous' developer and turned into another HMO.

Brighton and Hove City Council urgently needs to act; many are already saying that it is too late for our community. We, however, would wish to be more positive and ask that before it is too late, that legislation, either primary or delegated needs to be enforced in order to control the number of developers who can turn family houses into HMOs or our community will be destroyed. These developers may claim that they improve properties and invest huge amounts of money but ultimately most do not live in Brighton, are not available to respond to urgent/simple problems and have no personal interest in the preservation of communities. Nor indeed, do developers pay any council tax or care for the ultimate consequences of their developments. May I respectfully suggest that all housing for 4+ students becomes regulated as an HMO; that planning permission is needed for a HMO licence ( to restrict the number of communal conservatories) and that a cap is put on each area for the number of houses that can be granted HMO licences. Finally that current landlords should be made, through their HMO licences to have more responsibility for their properties and tenants.

I urge the Council to seize the opportunity to take action before it becomes too late for our community.

Yours faithfully,

JH and CH

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### **On 'Studentification' in Hanover, Brighton: A Plea for help.**

The house opposite mine in Hanover Terrace was a very smelly, very refuse littered and intimidating property with rude aggressive occupants until the letting agency took responsibility by making it an anti social behaviour watch house. I still do get kept awake though, mostly by parties taking place behind me by people in the student HMOs in Coleman Street. This is less frequent now but it is still very unpleasant to sometimes be kept awake all night.

The situation at the Phoenix Halls of residence has got a little bit better now. I live a good distance away from the Phoenix but nevertheless since it's been built, would frequently be kept awake by screams and shouts and very, very loud music coming from there. All night parties were a very regular and sometimes nightly occurrence both at the Phoenix and in the street and gardens backing onto mine. Party houses would effectively duet leaving the poor noise patrol officers asking me which one of 2 or 3 I wanted them to visit. As a result of the noise my kids would often be exhausted. It was worse at certain times of the year. When there's a noisy party I realise that I have to go and identify where it's coming from for the noise pollution and environmental teams. This month I've only had to do it twice which is unprecedented for this, normally very bad time of year. However it's still pretty upsetting having to get up – as one time recently, at 4 in the morning and more recently, a little bit after eleven. The reception I get is mixed. The 11 0'clock lot were very nice the other night and hadn't realised, quite genuinely I think, that they were disturbing me. They quickly turned their music down, but the other one at 4am was too scary looking for me to approach – a crowd of stoned looking youngsters were going in and out. That affair ended I learned from neighbours, with the police being called to deal with an ugly situation. I certainly believe that drugs may have been involved.

There are a nice bunch of residents around here but quite a few people have moved away to escape the difficulties and I'd include some of the students among the nice – but, a very vocal and aggressive minority cause all the problems here. Neighbours have got together and some of these in the organised form of Podium. Podium has done a massive amount of work to improve the conditions at the Phoenix and environs and there is an improvement: but I wonder how long such groups can keep up this level of work before the universities, who have some responsibility for the students in their care, apply the sanctions which, according to the students' contracts which are signed at the beginning of courses, they are able to. These can be applied if a student behaves in an anti social manner and disturbs and distresses fellow occupants where they live and/or local residents who are innocently trying to work and play at home. Perpetrators would then feel the

consequences and be made, either to stop, or surrender their right to study at the university. Or perhaps the university may feel that the answer is to move the noisy ones to somewhere else where they are away from communities and diligent students.

Refuse and hygiene is another issue. The pavements outside some multi-occupancy student houses are filthy with waste. A minority put out their rubbish consistently on the wrong day and 'unbagged' or bagged poorly. Elderly people and young children, and indeed the rest of us, living in the area, do need not to have this sort of problem around us.

The council have done what they can and some people there in Environmental Health and the Refuse dept have been helpful and proactive - but it depends who you get on the phone line as to how much help you get. It's difficult for them to deal with the scale of problem we have in this area and beyond.

The police are doing their best now too. All the agencies need better resources to cope with the situation. Again I do feel that the responsibility does rest with the university and the students themselves. The discipline of living among others in a reasonable way is a part of the education of any young person I think. As a parent I feel very strongly about this. I ask now, what are the university going to do for us? How will they address our troubles? How much of the money they make from the students will be made available to sort this horrible mess out?

I hate to feel afraid at home here. Some of the sounds that come from the street are intimidating. I know that the police don't usually manage to come out when these things go on: they have too much to do. I'm also aware that the noise masks drug dealing and the general commotion and disorder provide a mask for other elements to come in and commit crimes.

My children have grown up and moved out now and as a single woman living on my own I've spent more time than I'd like to think about feeling scared out of my wits. Please help us. Please put a package together which will improve things. We've done a lot of work but it has been the case that whenever we've relaxed a bit, taken a rest and said 'things are better a bit better now' the old problems seem to redouble. As a community we shouldn't have to do all of this ourselves and nor can we.

There's a campaign at the university at the moment: the **ssh** campaign and it's a great idea. It has been having some impact but this has been somewhat undermined by the decision of the Phoenix halls to require smokers to smoke outside their building. We get the noise of squawking smokers at night now. On Gumtree website agencies are promoting Brighton as a party town for student lets and the street backing onto mine is nick - named 'Party Alley'. It is not a party town for residents, who suffer and have no energy left for their own family celebrations!

Many local residents are afraid to complain because the law penalises complainants by ensuring that 'neighbour dispute' is put on documents relating to any sale of a house. There would be much more reporting of incidents were this not the case. This means that on failing to get students to behave well a resident may be condemned to live unhappily in an unsalable property and so people keep quiet about their problems. No escape! I intend to stay put and will take anyone who perpetrates this bad behaviour to court if need be. I know growing numbers of us are willing to do the same.

I understand that we are particularly badly affected in our part of Hanover. Can we rely on the university to keep up this education process for the students and, when there are problems, I ask again, will they use the powers that they have to bring perpetrators of this ASB, to book? I'm sure that whilst this may mean a short term loss of some income for the university as some expulsions will occur, in the long term it will surely benefit these institutions to have students who will undertake their studies to the end of their courses, gain their qualifications and make a wonderful contribution to our lovely city.

JP, Hanover Terrace.15-10-2008

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Whilst appreciating that students are not liable for Council Tax I believe that because of the demands they make from rubbish collection etc if they do not pay then if they live in private rented accomodation-H.M.O's etc,then these premises should be re-classified as Business or Commercial Properties & the Landlords required to pay a Business rate of tax on the premises.

I am a single person on a low wage, but just over the threshold for any C.T. rebate, and have to pay £70 per month, the majority of which goes on schools something which I do not use & I believe this to be unfair when these private landlords are raking in the money & contributing nothing to the local community.

Sincerely,

Shanklin Road Street Contact  
Elm Grove Area Residents Action Group

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Subject: Impact of student halls and houses in Hanover, Brighton

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Date: Thursday, 16 October, 2008, 1:11 PM

I am a member of a group of residents in Hanover Street and Hanover Terrace who has been involved in an exchange of correspondence, and in a series of meetings, with Brighton University over the massive impact on our neighbourhood of the Phoenix Halls, and satellite student housing. I am not intrinsically anti-student, being once again a student myself. But I have also lived in the area for over 20 years and have witnessed the great and distressing impact of the Phoenix on the surrounding residential community. [I should, by the way, like to express my reservation about the apparent use by the Council press office, in a press release of 1 October 2008, of the word 'resident' to include students in general. For me the word 'resident' means someone who lives in a place permanently, or for a considerable length of time. Although some students may do this, in the process becoming residents, I think it only causes confusion in discussion if the word 'resident' is used in general to include the word 'student'.]

IMPACT OF THE HALLS: I have seen how the Phoenix Halls, which accommodates 300-plus students (potentially up to 600 at weekends), has transformed the area from one which had a balanced mix of older and younger residents into one which has been gradually saturated by students. This was, indeed, the fear of some Council planners at the outset, although the building of the halls went ahead anyway, with little consultation with local residents. They were, in effect, presented with a *fait accompli*. The building of the Halls - not only a very ugly Kajima building, dominating what is, in part, a conservation area, but a traumatic and even abusive event in itself, causing huge stress to the residents and the collapse of one or two cellars - led to an unremitting increase in buy-to-let properties, or properties bought for students by their parents and used for multiple occupancy.

This process continues. The Council insists that 'everyone' understands the benefits of having two universities in the area. But I have to say that, as an individual living in the immediate vicinity of the Phoenix Halls, and surrounded by what is now student housing, what strikes me above all is the sheer extent of the noise pollution, the added traffic, the accumulation of litter, and the general widespread anti-social behaviour of young people who may not intend any harm whatsoever, and are naturally high spirited, but who do not have any long-term stake in the community around them. The exponential growth in student housing in the area has led many students (indeed some have told me so) to see the area as 'theirs' - a *de facto* campus. The properties adjoining my house are now occupied by large numbers of students. The yard immediately below my window, once daily swept and cleaned by its owner occupiers, became a pile of rubbish, which raised health fears and was a real eyesore. (This inner yard was cleared for the start of term but could become a tip again at any time).

NOISE SHEETS: Until recently I had to commute to London, starting out early every morning. With the amount of noise generated every night by students returning from pubs and clubs and hanging around in the street outside or within the Phoenix precincts throughout the night, this became increasingly difficult, with constant disturbance of sleep. Although I had to pay for secondary glazing to reduce noise disturbance, this still penetrates. Some while ago I diligently filled in noise diaries at the Council's request. In these reports, often written in the small hours of the morning, I noted times and dates of disturbances and what I had done about them, such as communicating with the night security guard or with other personnel the following day. I pointed out that there was a certain pattern to the noise disturbance, which was worst from between 11 p.m. to midnight, and then again between 3-4a.m.- 5a.m., with the return from the clubs of rowdy groups of people who then lingered outside or called up to or down from windows. During the summer months the problem naturally increased, and with the change in the licensing hours, the noise levels became more extended. The kind of noise included drunken shrieking and yelling, and occasional hilarious (to them) skateboarding or cycling over speed bumps, frequent calls to the Fire Brigade, etc. Even small groups of people standing around talking relatively quietly is very disruptive when it happens during the early hours of the morning, when the street traffic has ceased. Moreover, the building

appears to magnify sound to some extent.

Although my noise sheets, and those filled in by other residents, were sent to the Council, and Council staff attended meetings with residents and university staff, nothing seems to have been done by the Council to address the problem so far. I suspect that these noise sheets were simply filed. One wonders, in any case, whether they can be a practical tool when applied to something like the Phoenix, where students are transitory and personally unknown to residential neighbours.

**LINKS WITH UNIVERSITY:** The group of residents formed to address the above issues (informally called Podium, after the word technically used to describe one area of the Phoenix Halls which overlooks Southover Street and often acts as a focus for noise disruption) took part in a series of meetings with University staff over the last couple of years. Our group did not confine itself to making negative complaints, but suggested a number of ways in which the situation could be improved. These included: employment of more than one permanent night guard to help reduce noise levels and disruptive conduct throughout the night; the moving of the night reception area to a place at or near the podium or main Southover Street entrance, so that disruptive behaviour could be more easily monitored and prevented; and the 'greening' of the building to help reduce sound magnification. The University undertook to consider these and other proposals.

At a last informal meeting between members of this group and a member of the University staff, we were given to understand that nothing substantive would be done to help solve our problems as residents (possibly for financial reasons), and it was suggested that we should look elsewhere to bring pressure for a solution, such as attendance at 'lats'. It seems, therefore, that we are back to square one. Although there is a plan to move the reception area to an area which looks onto the main entrance, and to install better cameras, these would only cover a small part of the site, and the will to act does not seem to exist. I understand that there is no plan to increase the numbers of permanent staff policing the place at night beyond the one guard, who is clearly unable or unwilling to act. In my opinion (and, I know, tht of others), one night guard, who has primarily to deal with student problems, and does not want to be seen as an interfering busybody by the students, is simply not enough to keep the night-long noise under control. What we have continually asked for is a sort of porter's lodge at the gates or on the podium with an overview of the site. This would be dedicated to ensuring that there is no or minimal noise between midnight and 5/6 a.m., and to dispersing groups that continually assemble and re-assemble on the precincts during this time.

At present the problem is further exacerbated, since a no-smoking policy within the Halls has led to student spillage onto the streets throughout the night. But the fundamental problem would remain, smoking or no smoking. The University makes continual reference to a mobile patrol, based at Falmer or elsewhere, which descends on hotspots when notified. This, however, is no good for us, since the damage has already been done. What we need, and have constantly pointed out, are preventive measures.

Finally, as far as I can see, the University treats the Phoenix Halls in the same way as it treats the campuses that it has in largely non-residential areas. I strongly feel that, if the Halls are not to be closed down altogether, or their function altered, as I personally think they should be, on grounds of environmental health, the Council and University should AGREE ON SPECIAL MEASURES THAT DEAL WITH STUDENT HALLS IN THE MIDDLE OF RESIDENTIAL AREAS. Students who manage to obtain a room at the Phoenix, so close to the town centre, are well aware of the benefits. It seems only fair that there should be some return to those who must live with them. Anyone who knows the Hanover area can see just how close this massive building is to residential housing (just a yard or two) and how it dominates and towers over the streets below it. Universities may bring advantages to any town or city. But, in the situation of those who live directly in the shadow of their halls, such advantages remain distinctly academic!

Thank you for your attention  
Ms F, Hanover Street

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Date: 15 October 2008 23:15:14 BDT  
Subject: Re: 'Studentification' Scrutiny Panel

Thank you for inviting me to take part in the panel. However, I am afraid I can't make it on Friday, so here's what I've got to say:

I don't really feel that the students around me actually intrude on my life in a negative way, any more than any other neighbours (which, pubs aside, isn't a lot, for the record).

Most students are young people living away from their homes for the first time. They need a little looking out for. If they leave their rubbish out early / have wild late parties, often all they need is to have the impact of their behaviour on their neighbours pointed out to them, as we would to our own young people. They are here learning all sorts of things, including how to be part of society.

If the houses look shabby and uncared for, it's usually the landlords and letting agents that are at fault for making a quick buck without taking care of their tenants' environments.

If you make an effort to befriend your student neighbours, this will pay back dividends. If they prove rude and unco-operative it's not because they are students, it is because they are rude and unco-operative (and there are a few neighbours in their fifties, sixties and beyond that fit that bill too).

Generally I think that Hanover has a good solid longer term residential core that can absorb the students. I have no sense of being 'invaded'. I like the younger demographic of the area. I like the diversity it brings. I like to go past windows and hear guitars being played, people laughing. (OK, perhaps not drumming practice all day, but the kid needs to learn about what is

acceptable...).

Sometimes the sight of girls staggering home from a good night out as I set out on my morning jog makes me feel a little nostalgic about my own student days...

However, there are a few things around here that do get my goat:

- Pubs that leave their doors and windows open with shouting clientele smoking and swearing on the street outside until well after the time they should be shut up inside (it's ridiculous that local neighbourhood pubs can do this - the new licensing laws combined with the smoking ban are a nightmare, but don't get me started on that).
- Drivers who use the area as a speedy rat run/parking lot.
- People who let their dogs mess all over the place.
- Awful graffiti artists who daub on people's houses (I can forgive the lucid poet who has written on some paving stones).
- Car vandals and burglars and 'adults' who insult my teenage son as he walks home from college.

This is all willful anti social behaviour, none of it restricted to students. If I have the time I would be happy to come along another time and talk about all that!

And there is room for public education about the unique nature of Hanover houses - 'if you stand here on the street right outside my front room window, you are 50cm away from me and I can hear everything you say (and smell your fags as if you are smoking in my house)' is, in my experience, something that can't occur to many people. Something I'm apt to forget myself sometimes!

I think more street parties and local get togethers would do a great deal towards breaking down the 'us and them' barriers between longer term residents and students/more transient populations.

Anyway, best wishes and thanks for getting in touch. Please don't hesitate to do so again!

JC

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Dear Councillor Meadows,

Please consider this letter as evidence to present to the scrutiny team examining the impact student housing has on communities in Brighton and Hove.

I am a journalist who has lived and owned a property in the Coombe Road area of the city for about five years.

Several years ago, me and my neighbours experienced a six month period of



anti-social behaviour from a group of students which resulted in the council's environmental health team having to take action. Their work was fantastic and supportive and took up a huge amount of council resources and no doubt valuable budget, which is ironic when the people who caused the problem were not paying any tax, nor were the people (the landlords and letting agents) who refused to tackle the issues which we tried to resolve before they reached criminal levels of anti-social behaviour.

As a journalist this lack of responsibility and action in the months prior to the council stepping-in prompted me to carry out a report into issues related to student accommodation in this area, particularly as Caroline Flint MP had launched a unit to examine the issue of student housing and its impact on communities throughout the UK.

The following points are my findings from both personal experience and my investigations into the problems which are replicated throughout the city.

1) The panel need to consider that the students living in rented accommodation in this area not only attend the University of Brighton and the University of Sussex, but the Brighton Institute of Modern Music, Sussex Downs College and other further and higher education establishments including the language schools. Student accommodation is flourishing as it is a very lucrative investment for landlords as I will explain further into this letter.

2) The Lewes Road residential area was ideal for families and first time buyers from the city. Many people I know in the street, including my partner are in key worker roles. The small family homes were more affordable compared to the more expensive areas of Hanover, Preston Park etc. The homes offered small gardens and a reasonably safe environment for children due to the 20mph home zone restrictions. There are also plenty of facilities such as schools, shops all available on foot with links to public transport. There is also the promise of the new Falmer Academy and some excellent outdoor sports facilities.

3) However, in the past few years, there has been a proliferation of "student only" houses to let in this area, which are unavailable to anyone who is not in education. Other houses in this area are increasingly being converted into flats making them unsuitable for families.

4) Landlords now advertise properties in this area as "student let" only, and in the past two years, estate agency boards erected outside homes, now state this fact. This is so that the landlord can rent three to four rooms in one property to students and then avoid paying any council tax, despite gaining a healthy income and his/her tenants receiving council services. This student accommodation point is stated in point 'n' of the council's council tax exemption rules. This makes renting to students a very lucrative investment to landlords.

In addition to this, the practice of excluding anyone else from renting a property unless they are a student is blatant discrimination and I would expect

a council such as Brighton and Hove to challenge this.

5) Refuse services - The majority of students in this area do not recycle and an audit of refuse/recycling in this area and tonnage will undoubtedly confirm this. A simple walk around this ward will also confirm this. Plastic bags of rubbish spill over the top of wheelie bins and are often dumped next to wheelie bins and remain uncollected as Cityclean do not remove plastic bags outside of the wheelie bin. I have had to shovel up bags of rubbish myself from outside my home which remain uncollected and are inevitably ripped open by foxes. This must be dealt with before the council introduces fortnightly collections.

At the end of summer term, the whole contents of homes are thrown onto the streets of this area including mattresses, tvs and any other rubbish students or their landlords do not wish to visit the nearby waste recycling point in Wilson Avenue. Of course, this then encourages fly-tipping and a small pile of broken bookcases and mattresses soon turns into an extremely unsightly mound of waste. It often remains on the pavements and roads for weeks. This summer was an absolute disgrace to the city. Visitors to my home who live in other counties were shocked by the mess on the streets in this area could not believe this behaviour was not promptly acted upon when landlords whose names and addresses are available on the Land Registry and can be dealt with.

6) Crime - Students' homes in this area are targets for crime and I have received a number of door-to-door enquiries from the police who have told me this. The students' house next to me, which was lived in by a student whose father is a senior former Government cabinet minister, was burgled at 10pm on a weekday. I disturbed them as I arrived home and found them cutting a hole in the front door glass.

The police told me that criminals scour the area for student homes as they are often obviously unoccupied at certain times and now student let homes are now advertised as such by the estate agents boards, they have become easy targets. The police informed me that the criminals often return a few weeks later as students' parents replace their laptops and electrical equipment very quickly.

7) Graffiti - It would be unfair to blame students for graffiti, this is an anti-social activity carried out by many individuals. However, the removal of graffiti is the property owner's responsibility and therefore, it remains on walls in this area for eternity as the landlords are often absent and never visit their investment homes. They just take the money. We have large tags plastered throughout the streets which have been here for years as no-one will take responsibility for ordering landlords to remove them and landlords do not live in the street so do not care about the environment we live in.

8) Anti-social behaviour - Approximately two years ago, me and my neighbours suffered more than six months of the most appalling behaviour by

students from the Brighton Institute of Modern Music which resulted in the council's environmental health team installing noise equipment in my home, and issuing me and my neighbours with noise and nuisance diaries.

The students would sit in the back garden all night playing bongo drums, guitars, lighting fires and sitting on the flat roof kitchen extension playing guitar until 7am in the morning. Up to 20 young people in cars would arrive at all hours with musical equipment and they would stay up all night almost every night. A games console was being used for days on end with groups of lads cheering and whooping all night. I booked into hotels and slept at friends' homes as some weeks I averaged three hours of sleep a night.

We would knock on the door and repeatedly ask them to turn it down, but we were told by one student to "move out as this was student town." One morning as I left for work I found a set of ear plugs had been pushed through my letterbox. My neighbours were sworn at and threatened.

I sent letters to the landlords asking them to intervene without a response. The council did not receive a reply when they contacted the landlords asking for the tenants to be managed. When we called the letting agent to ask them to deal with the tenants, Parks stated that they only collected the rent and did not manage the property. When I telephoned them to report a problem in the street, they asked me what house number was causing the problems as "they get loads of complaints about students in this area."

Eventually the fantastic work of the council's environmental health team, and the neighbours contacting the college to request a meeting with the college managers, the noise abated and they finally left. However, more students moved in and we have been subjected to the same issues at intervals from nearby properties. It is impossible to contact the colleges as we do not always know which colleges they attend or have their names. No-one is interested in managing these homes until the behaviour becomes so extreme the council has to spend its budget dealing with a private landlord's problem.

Please note that some full time students have as few as three contact hours of study a week, which means that although they are in full time education, they are at home for most of their time and from my experience in five years, not keeping the same hours as families and working people.

All of the above points make it difficult for anyone, including families to move into this area or remain here as we are at odds with a population of young people who have very different lifestyles and living hours.

There are however, solutions to these issues, which include stronger management of student landlords, letting agents and the students themselves. Problems should not have to reach the Environmental Health Office at crisis point before they are dealt with. This costs money.

Re-examine the student only lets and the council tax exemption point "n". When I was a student in the 1980s, the landlord paid full rates on the property

which he/she included in my rent and then the council refunded me if I could prove I was a student. This meant students shared properties with full time working people, who reigned-in anti-social behaviour to an extent as they had to get up for work.

Create a robust student liaison/landlord service, whereby residents affected by all student issues, from landlords failing to clear refuse from their properties and graffiti from their homes, have enforcement notices issued and action taken. A few prosecutions with costs paid to the council will re-coup the cost of employing such an officer.

Perhaps you could consider some sort of local city tax on these landlords, who should register their homes with the council before being allowed to let them. This would pay for the refuse collection, the road repairs and the graffiti removal from a very significant group of people who live in the city, yet are not contributing to the council's budget. Yes, they pay into shops, retail and leisure services but the council is providing essential services they are not being paid for. These costs are being spread among the working council tax payers.

As we move into a period of economic uncertainty, these issues will become more relevant as residents become increasingly dissatisfied at paying £124 a month council tax to live in neglected areas which will become unnecessarily unwelcome to families or working people.

Please remember, these student homes are making money for landlords otherwise they would not continue to rent them out. This is not an area of deprivation which needs Government funding as East Brighton received. There is a revenue stream here, that the council should tap into which in turn would make homes available to families and long-term city residents waiting for homes on the council's register.

Failing any action to remedy these issues, I too will rent my home out to four students, exploiting the council tax loophole and be able to afford to work part time and live in a nice mews property off Hove seafront.

Thank you for taking time to consider my points.

Regards, KH

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Please mention the rubbish and noise too. We have had all night parties on a Tuesday, and they do not take a blind bit of notice about the rubbish collection day, when their bags get ripped open by seagulls they just leave it on the pavement. We live in a community, not a student ghetto!!

Thanks,  
AD, Hanover Street,

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Kevin Mannel gave me your email address, as I've just had a long chat with

him about the awful problem we Hanover Residents have with students and their cars.

I live on Hanover Street, and whilst the parking problem is terrible (why we still haven't got permit parking is beyond me), it has become even worse since the students have come back. So many have cars, and I'm not sure why, as their place of learning, shops, the town centre are all within walking distance or a short bus ride away.

To give you an example, a car was parked outside my house for 3 months last year, and when I spoke to the Police about it they said it was registered in Bristol. Lo and behold, the day after the end of term the car was gone, so this must have been a student, so you can see my point.

My wife and I have one car, which is a company car for her work, as she travels all round the country on a weekly basis. It is very hard for me as someone who works from home to see my wife so stressed out after a hard day at work, driving round in circles past cars that haven't moved for weeks.

I would like this complaint to be logged, and some sort of response to it please.

Regards, Adrian.

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Reference: Council seeks views on students in the city  
Mr and Mrs A  
Bernard Road  
Brighton BN2

Dear Sir or Madam,

With this e-mail we would like to stress our concerns regarding the growing influx of students into the Elm Grove area and the affects this has on local residents.

Especially in Bernard Road more and more properties have been converted into HMO's over the last few years which is causing a lot of noise, parking, litter and other problems. We often have student parties starting at ridiculous hours during the night keeping residents awake for hours with people shouting outside in the roads. Firedoors which create noise day and night. We have litter all over the front gardens and pavements as not sufficient bins are supplied by landlords. Sofas and mattresses are kept in front gardens and not disposed of for months on end.

The increase of students in Bernard Road is also affecting parking for everybody, the road simply can not cope with 4 or 5 cars per household. Houses owned by private landlords are not maintained and cleaned properly

which affects the overall cleanliness of the area.

To sum up our issues:

No parking due to increase in population per household as HMO can house up to 9 people in an otherwise 3 bed family house

The fact that Noise Patrol is only available on Friday and Saturday nights is no support to local residents as most noise from parties are happening place during the working week.

Litter on pavements and front gardens

Lack of maintenance on facades / gardens by private landlords

Growing number of conservatories being used as communal areas. With all negative effects such as extra noise, light pollution etc.

Most houses around Elm Grove area were built over 100 years ago when sound insulation was not thought off, these houses are just not suitable to be refurbished into flats nor shared accommodation.

Sussex University in particular selling off houses in batches of 5 which obviously attracts private landlords and not families.

We would like to see some quick actions being put in place by Brighton and Hove council to stop the current developments which destroy the area where we live.

Kind regards,

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Dear Scrutiny Team

As a resident and street representative of the Elm Grove Resident Action Group who was present at the meeting held in Elm Grove school on Wed 16th, I am writing to put forward my views on students living in this area.

I live in a 3/4 bedroom house with my husband and two small children, over the last 7 years our lives have been blighted by anti social behaviour of students. We are sandwiched between two student houses, one of which has seven students, every room has been made into a bedroom apart from the kitchen and bathrooms. We also have two further student houses directly opposite. We have continual problems with noise, litter and parking, we also at times feel that we are living in student halls.

The owners of these properties do not live within the local area e.g. Devon and Weston Super Mare and any issues that arise are very difficult to resolve as both the owners and letting agents act on the interest of making money only, hence more and more students having to live in properties that were build not as student hall but as family homes. We are left being verbally abused and on occasions feeling frightened and isolated within our own home.

I would like to see the council working more closely with the universities to find a suitable site (the old barracks on the Lewes Rd) to build more accommodation for students, making the universities take responsibility for their behaviour. This will also allow the universities and students to feel proud and valued by the city when they have fantastic accommodation. Has the city not already got enough luxury apartments? This will then allowing the Elm Grove area to once again be a lovely part of the city for families to live, bond and make communities that the city of Brighton can be proud of.

I wish the scrutiny team every success with this but would also like to point out that it is swift action that is needed and not just talk! This needs to happen before our lives in Brighton are destroyed for ever and we more away from the area feeling angry and let down.

S. O.

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Dear Sir/Madam,

I am writing to you regarding houses in multiple occupation (HMO's) I've only recently been made aware of this term since a house opposite ours has been converted into one of these 'Student hostels'. Now that term time has begun I believe the owners of the properties either side of the recently converted one have been suffering with noise problems from the house.

I am fortunate enough to live in Bonchurch Road where HMO's have not yet taken over, but neighbours in the streets behind us (Brading Road, Whippingham Road, Bernard Road etc) tell me of feeling like they are virtual prisoners in their own homes because they are surrounded by HMO's.

Many of these have conservatories built out into the gardens, so there is no escaping their presence. The HMO's bring issues of noise, litter and exacerbate parking problems in an already crowded area. These buildings were not meant to house six adults and the only people who could possibly benefit from the situation is the property developers who rent out the houses.

I would propose that planning legislation is put in place to limit the amount of HMO's in one area, I think we would all welcome a mixed population in this area, but the lifestyles of students and those with young children, such as myself, are often incompatible. No one wins in the current set up except those who rent out these houses.

There is a huge building lying empty on Lewes Road (I am told it was a barracks at one time), is there a way this could be converted to student accommodation? I want to emphasise that I'm not against students in any way, but I am very much against greedy developers making a lot of money and leaving very bad feelings in the community, a community in which the developers themselves don't live.

I know a great many people in my street, we've built a real community with the Friends of the Patch group, and I hear from some that they want to leave this area now because of these HMO's. I know this is all anecdotal, but the people themselves will tell you the same at any meeting you care to arrange.

Thank you for your time

Yours Sincerely,

RG  
Bonchurch Road  
Brighton  
BN2

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I am writing to you about this thing with the student houseing in Brighton that you had in the Argus paper last week.

I live in Lower Bevendean and we have students liveing on both sides of us and around Bevendean.

I think and Im not the only one that something has to be done,

Me and my fellow neighbours in Bevendean are fed up with the problems that they bring, like allways playing loud music, having partys, being loud into the early hours of the morning, their cars blocking up the street and and taking away the REAL neighbours parking places.

Whenever we say anything we just get a foul response back.

I think there needs to be some kind of law saying that you can only have so many student houses in a area or something along them lines.

Please take my words into account and please keep me updated with any news you have that comes out of this debate.

Thanks.

JA

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To the Members of the Scrutiny Panel re: Students in the Community.

We live in Queens Park Road and both of the houses to either side of us have been turned into student lets. One houses 6 male students and the other has 4, the noise from these houses has had a dramatic impact on our lives. The owner of the house with 6 students has built a communal room in the back garden, which he apparently did not need planning permission for. The noise from this room when several of the students are in it can be intolerable, especially during the warmer months, so much so that we were unable to sit in the garden or have our french windows open, not only because of the loud talking but the language at times was dreadful. Often the students have several friends in and this makes the noise even more disturbing. We are a retired couple and our life style is so different from these young people, they often go out in the evening anything from 10.30pm onwards and then are returning home in the early hours, which can be very disturbing to us with the banging of taxi doors and doors within the house. It is not unknown for this noise to go on until 4 to 5 am in the morning.



This has been my home for 25 years and my partner and I feel that not only has the quality of our lives been affected by this situation, if we did feel that we were unable to continue living here the value of the house has probably dropped as we would have to be honest and say that both sides were now student lets, (if we could sell the house in the first place).

We have made the effort to have contact with the boys and I'm sure some of them do try to be quiet, but a situation like this puts the onuse on us to complain if the noise does get unbearable and that can be quite a stressful thing to have to do.

I would appreciate the panel taking these comments on board.

Regards JT & MD  
Queens Park Road.  
Brighton.

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We attended the LAT meeting at Coombe Road School.

We are concerned at the increase in student houses in Ewhurst Road. There has been a large proportion of students houses at the Bear Road end of the street but in the past 3 years the Coombe Road end has gained 6 new student houses, nos. 61, 71, 79, 58, 60 and 60a, these within a very small section of the street. There are student houses in the middle section of the street as well. We think that this increase in student houses needs to stop or reverse for the wellbeing of the area.

We do not object to students living in our street providing they are considerate to their neighbours, but feel that the maximum number has been reached in Ewhurst Road.

Our concerns include RUBBISH – generally the students leave their wheelie and re-cycle bins on the pavement, often spilling over. These open bins lead to rubbish being blown around and to passers by depositing their own mixed litter in the re-cycle bins, which means the council does not empty them. At the end of the academic year we often find huge piles of ‘clearance’ rubbish, which can be left on the pavement for weeks. Is there any way that the landlords/letting agencies, who are making huge profits from the students, be made responsible for clearly advising the students that wheelie and re-cycle bins are kept within the boundaries of the property and for those landlords/lettings agents to pay for prompt clearance at the end of the academic year?

PARKING – we seem to have a group of more affluent students this academic year, as, for the first time, parking has become a serious problem after 5pm. We have a good bus service here and students should be strongly advised by the Universities that they do not need a car if they are living in the city.

UPKEEP OF STUDENT PROPERTIES – some

landlords are not ensuring that their properties are maintained to a reasonable standard and gardens are unkempt and overgrown. This is leading to a downgrade of the area. Students do not have a long-term commitment to the neighbourhood and this brings about a lack of community cohesion and impacts on property prices. Some residents have already moved out of the area due to the impact of student houses, and those of us left are beginning to feel in the minority.

NOISE – hasn't been a major problem, not many parties, but when they do happen they are very loud and can go on most of the night. We are, however, disturbed by the students returning home in the early hours of the morning, either to their accommodation in Ewhurst Street, or en route to other streets. This is particularly noticeable in the warmer months when we need to open windows.

As a group of residents, we are trying to build, and look at improving, our community. To that end, we held our first ever Street Party in September, students invited, and from that hope to establish a Residents Group.

We hope that our views will be incorporated and presented to the meeting you are chairing very shortly.

Thank you.

A M

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When I spoke to your colleague on Friday to give my apologies for not being able to attend the meeting in person, I was told it would be ok to still offer my feelings relating to the students in my area.

I live in an area that has a very high percentage of students and other sharers, mainly due to its position - Baden Road is at the top of Coombe Rd and is in the Lewes Rd corridor convenient for both unis. The sharers are not confined to students, however, and with the increasing difficulty in getting a mortgage for young people, it seems that many are sharing well into their 20s. I would say that almost 50% of the houses in my street are now rentals, including the house next door to us, which we bought 3 years ago.

Over the past few years, I believe buying property has offered people a way of saving for their retirements, rather than a get rich quick option. However, with current housing markets, that may prove to have been a mistake. Our own property breaks even, but that's all. It was a rental property for several years before we bought it, and it offered us the chance to control our neighbours amongst other things.

Not speaking as a landlord, simply as a resident, I believe there are positives, but also things that could be improved.

On the positive side, the area has become much younger and more diverse, which makes it a more vibrant area to live in than it was 10 years ago. There are also several small local shops that would not, I believe, survive without the large numbers of sharers. The flip side of the younger resident profile is that the primary school, Coombe Rd, has struggled to build numbers, and a local pre-school in the church on Coombe Rd had to close, due to lack of pre-schoolers. There are also wider issues, which I believe are relevant, and have created a vacuum in the area allowing so many properties to be bought up by developers - the fact that anyone with school age children is unlikely to move into the area because all children are now forced to attend a poorly performing secondary school. Coombe Road primary is a good school, but parents are always looking ahead, and secondary school catchments are a big deciding factor when people decide where to move to. As soon as the Falmer catchment was set, it was almost certain that families would not be moving into the area for the foreseeable future. If the academy becomes successful, this may change, but that is a big if.

Cars are slowly becoming more of an issue - many sharer households have 2 or 3 cars, which means pressure for parking spaces is becoming greater, but it is still easier to park here than in most of the city.

Rubbish is an issue, and one that I believe could be quite easily improved:

1. The council rubbish collection dept needs to align itself far better to the rental calendar. Changes in collection days, do's and don'ts of recycling, and issues such as black bags and seagulls, etc, etc, are posted through the house doors as and when there's a change, but if additional notices were posted through in early September annually, each set of new tenants would be made aware. Otherwise it is down to how pro-active the landlord is about telling tenants. We are, because we live next door and a) are familiar with the routines, and b) have to put up with the mess personally if they get it wrong, but many landlords to not.

2. A council large rubbish collection service around areas with high density of student properties would make a huge difference. During the months of July/August (primarily) the streets in our area look like a tip because students are moving out and often leave anything they don't want to take stacked up on the street. Also, landlords clearing properties leave things piled up. Consequently the area becomes a real eye sore. This could be easily changed I believe. I would be happy to lose the 10% discount I get on the council tax when I'm paying it in the summer, if it meant that additional rubbish collections could be put on.

The other thing that really blights the area is To Let signs that are allowed to be left up for months on end. I know this is trivial, but it adds to the general un-cared-for atmosphere that helps make the area seem a less desirable place to live. I am certain that the Council could require estate/letting agents to remove the signs as soon as the property is let - it's not as if they don't know who to contact.

There is no reason why having lots of rental properties should make the area

less desirable, but if the area looks shabby, it influences people's attitudes when they are looking for places to move to, and makes those of us who do live here less inclined to stay.

Please feel free to contact me if you have any questions regarding these comments.

Best Regards  
MC

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I am writing in the hope that my comments will be included in the evidence needed for the Scrutiny panel into studentification and the effect of HMO's in Brighton and the Elm Grove area in particular.

I was present at the meeting of the Elm Grove Area Residents Action Group and would like to reiterate most of the complaints, comments and observations made by most of the people present ie:-

- The rapid increase of student accommodation in our area – many houses were sold as 'a job lot' to mainly one developer (different owners we believe) but mainly one developer.
- All of these properties were formally 3 or 4 bedroomed family or student accommodation, next to one of which we have lived comfortably for 12 years – always had 4 students next door with no problems
- These properties are now all 6 or 7 bedrooms, each with sinks and most have a conservatory built on the back leaving derisory, useless garden space.
- They all have been built into the roof with 2 bedrooms in each roof
- No permissions were sort before building on any of these properties commenced and many residents are confused at how easy it has been for the developers to have obtained planning permission on so many properties in a very short space of time, with absolutely no consultation with any of the adjoining properties
- All neighbours of these particular properties are complaining of excessive door slamming, all doors having been fitted with special doors for fire regulations. The noise and vibration from over 6 people going in and out of rooms all day and night and the resulting slam of each of the doors is intolerable – it sounds ridiculous but it is not just a bang of a door and ear plugs do not work as all our windows rattle and the furniture shakes. We have been promised for a month that something would be done – so far nothing.

All of the above are facts about various properties in our area – the resulting problems of noise, litter and parking are obvious with the quick increase of so many extra people in crowded conditions with little experience of independent living and inadequate facilities, such as bins for instance. Feelings are therefore running high as the streets are now strewn with litter, people are being kept up all night and feel frustrated as to how to deal with it all.

I personally appreciate all the stake holders at the meeting last night being so acknowledging of residents' predicaments and giving us all so many supportive ways to help us with noise etc.

**However, I feel the ultimate issue is trying to change the planning legislation for the extreme developments of future properties in the whole area.** Developers were absent of course from the meeting but I believe they must be made accountable for the problems that they, ultimately, are causing. I am not anti-student and appreciate their need to be young and have parties. I am, however, anti developer, landlord and agency – these are the people who are making huge profits out of squashing students into over-developed accommodation, forcing them to have potential problems with neighbours before they even start living there, due to their sheer numbers, the unnecessary conservatories which even if quiet, cause light disturbance and noise pollution at the best of times and the inability of agencies to inform them about or provide adequate refuse facilities.

Some agencies and landlords, as we heard last night, work closely with the Universities and abide by contracts etc but the majority do not and seem to have absolutely no interest in the welfare of the students in their properties after monies have been paid and even less interest in the effect they may have on neighbouring properties. For that reason, most complaints are not dealt with and residents and students alike can be left feeling hopeless and frustrated.

Is there any hope of legislation being brought forward quickly to change the planning rules for HMO's and over development of modest properties into what can only be described as hostel accommodation?

Can legislation be brought to bear on agencies/ landlords to ensure they can be held accountable for the upkeep of their properties, ensuring their tenants behave responsibly etc?

Can the universities be allowed to move more quickly in having new building work approved when providing student accommodation in Halls as was also mentioned last night at the meeting?

These points are the most important at this stage as we hope to have a LAT worked out fairly soon to deal with day to day problems.

If these points are not acknowledged and planning legislation not altered to accommodate these development loop holes then I fear it will too late in a year or so – all available property will have been sold to the only buyers who have cash and do not need mortgages ie. the developers and landlords and the area will be altered beyond recognition. I understand these things move notoriously slowly but this needs to be worked on fast.

I hope my comments are considered and wish the scrutiny team well in working out what is best to manage studentification in the area.

Regards,

Comments for Scrutiny Panel – Student Neighbours

The house next to ours at Bonchurch Road was formerly a Sussex University House for 3 – 4 students. Like an increasing amount of houses in the neighbourhood it has been recently purchased and developed into a HMO. To date we have not had major problems with our neighbours but the increasing influx of students into this area and the nature of the HMO developments are putting a strain on community relations and are eroding the quality of life for everyone (including students). Immediate action is required to prevent the ‘ghettoisation’ of our streets, particularly where HMO’s and other rental accommodation are concentrated. Despite the well documented experiences in other parts of the country, including Nottingham and Headingley, it’s a great shame that the policy makers here had not adequately planned for the increase in the student population and the negative impact this is having. Whilst we welcome the measures the Council and Universities are now taking, it’s too little too late for many residents who have seen their properties become engulfed by student accommodation, including HMO’s with conservatories and loft conversions. Residents, some that have lived here for generations, are feeling so desperate that they are being forced to sell their homes and leave the area and so, the spiral of deterioration continues as more family houses are developed for maximising rental income. Whilst current legislation favours the landlord (and Agencies) who are easily able to maximise income with little or no regard or accountability to the local community, policy makers need to do a lot more for the wider community. The tax payer is, and will continue to, foot the bill for any lack of a coherent strategy. It is in everyone’s interest to maintain balanced and sustainable communities. Failure to do so will result in fragmented communities and a bitter resentment continuing to build amongst residents.

As you are aware, feelings are running so high that we have established Elm Grove Residents Action Group to specifically deal with the issues of HMO’s and studentification. Our first meeting was attended by 57 residents and the following motions were approved:

*Thursday 17<sup>th</sup> July 2008 Meeting Proposals:*

- 1. To formally establish the Elm Grove Area Residents Action Group and take nominees/volunteer Committee members including Street Representatives*
- 2. To set up a LAT (Local Action Team) for the area*
- 3. Call upon the Council to ensure that all planning, HMO licensing and safety regulations are, and continue to be, rigorously monitored and enforced.*

4. *Call upon the council to take immediate steps to ensure that our neighbourhood is not saturated by further studentification and the over development of properties by implementing a strategy to ensure the community remains both balanced and sustainable e.g. implement a Supplementary Planning Document (SPD), tighten up local HMO Licensing requirements and, allocate the former barracks on Lewes Road to student residencies.*
  
5. *Call upon the Council to ensure that residents are easily and readily able to access support services including Street Cleaning, Environmental Health, Noise Abatement Team etc when they are needed.*

We have subsequently had a further meeting attended by 87 residents and the relevant policy maker's including the Leader of the Council, Police, and University Reps etc. The overwhelming feeling from residents is that the problems we are facing include:

- Increases in noise and anti social behaviour,
- More litter and rubbish left on the streets and in gardens,
- Parking problems,
- Devaluation of homes,
- Loss of family housing,
- Concentrations of run down houses with multiple occupants,
- Blighting of gardens and views with the increase in loft conversions and conservatories'
- HMO's are a means by which landlords are exploiting legislation to maximise rental income;
- Landlords over develop houses, taking stock out of use for families;
- Residents have experienced problems with loud banging doors and do not feel that these properties are being properly/adequately regulated;
- Council and Police services do not deal with noise and anti social behaviour problems e.g. the Noise abatement team is not often available when required during the week or in the early hours of the morning;
- Residents feel vulnerable and frustrated and are faced with little option but to leave the area;
- Agencies continue to show little regard for the community.

We would like the policy makers to do a lot more, including properly supporting residents to deal with anti social behaviour and noise. However these measures only deal with symptoms, immediate and progressive action is required to resolve the causes of our problems.

It's time for you to take some action!!!

We attended the residents' meeting recently at Elm Grove School and we very concerned to see how much of neighbouring street are suffering, as we are,

with high multiple occupancy houses, particularly those marketed towards students. We thought our street was alone in it's problems.

**We whole-heartedly recommend the capping of HMO license issued to keep the mix of housing at the right balance. I would say the level we have now in Bonchurch Road is at it's maximum.**

We currently have a house full of students (6 but often plus boyfriends) to one side and have a house on our other side that is mostly likely to be sold to a landlord in the very near future. I've lived in Bonchurch Road for most of my life and am extremely attached to the area. I run my business from home. It's taken us a very long time to save the deposit and then to actually afford a house in this area. All the way we have been bidding against landlords for properties which has been expensive. The most disheartening thing that happened was when we made enquiries about 99 Bonchurch Road to be told that Sussex University was selling it in a block of 5 houses released to the market. I found this to be absolutely unacceptable and made my feelings know to the relevant parties.

These houses are not that big and just aren't built for the capacities they are having to hold when granted an HMO. Couple that with boisterous student tenants ...PLEASE NOTE: not just parties...day to day noise but such things as very loud fire doors and noise from rooms in the roof. We regularly have interrupted sleep which effects our work (we are both self-employed) and therefore our income. We would like to start a family but have reservations about if this is practical with the prospect of having twice the noise if number 96 is granted an HMO as well.

Our students had a party on Friday night (24th), which they admit got rather out of hand with the numbers and people they didn't know. When I asked them to drop the volume of the music, the party died down and they vacated but the nuisance then moved to the street. We had people using our front wall as a latrine. Our potted plants were stolen or damaged. Cans were thrown in gardens. In fact my parents' who live three doors down found cans in their front AND back gardens!! It was very unpleasant and upsetting. We were told the party was going to happen and we have a good relationship with the student neighbours but this is the sort of thing that is so very likely to happen when a house is occupied purely by students. We are not against parties when they are on Friday or Saturday night like this one. But the numbers concerned and the hanging around afterwards really caused the problems and upset.

As well as the issue of high occupancy, the other issue is the landlords themselves. Little money is spent in the upkeep of houses. HMO houses are easily identifiable by their scruffy exterior and over-flowing bins in front gardens. The streets are full of all the additional cars a HMO house brings. The landlord of 98 so far refuses to cut back the full-sized tree which cuts off light to properties around and he also seems not to be sorting out the banging fire doors. Our landlord lives in a different town and is at a safe distance from the problems. It's very easy for him to dismiss our complaints.

We ask you to take note of our comments and consider how many more HMO licenses can possibly be granted in densely student populated areas like ours.

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## **Evidence for impact of student households enquiry**



We have lived at XX Bonchurch Road since the late 1960s. The attractions of living in this area include it being a lively area with neighbours of all ages, including students. But there are limits and questions of balance. Our immediate neighbours, No. 106, is a rented property, currently to young people who have been no trouble to us at all, although some past tenants have been less easy to live alongside. But like many of the rented properties in Bonchurch Road, the outside decoration and garden are looking very run-down. Our concern at the moment is that the house on our other side, No. is up for sale and we are worried lest it become multi-occupied after being sold to a landlord or developer. Our daughter and her partner have recently bought No. as owner-occupiers.

Some of the problems are illustrated by what happened at No. 100 last night - and especially early this morning. The 6 (young women) students who live there had a large party. We are not opposed to parties - even noisy ones - but some features of this one were just not acceptable. We were far enough away not to be seriously disturbed by the noise, although we were certainly woken by people departing noisily en masse at about 3am . But this morning we found empty beer cans in both our rear and front gardens - two doors away - and other rubbish on the pavement outside the house. Other neighbours suffered disturbance, but we will leave them to report their experiences direct if they decide to do so.

The scale of these problems has surely something to do with the sheer density of occupation. These are not very large houses - accommodating 6 tenants is really 'packing them in'. With, say 3 or 4 occupants, which would be a reasonable number, one would anticipate that - on average - the number of guests at parties and consequently the potential for disturbance of all kinds would be less. Numbers would be more manageable. More of the problems associated with 'studentification' can be laid at the door of unscrupulous landlords who overcrowd and neglect the appearance of their properties than the students occupants themselves, who are in many ways joint victims with their neighbours.

At a recent public meeting at Elm Grove School representatives of both local universities were anxious to reassure residents that they took very seriously the problems resulting from allowing an imbalance to develop - so that whole areas were in danger of becoming run-down ghettos occupied almost exclusively by students during term times and deserted zones during vacations - and were determined to play their part in avoiding such undesirable outcomes. Much of what they had to say was helpful, but our daughter pointed out that when she was still looking for a house in the area, she made enquires of the estate agent about the possibility of buying one of the four houses owned by Sussex University which had just come on the market and was informed that they would only be sold as a block.

Clearly the inevitable outcome in such cases is purchase by 'developers' intent on turning them all into multi-occupational use. All the Sussex University representative at the meeting - clearly embarrassed by this - could say in

reply was that they had been advised by their experts that this was the best way to sell the properties. It does seem either that the right hand doesn't know what the left hand is doing or that assurances of concern are simply warm words. The minor 'villains' of the piece plainly include some anti-social students; the major ones include unscrupulous landlords who overcrowd their property and, in part at least, a local authority that allows such things to happen without taking effective measures to manage changing communities in an acceptable way.

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My wife recently attended the meeting at Elm Grove Primary School which you also attended in relation to the rise in the student population in the Elm Grove Area. I believe at that meeting that the issue of noise created from the slamming shut of fire doors was raised by a number of people. This was I believe addressed by Nancy Platts who from her experience of working in the Fire Regs Dept of the council stated that the fire doors in these HMO's should have self closers of the type which can be adjusted so that they close quietly, ie they have arresters on them. This morning after a night of my neighbours fire door's slamming, sometimes so violently that the walls shook in my house, I rang the Private Sector Housing Dept of the council to query as to whether this was the case and whether a landlord can be instructed to fit this type of closing mechanism.

They informed me that there is no requirement for this type of closer to be fitted and that as they are significantly more expensive some landlords, my neighbour being one, do not fit them. I find the financial argument rather pathetic as with 7 tenants at something like a market price of £400 each a month my neighbour is making a good return for his money. I wondered if you could clarify the position on which closers are required in HMO's and I wanted also to suggest that the requirement to fit self closers with arresters be put forward as a proposal to the Scrutiny Team.

Thankyou for your time in this matter. I look forward to your reply.

Yours Sincerely,

SE

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I was unable to attend your meeting on 17th October but would like to put forward my views.

Students bring a lot of positive aspects to the city adding to its vibrancy and creativity and also the local economy as they spend in shops and pubs. I was a student myself and lived in the community in Leeds many moons ago.

However, housing students within the community needs to be done so with care to avoid student ghettos which rob a community of its heart.

I am all too aware of this effect, which I observed during the 14 years that I lived in St Pauls Street Brighton. This is where my husband and I bought our

first home and at that time there were a handful of student properties in the street but the majority were owner occupied and there was a fantastic sense of community. You knew your neighbours and much socialising was done and a strong community spirit existed.

Over the following years as families expanded and moved to larger properties or out of Brighton almost exclusively the houses were bought up by landlords who converted them to student houses.

Problems with drugs and litter followed, we had our flower pots stolen or used to dump kebab wrappers in them and the appearance of the street seemed to go downhill.

I can't say I had any problems with the students being noisy or unfriendly but most were just not interested in getting to know their neighbours. It was great when some of them did introduce themselves or return our cheery hellos but on the whole they did not and the net result was that one day I realised that I had no idea any more who my neighbours were. At that point we'd had our first child and were thinking of our second and didn't want to be living in that kind of environment.

Two years ago we moved to Bonchurch Road and unfortunately that area now seems on the edge of a similar transition.

I would strongly urge the council to consider measures adopted elsewhere such as

1) A cap on the % of student accommodation. I understand a 25% cap on HMOs is proposed nationally but that is useless - the limit has to include all student accommodation not just HMOs otherwise at 25% HMOs you could easily have a 50% or higher level of student accommodation and then you get the ghetto and all the issues associated with studentification. I would suggest that a 10% figure is more realistic.

2) Student/let accommodation should be licensed in the same way as HMOs. Strong controls should exist to stop properties being left to go to rot and therefore unlikely to ever be bought by families again but just passed from one student landlord to the next.

3) Landlords of student accommodation should have to pay council tax otherwise, as the students themselves are exempt, its down to the rest of the community to pay higher council tax bills to maintain amenities.

I hope you will consider these measures in the hope that a more harmonious community can exist in which residents welcome rather than resent students.

Regards  
JA, Bonchurch Road

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There is no doubt that various neighbourhoods have very high densities of student housing assuming that this is thought of as a problem then what is the

solution.

Firstly reducing demand for student housing by encouraging the Universities to build more student halls on their own land and ensuring that the Universities do not expand further or if they do expand further that their expansion is more than met by their increase in their student housing on campus. There is currently a planning application for 700 units of student accommodation as long as this is not wholly taken up by an expansion of the university this should see a net reduction in the demand for private rented accommodation.

Secondly increased regulation of student housing through the Local Authority adopting further Licensing Powers to make it less appealing for landlords to specialise in this type of housing.

These factors taken together would help decrease the concentrations of student housing; of course there are many vested interests in this that must be considered and I wish you well in your deliberations on this matter.

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I telephoned you the other day about the forthcoming Scrutiny meeting. I have digital video footage which shows the type of problems we're having but I can't download them in a format I can send to you. I'll keep trying, but I regret it won't be for Friday.

In the meantime here's a statement I did recently which one of the residents may already have forwarded to you; I hope it's useful.

I've written to the University and just receive stonewall responses. They always claim to be doing something about the noise, that they appreciate the needs of the local community etc etc but in reality, the problem is getting worse and nothing effective is being done.

On Tuesday night for example there were about 20 or so students standing in the Podium area shouting to each other and up to windows in the building before going out. This was at around 11.45. Then at around 02.30 some of them were coming back and were singing and shouting in Southover Street. They don't seem to have any idea at all of the impact of their behaviour on people who have to get up and work. I have been told to my face by a student that she 'doesn't give a \*\*\*\* ...' and that if I didn't like it here I should just \*\*\*\* off.

I really hope the University can be pressurised to do something effective about this.

Regards,  
MC

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### **The impact of the Phoenix Halls of Residence on the vicinity**

Noise levels from students at night have become intolerable. Noise from them in Southover Street seems to be amplified by the narrow street and relatively

high buildings; it echoes down the street in which we live, Hanover Street and along a lane leading along the backs of our houses so at night, trying to sleep on the third floor up, we can hear every word.

Noise starts at around 11.00 pm when they leave the Halls to go out. They gather outside and shout from one building to the other, then move down Southover Street, calling to each other as they go.

Noise continues at any time from 12.00 midnight, when some return from pubs, then around 2.00 a.m., then 3.00, then again at around 4.00 a.m. as they return from clubs. They shout to each other in Southover Street and this wakes us up.

Another issue is their standing outside the Halls smoking at any time throughout the night, every night of the week. The area some use is just opposite our back lane and as their conversations are not quiet, this wakes us up. On Saturday night last, 11<sup>th</sup> October one group in particular were smoking from around 3.00 a.m. Sunday morning every 30 minutes or so until about 7.00 a.m., the sound of their somewhat excited conversations kept waking us up.

The impact on our lives of this continual sleep interruption is increasing tiredness. My wife gets up at 5.30 a.m. every day, drives over an hour each way to The Royal Marsden Hospital where she is children's cancer nurse specialist. She is becoming so tired there is too much risk of her making a mistake with the complex chemotherapy dosages, or falling asleep at the wheel driving home at 7.00 p.m.

I'm up at 6.00 a.m. and do physical work outdoors with dangerous cutting equipment. I'm also becoming very tired and irritable as a result of lack of sleep. So, we have no choice but to move house and are preparing to sell after Christmas, completely against our wishes.

M.C, Hanover Street, Brighton

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Hi,

I have just seen the information on the council website regarding student housing.

I have lived in the Hartington Rd - Elm Grove area for the past 25 years and have noticed a considerable change in recent years. There are now several student houses in close vicinity to my house and have found that several problems have become more noticeable

- 1- excessive noise , usually late night parties going on till 2 or 3 in the morning but also in summer from loud stereos and open windows
- 2 - drunkenness stemming from the parties
- 3- bins and rubbish left out for the seagulls to scatter
- 4 - Lack of street parking as each student house may have several cars and there is no off street parking in this area.

I have 2 friends who have recently sold their houses and moved out of Brighton

due to student house related problems, particularly noise and lack of sleep. One of these friends had a student house each side of her, one at the back and one opposite her in the street. The constant noise and interrupted sleep over the past few years have caused her to relocate her family to Burgess Hill despite having lived all her life in Brighton.

The problem is the concentration of student houses in certain areas, lack of awareness of their impact on working families and lack of anyone to take responsibility for the problems.

Regards  
DS

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## **Submission to the Adult Social Care and Housing Scrutiny Committee Inquiry into “Studentification”.**

### **David Lepper MP for Brighton Pavilion**

Further and Higher Education are an important part of Brighton and Hove life, adding to the City’s vitality and providing jobs of all kinds for hundreds of local people. Of course, as well as students at our 2 universities and City College, we also host thousands of English Language students of all ages each year – although most of this latter group are here for shorter periods of time.

Students add to our City’s vitality. They spend money in our shops, cinemas, theatres, clubs, cafes and pubs, at sports events, on public transport and as rent! Many take part in local community groups, join churches, etc.

About one third of the 7,000 graduates per year stay in Brighton after graduation contributing to our local economy and helping us to maintain one of the most highly qualified workforces in the country. Over the years this has helped to attract and retain major employers to the City.

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However, as an MP I have been dealing with individual cases of problems related to some isolated student households for a number of years in various parts of my constituency from the City centre off Western Road to Bates Estate on the Lewes Road.

What has changed over the last few years is that the issues which complainants highlight are now more often associated with greater numbers of houses in particular areas and so when problems arise they can be on a greater scale. Hollingdean, Hanover/Elm Grove, Coldean and Roundhill are some of the areas affected from which I have had complaints.

These are areas where there has been extensive “buying-to-let” in recent years with, what is seen by many residents to be, a loss of housing stock for first-time buyers and a proliferation of properties which are now HMOs or student lets which would once have been sold or let as self-contained flats for young couples and single people.

Problems mentioned by the 87 residents who met on 15<sup>th</sup> October to consider setting up an Elm Grove/Hanover Local Action Team are typical. They include –

- Increasing noise - especially late at night
- Over-development of properties with neighbours feeling they are being overlooked
- Low levels of maintenance, especially externally – neglect of windows, painting doors, fixing garden gates, maintaining gardens, lack of basic provision for storage for rubbish and recycling
- Rubbish left outside, especially end of term dumping
- Parking
- Loss of a sense of community - because the student tenants are not in any one place long enough to become part of it - with empty streets during holidays

Of course, many of these problems are not specific to student households in a City which has one of the highest proportions of privately rented homes in England outside London. (Nationally 48 per cent of [heads of household](#) in the private rented sector are under 35, compared to 20 per cent in social renting and 13 per cent in owner occupation).

Many young people who are not students may also have difficulties managing their own homes for the first time away from the family home. And students are not the only private sector tenants who can find themselves living in badly maintained properties because of irresponsible landlords or letting agents who fail to carry out essential repairs, etc.

On a related issue in January the Government asked Julie Rugg and David Rhodes of the Centre for Urban Policy at the University of York to carry out a review of the Future of the Privately Rented Sector.

The review was presented to government on 23<sup>rd</sup> October. It looked at a range of issues including the professionalism of landlords, the quality of properties, and problems in private renting. The Government says that it will now carefully consider the recommendations before deciding next steps.

Among the recommendations made in the report were to introduce -

- “a light touch licensing system for landlords and mandatory regulation for letting agencies, to increase protection for both vulnerable tenants and good landlords.
- “a new independent complaints and redress procedure for consumers, to help end long drawn out disputes.”

**I hope that the Council will give serious consideration to all the recommendations including these 2 and respond to any forthcoming government consultation on the report. Indeed, the Council might consider that, in the light of local experience, a “light touch licensing system” might not be sufficient” and then lobby accordingly.**

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### **The Universities.**

A central issue is the need for both universities to provide more purpose built student accommodation on and off campus, although, of course, there will always be a number of students who will prefer not to live in such accommodation.

The University of Sussex – in 2007, completed two new housing schemes providing 714 study bedrooms and has plans to develop further student housing. It is reported that the University of Sussex has sold a number of properties it owned in the City to private developers and that they are now used for student accommodation. This, of course, distances the University from any responsibility for problems.

The University of Brighton – included the need to increase student halls of residence in its corporate plan for 2007-2012. Major new areas for development such as the Preston Barracks site might provide potential for more student homes.

The universities’ representatives at the Hanover/Elm Grove meeting (see Appendix) provided information about how their institutions advise on and monitor student accommodation issues.

**Consideration should be given to putting that on a more formal basis with a common system adopted by both universities in conjunction with the Council and letting agents/ landlord’s organisations for minimising the chances of complaints and dealing with complaints where they arise.**

**University representatives should liaise regularly with Local Action Teams and other residents groups across the City and ensure that their contact details are known to residents and provide clear and consistent advice to students about avoiding neighbour disputes, as well as**



**informing them of their rights as tenants and providing support for them to enforce those rights where necessary.**

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## **Brighton and Hove City Council**

Many residents query whether or not the Council is using its powers to the full and I hope this is an issue which the Scrutiny Committee will consider.

### The Housing Act 2004

- Provided a general framework of powers and approaches for the police and other agencies to tackle anti-social behaviour
- Housing Act 2004 introduced a package of measures, that amongst other things, seek to improve the management of HMOs
- HMOs of three or more storeys and that are occupied by five or more people who form more than one household, will require a licence from their local authority. They can then impose conditions such as a maximum number of occupants.
- Local authorities have the discretion to extend licensing to other categories of HMOs to address particular problems that exist in smaller properties.

I was told in April 2005 that the Council would be reviewing its discretionary powers under the Act.

### **The Council should clarify what resulted from that review.**

A frequent complaint I hear is that the prosecution process in relation to noise nuisance is often so long drawn-out that the offending neighbours have moved on before the process is over – and another set of noisy neighbours have moved in, meaning a new prosecution process must be started.

**Is the Council using powers which I believe were given by an amendment in the Anti Social Behaviour Act 2003 to Noise Act 1996 which will allow local authorities to issue fixed penalty fines of £100 without having to provide the other services provided for in the Noise Act? I believe Fixed Penalty Notices can only be given between 11pm and 7am, that the noise must be measured from the complainant's premises. Their value seems to be that no prosecution is needed.**

**The Hanover/ Elm Grove meeting is not alone in suggesting that the Council's "noise patrol" service should provide a more extensive service which is more responsive to resident's needs. (See appendix.)**

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### **Landlords and letting/managing agents.**

This, of course, leads back to the question of the responsibilities of letting agents or landlords where there is a succession of tenancies which cause a disturbance.

**Should tenancy agreements always include clauses about neighbour disturbance and should the law provide for greater sanctions against landlords and letting agents who are reluctant to take action themselves?** (See references to the Rugg/Holmes Report above.)

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The universities, students, landlords and letting agent's organisations, the police and residents groups, including Local Action Teams, all have a role to play in improving the current situation in terms of quality of life for established residents and students and fostering community cohesion.

**The prime responsibility must rest with the City Council as**

- **the local housing authority**
- **the planning authority**
- **having responsibility for a wide range of environmental services through powers given to it by government to take action.**

**The City Council, directly and through the Local Government Association and the City's MPs, is best placed to lobby government for new policies and powers if it believes they are necessary.**

There was an opportunity for such lobbying this year. Caroline Flint MP, then the housing minister, asked ECOTEC consultants to gather ideas from councils about non-planning solutions to the proliferation of Houses in Multiple Occupation in certain areas which focused on student housing.

I have asked the City Council for details of any contributions it made to that review but the reply I have received gives no details referring only to the Council being "aware of government indications of changes that may be introduced to the Use Classes Order to try and give English planning authorities greater control over "studentification". There was no indication that the Council had made any attempt to influence policies by submissions to this review.

It is regrettable if that is so.

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**ECOTEC HMO Report to investigate non-planning solutions consulted local councils, universities and student unions**

The report was delivered to government in early October. The independent

research sets out a series of measures that could tackle and stop the complex causes and symptoms of concentrated student neighbourhoods.

The measures suggested include new planning mechanisms and the widespread adoption of a number of the best common sense local solutions that can be easily adopted.

- Prevent new enclaves by considering changes to the Use Classes Order planning rules allowing for HMOs to be brought under greater council control. This has already been adopted in Northern Ireland.
- Capping and controlling the distribution and the dispersal of HMOs by using the local planning system to set up 'areas of restraint', which have been shown to help balance communities. Nottingham has already established a threshold of 25% per neighbourhood.
- Universities and student unions should develop housing and community strategies that include: community liaison officers; student codes of conduct; neighbourhood helplines; and use of authorised student accommodation agents to help protect students from bad tenancy deals. Many universities have already invested heavily in new student halls which could help ease pressures.
- Councils should target resources such as refuse/letting board collections, street cleansing, fly posting controls at key times in the academic year; establish landlord accreditation schemes; link the demand with regeneration opportunities; work with universities to consider purpose built accommodation; and make better use of their HMO licensing and empty property powers.

In a reply to a Parliamentary Question from me on 18<sup>th</sup> November the Housing Minister Iain Wright MP told me, *“Brighton is a fantastic place, but its large proportion of privately rented properties creates an issue. On studentification and its associated problems, he will be aware of a range of possible planning and non planning proposals. He also mentioned the ECOTEC report, on which I am hoping to consult later this year.”*

**Where these proposals recommended by ECOTEC do not involve new legislation our Council should give serious consideration to them. Where new legislation is needed the Council should consider its appropriateness to conditions in the City and, where necessary lobby for it with the LGA and the City’s MPs.**

My thanks to Nancy Platts, Hanover resident, for her research on this issue and for representing me at the Hanover and Elm Grove residents meetings when I had responsibilities in Parliament.

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Appendix

## **Note of 'studentification' meeting – Elm Grove residents – 15<sup>th</sup> October**

The meeting which was attended by 87 residents, representatives of the Council, Councillors, representatives of the police, universities and a student union. I hope that consideration will be given to the issues and recommendation discussed at it.

### **Students and residents**

- Suggested that residents introduce themselves to student neighbours and find out where they are from so they know who to contact if problems occur
- Leaflet all residents with all the information they need to tackle the problem
- Issue a welcome pack of rights and responsibilities to students when they move in (Council and Universities have produced and A4 sheet headed 'Don't be a noisy student, be a good neighbour' for residents to put through student houses)
- Information leaflets issued at meeting included tackling noise nuisance, cards on crime stoppers, useful contact sheet.
- Residents starting to move out of area because of problems

### **Landlords**

- Where are private landlords and agents (main agent seems to be Parks)? Landlords not interested or not contactable.
- Residents need to be able to contact landlords – have panels outside houses (this is the case for some, but not all)
- Include clause on noise in contract (I think this already exists – not to be a nuisance to neighbours)
- Residents requested a list of all licensed HMOs from Council – Council agreed to supply

### **Universities and colleges**

- Not always Brighton or Sussex University, some post-graduate or from language or music colleges.
- Contact details for local colleges, universities and councillors should be circulated to residents
- Brighton have a liaison officer, Sussex have accommodation officer to contact – Brighton Officer is trained in mediation techniques
- Sussex have a list of student addresses in Brighton, Brighton University don't have a database they can search but will visit properties where there are problems
- It was said that Sussex University sold properties to developers. Local residents believed this prevented families from buying and the target market was developers. Feelings ran high about this and Sussex University defended their right to get best value from the properties. Issue of selling to ethical landlords was raised. University housing and

liaison officers were prepared to act on problems and have stopped students finishing degrees and courses due to complaints about noise problems.

### **Over-development**

- Houses over-developed – conservatories and dormers
- Conservatories – light pollution all night and residents could see into the property witnessing sights they'd prefer not to!
- Is there potential to limit size and number of HMOs as Notts Council and Northern Ireland are proposing ?
- Need student housing strategy

### **Noise abatement**

- Currently available only on weekends until 3am. Cheap drink during the week in clubs, clubs close at 3am, noise abatement stops at 3am
- Noise abatement service needs to be available on weekdays – show of hands was asked for and looked unanimous!
- Noise is more of a problem during the week – people coming home late, taxi engines running, car doors slamming, people shouting, front and internal doors banging
- Noise service is not adequate – different houses in the same street are noisy on different days. Diary system not suited to this, the policy needs to be more flexible. Council have the powers to deal and residents need to report every incident so that Council have a full picture of all incidents. Residents complained that Council Officers just wanted to get them off the phone asap and issue a noise diary whether this was suited to the problem or not.
- Doors in HMOs are changed to fire doors – bang all day – door closers need to be adjusted so that doors don't slam, but agents need to be accountable for implementing fire regulations
- Residents not complaining because of the need to declare noise problems on selling the property will affect their ability to sell at the right price

### **Other issues raised**

- Loss of community
- Rubbish – divan bed left in the street
- Could Council introduce a by-law to tackle people living in vans parked on the roadway? Wellington Road - people living in camper vans outside the old Children's Society building.
- Level – drinkers and drug takers
- Double parking
- No-one pays Council Tax on student housing
- Poorly maintained student properties

## **Recommendations**

1. A student housing strategy is developed by the Council in conjunction with the universities, colleges and private landlords.
2. Sussex University and other colleges to take the problem seriously, take responsibility and make a commitment to tackle the issue, nominating a community liaison officer etc.
3. The Council set out a plan to tackle the problems caused by 'studentification' to include clear information and useful contact details for residents and students, measures to address the different noise problems by improving the times the noise abatement service is available, targeting problems of rubbish at particular times of the year when students are on the move, contacting the fire service or landlords to adjust door closers etc.
4. As a result of the plan, the Council should be able to establish what powers it already has under existing legislation and what, if any, additional powers are needed and to inform Communities and Local Government.
5. That any action is taken as quickly as possible before the situation and relationships between the various parties deteriorate further.

## Appendix Three – Minutes of the Public Meetings

### BRIGHTON & HOVE CITY COUNCIL

#### ADULT SOCIAL CARE AND HOUSING OVERVIEW AND SCRUTINY COMMITTEE AD HOC PANEL -STUDENTS IN THE COMMUNITY

2.00pm 17 OCTOBER 2008

COUNCIL CHAMBER, HOVE TOWN HALL

#### MINUTES

Present: Councillor Meadows (Chairman); Councillors Janio and Wrighton

#### PART ONE

#### 1 PROCEDURAL BUSINESS

##### 1a Declarations of Interest

1.1 There were none.

##### 1b Exclusion of Press and Public

1.2 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Schedule 12A, Part 5A, Section 100A(4) or 100 1 of the Local Government Act 1972 (as amended).

1.3 **RESOLVED** – That the press and public be not excluded from the meeting.

#### 2. MINUTES (of Previous Meeting)

2.1 There were none as this was the initial meeting of the panel.

#### 3. CHAIRMAN'S COMMUNICATIONS

3.1 The Chairman explained that this ad hoc panel had been established following examination of the council's draft Housing Strategy by the Adult Social Care and Housing Overview & Scrutiny Committee (ASCHOSC).

3.2 Whilst the council's draft Housing Strategy was formulated with extensive reference to issues relating to student housing, members felt that there was nonetheless an opportunity for a more focused piece of work on the issues relating to students living in the local community: hence this scrutiny panel, which will seek to take evidence from local residents (including students) and from a variety of expert sources, including officers of the City Council, Brighton and Sussex Universities, the police and city landlords.

#### **4. EVIDENCE FROM WITNESSES**

4.1 Panel members heard evidence from a number of city residents with points to make about the issue of students living in the local community.

##### **4.2 Evidence from Sheila Rough, Milner Road**

4.2(a) Ms Rough made the following points:

- The Milner Road area had now reached saturation point with students, and that additional accommodation on campus was therefore needed urgently;
- Privately rented housing occupied by students ('student houses') now outnumber other types of housing in the area;
- There should be a cap on Houses in Multiple Occupation (HMOs)\* permitted in one street;
- The number of student houses in the area has a negative impact on general property values;
- The number of houses occupied by a number of adults (many of whom have their own cars) causes severe parking problems, exacerbated by anti-social behaviour in relation to parking (i.e. double-parking) which has the potential to impede emergency vehicle access;
- There is a major issue of noise nuisance (esp. late night parties);
- Rubbish is a major problem, with some students not adhering to collection days, not recycling etc;
- The universities should accept more responsibility for their students living in private sector housing;
- The universities should take responsibility for informing students of appropriate behaviour in terms of living in the community;



- Noise problems are constant, with particular problems at or after 3am;
- She had tried in the past to talk to individual students about these issues, but had been discouraged by negative responses;
- She had tried to involve the police, but had been discouraged by the police response (not attending incidents etc.);
- She would suggest key areas for improvement were: imposing a street-by-street cap on student numbers; provision of more on-campus accommodation; better guidance from the universities on appropriate student behaviour.
- NB: 'HMO' has a particular meaning in planning law – referring to housing with three floors or more/six or more occupants not living as a family unit. However, it is also frequently used more generally to refer to privately rented housing shared by several adults – e.g. to 'student houses', although relatively few student houses in the city are, technically speaking, HMOs. It seems sensible to assume that non-expert witnesses to the panel use the term HMO to refer to shared private sector rented housing in general.

#### **4.3 Evidence from Ted Harman, Chair of Coldean Tenant's Association**

4.3(a) Mr Harman made the following points:

- There are some problems with students in Coldean, particularly in terms of the number of adults living at some properties and in terms of parking;
- Although there have been isolated problems with student behaviour (including urinating in front gardens), most students are polite and do not cause trouble;
- Bus stops in the area can become very crowded with students queuing to go in to town etc. Sometimes the sheer number of students waiting for buses can pose a problem, particularly for older people/people with young children who can feel intimidated (even when no one intends to be intimidating);
- Given the very large numbers of people in the city on the shortlist for family homes, can it be a sensible use of resources to house students in homes more obviously suited to families?

#### **4.4 Evidence from Mr Wright, Southall Avenue**

4.4(a) Mr Wright made the following points:

- The major problems with students involve noise and rubbish;

- There is also a problem with absentee landlords who do not upkeep their properties;
- Clear guidance from the council and from universities (particularly in terms of refuse collection dates etc) might help;
- Furniture is frequently dumped in the front gardens of student houses for long periods of time. More pressure should be placed on landlords to ensure that this does not happen;
- Stickers placed on rubbish bins (giving details of collection days) would be useful. (This was endorsed by other audience members).

#### **4.5 Evidence from Anna Hunter, Hanover**

4.5(a) Ms Hunter made the following points:

- There was a growing feeling amongst Hanover residents that problems associated with students had reached an unsustainable level and that things needed to change;
- Hanover residents recognised the value of a vibrant and mixed community which welcomed students, but feared that the mix of the community had become unbalanced;
- Residents (both students and long-terms residents) could make an effort to get to know their neighbours;
- Most students are reasonable enough, but a minority cause very major disturbances; the problem is particularly centred around the Phoenix Halls of Residence and surrounding streets;
- Noise is the biggest problem in Hanover; a fact recognised by many students themselves;
- There have been positive changes in recent months, with local pubs enforcing drinking inside after 10pm and less graffiti appearing;
- The 'SSHH' campaign has had some effect and is much appreciated by residents;
- It is not always clear who people should contact with noise/ASB complaints. In particular, council Environmental Health services need a clearer pathway for complaints and all council staff need to be aware of and able to refer into this pathway. Too often, council staff offer conflicting advice to complainants;

- The situation at Phoenix Hall could be improved by Brighton University ensuring that: two security officers are present (and on duty) at nights (one officer cannot police the entire Halls effectively); that residents do not play loud music with their windows open; that more of an effort is taken to remind residents of the need to be considerate to neighbours; that firmer action (including academic sanction) is taken against persistent troublemakers.

#### **4.6 Evidence from Trevor Wood, Coldean Residents' Association**

4.6(a) Mr Wood made the following points:

- That students are normal people, often living away from home for the first time, and shouldn't be blamed for everything;
- Giving houses with 5 or 6 adults a wheelie bin the same size as that allocated to normal households does not make sense, as there is inevitably more rubbish produced than the bin can hold (which means the extra rubbish goes in black bags which are then pecked open by seagulls etc.);
- There are problems which CityClean needs to address, such as unacceptably long waits for recycling boxes and CityClean operatives who refuse to pick up recycling which hasn't been left in precisely the correct place. Such actions tend to discourage students from recycling when the council should be working hard to encourage them;
- In terms of noise problems, the Residents' Association makes a point of obtaining landlord details whenever possible and contacts landlords should problems arise. This is an effective way of dealing with noise nuisance;
- Members of the Resident's Association make a point of welcoming new students to the area and trying to work together with them to address any problems which might arise (advising people where they should park etc.);
- There should be a cap on HMOs, and the universities must take some responsibility for housing their students;
- Coldean is a community which welcomes students, but it is also a pleasant area for families to live and it is very important that the family nature of the area is not lost through an excess of student housing.

#### **4.7 Evidence from Richa Kaul-Padte, Sussex University Students' Union**

4.7(a) Ms Kaul-Padte made the following points:

- There is a tendency to view all problems associated with young people sharing houses as being student related, but by no means all young people in shared accommodation are in fact students;
- Sussex University houses nearly all its 1<sup>st</sup> year students on campus (or students live with their families);
- There are also large numbers of part time and mature students who do not necessarily fit the stereotype of students;
- There should be a properly functioning accreditation system for landlords, to ensure that student housing is of an acceptable standard: both in terms of the quality of accommodation which students should expect to find, and in terms of the impact of student housing on the broader community (e.g. landlords should be discouraged from using conservatories as living spaces);
- The council should work together with the universities and the Students' Union on refuse and recycling issues in order to encourage student recycling;
- Students should be seen as part of the local community; students do lots of volunteering and do make practical contributions to community cohesion;
- Landlords and Lettings Agents could do much more in terms of refuse/recycling – ensuring that students have up to date information, advising on bulk waste disposal etc,

#### **4.8 Evidence from Gillian Fleming, Hanover**

4.8(a) Ms Fleming made the following points:

- That she does not feel the universities do enough to tackle problems caused by students – particularly in terms of noise;
- That Phoenix Halls of Residence is a particular source of problems, with more needing to be done by Brighton University to minimise the disruption caused to local residents (for example by placing tighter controls on students congregating on the 'Podium' at night-time);
- That many students are very pleasant, but the annual churn of people in and out of student housing means that developing good relations with neighbours does not necessarily provide a permanent solution to neighbour problems.

#### **4.9 Evidence from Tanya, former student**

4.9(a) Tanya made the following points:

- Universities are in a 'catch-22' situation with regard to student accommodation: if they build halls of residence, they risk being accused of concentrating noise/ASB problems; if they rely upon private sector housing across the community, they risk being accused of not addressing the problem of housing their students;
- Universities can only fund new halls by increasing the student intake (which means increasing the future number of 2<sup>nd</sup> and 3<sup>rd</sup> year students seeking privately rented accommodation);
- Brighton University has no campus; it therefore has no option but to build halls in densely populated residential areas;
- A restriction on HMOs/student houses would only work if there was sufficient non-student demand (e.g. from young professionals) to replace students in particular areas. The risk would be that such restrictions would lead to empty homes;
- The 'problem' of students in the community may not be amenable to a single 'big-fix', but rather to a number of small scale interventions on issues such as refuse, recycling etc.

#### 4.10 Evidence from Tom Wills, near Lewes Road

##### 4.10(a) Mr Wills made the following points:

- He was shocked to hear of the behaviour of some students: such behaviour is by no means universal;
- In his experience local residents have been very reasonable and patient with students;
- Many students could manage quite happily without cars; perhaps the Students' Union could do more here to promote public transport;
- More campus accommodation is needed at the University of Sussex, particularly for 2<sup>nd</sup> and 3<sup>rd</sup> year students who would prefer to remain on-campus;
- Campus accommodation must be affordable; recent campus building has focused on the 'luxury' end of the student market (with en suites etc.) and such accommodation is beyond the means of many students;
- There is a basic lack of supply of student accommodation in the city; this means that landlords are not encouraged to bring rental properties up to an acceptable standard as they know that demand outstrips supply and that they will therefore find people who have no option other than to rent from them.

#### **4.11 Evidence from Julia Pilgrim, Hanover**

4.11(a) Ms Pilgrim made the following points:

- Noise is a major problem, even when the degree of noise does not reach a level at which Environmental Health (EH) services can take action;
- Noise problems are not just about students; non-students living in shared accommodation can cause just as many problems;
- Not all students cause problems; it's very much a minority;
- If the universities' contracts with students include sanctions for persistent ASB, then these should be enforced. If no such sanctions exist, they should be introduced;
- Noise can be very frightening: it's not just an issue of inconveniencing people;
- Preston Barracks should be considered as a possible site for dedicated student accommodation;
- A central point of contact for student-related problems (for people complaining about student behaviour, but also for students to use) would help, but only if it had real 'teeth';
- Given the size of local universities, they should really do more to manage their students' behaviour;
- Before EH will act on a noise problem, they require the perpetrator's exact address. Obtaining this information can be frightening, as it may involve going out on one's own in the early hours and possibly encountering the people who are making the noise who may well have been drinking heavily/taking drugs.

#### **4.12 Evidence from Adam, Sussex University**

4.12(a) Adam made the following points:

- That if city public transport was more affordable, fewer students might keep cars. As it is, it can be considerably cheaper to drive across the city than to take a bus;
- Students do not need to be singled out for special treatment: ASB should be treated as such whether students are its perpetrators or not;

- The universities have barred one landlord from advertising on their property lists, but that landlord is still doing business in the city, so it is not clear what effective sanction the universities actually have to ensure their students are housed by responsible landlords.

#### 4.13 Evidence from Sam, Brighton University

4.13(a) Sam made the following points:

- He lives in Hanover and loves the area; he feels part of the community;
- Students should be encouraged to take an active role in the community, particularly in terms of engaging with Residents' Associations. This would help integrate students with long term residents and provide a means to address minor niggles before they escalate;
- The National Union of Students is currently running a Neighbourhood Pride campaign to encourage students to engage with their communities;
- Brighton University currently runs the SSHH campaign (silent students, happy homes);
- Housing density and inappropriate conversions of homes are essentially planning issues and the city council should take responsibility for them;
- Brighton University employs a full-time officer to liaise between the university and local communities.

#### 5. Future Meetings

5.1 The Panel plans to hold additional meetings in public on 07 November, 21 November and 05 December. Witnesses at these sessions may include officers from Brighton and Sussex Universities; officers of the City Council (including senior officers from CityClean , planning and housing strategy); police officers; academics who have studied the issue of 'studentification'; city landlords and representatives of student letting agencies.

The meeting concluded at 4.00pm

Signed

Chair

Dated this

day of

**BRIGHTON & HOVE CITY COUNCIL**

**ADULT SOCIAL CARE AND HOUSING OVERVIEW AND SCRUTINY COMMITTEE  
AD HOC PANEL -STUDENTS IN THE COMMUNITY**

**2.00pm 7 NOVEMBER 2008**

***COUNCIL CHAMBER, HOVE TOWN HALL***

**MINUTES**

Present: Councillor Meadows (Chairman), Janio and Wrighton

**PART ONE**

**6. Procedural Business (copy attached).**

**6a Declarations of Interest**

6.1 There were none.

**6b Exclusions of Press and Public**

6.2 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

6.3 **RESOLVED** – That the press and public be not excluded from the meeting.

**7. Minutes of Previous Meeting**

7.1 The minutes of the meeting held on 17.10.08 were approved as an accurate record.

**8. Chairman's Communications**

8.1 The Chairman informed members that future meetings of the ad hoc panel would be held in Brighton Town Hall, to allow for wider public



access. An additional meeting of the panel has been scheduled for 05 December 2008.

## **9. Evidence Gathering**

9.1 The panel heard from a number of witnesses.

### **9.2 Evidence from Dr Darren Smith, Reader in Geography, University of Brighton and from Jo Sage, University of Brighton**

- a) Dr Smith and Ms Sage introduced themselves, explaining that they had studied the impact of increasing student numbers on a number of cities.
- b) In answer to a question regarding student/resident 'charters', the panel was told that these charters had been trialled in several locations, including Leeds, Nottingham and Loughborough. Such schemes could be difficult to implement as they required consistent engagement from Student Unions, something which was hard to guarantee, given the high turnover of Student Union officers. However, students are typically under-presented on residents group and associations, and any work which encourages greater engagement should be welcomed.
- c) In response to a query concerning the concentration of student households in the city, members were told that the situation was very fluid. Mapping from 2002-2007 showed the greatest concentration in the 'traditional' student areas of Hanover, Hartington Rd and Moulescoomb. Recent years have seen significant numbers of students around London Road station and in Regency Ward, with future movements into Hollingdean anticipated.
- d) Members were told this fluidity in student housing was not entirely due to the market expanding; there were also 'fashions' within the market, with some areas of the city seeing an expansion in the number of student households and others a contraction.

This was a very significant issue, as it was not necessarily clear whether former student housing tended to revert to family use or whether it stayed in the private rented sector (e.g. let to 'young professionals'). In the latter instance, the impact of student housing on family housing on the city might be considerably greater than in the former.

Members were informed that, in some other parts of the country such as Leeds, an expansion of student housing in one area of a city (e.g. from newly built Halls of Residence) had seen a matching reduction in the private rented sector for students, but little or no improvement in the availability of family housing, as the great majority of former student housing had been re-targeted at the young professional sector rather

than at families.

- e) In answer to a question concerning the relationship between student numbers and national economic performance, the panel was told that the relationship was very complex. However, even if student numbers fell nationally as a result of an economic downturn (and this was by no means guaranteed), 'de-studentification' of Brighton & Hove was unlikely, as the city was considered a particularly attractive destination for students. Recent estimates for both the University of Brighton and the University of Sussex saw stable or rising student figures until at least 2015.
- f) In response to queries about Planning issues, members were informed that there was currently no requirement to report or obtain permission for plans to convert family accommodation for student use (unless the accommodation in question was designated a 'Home in Multiple Occupation' – an 'HMO'). Although there was widespread support for the notion of introducing some kind of 'class order' for such changes of use, this could not apply retrospectively, so even if it was to be introduced, it would apply to only a small percentage of student housing.

Members were told that a more realistic approach to the issue might be to ensure that all existing management techniques were being employed efficiently in order to manage particular areas of city housing.

- g) In answer to a question regarding negative student perceptions of areas such as Bevendean and Moulescoomb, members were informed that such perceptions may have originated from surveys undertaken in 2002, when there was relatively little student housing in either area. In recent years, student concentration in Bevendean and Moulescoomb has increased considerably, and perceptions have changed for the better.

Members were also told that, in recent years, students had begun to favour proximity to their place of study above proximity to city centres, so this might also lead to improved perceptions of these suburban areas.

- h) In response to questions about student Halls of Residence, the panel was told that a recent University of Brighton Needs Assessment identified 90% of 1<sup>st</sup> year students preferring Halls to the private rented sector, with up to 20% of returning students also expressing a preference for Halls. Similar figures could probably be assumed for the University of Sussex.

Members were advised that if there were sufficient capacity for this volume of students in attractively sited Halls of Residence, there could be a very significant impact upon the private rented sector in the city.

**9.3 Evidence from Kevin Mannall, Community Liaison Officer, University of Brighton**

- a) In response to a question concerning what the University of Brighton did to ensure that its students were aware of appropriate behaviour, members were told that this was covered in the compulsory induction for all first year students. Printed guides were also available, and the Student Union was extensively involved with this issue.
- b) Members were informed that a joint council/University of Brighton information pack for students would be useful, particularly if landlords/letting agents were encouraged to distribute it (as many students take up accommodation in advance of their university induction, meaning that landlords are a better initial contact than universities or student unions).
- c) In answer to a question about accessing student addresses, Mr Mannall told members that he did not have direct access to students' address details, although he could often confirm which students lived at which addresses by informal means.
- d) Mr Mannall told members that the majority of his time was not spent in dealing with complaints about students, but with liaising with a variety of city agencies. Mr Mannall noted that he had received very positive feedback from city organisations, glad that they had a liaison officer to deal with.

**9.4 Evidence from Simon Newell, Head of Partnerships and External Relations, Brighton & Hove City Council**

- a) Mr Newell explained aspects of the role of the Local Strategic Partnership (LSP) and of the city Strategic Housing Partnership (SHP) and gave members some background as to what the SHP had done in terms of examining the issue of studentification. Mr Newell noted that the LSP and SHP brought key city partners together and facilitated high level discussion of issues; consequent practical measures would typically be taken by individual partner organisations rather than by the strategic partnerships themselves.
- b) Mr Newell noted that the LSP focused on the overall impact the city's universities had, not just upon any negative aspects of studentification.
- c) Mr Newell was asked to provide some examples of actions arising from the SHP's work. Mr Newell offered to produce a briefing paper for the panel.

**9.5 Evidence from Martin Reid, Head of Housing Strategy and Private Sector Housing, Brighton & Hove City Council**

- a) In response to a question regarding Homes in Multiple Occupation (HMOs), the panel was told that the legislation governing HMOs was quite restrictive, both in terms of defining an HMO (a property of more than two storeys and/or housing more than 5 people not living together as a single household), and in terms of the powers it granted to local authorities (which tended to focus on ensuring the quality of accommodation provided by HMOs rather than on managing their impact upon the local community).
- b) In answer to a query as to whether more Student Halls of Residence were required, members were told that this was an issue currently being examined by the Strategic Housing Partnership (SHP). The issue was not a simple one, as Halls could themselves impact upon the local community and it was not necessarily the case that increasing the number of places available in Halls would mean that an equivalent amount of private sector student housing was returned to more 'desirable' uses such as family housing.
- c) In response to a question on landlord accreditation schemes, members were told that these could be useful, but that most city landlords already provided good quality accommodation. This situation might perhaps be best improved by closer co-working with the universities and by greater encouragement of university 'head-leasing' rather than via formal accreditation schemes. In any case, the ultimate guarantor of housing quality was demand: if demand for a particular kind of housing outstripped supply, then accreditation could never be wholly effective, as non-accredited landlords would still find customers.

#### **9.6 Evidence from Paul Allen, Director of ebndc, Head of Neighbourhood Management, Brighton & Hove City Council**

- a) Mr Allen stressed the positive contribution that the city's universities and their students made to local communities, much of which went relatively unheralded.
- b) Mr Allen noted that both city universities were heavily involved in community work, although he had less direct work undertaken by the University of Sussex than by the University of Brighton.
- c) Mr Allen told the panel that it was his understanding that the University of Sussex was considering introducing a compulsory element of community engagement into its undergraduate degree courses.

#### **9.7 Evidence from Members of the Public**

The panel heard additional evidence from members of the public attending the meeting.

- a) **Mr Richard Scott**, a city resident, directed the panel's attention to the issue of the availability of city private rented sector accommodation for

young people who were not students, noting that competition from students could drive rents beyond the reaches of many young working people, and that the conversion of bedsits into (more expensive) studio flats could exacerbate this problem.

- b) Mr Scott also noted that the ongoing scrutiny review into Dual Diagnosis (of mental health and substance misuse problems) had addressed housing issues, and that the work of the two panels might usefully be co-ordinated.
- c) **Mr Mike Stimpson**, a city resident and landlord, informed the panel that there was in fact no legal or planning reason why student accommodation should not revert back to family use.
- d) Mr Stimpson also queried whether the problem of studentification was really as major as was being supposed, noting that some research had suggested the problem was concentrated in a few localised areas rather than being a broader urban issue.
- e) In addition, Mr Stimpson questioned whether useful comparisons could really be made between Brighton & Hove and large cities such as Leeds and Nottingham where there was typically a citywide oversupply of housing.
- f) The Chairman responded to Mr Stimpson's first point (9.7(c) above), explaining that references by witnesses and panel members to student housing not reverting to family use referred to an observed tendency, on average, for such use not to revert, rather than to any legislative bar on such a reversion.
- g) Dr Darren Smith challenged Mr Stimpson's assertions (in 9.7(d) and 9.7(e) above), arguing that the evidence Mr Stimpson had quoted on studentification was based on 2001 census data which was insufficiently sensitive and which largely pre-dated the rapid growth of student numbers in Brighton & Hove and many other cities. Dr Smith also noted that while it was true that direct comparisons of Brighton & Hove with much larger Northern cities were of limited value, a good deal of work had been done on the impact of students on comparator towns and cities such as Loughborough, Bath and Canterbury.

9.8 The Chairman thanked all the witnesses for their contributions.

## 10. Future Meetings

- 10.1 The Panel plans to hold additional meetings in public on 21 November and 5 December. Witnesses at these sessions may include officers from Brighton and Sussex Universities; officers of the City Council

(including senior officers from CityClean and planning); police officers;  
city landlords and representatives of student letting agencies.

The meeting concluded at 4.00pm

Signed

Chair

Dated this

day of

**BRIGHTON & HOVE CITY COUNCIL**

**ADULT SOCIAL CARE AND HOUSING OVERVIEW AND SCRUTINY COMMITTEE  
AD HOC PANEL -STUDENTS IN THE COMMUNITY**

**2.00pm 21 NOVEMBER 2008**

**COUNCIL CHAMBER, BRIGHTON TOWN HALL**

**MINUTES**

Present: Councillor Meadows (Chairman); Councillors Janio and Wrighton

**PART ONE**

**11. Procedural Business (copy attached)**

**11a Declarations of Interest**

11.1 There were none.

**11b Exclusion of Press and Public**

11.2 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

11.3 **RESOLVED** – That the press and public be not excluded from the meeting.

**12. Minutes of Previous Meeting (held on 7 November 2008)**

12.1 The minutes of the meeting held on 7.11.08 were approved as an accurate record.

**13. Chairman' s Communications**

- 13.1 The Chairman informed members that she was aware that a number of residents still wished to make submissions. The Panel welcomed all submissions, to be received by the deadline of 5 December 2008.

## **14. Evidence Gathering**

- 14.1 The panel heard evidence from a number of witnesses:

### **14.2 Evidence from Sergeant Matt Belfield, Neighbourhood Specialist Sergeant, Sussex Police**

- a) Sergeant Belfield introduced himself and explained his remit: he manages the Neighbourhood Policing Team that covers Hanover, St Peters and the North Laine areas of the city.
- b) In answer to a question regarding the types of issues that his team had experienced regarding students, the panel was told that students generally caused very little trouble in the city centre. The Neighbourhood Policing Teams tended to be contacted regarding noise complaints, for example, when students returned to residential areas or when a house party over-spilled. Incidents tended to be more public disorder incidents rather than criminal offences. The Teams would deal robustly with any criminal matters.

At the beginning of the current academic term, the Neighbourhood Policing Team in Hanover had stayed at work until 5am to try and address some of the noise complaints, as it had been recognised that complaints escalated at the start of new academic years.

Sergeant Belfield told the panel that the police worked closely with Kevin Mannall, Community Liaison Officer at Brighton University and gave examples of some of the positive joint work that had taken place.

- c) Members heard that dealing with noise complaints was generally not within the police's remit; it would generally be the case that details would be passed to Environmental Health on the next working day. However if the Neighbourhood Policing Team had resources available, officers would respond and talk to the household about their responsibilities as neighbours. When the police attend an incident, they will forward the case details to various agencies including the universities.

The panel heard that the police had the powers to arrest people for being drunk and disorderly but that this would be used as a last resort. There was also separate legislation to tackle alcohol being drunk in the street.



Sergeant Belfield said that in his view, he did not think that students often realised that they were causing problems. Sergeant Belfield felt it important to raise students' awareness with students and suggested it might be useful for students to attend residents' meetings so that they could gauge the scale of the problems and the upset to other residents.

- d) In response to a query about licensing laws, and whether there was any capacity to impose conditions on premises which had received complaints, the panel was told that legislation was available to close a premises, for example if there was a large-scale disorder. However, noise caused by smokers or people exiting the premises would not be classified as large-scale disorder. If the police received repeat complaints about the same premises, they would discuss this with the Licensing Team.
- e) In answer to a question concerning whether public order legislation could be applied to an incident within a residential property such as a garden party, the panel was told that the police could not use the legislation in this way. It would be more likely that the police would close the party down. If a particular household became problematic and was holding noisy parties regularly, the police would raise this with the various agencies including the council and the universities to consider the best way forward. The students would be advised of the possible consequences of continuing their actions, including the potential to be expelled from university.
- f) Members heard that parking obstructions and double parking offences were targeted on a regular basis and fixed penalty notices issued as appropriate. More permanent measures were put in where possible, for example, on Elm Grove, barriers had been erected to stop on-pavement parking.
- g) In response to a query concerning whether student houses were targeted by burglars, the panel was told that it did not seem to be the case that student households were particularly targeted but that burglaries happened in hotspots. When this happened, the police would offer crime prevention advice to all residents in the area.

#### **14.3 Evidence from Tim Nichols, Head of Environmental Health and Licensing, Brighton & Hove City Council**

- a) Mr Nichols introduced himself and outlined the general duties of the teams that he managed; these included the licensing team and the environmental protection team that investigated noise.

Mr Nichols explained that the teams had a statutory duty to investigate all noise complaints received. The largest proportion of environmental health complaints were about noise nuisance, with over 3200 complaints received in 2007/8.

A variety of penalties could be imposed, with equipment seizure being the most stringent. In 2007/8 149 noise abatement notices had been issued, with 16 prosecutions and two audio equipment seizures. Noise nuisance complaints had escalated by approximately 10% last year, 7% the year before and 1% the year before that. So far in 2008/9, there had been six equipment seizures.

It was hard to quantify why complaints have escalated, but it could be due to a combination of factors including better audio equipment, smoking legislation leading to more people being outdoors, and the removal of artificially early fixed licensing hours.

Mr Nichols explained that the noise patrol was just one way in which the council could gather evidence about alleged noise nuisance. The Environmental Health Team also had the option to interview and correspond with complainants and alleged offenders, install recording equipment, visit the premises during the day or the night, carry out surveillance and stake-outs, and collect statements.

The panel heard that the noise patrol team had carried out customer satisfaction surveys. These had shown a high level of customer satisfaction with the service, although there had been a slight recent decline. The most common comment from residents was that the hours of the service should be extended or operated on other days of the week.

- b) The panel heard about the impact of the Licensing Act 2003 on licensed premises. The Act had a presumption that licensed premises were well managed, and therefore any late-night opening licensing applications would have to be granted unless there were clear reasons against it.

The Act also gave the police stringent closure powers, on the grounds of disorder or likely disorder; to date, the police had used this power approximately 20 times. In addition to the police powers, Environmental Health could close premises on the grounds of public nuisance but this would only be in very extreme circumstances.

The most important balancing powers were within the Licensing Review powers, which could result in modifying a licence including: reducing a premises' opening hours or removing a licensable activity; removing the manager; revoking the licence or suspending the licence.

To date, the Panel had reviewed approximately 25 licences. Of these, the Panel had revoked two licences, suspended four licences and modified several other premises' licences.

- c) In answer to a question about problems in identifying the source of a potential noise nuisance, the panel heard that it was quite common for there to be difficulties in establishing a property's address. Mr Nichols

said that he felt that his team was reasonably effective at stopping recurring problems but it might be less successful in dealing with sporadic incidents.

Mr Nichols said that he felt that addressing the problem of street noise was a gap in protection for residents. Although bylaws could be used by the police, aggrieved residents and others, it would be unrealistic to expect such powers to be effective.

The recent Noise Act had introduced the power to issue fixed penalty notices of £100 fine or £1000 on prosecution which assisted in remedying sporadic, occasional loud parties.

- d) A member raised a resident's concern that they felt that city centre noise complaints took priority over complaints from areas further from the centre. Mr Nichols assured the panel that the team did not prioritise certain geographical areas over others, although they might deal with a clutch of complaints about the same geographical area at one time in times of high demand.

Complaints were categorised into different priorities and responded to accordingly, for instance, the highest priority was given to households where a noise abatement notice had already been served, the lowest priority given to a complaint with no previous history, which had lasted less than an hour and other complaint types being ranked in-between.

- e) In response to a query regarding how complaint numbers were calculated, the Panel heard that each address which was being complained about would be categorised as one complaint, regardless of whether one or a hundred complaints had been received about the address.

It was not possible to calculate what percentage of the complaints received were about student households; this information was not currently collected although it might be possible to look at complaints by geographical area if this was useful.

#### **14.4 Evidence from Rob Fraser, Head of Planning Strategy, Brighton & Hove City Council**

- a) Mr Fraser introduced himself and the role of Planning Strategy. Mr Fraser explained that the current Local Plan had been based on information and data from 2001, at which time the current student housing issues had not been so prominent. This meant that there was little in the Local Plan about student housing policy.

Mr Fraser explained that central government gave local authorities challenging housing targets, with financial incentives if the targets were met, for example, at least 11,000 new homes were needed by 2026. There was no current government target for 'student housing'.

- b) Members asked about the potential benefits of a supplementary planning document (SPD) on the topic of student housing, commenting that one benefit of an SPD would be to highlight student housing as an issue, for which land needed to be allocated.

Mr Fraser explained that his department had scoped what other local authorities had done in terms of student housing including SPDs, but that there did not appear to be any instant solutions.

Most housing within Brighton and Hove did not fall within planning control, for example most housing was too small to require planning permission to be converted into housing of multiple occupation (HMO).

- c) The panel asked whether a local authority had any potential powers to control HMO numbers in a particular area on the basis of the long-term impact on the community's infrastructure. Mr Fraser said that he was unaware of any such mechanism in planning policy, but that he would provide further information to the panel at a later date.
- d) Mr Fraser said that it did not appear that planning controls were the way to tackle the issues. His view was that it would be of greater use to work with the universities and housing colleagues to ensure that adequate student accommodation was built near the universities. However, Mr Fraser was aware that he could not speak on behalf of Housing.

Mr Fraser explained that, due to the competing demands on the limited land available, his department would be wary of allowing student-specific accommodation in the city centre.

The panel heard that the Planning Strategy team worked closely with both of the universities in considering student accommodation needs. Mr Fraser explained that on-campus accommodation did not conflict with any other planning policies. There was room for high-density building along the Lewes Road, much of which was owned by the universities. Mr Fraser said that he would be keen to discuss any plans for university-owned land.

The panel heard that the University of Sussex had submitted a current planning application to build 700 units on their land, but this would be used in the first instance to move students from poorer quality campus accommodation.

Mr Fraser told the panel that there was also potential to work with Brighton University to explore the possibility of campus accommodation, as there was capacity on some of their sites.

#### **14.5 Evidence from Jeanette Walsh, Head of Development Control, Brighton & Hove City Council**

- a) Ms Walsh introduced herself and outlined the statutory role of development control, in making decisions and recommendations on planning applications. The development control team also have a duty to investigate breaches of planning control and ensure decisions are in accordance with the Development Plan.
- b) Ms Walsh clarified the legislation with regard to HMOs and permitted development rights, and referred members to the advisory note that had been prepared by the Planning Investigations and Enforcement Officer (copy attached to agenda papers).

Ms Walsh explained that there had been amendments to the national legislation regarding permitted developments, which would be likely to lead to larger conservatories and more attic rooms being built under householder permitted development rights.

- c) Members queried the Planning Authority's role in controlling the number and the content of signs and billboards. Ms Walsh said that there may be scope for the Planning Investigations team to investigate complaints about multiples of signs although they would not have the authority to control the signage content.

(Mr Fraser added to this point, explaining that there was regulation governing estate agents' boards in conservation areas, but it was not known whether this could be used in non-conservation areas.)

- d) In response to a query concerning enforcement action in Brighton and Hove, the panel heard that it was necessary to take a reasonable approach to planning enforcement matters and to consider the various options available. Since Ms Walsh had come into post, she had created a Planning Investigations Team. In the previous year, only six enforcement notices had been served by the team.

**14.6 Evidence from Gillian Marston, Assistant Director, Cityclean and Cityparks and Damien Marmura , Operations Manager, Cityclean , Brighton & Hove City Council**

- a) Ms Marston introduced herself and explained Cityclean's role in the city.
- b) In response to a resident's concern about students only being allowed small wheeled bins, Ms Marston confirmed that households of five or more people could notify Cityclean of their household size and be issued with a larger wheeled bin.

In response to concerns about students leaving their refuse out on the wrong collection day, Ms Marston confirmed that this was not a 'student' problem but was a citywide problem. Cityclean could write to those households notifying them of the correct collection day. Cityclean

had also installed signs on lamp-posts notifying residents of the correct collection day; this had had a positive impact.

- c) Members asked whether Cityclean ever collaborated with the universities to raise awareness of refuse and recycling issues. The panel heard that Cityclean had attended student fairs in the past and that they had worked with one of the universities to introduce recycling facilities into halls and on a communication campaign.
- d) Members asked whether it would be possible for Cityclean to issue wheeled bin stickers reminding residents of the correct collection day. Mr Marmura explained that Cityclean was in the process of issuing fridge magnets to every household with their collection day but that they would also consider issuing stickers, as they were less likely to be lost or misplaced. Ms Marston explained that Cityclean was also due to issue recycling box information stickers to all households early in 2009.

Members queried whether there was a limit as to how many recycling boxes a household could have. Ms Marston said that, within reason, households could have as many recycling boxes as needed but that the recycling crew would also collect plastic bags of sorted recycling.

Members queried information given at a previous meeting, in which a student household was told by their landlord to leave unwanted furniture on the street as Cityclean would come and clear it. Ms Marston said that this was not the case and that Cityclean did not provide a house clearance service. Cityclean would be reluctant to put skips out at the end of term, as this was contrary to the sustainable waste agenda of 'reuse' and 'recycle'. Mr Marmura confirmed that Cityclean had the power to issue fixed penalty notices to a landlord for refuse being left on the wrong day.

- e) Members commented that a key part of the process seemed to be about information flow going to students and said that they were keen to help this process. It was noted that, although student households might change on a regular basis, landlords were fairly constant and perhaps more could be done through landlords.

Members asked whether there might be a phone number that residents could use to tell Cityclean about households that were causing problems. Ms Marston welcomed this suggestion, explaining that Cityclean employed enforcement officers that would be able to investigate such reports.

14.7 The Chairman thanked all the witnesses for their contributions.

## **15. Any Other Business**

- 15.1 The final panel meeting will be on 05 December at Brighton Town Hall. Witnesses at this session may include officers from Brighton and

Sussex Universities; officers of the City Council; city landlords and representatives of student letting agencies.

The meeting concluded at 4.00pm

Signed

Chair

Dated this      day of

## **BRIGHTON & HOVE CITY COUNCIL**

### **ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE AD HOC PANEL -STUDENTS IN THE COMMUNITY**

**2.00pm 5 DECEMBER 2008**

**COUNCIL CHAMBER, BRIGHTON TOWN HALL**

#### **MINUTES**

Present: Councillor Meadows (Chairman); Councillors Janio and Wrighton

#### **Procedural Business (copy attached)**

##### **16a Declarations of Interest**

16.1 There were none.

##### **16b Exclusion of Press and Public**

16.2 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

16.3 **RESOLVED-** That the press and public be not excluded from the meeting.

##### **17 Minutes of Previous Meeting (held on 21 November 2008)**

17.1 The minutes of the meeting held on 21.11.08 were approved as an accurate record.

##### **18 Chairman's Communications**

18.1 The Chairman informed members that this was the final ad hoc Panel meeting on the subject of students in the community. The Chairman explained that the next stage would be for the Panel to meet and consider the evidence that had been gathered, in order to make recommendations. The draft report would then go to full Council in order for the recommendations to be considered and ratified.



- 18.2 The Chairman anticipated that the report would be available by the end of January 2009 and suggested that any interested parties should email their contact details to the Overview and Scrutiny Team at that time.

### **Evidence Gathering**

- 19.1 The Panel heard evidence from a number of witnesses:

**19.2 Mark Ireland, Head of Strategic Finance and Procurement, and Valerie Pearce, Assistant Director, Customer Services, Brighton & Hove City Council**

- a) Mr Ireland and Ms Pearce introduced themselves and explained their remit with regard to Council Tax.
- b) The Panel heard that students were exempt from paying Council Tax (CT) under two exemption codes, one which applied to halls of residence and one for properties occupied only by students.

There can be problems in identifying student households. Student households might assume that they were exempt automatically and might not inform the council that they were students; they might ignore letters from the council. The council must chase up each of the households until contact is made; this incurs costs that would be avoided if the student households informed the council of their status more promptly.

Ms Pearce explained that Council Tax officers attended Freshers' fairs at both universities in order to complete exemption certificates and advise students of what they needed to do, but it was felt that more action might be taken in raising awareness of this issue.

- c) The Panel received details of the number of households in the city registered for exemption on the basis of being a student-only household. Mr Ireland explained that, for the purposes of financial calculations, all exemptions were assumed to be a Band D assessed property, which would be liable for CT of £1200 per year.

For 2008/9, to date there had been 2869 properties, with a projection of up to 3080 by year end, giving an approximate cash value of £4.3 million for student-exempt properties. Mr Ireland explained the mechanisms and grants that central Government had for compensating local authorities for the exemptions.

- d) In response to a query about what could help to minimise the costs for Council Tax collection, the Panel heard that it would be helpful if student households registered their exemptions as quickly as

possible, to avoid the council incurring costs in chasing up the bill-payer unnecessarily.

- e) In response to a query about whether it might be possible to have, for example, a local City Tax, the Panel heard that this would not be possible under national legislation.

### **19.3 Toby Hamilton, owner of MTM Letting Agency**

- a) Mr Hamilton introduced himself and his company, explaining that he had been a student landlord for fourteen years, and that MTM had been in operation for five years. MTM owned approximately two hundred properties across the city, with the vast majority being student lets. The properties were predominantly in Bevendean/ Coombe Road/ Lewes Road/ Upper Lewes Road/ Hanover areas. MTM managed 15 properties along The Avenue, which as a whole had a 25-35% student occupancy rate.
- b) The Panel heard that MTM were keen to address student impact issues and that they were aware that noise, refuse and unkempt gardens were the most likely areas of complaint. MTM issued tenants with a three-page welcome pack, which included items on respect, neighbourliness, how to manage your garden, refuse, applying for Council Tax exemptions, informing utility companies etc. Staff talked through the various issues with tenants at the start of their tenancy.

Mr Hamilton explained that MTM had a complaints procedure to be used when complaints were received from residents about student households. They would contact the tenants; carry out face to face visits and take the students to the neighbour's house, encouraging them to apologise, and to start communicating. Mr Hamilton commented that it might not always be apparent to residents that they should contact MTM regarding any problems with tenants.

The Panel heard that, on occasions when it was needed, MTM had worked closely with neighbourhood police officers to talk to households that were causing a more significant problem.

- c) With regard to Council Tax, MTM operated a policy under which they would not return a tenant's deposit until there was proof that Council Tax obligations had been addressed, either through applying for exemption or by paying the tax). Mr Hamilton said that he thought about half of local letting agents did this.
- d) Mr Hamilton responded to residents' concerns that letting agents had access to vacant properties before they went on to the open market, and therefore excluded families wishing to purchase family

properties. Mr Hamilton commented that this might happen on a small scale, but he was not aware of it being a big problem.

With regard to excess refuse being left at a property, Mr Hamilton said that MTM would consider it was the tenant's duty to clear it. If there were excessive refuse, MTM might employ cleaners and re-charge costs to the students. If MTM received complaints about furniture being left in a garden, for example, they would ask the students to remove it within a given timescale. If this was not done, they again would employ cleaners and invoice tenants.

- e) The Panel asked whether the private rented student market might reduce, for example, if more halls of residence were built and/or student numbers decreased; if so, what might happen to the private rented market? Mr Hamilton said supply was already exceeding demand and that it was likely that there would be an increase in empty student properties. He did not think that reductions in rent would necessarily affect student take-up as the rent was often paid by parents. The key factor is the quality of the accommodation.

The Panel then asked whether, if supply exceeded demand, MTM could advise landlords to turn their properties back into family homes. They were advised that this might be problematic as most student homes were six bedroomed properties, and not many families would need that size accommodation.

#### **19.4 Mark Shields, G4 Lets**

- a) Mr Shields introduced himself and explained the remit of G4 Lets; they focussed on student lets, particularly in the Ditchling Road area but with properties across Brighton.
- b) Mr Shields explained that G4 gave their tenants a welcome pack, with information on a number of issues, including the contact details for Council Tax in order to register for exemption.

G4 staff would try and visit their properties as much as possible, on average once a month. If they heard about a problem, G4 would ask the student to meet with the neighbour to apologise. The office would keep a diary of any incidents, and include photographs if needed.

- c) The Panel asked Mr Shields to comment on the issue of conservatories being used as living rooms, explaining that a number of residents had raised this element of permitted development as an area of concern due to the noise coming from the conservatories.

Mr Shields said that there were benefits to having a conservatory rather than a garden: for example, students tended not to garden and so it was better to develop the space more usefully. It was also

felt that, if there were a patio or garden rather than a conservatory, students would be likely to gather in the garden and cause more noise problems. Mr Shields explained that their properties were non-smoking; students would have to go outside to smoke, which may inadvertently cause noise nuisance to neighbours. The conservatories help to use outside space and contain noise and those whom wish to smoke. Outside space is still there for barbeques and table and chairs in the summer months.

- d) In response to a query about whether deposits could be used to cover any outstanding Council Tax bills, Mr Shields said that this might be problematic. Under the Deposit Collection Scheme, deposits were not meant to be used for any other means, and they could not be used for paying debts and so on.
- e) Mr Shields echoed MTM's comments about the problems in the letting market; the company had found this a very difficult year - any properties that had not been rented already might be empty for the entire year.

**19.5 Shula Rich, on behalf of the National Federation of Residential Landlords**

- a) Ms Rich introduced herself and explained her qualifications to the Panel. These included being a past Director of the National Federations of Residential Landlords (NFRL); past Chair of the Private Sector Housing Forum and author of the NFRL Landlord Training Manual. Ms Rich explained that she had been a private student landlord for twenty years.
- b) Ms Rich felt it was becoming more difficult to let to students, because of the lack of power given to landlords. If there was a problem, the only option would be to threaten eviction, but it could take two to three months for the court hearing, in a tenancy that was only six months long, so it was not a practical solution.

Ms Rich did not feel that extending planning controls would be the answer to tackling the problems; it should be about micro-management of issues. Landlords needed the powers to deal speedily with nuisance of any form.

Ms Rich felt that there was a difference between students and non-students in the way that they behaved as tenants; she received fewer complaints about non-students than about student households. She felt that this was largely due to students from the same university living together and having a shared circle of friends.

When she received complaints about tenants, she would write to the household asking them to be more considerate. She would involve the universities and colleges if she had to send three or more letters to a

household. Ms Rich felt that cheaper alcohol was one cause of the rise in the number of parties and related noise complaints. Ms Rich had always had help from Environmental Health when needed, and their service could not be improved.

- c) In response to a query about how Ms Rich made her tenants aware of their responsibilities, the Panel heard that Ms Rich would go through the lease in detail, pointing out all of the tenant's responsibilities. Ms Rich would also check what music playing equipment each student owned.
- d) In response to a query about how Ms Rich dealt with students' refuse, the Panel heard that Ms Rich considered it to be the students' responsibility, although she had arranged for cleaners for her properties. In the past, Ms Rich had arranged for clearance of any excess refuse in order not to inconvenience neighbours.
- e) Ms Rich suggested that one solution to the noise problems could be the introduction of on the spot fines, in the region of £30 per person, to be imposed by the council or police when attending complaints of noisy parties.

#### **19.6 David House, Deputy Vice-Chancellor, University of Brighton**

- a) Mr House introduced himself; he has been Deputy Vice-Chancellor at the University of Brighton (UoB) for twenty years. UoB had submitted a written statement to the Panel.
- b) In response to a query concerning whether there were plans to build more campus accommodation, Mr House said that UoB needed to increase its accommodation offer. If UoB wished to offer campus accommodation to all first years who wanted it, they would have to double the current level of campus accommodation. It was working to expand Varley Hall in conjunction with the council, as well as on a development in Circus St.
- c) The Panel asked Mr House to comment on Phoenix Halls in particular, which presented a particular set of challenges, as they were located in a densely packed residential area. Mr House told the Panel that, in the early years, Phoenix Halls had caused very few problems and that UoB had been surprised by the current level of complaints. UoB was committed to dealing with the problems and resolving them for the benefit of all parties.

Mr House said that a number of strategies had been introduced, including employing a fulltime Community Liaison Officer. UoB was reviewing the adverse impact of the smoking ban in halls of residence, recognising that this had caused significant noise problems for neighbours. UoB had the discretion to re-allow smoking in private

rooms; this was being considered as this might resolve some noise problems. The Panel heard that UoB had tightened up staffing levels at Phoenix Halls. UoB had various disciplinary procedures available, including a fine of up to £250, for action that might damage UoB's reputation.

- d) The Panel asked Mr House whether he thought that the universities appreciated the scale of residents' frustrations with the impact of students. Mr House said that he hoped that the fact that UoB had employed a fulltime member of staff would show there was commitment to resolve the issues. UoB was spending a lot of time working with various partners, including the student union, to tackle the issues presented.
- e) The Panel asked whether the university would ever contact parents directly. Mr House said that this would not generally happen; students were adults so it was not likely that UoB would have the power to contact parents.
- f) In response to a query about whether UoB would look into head leasing properties, the Panel heard that they fully managed the halls of residence, and were interested in head leasing. UoB would not like to wholly own domestic properties as there would be ongoing management issues and costs
- g) Mr House summed up UoB's position on accommodation: campus accommodation would gradually increase where possible, but private sector housing also had a key role to play.

**19.7 Charles Dudley, Director of Residential, Sport and Trading Services and Lorinda Holness, Residential Services Manager, University of Sussex**

- a) Mr Dudley and Ms Holness introduced themselves; Mr Dudley was in attendance to represent the Vice-Chancellor of the university. The University of Sussex (UoS) had submitted a statement to the Panel. UoS was pleased to note that the positive contribution of the institution on the local community was widely appreciated.
- b) The Panel queried who residents should contact if they had problems with student neighbours, as UoS did not have a designated community liaison officer. The Panel heard that the Housing Team should be contacted, on 01273 678220. If residents were unaware of this, then UoS would need to do more work to promote the service.

The Panel heard that UoS knew where all of their under-graduates lived and that they were willing to deal with problems. Mr Dudley said that a study was underway, looking at a shared services programme with the University of Brighton, and it was possible that recommendations from this might include UoS having its own

Community Liaison Officer, amongst other outcomes. This was also likely to include suggestions for improved channels of communication between the universities and local stakeholders as the current consultation process was too fragmented

- c) In response to a query about how first-year students living in halls were taught skills for living, the Panel heard that a number of initiatives were in place including workshops and information packs for students.
- d) The Panel asked whether UoS knew about potential demand for accommodation in halls from second and third year students. Ms Holness explained that UoS carried out an annual exit survey for students leaving halls, and had asked this question for the first time in this year's survey. Approximately 45% of respondents said that they would prefer to have a second year in halls; of the 45%, a high proportion were international students.

UoS said that it was committed to housing all first-year students in university managed housing, with the majority on campus and had just received outline planning permission for 798 campus rooms. Mr Dudley commented that there was no public subsidy for student housing and it was a major financial outlay for UoS, which he hoped would evidence UoS's commitment to student accommodation. The success of their accommodation strategy could be demonstrated in the fact that there were 1000 less UoS students living in HMOs than last year.

- e) The Panel raised students' concerns that campus accommodation can be too costly for students. Ms Holness said that the exit survey asked students whether they felt that the halls offered value for money. The question always got a positive response. There was an almost 100% occupancy rate for the current flats, which could be taken as an indication that they were not too costly. The rents were inclusive of utility costs, services, broadband connectivity and contents insurance which provided a value for money package. In addition, UoS offered a range of accommodation options including lower priced rooms with less included in the price.
- f) In terms of student complaints, Ms Holness said that UoS did not tend to receive many complaints about its students, so it was hard to say whether it was more prevalent in head-leased properties, or in the private rented sector.
- g) Mr Dudley commented on the earlier discussion of micro-managing problems and the need, as previously stated, to improve channels of communication which were too fragmented. This was an area that both universities would be keen to explore and discuss with partners to assist with issues arising from the concentration of students in particular areas of the city.

## **20 Any Other Business**

20.1 The Chairman thanked all of the contributors for their input.

The meeting concluded at 4.00pm

Signed

Chair

Dated this      day of



#### **Appendix Four - List of Expert Witnesses:**

Paul Allen, Director, ebndc (East Brighton New Deal for Communities) Partnership and Head of Neighbourhood Renewal Development and Strategy

Sergeant Matthew Belfield, Street Policing Team, Sussex Police

Charles Dudley, Director of Residential, Sport and Trading Services, University of Sussex

Rob Fraser, Head of Planning Strategy, Brighton & Hove City Council

Lorinda Holness, Residential Services Manager, University of Sussex

David House, Deputy Vice-Chancellor, University of Brighton

Mark Ireland, Head of Strategic Finance, Brighton & Hove City Council

Kevin Mannall, Community Liaison Officer, University of Brighton

Damien Marmura, Operations Manager, CityClean, Brighton & Hove City Council

Gillian Marston, Head of CityClean, Brighton & Hove City Council

Simon Newell, Community 2020 Partnership Officer, Brighton and Hove City Council

Tim Nichols, Head of Environmental Health and Licensing, Brighton & Hove City Council

Toby Pearce, MTM Lettings

Valerie Pearce, Assistant Director, Customer Services, Brighton & Hove City Council

Martin Reid, Head of Housing Strategy and Private Sector Housing, Brighton and Hove City Council

Shula Rich on behalf of the National Federation of Residential Landlords

Jo Sage, Researcher, University of Brighton

Mark Shields, G4 Letting Agents

Dr Darren Smith, Reader in Geography, University of Brighton

Jeanette Walsh, Development Control Manager, Brighton & Hove City Council

## **Appendix Five – Media Coverage about the Scrutiny Panel**

All of the articles below have been taken from the website of the Argus ([www.argus.co.uk](http://www.argus.co.uk))

### **Saturday 4 October 2008 Investigation into student housing**

[http://www.theargus.co.uk/news/3727681.Investigation\\_into\\_student\\_housing/?action=cmplain&cid=6874406](http://www.theargus.co.uk/news/3727681.Investigation_into_student_housing/?action=cmplain&cid=6874406)

An investigation has been launched into how Brighton and Hove's growing student population is affecting housing in the city.

Brighton and Hove City Council's scrutiny team has set up its first investigative panel which will research the issue.

The number of students living outside campus has grown by 50% - from 2,000 student properties to 3,000 - between 2004 and now.

The panel will look at the impact student households is having on long-standing communities within the city.

A council assessment of the housing market showed two thirds of Brighton University and half of Sussex University students take private rented accommodation, meaning about 12,000 live outside of campus and halls of residence.

Students are concentrated along the Lewes Road, Upper Lewes Road, Hartington Road, Coombe Road and Bevendean areas of the city.

A key concern is that students sharing larger homes occupy properties that would otherwise be available to families.

Sussex University has submitted a planning application to build 800 new flats on its Falmer campus.

The panel will be led by Councillor Anne Meadows, chairwoman of the adult social care and housing scrutiny committee, and will also include Councillor Georgia Wrighton and Councillor Tony Janio.

Three public meetings will be held to gather evidence and views.

The first meeting, on October 17 from 2pm to 4pm at Hove Town Hall, is open to all residents.

These opinions and experiences will set the agenda for the second two meetings in November when experts will provide evidence to the panel.

Coun Meadows said: "Everyone living in Brighton and Hove understands the benefits and the value that the two universities bring to the city and we very much welcome their presence.

"This is the first time that overview and scrutiny at Brighton and Hove City Council has studied the effects that students living in the community might have on long standing local

communities and we will be looking to make practical policy recommendations as a result of the panel.

"I hope that residents in the city, including students, will take this opportunity to let us know their views."

## **Tuesday 21 October 2008** **Brighton 'students are taking over'**

[http://www.theargus.co.uk/news/3777340.Brighton\\_\\_students\\_are\\_taking\\_over\\_/?action=comment&cid=7265115](http://www.theargus.co.uk/news/3777340.Brighton__students_are_taking_over_/?action=comment&cid=7265115)

Residents are urging action because they say their communities are becoming "mini student cities".

Problems of noise, rubbish and parking caused by many living in houses in multiple occupation (HMOs) were raised at a meeting called to address the issues surrounding student accommodation.

A panel from Brighton and Hove City Council's adult social care and housing overview and scrutiny committee heard the comments at the first of three meetings.

Councillor Anne Meadows, who chaired the panel, said: "We understand that the universities and students help to make Brighton and Hove the vibrant, diverse and thriving community that it is. At the same time it has to be recognised universities and students bring added pressures, not least to local communities."

Speaking before the meeting, Sheila Rough, of Milner Road, Brighton, said: "We call our area 'student city'. It's like living on a time bomb, because you never know who is going to move in each year."

She told the panel local residents would welcome the building of student accommodation on campuses or a cap on the number of houses in multiple occupation (HMOs) in streets.

She said: "We have reached saturation point in our area. We have reached the stage where HMOs outnumber privately owned homes."

Noise was also an issue for many residents.

Anna Hunter spoke on behalf of a group of Hanover residents, who live near Brighton University's Phoenix halls of residence and students living in HMOs, including Coleman Street, which is known as "Party Alley".

She said: "Students are certainly welcome in our community but we are concerned that the mix is becoming too weighted towards students."

"If we are not careful, Hanover risks moving towards becoming a student housing estate."

Jean and Ted Briant, of Southall Avenue, Brighton, said the area looked neglected because of rubbish and overgrown gardens.

Mrs Briant said: "A lot of the blame is to do with absent landlords."

Members of both Brighton and Sussex student unions attended the meeting.

Richa Kaul-Padte, the union's welfare officer at Sussex, said more pressure should be put on landlords to provide acceptable housing.

She said: "It shouldn't be students versus the community."

Both groups agreed they would like to work with the council and residents to address some of the problems.

## **Monday 27th October 2008**

### **Householders demand action over students**

[http://www.theargus.co.uk/news/3794312.Householders\\_demand\\_action\\_over\\_students/?action=complain&cid=7283227](http://www.theargus.co.uk/news/3794312.Householders_demand_action_over_students/?action=complain&cid=7283227)

Residents living in "student cities" have made a desperate plea to council leaders and university bosses to help them save their communities.

Late-night noise, antisocial behaviour, litter and parking problems mean many residents are deserting areas in Brighton that are popular with students.

Thousands of students from the universities of Brighton and Sussex live in residential areas of the city and while they undoubtedly support the city's economy there is growing concern about problems in densely-populated student areas.

As the council begins looking into the issue of "studentification", residents have spoken out about the changing face of their neighbourhoods.

At an Elm Grove Area Residents Action Group meeting, people from 80 households expressed their frustrations to representatives from Brighton and Hove City Council, Sussex Police and both universities.

Jo Roeg, 43, of Brading Road, Brighton, who has three children under ten, said: "I don't want to live in a hall of residence at my age. I feel hemmed in. It's so depressing."

Residents also went to Hove Town Hall to express their views.

Julia Pilgrim, of Hanover Terrace, said: "When there is trouble it is a minority of students. But minority trouble-makers can make a heck of a lot of trouble very quickly."

She said she had called the environmental health team after seeing rats in her road because of rubbish.

She added: "I am frightened sometimes when I hear screaming.

I think, 'Is it the young people or is there a crime out there?'"

The issue of studentification is a growing one for many university cities. At the University of Sussex all first year students are offered places on campus at Falmer. However, most second year students choose to move into private accommodation.

In 2006-07, 4,688 of its students lived in houses in multiple occupation (HMOs) in Brighton and Hove and in 2007-08 that number rose to 5,292. The number is expected to decrease this academic year, with new buildings opening on campus.

A spokeswoman for Sussex University said: "We are currently able to house nearly 3,500 students.

"In the past two years we have opened two new campus residences – Stanmer Court, which has 463 ensuite rooms and 11 studio flats, and Swanborough, which has 250 ensuite rooms."

The university has also applied to build 800 study bedrooms on campus. The proposals will be considered by the council's planning committee in November.

At the University of Brighton demand exceeds the number of spaces available in the university's halls of residence and it is unable to guarantee all first year students a place.

Most recent figures for the university show that 5,038 students live in private rented accommodation or at home.

## YOUR VOTE

Who do you think is most to blame for the "studentification" of Brighton?

Students: **12%**

Landlords: **31%**

The universities: **16%**

Brighton and Hove City Council: **10%**

It's not a major problem: **31%**

A spokeswoman said: "We are looking at options to increase bed spaces to guarantee a place in halls for all students who require it."

**Wednesday 29th October 2008**

## Communities plea for an end to "studentification"

[http://www.theargus.co.uk/news/3802791.Communities\\_plea\\_for\\_an\\_end\\_to\\_\\_studentification/](http://www.theargus.co.uk/news/3802791.Communities_plea_for_an_end_to__studentification/)

The Argus reported yesterday that residents living in "student cities" have made a desperate plea to council leaders and university bosses to help save their communities.

As council chiefs start a consultation on how "studentification" affects people living in Brighton and Hove, Emily-Ann Elliott and Annabel Daguerra speak to some of those whose lives are affected by the large numbers of students in their area.

### 'HEMMED IN'

Marion White, 64, was born in her house in Brading Road, off Elm Grove, and has lived there with her husband Graham, 66, for the past 40 years.

During that time the couple say they have seen the street change drastically, as more families

desert the area and landlords turn properties into houses of multiple occupation (HMOs).

The couple no longer know most of their neighbours and say they feel “hemmed in” by student houses, as landlords extend properties outwards and upwards, building conservatories on the back and dormers in the roof.

Mrs White said: “Over-building is a huge problem.

“We’re blocked in, because landlords are putting conservatories in the gardens, to be used as living rooms and students are sitting on the flat roofs in the summer.

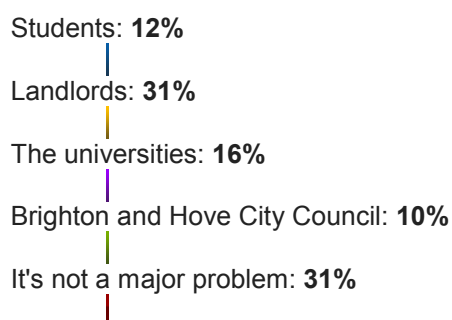
“They can see right into our garden. We’ve lost all our privacy.”

The couple believe one solution would be for Brighton and Hove City Council's planning department to limit the number of extensions granted for HMOs.

Mrs White said: “I’ve lived here all my life. We could move but we don’t really want to and why should we?”

## YOUR VOTE

Who do you think is most to blame for the "studentification" of Brighton?



## NOISE IMPACT

Theresa Brookes, a freelance editor, lives in Southover Street, Hanover, with her partner John Thompson and their six-year-old son Luca.

She has lived in the area for more than 15 years, before the University of Brighton's Phoenix halls of residence were built.

She said: “We are completely understanding of student life – we were students ourselves once – but there should be strategies in place to better protect residents who are living nearby.

“The impact on our lives since the halls were built is not to be underestimated.”

Although the site is patrolled by a security guard, residents say noise during the night is still a huge problem.

Ms Brookes said: “It depends on the intake each year. Some years are better than others.

“But every year we have a relatively quiet summer. We live for June, which is when the students all go home and we relax, but by August residents are already talking about them

coming back.

“The big difference between this year and last year is the smoking ban on the site.

“No measures were put in place, so students are coming out at all hours to chat and smoke, as well as shouting and causing a disturbance when they come home from the pubs and clubs.

“We are not being unreasonable.

We accept that there is going to be a certain level of noise but there really is too much.”

Ms Brookes feels unable to allow Luca to have a bigger bedroom at the front of the house, as she does not want him to be subjected to the often nightly disturbances of students returning home.

She said: “I’m woken up in the middle of the night by people shouting and their foul language.

You do kind of wake up shaking, thinking what’s going on.

“It’s a very stressful situation. If things continue, more and more families will leave Hanover.”

#### **'LACK OF RESPECT'**

Molly Thew says lack of respect has become a big issue in her street.

Mrs Thew, 42, who works for American Express, lives in Coleman Street, Hanover, with her husband Nigel, 47, and 82-year-old father John Goddard.

She said: "Noise is obviously a problem, although it is not constant every night.

“But for me it is the mess and the lack of respect from the students for the area they live in.

“Rubbish gets put out every day and bags get pecked open by seagulls, so there is mess everywhere.

“The outsides of the houses are not kept very nice, although I know that is down to the landlords.

“There are 90 houses in Coleman Street and I would estimate about 55 to 60 are occupied by students. There are 15 people living in the three houses opposite me.

“There is never enough parking and there are bikes clamped to every lamppost and drainpipe, which obstruct the pavements.

“My father cut his leg on the pedal of one of the bikes which was blocking the path.”

Mrs Thew said she had noticed the changes over the past ten years. She said: “It is just the general attitude.

“The students hang around outside, have parties in the middle of the night and play football in

the road. I have even seen people running over the bonnets of parked cars.

“It used to be such a lovely area and everybody knew everybody.

“Something needs to be done but how it’s going to be controlled and managed I just don’t know.”

### **EARPLUG NIGHTS**

Simon Glaisyer believes the social mix in the area where he lives has changed drastically in the past 15 years.

The 39-year-old lives in Hanover Street close to the University of Brighton’s Phoenix halls of residence and a popular area for HMOs.

He said: “When I first moved here I loved the area’s vibrancy and social mix. There were older residents, young families, young couples, single occupancy, all sharing in the friendly and non-judgmental ‘Hanover-vibe’.

“But over the years all this has changed. I have seen a once vibrant, socially rich community slowly become little more than an enlarged student campus.

“I have lost count of the number of residents that have left over the years as the student timetable, complete with late night noise and disturbances, made living in the area intolerable.”

Mr Glaisyer, who works for a mental health charity, said: “Parents of students started buying houses in the area and landlords started renting them out to as many students as possible. You expect to be disturbed by noise sometimes but the level and frequency has got significantly worse.

“Brighton is a fun place and of course students are going to go out.

When they are returning at 3am, 4am or 5am most days it only takes a few people shouting to ruin your night.”

Mr Glaisyer has resorted to wearing earplugs at night and had to install secondary glazing in his home. He said: “I am glad the council is looking at the issue now. It has started to realise that some areas have changed almost beyond recognition and if they don’t do something soon it will be irreversible.”

### **'LANDLORDS COULD DO MORE'**

Students have hit back at claims they are taking over the city.

Union representatives from the universities of Sussex and Brighton say problems raised by residents during consultation about “studentification” are caused by a small minority of students.

Members of Sussex and Brighton student unions said most students are considerate members of the community, who contribute a lot to the area they live in.

Richa Kaul-Padte, welfare officer for Sussex University’s student union, said: “I am worried students are becoming scapegoats for problems which aren’t particularly their fault.



“It shouldn’t be students versus the community. The community should include students.”

She advised residents and students to introduce themselves to one another when they move into an area to form good relationships.

She said: “Communities change over time as different groups move in.

“We just have to work together to be integrated. A lot of the time problems with students are caused by a very small minority.”

Ms Kaul-Padte added that landlords should be encouraged to sign up to an accreditation scheme, which is currently voluntary, to ensure houses are wellmaintained.

She said: “I really want the council to put pressure on landlords to develop a very strong accreditation scheme.”

Speaking about latenight noise problems Sam Forster, vicepresident of the [University of Brighton](#) student union, said: “We are concerned about it. It is a valid issue and one we are working on.

“We rolled out the Sshh campaign last year, which stands for Silent Students Happy Homes, which has been very successful.

“At the university we also have a full-time community liaison officer.”

Mr Forster said many students found themselves living in houses extended by landlords and now with six or seven bedrooms, as they were cheaper.

Landlords could play a part in controlling problem students. He said: “The situation is more people are buying houses and increasing the capacity from a three-bedroom house to six or seven rooms.

“The onus on landlords is also not what it should be.

“We can complain to the students causing the problems but have no real sway.

“But landlords have more sway with students as they are living in their houses and noise policies could be worked into their contracts.”

**What steps to take** What to do if you have a noise complaint.

Contact [Brighton and Hove City Council](#) on 01273 292929, email [ehl.environmentalprotection@brightonhove.gov.uk](mailto:ehl.environmentalprotection@brightonhove.gov.uk) or fill in an online complaint form at [www.brightonhove.gov.uk/index.cfm?request=c1112585](http://www.brightonhove.gov.uk/index.cfm?request=c1112585).

Your complaint should include: Your name and address and a daytime telephone number. Anonymous complaints are not accepted.

The address (or site) where the noise is coming from. The type of noise (such as loud music, barking dog, alarm sounding). When and for how long the noise occurs.

The way the noise affects you (such as keeping you awake).

Anything you have done to try to deal with the problem (such as speaking to the person making the noise).

In an emergency outside normal office hours, contact the council's emergency service on 01273 292229. An immediate response cannot be provided to all noise problems that arise out of office hours.

A noise patrol operates from 10pm to 3am on Fridays and Saturdays to monitor and respond to noise problems. Call 01273 293541.

Both universities have a point of contact for residents who are having problems with students living nearby.

For University of Brighton students contact Kevin Mannall at [communityliaison@brighton.ac.uk](mailto:communityliaison@brighton.ac.uk).

For University of Sussex students email the housing office at [housing@sussex.ac.uk](mailto:housing@sussex.ac.uk).

**Thursday 30th October 2008**

## **It's vital that city is student friendly**

[http://www.theargus.co.uk/news/commentandanalysis/3805474.It\\_s\\_vital\\_that\\_city\\_is\\_student\\_friendly/](http://www.theargus.co.uk/news/commentandanalysis/3805474.It_s_vital_that_city_is_student_friendly/)

**As residents, students and Brighton and Hove City Council discuss the impact of “studentification” on the city, Dr Darren Smith, reader of geography at the University of Brighton, who coined the term, talks about the changing face of the city and how he believes the issue should be tackled.**

Nationally Brighton and Hove is viewed as a unique place in the midst of expanding student populations – a university city where town and gown relations flourish and where the benefits of the universities and the high proportion of students are highly visible and recognised.

As the first academic to coin the term “studentification”, which describes urban changes linked to high concentrations of students in residential neighbourhoods, I have seen how the term all too often carries negative connotations.

But studentification has many positive impacts including higher levels of spending in the local economy, which is particularly important in today’s economic climate, greater demand for public services, student volunteering, the “cultural buzz” created by students and buoyant local housing markets.

As part of my research at the University of Brighton on studentification across Britain, Brighton and Hove is consistently viewed as a “model of good practice” for integrating students into the city, particularly by those concerned with studentification in other university towns and cities.

I was commissioned by the University of Brighton in 2002 to investigate the impacts of students in the city. By contrast to other small university towns and cities, my research confirmed studentification was not unfolding here.

Instead, students tended to be dispersed throughout the city and that over-concentrations of students in houses of multiple occupation (HMOs) were not prevalent. The role of the accommodation offices of the universities was noted as a key factor and in particular, the use of head-leased, university-managed accommodation to manage the off-campus behaviour of students.

The findings also revealed that students did not have a preference to live in “student areas” of the city. This was viewed as a positive part of the “student experience” and a major appeal of the city.

Yet the recent media reports of tension between established residents and students suggest that such community cohesion may be diminishing.

This begs the question “Have student lifestyles and residential preferences changed over the last five years?” and this would appear to be the case.

This has led to the studentification of parts of the city in neighbourhoods such as Hanover and Elm Grove, whereby the population density of students is now viewed negatively by some residents.

One of the key factors is the increased activities of some landlords, letting agents and developers, which have created new “student areas” via the conversion of family housing into student HMOs. As students have moved into neighbourhoods such as Bevendean and Moulsecoomb the demographic structure has changed.

As seen in other university towns and cities a decade earlier, well-organised resident groups have formed in the city to contest the changes to their neighbourhoods.

Much of the activity is motivated by the effects of studentification, such as increased refuse and noise.

It is essential not to assume that these issues are linked specifically to student residents.

This is explicitly recognised by the resident groups.

Resident groups stress they are not anti-student and recognise the benefits of the universities for the city.

This broader understanding of the effects of students and universities is vital as the key institutions and local communities work together in effective partnerships to address the challenges of studentification.

With this level of co-operation and mutual working, I am optimistic the challenges of studentification in the city can be mitigated and solutions found.

A student housing strategy has been established for the city and the local authority should be commended for pushing forward this ground-breaking initiative.

The commitment to foster more cohesive town and gown relations led the University of Brighton to appoint a community liaison officer in 2007.

Central to the student housing strategy should be the need to supply more bed spaces for students in university halls of residence or purpose-built student accommodation.

The University of Sussex has submitted a planning application for an additional 900 beds on the campus and plans are under way at the University of Brighton to redevelop the Varley halls site to provide additional bed spaces.

The University of Brighton is also seeking other sites for the development of additional accommodation to serve the Moulsecoomb and Grand Parade campuses.

Ultimately, a student housing strategy must strive to engender sustainable and balanced communities across the city.

The key is to enable a positive “student experience” for both students and established residents, whereby students are responsible citizens motivated to remain here after graduation.

The long-term health and sustainability of the city depends on the annual in-migration of young populations and ensuring cohesive relationships between students, the universities and established residents is essential to maintain the appeal of Brighton and Hove as a “student friendly” city.

**Friday 31st October 2008**

## Debate over 'studentification' intensifies

[http://www.theargus.co.uk/news/3807780.Debate\\_over\\_\\_studentification\\_\\_intensifies/?action=complain&cid=7291655](http://www.theargus.co.uk/news/3807780.Debate_over__studentification__intensifies/?action=complain&cid=7291655)

A landlord has joined the “studentification” debate saying he is being made a scapegoat by students and residents.

As the issue continues to be discussed as part of a consultation by Brighton and Hove City Council, many are blaming landlords for the run-down appearance of some accommodation and for cramming too many students into small houses.

This week The Argus reported student union representatives from both Sussex and Brighton universities believe landlords should take more responsibility for some of the issues.

But the landlord, who asked not to be named, believes businessmen like him are being blamed for issues they have no control over.

He said: “We can’t be responsible for our tenants’ behaviour. They are very well protected by the law and we can’t evict them unless there is something very serious.”

He also agreed it is a minority of students who cause problems and said that after owning three flats, which each house three students, for seven years he has never had problems with tenants.

### YOUR VOTE

Who do you think is most to blame for the "studentification" of Brighton?

Students: 12%

Landlords: 31%

The universities: 16%

Brighton and Hove City Council: **10%**

It's not a major problem: **31%**

He said: "It is a tiny minority causing the problems.

"Noise is a common problem and can only be dealt with by the council and the noise abatement team.

"I know from experience that tenants have to record noise over several weeks before the council will act. This is not good enough.

"Zero tolerance should be the reaction in the first instance. Litter and fly-tipping is also the responsibility of the council and antisocial behaviour should be dealt with by the police.

"Universities should also take more responsibility.

"They should hold lessons for freshers on how to behave away from home and there should be consequences for nuisance students, like disciplinary action for bad behaviour that may lead to expulsion for persistent offenders."

Councillor Anne Meadows, who is chairing the council committee examining the issue, said she was confident solutions could be found to some of the problems.

She said: "I am a great believer that very small actions can have a big impact on peoples' lives and I think it will only take a few small actions to help solve a lot of the problems.

"However, I do feel that some areas might have reached a critical mass in terms of studentification and that overwhelms the community. We need to consider how we deal with those situations as well."

Coun Meadows said the first meeting with residents and student union representatives had been "very positive".

### **Series of meetings planned**

A meeting will be held on December 5, which will include managing agents, landlords and universities.

The meeting is in addition to those which will be held on November 7, when experts including Dr Darren Smith, from Brighton University, who coined the term studentification, will speak and November 21 when council officers, including those from CityClean and the planning department will attend.

The November 7 meeting will be at Hove Town Hall at 2pm and the November 21 and December 5 meetings at Brighton Town Hall at 2pm.

### **Friday 31<sup>st</sup> October 2008**

## **Friday Inquisition- Councillor Anne Meadows and Brighton universities' Student Unions**

[http://www.theargus.co.uk/news/thefridayinquisition/3808497.Councillor\\_Anne\\_Meadows\\_and\\_Brighton\\_universities\\_\\_Student\\_Unions\\_/](http://www.theargus.co.uk/news/thefridayinquisition/3808497.Councillor_Anne_Meadows_and_Brighton_universities__Student_Unions_/)

Send in your questions about students and studentification to The Friday Inquisition. Taking part today at 12.30pm will be student leader, Sam Forster, the vice-president for education and equalities at the [University of Brighton's Student Union](#), Councillor Anne Meadows from [Brighton and Hove City Council](#), who is carrying out a consultation into the issue and Richa Kaul-adte, the welfare officer for the [University of Sussex Students' Union](#).

#### **YOUR SAY *YourArgus***

Friday Inquisition, Brighton says...  
12:37pm Fri 31 Oct 08

I'm Old Gregg! Can't the SU organise meetings between students and complaining residents? If someone sends a sneaky letter to the council about noise then it just winds everyone up and they would benefit from actually talking about it I feel.

Regards,

Old Gregg

Dear old Gregg, that's a very good suggestion. The University of Brighton has employed a full-time community liaison officer. I attend residents meetings, local action teams meetings and liaise on a regular basis with local councillors and council officials. This has proved an effective way of dealing with complaints at an early stage and has greatly improved partnership working and communications. If the complaint is about University of Brighton students you can contact the university directly at [community-team@brighton.ac.uk](mailto:community-team@brighton.ac.uk).

Kevin Mannall, Community Liaison Officer for University of Brighton and Sam Forster

#### **REPORT THIS POST »**

Friday Inquisition, Brighton says...  
12:54pm Fri 31 Oct 08

I live on viaduct road in a student house. My room is freezing because my landlord will not fix my broken window. The kitchen and bathroom look very tired. Plus our communal area is tiny, with no table at which to sit and eat food. Why would I look after a place like this? If we, as students, are supposed to behave as normal residents, provide us with a good standard of housing. What are you doing to make sure landlords do so? Are there any standards that they have to abide by?

Josh

The University of Sussex Students' Union would like to call upon the council and both universities to enforce a compulsory code of standards and accreditation scheme. The current scheme is voluntary. If letting agents and landlords don't sign up they can't advertise their properties through the universities. This doesn't stop them though from advertising through other means, thereby subjecting students, like yourself, to substandard accommodation.

Richa Kaul-Padte

As a council we may be looking to introduce a compulsory accreditation scheme, however, this is dependant on the outcome of the studentification panel. This may have several legal requirements that would need to be considered first and of course consulted upon.

Councillor Anne Meadows

**REPORT THIS POST »**

Friday Inquisition, Brighton says...  
1:06pm Fri 31 Oct 08

I live next door to a house that is rented to students, and am fortunate in that they (and I believe most students) are a considerate lot, who let me know when they have parties and so on. But it seems there will always be a minority of inconsiderate louts who don't care about their community. What can be done to persuade those people to be a bit more public-spirited?

Norman Parkes

Thanks for your question. You do raise an important point which is that it is a minority of students who are causing problems in the local community and I think it is important that something is done to address this. As a university and Students' Union we will be looking to increase our publicity with regard to community engagement through campaigns aimed at raising awareness amongst students of how to live harmoniously with their neighbours.

At the moment we run the Silent Students Happy Homes or SSHH Campaign which encourages students to respect their neighbours when returning home from nights out by asking them to be quiet. The campaign also advises students to talk to their neighbours when they're planning parties to ensure they are aware it will be happening and to take into account their views.

As a union we are looking to add to our campaigns portfolio a new initiative concerning students in the community and we hope to roll this out over the next couple of months.

Sam Forster

**REPORT THIS POST »**

Friday Inquisition, Brighton says...  
1:13pm Fri 31 Oct 08

I agree some students are bad neighbours, but a lot of residents (like our neighbour) complains about everything we do even though we're quiet. She probably had a bad experience with another group which has prejudiced her against all students. Don't you think some literature or something could be sent out to encourage people to welcome students and be friends with them before they adopt some bigoted view before meeting us?

Thanks, Chris

Hi Chris, I think that's a really good idea. I think when talking about fostering good community relations, as well as dealing with potentially anti-social behaviour, the same information and awareness should be provided to all members of the community. Without specifically targeting students, I think it would be a really good initiative for the council together with the universities and students' unions to send out letters welcoming new people into the community and reminding residents of the need to be respectful towards each other.

Richa Kaul-Padte

Over the last few months as a students' union and a university we have been attending an increasing number of local residents meetings and have seen a number of instances where local residents are being encouraged to introduce themselves to student neighbours. But in the same vein there is nothing to stop students introducing themselves when they move into a new house.

Sam Forster

**REPORT THIS POST »**

Friday Inquisition, Brighton says...  
1:24pm Fri 31 Oct 08

I read that students were depriving families of homes in some areas of Brighton. Is this really true?

Why have the universities been allowed to expand without any consideration of the impact of extra students on the town? This seems like irresponsible behaviour.

Colbert

Thank you for your question Colbert. Some managing agents and estate agents have directed sellers directly to property developers and this has created a vacuum of family housing as local families were denied the opportunity to purchase. This has been proven in Bevendean and Moulsecoomb. I understand that investment agents are being directed to a new local area and I would wish the council to take account of this in the new housing strategy for the city.

Councillor Anne Meadows

The University of Sussex currently houses all its first year students on campus, apart from those who are already living in the local area. The university are looking to head lease a number of properties in the city, which would allow second and third year students to live in reliable accommodation spread across Brighton.

Richa Kaul-Padte

**REPORT THIS POST »**

Friday Inquisition, Brighton says...  
1:35pm Fri 31 Oct 08

To Sam Forster, what do suggest landlords should do to change their tenants behaviour?

Jessica

You raise an interesting topic. In my opinion a greater onus needs to be placed upon landlords to make their tenants aware of their responsibilities. I believe that in every tenancy agreement there is a clause relating to anti-social behaviour and noise nuisance, but in a number of instances this part of the contract is not actively monitored. There are a number of absentee landlords who don't live in the city and manage properties from afar. In these cases students see very little of their landlord and the landlord often has no idea of any problems relating to their property whether these be disrepair or anti-social behaviour.

As student unions, universities and the council we actively investigate complaints and seek to find a resolve, and it shouldn't be forgotten that students have responsibility for their conduct. But at the end of the day landlords are the ones holding the legally binding contract. Therefore I would like to see landlords take more responsibility for upholding the anti-social behaviour and noise-nuisance clauses in those contracts. This would go a long way towards improving relations between students and the community they live in.

SF

**REPORT THIS POST »**

Friday Inquisition, Brighton says...  
1:48pm Fri 31 Oct 08



The students in my road are incredibly noisy, and I have complained to the council several times, but to be honest, there isn't much they can do apart from send pointless letters is there? I'm reluctant to get the police involved, but what else can I do?

Eleanor Parsley

Thank you for your question Eleanor. It is a complaint I hear often as a ward councilor for Mouslecoomb and Bevendean. Many residents are asked to complete a diary of noise nuisance and this can be very stressful for a resident as it requires them to wait even longer for a response. One of the ideas that residents suggested at the studentification panel meeting was for the Noise Nuisance Patrol to be extended beyond 3am and also to take account of the fact that a lot of noise is created in the week as well.

The local PCSOs are a useful resource to residents as they can report back to the police without residents feeling fear of reprisals. To find out who your local PCSO is visit the Sussex Police website where that information can be found.

Another resource is of course your local ward councilor. They are very sympathetic and resourceful and will always listen to your concerns.

If you identify which university the students are from then please contact the university direct.

We still have three meetings of the studentification panel and it will be interesting to see what developments will come out of those meetings. I have high hopes we can provide a positive outcome for many residents and their concerns. The three meetings should be listed on the council's website if you wish to attend and listen to the experts' accounts. Residents and students are still able to submit their concerns and ideas in writing to the panel care of the council.

AM

#### **REPORT THIS POST »**

Friday Inquisition, Brighton says...  
1:51pm Fri 31 Oct 08

Thank you all for your questions and we would like to reassure you that we are working together to try and address your concerns.

Sam Forster, Councillor Anne Meadows, Richa Kaul-Padte and Kevin Mannall

#### **REPORT THIS POST »**

bug eye, hove says...  
12:21am Tue 11 Nov 08

thanks for not answering my question, maybe it did not fit in with your anti landlord agenda.

#### **REPORT THIS POST »**



Left to right: Richa Kaul-Padte, Councillor Anne Meadows, Kevin Mannall and Sam Forster

## **Monday 10th November 2008**

### **Issue of 'studentification' discussed at council meeting**

[http://www.theargus.co.uk/news/3834192.Issue\\_of\\_\\_studentification\\_\\_discussed\\_at\\_council\\_meeting/](http://www.theargus.co.uk/news/3834192.Issue_of__studentification__discussed_at_council_meeting/)

The large numbers of students in Brighton and Hove has been discussed by experts as attempts to find solutions to some of the issues caused by "studentification" continues.

Speakers including Dr Darren Smith, from the University of Brighton and who coined the term studentification, answered questions from a panel of Brighton and Hove city councillors about students living in the area and gave examples of other cities which have had similar experiences.

The meeting at Hove town hall on Friday was also attended by residents and representatives from both Sussex and Brighton universities' student unions.

Speaking after the meeting, Councillor Anne Meadows, who chaired the panel, said: "It was more challenging than the last meeting we had, as these people are experts so we were trying to delve a bit deeper into things.

"It was very much about getting extra information on some of the issues and we have now got a lot to take to the next meeting when council officers and police will attend."

During the meeting, the panel heard about how other cities with large student populations have dealt with some of the issues.

Coun Meadows said: "Obviously one of the things we are looking at is best practice elsewhere, like Nottingham and Leeds, but we are also looking at places like Bath and Canterbury, in terms of size in relation to the city.

"The problem with bigger cities is they talk about building extra halls of residence, but they have got a lot of land to do that.

"But one of the challenges for us here in Brighton and Hove is how do you identify new land for halls of residence?"

The panel will hold two further meetings, on November 21 and December 5 Coun Meadows said: "We don't want to rush the process as it deserves to be looked at from every angle."

## **Monday 24<sup>th</sup> November 2008**

### **Noise complaints to council soar**

[http://www.theargus.co.uk/news/3872322.Noise\\_complaints\\_to\\_council\\_soar/](http://www.theargus.co.uk/news/3872322.Noise_complaints_to_council_soar/)

Noise complaints in Brighton and Hove are increasing every year.

Last year Brighton and Hove City Council received more than 3,200 complaints from residents fed up with their noisy neighbours.

Tim Nichols, the council's head of environmental health and licensing, said the figure was 10% higher than the year before.

He added that in 2005 the figure had been 7% higher than the previous year and in 2004 it had increased by 1%.

Speaking to a panel from the council's adult social care and housing overview and scrutiny committee, which is looking into the issue of "studentification" in the city, he said: "It is becoming more serious."

Mr Nichols was one of a number of council officers who gave evidence to the panel at Brighton town hall.

He said that last year 159 abatement notices, which ban or restrict noise, were handed out to residents. 16 prosecutions were also made and in two cases audio equipment was seized.

So far this year there have been six cases of equipment being seized.

However Mr Nichols admitted: "Our service is reasonably effective at stopping recurring problems but not that effective at stopping sporadic problems.

"To do that the service would have to be quite different to the one we have."

Sergeant Mark Belfield, of Sussex Police's neighbourhood policing team in central Brighton, said much of the noise suffered by residents from students occurred as they made their way home from nights out.

He said: "I think it is about educating the students, making them see the effect they have in the city and coming up with solutions to combat this."

The problem of rubbish left out in the streets was also put to Gillian Marston, the head of CityClean, the council's waste collection department.

She said households with more than five people could apply for a bigger wheelie bin and that new ways were being explored to highlight bin collection days.





response, Dr Smith advises all recommendations are covered in the draft Student Housing Strategy. Appendix 1 provides a cross reference of where the scrutiny recommendations are covered by the draft Student Housing Strategy.

- 1.7 The SHP draft Student Housing Strategy sets out a strategic approach for the supply and management of student housing in the city, to ensure that students are integrated into established residential communities in ways that do not unbalance local population structures and housing markets. In doing so, the strategy seeks to harness the many benefits of a large student population for the long-term health and well-being of the city, and engender mixed, cohesive and sustainable communities

## **2. RECOMMENDATIONS:**

- 2.1 That Cabinet notes the scrutiny recommendations on 'Students in the Community'.
- 2.2 That Cabinet also notes that, where appropriate, scrutiny recommendations have been encompassed in the Student Housing Strategy.

## **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The Strategic Housing Partnership, one of the family of partnerships reporting to the Local Strategic Partnership, acts as Project Board for the development of the City-wide Housing Strategy 2009-14.
- 3.2 SHP is Chaired by the leader of the Council and includes representatives from both Universities, the Economic Partnership, Southern Landlords Association, Brighton & Hove Estate Agents and council officers from both Planning and Housing Strategy. As part of its remit, the SHP has given particular consideration over some time to the issue of student housing and the impact of student housing needs and concentrations to both future housing strategy and planning policy.
- 3.3 The Strategic Housing Partnership has commissioned the University of Brighton (Dr Darren P Smith, Reader in Geography) to work on a student housing strategy for the city. The research into changing student demography, student housing needs and the impact of student housing on existing communities will inform the city's Housing Strategy and emerging planning policy.
- 3.4 Key objectives include an area based approach to managing student housing to mitigate the negative effects of high density student populations on established communities, and the provision of evidence that may inform an area based approach to delivery of new purpose built student accommodation, in the context of emerging housing strategy and Planning policy.
- 3.5 The Student Housing Strategy will feed into:
  - Citywide housing strategy 2009 – 14. Goal 15: Work to ensure student housing provides a positive contribution to students' lives and the city.
  - Planning Core Strategy – CP11(Housing Delivery);DA3 (Lewes Road); SA6 (Sustainable Neighbourhoods).

Both are due to report in November 2009.

- 3.6 At the Strategic Housing Partnership meeting of 19 May 2009, Dr Darren Smith (University of Brighton) updated the SHP on his work on development of the Student Housing Strategy.
- 3.7 As part of this work, and following Cabinet recommendation that SHP consider the recommendations of the ASC&H Overview and Scrutiny report, Dr Smith had undertaken a cross referencing exercise to ensure the draft Student Housing Strategy encompassed recommendations arising from the Scrutiny report. Aside from two specific recommendations from scrutiny requesting lobbying from cabinet members on specific issues and one requiring a national planning response, Dr Smith advised all recommendations were covered. Appendix 1 provides a cross reference of where scrutiny recommendations are covered in the draft Student Housing Strategy.
- 3.8 SHP agreed that members would take time to fully consider the scrutiny report prior to a further discussion on this and the updated student housing Strategy draft at the next meeting in July.
- 3.9 At the SHP meeting of 28 July Dr Darren Smith presented the latest version of the SHP commissioned Student Housing Strategy for discussion. The ASC&H Overview and Scrutiny report had also been re-circulated to ensure SHP members could give further consideration as previously requested. There were no further issues arising in relation to the scrutiny report.
- 3.10 The draft Student Housing Strategy is now being brought forward as part of the wider City-wide Housing Strategy and findings being incorporated into Planning Core Strategy and future Local Development Framework documents.
- 3.11 The Student Housing Strategy sets out a strategic approach for the supply and management of student housing in the city, to ensure that students are integrated into established residential communities in ways that do not unbalance local population structures and housing markets. In doing so, the strategy seeks to harness the many benefits of a large student population for the long-term health and well-being of the city, and engender mixed, cohesive and sustainable communities.
- 3.12 The strategy includes four main principles:
  1. To effectively support and enhance the quality and management of housing and residential environments within HMO-dominated studentified neighbourhoods, in conjunction with the recognition of the need to continue to support private sector landlords to supply high-quality student accommodation.
  2. To reduce the over-concentration of HMO in some neighbourhoods by promoting and enabling the appropriate development of purpose-built student accommodation at suitable locations within the city, that will appeal to the locational and residential preferences of students.

3. To ensure that new developments of student accommodation are well-managed, and do not impact on existing residential communities in negative ways.
  4. To monitor the changing geographic patterns of student housing in the city and identify signs of destudentification.
- 3.13 Drawing upon evidence-based research, the strategy emphasises the need for an area-based perspective of student housing to acknowledge the different contexts of local neighbourhoods across the city.

#### **4. CONSULTATION**

- 4.1 The Student Housing Strategy has been developed in close consultation with members of the SHP, in particular, with the Universities and representatives of Southern Landlords Association.
- 4.2 The research that was involved in the formulation of the student housing strategy also involved focus groups and consultation with a range of officers across the City Council including Private Sector Housing, Planning, Revenues, Environmental Health, CityClean and Transport. Semi-structured interviews were undertaken with officials from the universities and representatives from local private sector landlord organisations, and in consultation with Local Student Union officers.
- 4.3 The Student Housing Strategy also builds upon a number of University of Brighton and Sussex research projects which have involved primary research with local community organisations and residents, and actors in the city, and analyses of student term-time addresses, census data and other datasets.
- 4.4 The Strategic Housing Partnership has undertaken a cross referencing exercise to ensure the draft Student Housing Strategy encompasses recommendations arising from the ASC&H Scrutiny report on Students in the Community.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 There are no direct financial implications arising from the recommendations made in this report. The Student Housing Strategy sits within the overall framework of the city-wide housing strategy to make sure that student housing provides a positive contribution to students' lives and the city'

*Finance Officer Consulted: Neil Smith*

*Date: 26/10/09*

##### Legal Implications:

- 5.2 Although there is no legal requirement for the council to have any housing strategy, let alone one dealing with the supply and management of student housing, a comprehensive strategy is considered good practice. Under section 87 of the Local Government Act 2003, the Secretary of State may by direction make the production of a housing strategy a statutory duty. It is not considered that any individuals human rights will be adversely affected by the strategy's goals and actions'



Equalities Implications:

- 5.3 There are no equalities implications arising directly from this report. The Student Housing Strategy 2009-14 has been developed as a part of the overall City-Wide Housing Strategy 2009 – 14: healthy homes, healthy lives, healthy city. An equality impact assessment has been carried out on the City-Wide Housing Strategy during its development

Sustainability Implications:

- 5.4 There are no sustainability implications arising directly from this report. The Student Housing Strategy sets out a strategic approach for the supply and management of student housing in the city, to ensure that students are integrated into established residential communities in ways that do not unbalance local population structures and housing markets. In doing so, the strategy seeks to harness the many benefits of a large student population for the long-term health and well-being of the city, and engender mixed, cohesive and sustainable communities

Crime & Disorder Implications:

- 5.5 There are no crime and disorder implications arising directly from this report. The City-Wide Housing Strategy 2009 – 14: healthy homes, healthy lives, healthy city, of which the Student Housing Strategy forms a part recognises appropriate housing and support is essential in helping to reduce antisocial behaviour and other crime and also to support the victims of crime. Specific actions within the housing strategies recognise hate crime and aim to support victims and help develop safer communities.

Risk & Opportunity Management Implications:

- 5.6 There are no risk and opportunity management implications arising directly from this report. In relation to the Student Housing Strategy, key objectives include an area based approach to managing student housing to mitigate the negative effects of high density student populations on established communities, and the provision of evidence that may inform an area based approach to delivery of new purpose built student accommodation to meet demand for student accommodation while also continuing to support private sector landlords to supply high-quality student accommodation.

Corporate / Citywide Implications:

- 5.7 The Student Housing Strategy is part of a group of housing related strategies that supports the overarching **housing strategy 2009-2014: healthy homes, healthy lives, healthy city**. The Student Housing Strategy specifically feeds into:
- City-wide housing strategy 2009 – 14. Goal 15: Work to ensure student housing provides a positive contribution to students' lives and the city.
  - Planning Core Strategy – CP11 (Housing Delivery); DA3 (Lewes Road); SA6 (Sustainable Neighbourhoods).

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 None applicable to this report. Alternative options have been evaluated in the Student Housing Strategy.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Cabinet requested that the scrutiny report 'Students in the Community' with its recommendations be referred to the Strategic Housing Partnership, asking for comments on the report recommendations prior to Cabinet deciding on a response.
- 7.2 The Strategic Housing Partnership has considered the scrutiny report and advises Cabinet that, where appropriate, recommendations are encompassed in the draft Student Housing Strategy.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Cross reference of scrutiny report recommendations with Student Housing Strategy Action Plan.

### **Documents In Members' Rooms**

None

### **Background Documents**

None

**SCRUTINY RECOMMENDATIONS****SHP STUDENT  
HOUSING  
STRATEGY  
ACTION PLAN**

Recommendation 1 - The panel recommends that the Cabinet Member for Environment extends the council-run Noise Patrol to operate over more nights of the week, probably Wednesday and Thursday, and to extend the existing weekend operating hours, (page 28)	3.1.12, 3.1.13, 3.1.14
Recommendation 2 - The panel recommends that there should be increased publicity to advise residents that they can report a noise nuisance problem retrospectively; this could be included in City News, on the council's website and perhaps in leaflets in public offices.(page 29)	3.1.15
Recommendation 3 - The panel recommends that the Out of Hours emergency noise patrol service should be properly resourced and properly publicised, (page 29)	3.1.15
Recommendation 4 - the panel recommends that the Cabinet Member for Environment resources a 24 hour telephone line for the public to report non-emergency noise and antisocial behaviour, (page 29)	3.1.14
Recommendation 5 - the panel recommends that the Environmental Health and Licensing Team reviews its noise nuisance procedures in order to assess whether the noise nuisance diary sheets are always the most effective and user-friendly way of addressing noise complaints, (page 29)	3.1.14
Recommendation 6 - the panel would like to see the SShh campaign developed by Students' Unions and publicised widely in conjunction with community association representatives and ward councillors. This should be an ongoing annual campaign due to the turnover of students. (page 30)	3.1.13
Recommendation 7 - the panel recommends that the universities, the Police and the Student Union work together to find ways to jointly address the issue of street noise nuisance in residential areas, caused by groups of students returning from nights out. (page 30)	3.1.13

- Recommendation 8 - the panel recommends that the University of Brighton considers whether there is a more suitable outside space that might be used, and that measures are put in place to address noise from smokers and other students gathering on the Podium at the Southover Street Phoenix Halls, (page 30) 3.3.6
- Recommendation 9 - The panel would recommend that the University of Brighton considers introducing a policy asking students on the Phoenix Halls site to close their windows before playing music at night, in order to minimize noise nuisance for neighbours. The panel would also ask that clearer, more visible signage is installed across the Phoenix Halls site asking that noise is kept to a minimum after 11pm. (page 30) 3.3.7
- Recommendation 10 - the panel would like to suggest that the University of Brighton considers the staffing resources that might be needed to provide an effective way of managing and minimising the noise nuisance and how its premises in residential areas are controlled, (page 31) 3.3.7
- Recommendation 11 - the panel recommends that the University of Brighton considers planting trees and bushes on the Phoenix Halls site, in order to assess whether this would help to mask any noise. The panel would like to suggest that the university talks to local residents about their experiences after a trial period, (page 31). 3.2.3
- Recommendation 12 - the panel would like to ask that the universities and developers have regard to possible noise impact on neighbours and the particular architectural nature of the area in which they will be built when they are being designed, especially in relation to the provision of smoking areas for residents. The panel also recommends that this suggestion is formalized in any relevant planning documents relating to student accommodation, (page 31) 3.2.3
- Recommendation 13 - the panel recommends that the University of Sussex considers following the good practice established by the University of Brighton and establishes a role of a dedicated Community Liaison Officer for the University of Sussex. The two officers could work together to address shared student problems across Brighton and Hove, (page 32) 3.1.14
- Recommendation 14 – the panel recommends that CityClean issues wheeled bin stickers giving information about collection days so that all households know when to put their refuse out. It is recommended that this would be an alternative to the magnets that are currently issued, (page 33) 3.1.16(1)

- Recommendation 15 - the panel recommends that for those areas of the city that do not currently have council-issued wheeled bins, CityClean should erect additional notices on lamp-posts advising residents of their collection day. (page 34) 3.1.16(1)
- Recommendation 16 - the panel recommends that CityClean places the information stickers for their recycling boxes in order that they can be stuck to the box rather than on the lid, as the lids tend to blow away, (page 34) 3.1.16(1)
- Recommendation 17 - the panel recommends that CityClean advertises information about changes in collection dates for refuse and recycling in both of the universities' newspapers and on the universities' websites, in addition to the usual council publication locations. (page 35) 3.1.16(1)
- Recommendation 18 - the panel recommends that the Cabinet Member for Environment considers the issue of how to tackle the problem of bulky waste being fly tipped by student households, both throughout term-time and at the end of term. The panel recommends that the Cabinet Member gives the suggestions made in the body of the report due consideration, (page 36) 3.1.16(3)
- Recommendation 19- the panel suggests that the universities organise termly clean up days in conjunction with their student unions, (page 36) 3.1.16(3)
- Recommendation 20 - the panel recommend that the universities include information in their prospectuses and accommodation guides about the range of public transport and Car Clubs in the city and that they explicitly recommend that students do not bring cars with them, (page 37) 3.1.17
- Recommendation 21- Students should be treated on the same basis as non-students when it comes to the issue of residents' parking permits, (page 37) 3.1.17
- Recommendation 22 - the panel would encourage Council Tax officers to continue to liaise regularly with the universities in order to establish current and future student numbers, (page 38) 3.1.1
- Recommendation 23 - the panel recommends that the Council Tax service considers the four suggestions made in the body of the report about how to improve levels of registered student household exemptions, (page 39) 3.1.1

Recommendation 24 - the panel recommend that the existing Planning Strategy team carries out research into the various planning options available to control the level of student housing, and to consider whether there would be any merit in introducing such controls into Brighton & Hove where this was appropriate for the area. If planning controls were introduced, this would help to ensure balanced and mixed communities across the city.

Requires a national planning response outside the remit of the Strategy.

The Planning Strategy Team should also consider the feasibility of adopting a planning condition regarding the need for universities who have planning permission to expand their educational space to provide a commensurate increase in bed spaces.

3.2.6

The findings should be published as a Supplementary Planning Document, (page 41)

3.2.6

Recommendation 25 - the panel recommends that the Cabinet Member for Environment lobbies central Government on behalf of Brighton & Hove City Council with regard to the planning Use Classes Order and the associated permitted development rights, (page 41)

Recommendation is for Cabinet Member lobbying. This is outside the remit of the Strategy.

Recommendation 26 - the panel recommends that the Cabinet Member for Housing lobbies central Government on behalf of Brighton & Hove City Council to request that student housing is given its own targets with regards to providing accommodation, (page 41)

Recommendation is for Cabinet Member lobbying. This is outside the remit of the Strategy.

Recommendation 27 - the panel recommends that the Planning Strategy team recognises the need for student accommodation to be planned and that the team considers positively identifying land suitable for halls of residence in the Local Development Framework. The team could consider the scope for including small numbers of units of student housing amongst major new- build developments (page 42)

3.2.1, 3.2.7

- Recommendation 28 - the panel would suggest that the universities, working with the students' union consider the potential for offering alternative, affordable accommodation in halls of residence for students with low incomes, (page 43) 3.2.6, 3.2.7
- Recommendation 29 - the panel would suggest that the universities consider whether there is scope to expand the offer of rooms in halls of residence, not only to first year students but also to those second and third years who would like to live there, (page 43) 3.2.6
- Recommendation 30 - the panel would suggest to the universities that they explore the possibilities of expanding their portfolio of directly managed properties over the long term, in order to increase the range of options available to student tenants, (page 44) 3.1.5
- Recommendation 31 - the panel recommends that the Private Sector Housing Team discuss the potential benefits of extending the landlord accreditation scheme in relation to student accommodation, which does not fit into the existing Houses of Multiple Occupation accreditation scheme, with representatives from Brighton and Hove's landlord associations and other parties, (page 46) 3.1.7
- Recommendation 32 - the panel recommends that the Empty Properties Team works proactively with student landlords and managing agents to ensure that student properties that are unoccupied can be reused for social housing, (page 46) 3.1.6
- Recommendation 33 - the panel recommends that a Student Working Group is formed, comprising of both of the universities and local colleges, the council, police, residents representing Residents' Associations, the students' unions, ward councillors, representatives for landlords and community liaison staff or staff from the accommodation teams. This would facilitate ongoing and improved communication and liaison between the partners. INTRO
- The Group should consider the operational issues caused by the impact of students living in the city and discuss ways of addressing possible solutions where necessary. The Group should also coordinate a shared database of sanctions that the partners already have. (page 48) INTRO

- Recommendation 34 - the panel recommends the immediate benefits of a shared information pack for all partners in the city to issue to students and that the Student Working Group could implement this as one of their first actions, (page 49) 3.1.8
- Recommendation 35 - the panel recommends that the Student Working Group considers the benefits of carrying out a 'Neighbourhood Health Impact Assessment' or a cumulative impact study. 3.1.1
- Recommendation 36 - the panel would recommend that the universities continue to encourage students to take part in volunteering opportunities in the residential areas in the city where there is a significant student population in order to foster improved community relations. The ward councillors and community association should become involved in helping to prioritise tasks (page 50) 3.1.18
- Recommendation 37 - the panel would encourage students, via their Students' Unions, to attend their Local Action Team meetings and to play an active part in the community. (p50) 3.1.18



**CABINET****Agenda Item**

Brighton &amp; Hove City Council

**EXTRACT FROM THE PROCEEDINGS OF THE CABINET MEETING HELD ON THE  
12 NOVEMBER 2009****CABINET****4.00PM 12 NOVEMBER 2009****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

**Present:** Mears (Chairman), Brown, Caulfield, Fallon-Khan, Kemble, K Norman, Simson, Smith, G Theobald and Young

**113            Response to the report of the Adult Social Care & Housing  
Overview & Scrutiny Committee on 'Students in the Community'**

- 113.1            The Cabinet considered a report of the Director of Adult Social Care & Housing responding to the report of the Adult Social Care and Housing Overview and Scrutiny Committee on the impact of students on the city of the Brighton and Hove and its residents (for copy see minute book).
- 113.2            The Chairman explained that the Strategic Housing Partnership (SHP) had begun a significant piece of work into some of same issues prior to the publication of the scrutiny report. She thanked the universities for engaging with the SHP on taking the issues forward.
- 113.3            Councillor Caulfield stated that the majority of the recommendations in the scrutiny report had been directed toward environment functions; however, those relating to housing were addressed in the new Housing Strategy for consideration later on the agenda.
- 113.4            Councillor Theobald thanked the scrutiny panel members for their recommendations and reported that many were already being implemented by officers.
- 113.5            Councillor Meadows, Chairman of the scrutiny panel, recapped the remit of the panel and the recommendations made in the final report. She was disappointed that the Cabinet report had not detailed which of the scrutiny recommendations the Council would be implementing and felt the Council should support the scrutiny process and explain which recommendations it would take forward and the reasons why others would not be implemented.

113.6 Opposition Members echoed Councillor Meadows' comments and Councillor Randall emphasised the need for a timetable for proposed actions.

113.7 The Chairman explained that many of the recommendations were already being implemented and those that had budget implications were being considered. She added that she was happy to provide opposition councillors with more detailed information on progress against each recommendation.

113.8 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That the scrutiny recommendations on 'Students in the Community' be noted.
- (2) That it be noted that, where appropriate, scrutiny recommendations have been encompassed in the Student Housing Strategy.

## Appendix 4

### Strategic Housing Partnership – Student Housing Strategy 2009-14

SCRUTINY RECOMMENDATIONS	SHP Action Plan Number	SHP STUDENT HOUSING STRATEGIC GOAL	SHP STUDENT HOUSING STRATEGY ACTION POINT	Specific Delivery point
<b>Recommendation 1</b> - The panel recommends that the Cabinet Member for Environment extends the council-run Noise Patrol to operate over more nights of the week, probably Wednesday and Thursday, and to extend the existing weekend operating hours, (page 28)	3.1.12,	<b>Strategic Goal 1:</b> to ensure effective management and support housing and populations within HMO-dominated studentified neighbourhoods, using an area-based approach.	<b>Action 12:</b> manage the incidence of noise nuisance (e.g. Parties, music, closing of doors) from within houses.	Noise Abatement Team and Noise Patrol to consider new methods to be more effective at dealing with issues.
				Close working between Environmental Health Officers, Community Liaison Officer(s) and universities.
<b>Recommendation 1</b> - The panel recommends that the Cabinet Member for Environment extends the council-run Noise Patrol to operate over more nights of the week, probably Wednesday and Thursday, and to extend the existing weekend operating hours, (page 28)	3.1.13,	SG1	<b>Action 13:</b> manage the incidence of noise nuisance (e.g. Pedestrian movements, taxis) from street / road activity in studentified areas.	Noise patrol to consider extending their hours of operation.
<b>Recommendation 1</b> - The panel recommends that the Cabinet Member for	3.1.14	SG1	<b>Action 14:</b> provide a responsive service to deal with issues of noise and other	Stakeholders to consider how to more effectively resource an out of hours noise patrol unit,

SCRUTINY RECOMMENDATIONS	SHP Action Plan Number	SHP STUDENT HOUSING STRATEGIC GOAL	SHP STUDENT HOUSING STRATEGY ACTION POINT	Specific Delivery point
Environment extends the council-run Noise Patrol to operate over more nights of the week, probably Wednesday and Thursday, and to extend the existing weekend operating hours, (page 28)			nuisance from students / established residents.	and how to effectively publicise an improved out of hours noise patrol unit.
				Stakeholders to consider the development of a 24 hour helpline for residents experiencing noise nuisance.
				The City Council to review the effectiveness of the current procedures for dealing with noise nuisance complaints (i.e. noise diaries), and to consider new methods.
<b>Recommendation 2</b> - The panel recommends that there should be increased publicity to advise residents that they can report a noise nuisance problem retrospectively; this could be included in City News, on the council's website and perhaps in leaflets in public offices.(page 29) Publicity campaign	3.1.15	<b>Strategic Goal 1:</b> to ensure effective management and support housing and populations within HMO-dominated studentified neighbourhoods, using an area-based approach.	<b>Action 15:</b> log issues of nuisance from HMO residents.	Publicity campaign to be undertaken by universities working group to raise the awareness of the possibilities for reporting a nuisance-related incident and how to report the incident.
<b>Recommendation 3</b> - The panel recommends that the Out of Hours emergency noise patrol service should be	3.1.15	SG1	<b>Action 15:</b> log issues of nuisance from HMO residents.	Anti-Social Behaviour Team, Environmental Health Officer, Community Liaison Officer(s) and universities to work in

SCRUTINY RECOMMENDATIONS	SHP Action Plan Number	SHP STUDENT HOUSING STRATEGIC GOAL	SHP STUDENT HOUSING STRATEGY ACTION POINT	Specific Delivery point
properly resourced and properly publicised, (page 29)				<p>partnership and share information of incidents of noise nuisance.</p> <p>Publicity campaign to be undertaken by universities working group to raise the awareness of the possibilities for reporting a nuisance-related incident and how to report the incident. (also delivery points above)</p>
<p><b>Recommendation 4</b> - the panel recommends that the Cabinet Member for Environment resources a 24 hour telephone line for the public to report non-emergency noise and antisocial behaviour, (page 29)</p>	3.1.14	SG1	<p><b>Action 14:</b> provide a responsive service to deal with issues of noise and other nuisance from students / established residents.</p>	<p>Stakeholders to consider the development of a 24 hour helpline for residents experiencing noise nuisance.</p> <p>The City Council to review the effectiveness of the current procedures for dealing with noise nuisance complaints (i.e. noise diaries), and to consider new methods.</p>
<p><b>Recommendation 5</b> - the panel recommends that the Environmental Health and Licensing Team reviews its noise nuisance procedures in order to assess whether the noise nuisance diary sheets</p>	3.1.14	SG1	<p><b>Action 14:</b> provide a responsive service to deal with issues of noise and other nuisance from students / established residents.</p>	<p>The City Council to review the effectiveness of the current procedures for dealing with noise nuisance complaints (i.e. noise diaries), and to consider new methods.</p>

SCRUTINY RECOMMENDATIONS	SHP Action Plan Number	SHP STUDENT HOUSING STRATEGIC GOAL	SHP STUDENT HOUSING STRATEGY ACTION POINT	Specific Delivery point
are always the most effective and user-friendly way of addressing noise complaints, (page 29)				
<b>Recommendation 6</b> - the panel would like to see the SShh campaign developed by Students' Unions and publicised widely in conjunction with community association representatives and ward councillors. This should be an ongoing annual campaign due to the turnover of students. (page 30)	3.1.13	SG1	<b>Action 13:</b> manage the incidence of noise nuisance (e.g. Pedestrian movements, taxis) from street / road activity in studentified areas.	The student unions to work together to establish a common Sshh campaign which is comprehensive, and builds upon good practice in other university towns and cities.
<b>Recommendation 7</b> - the panel recommends that the universities, the Police and the Student Union work together to find ways to jointly address the issue of street noise nuisance in residential areas, caused by groups of students returning from nights out. (page 30)	3.1.13	SG1	<b>Action 13:</b> manage the incidence of noise nuisance (e.g. Pedestrian movements, taxis) from street / road activity in studentified areas.	Student unions to encourage students to use night clubs and other venues for parties. Student unions to encourage students to use headphones when listening to music.
<b>Recommendation 8</b> - the panel recommends that the University of Brighton considers whether there is a	3.3.6	Strategic Goal 3: to work collaboratively to support and ensure effective management	<b>Action 6:</b> manage the incidence of noise nuisance from street / road activity in areas adjacent purpose-built	Planning team to ensure that spaces for smoking and other groups to minimise noise nuisance for other residents

SCRUTINY RECOMMENDATIONS	SHP Action Plan Number	SHP STUDENT HOUSING STRATEGIC GOAL	SHP STUDENT HOUSING STRATEGY ACTION POINT	Specific Delivery point
more suitable outside space that might be used, and that measures are put in place to address noise from smokers and other students gathering on the Podium at the Southover Street Phoenix Halls, (page 30)		of the impact(s) of high-density student populations within large purpose-built student accommodation on adjacent residential environs.	student accommodation.	<p>and neighbours are provided and explicit within applications.</p> <p>Emphasis of noise nuisance issues in the student induction pack and other documents such as 'living in the community'.</p> <p>Close working between environmental health officers, community liaison officers, universities and commercial providers.</p>
<b>Recommendation 8</b> - the panel recommends that the University of Brighton considers whether there is a more suitable outside space that might be used, and that measures are put in place to address noise from smokers and other students gathering on the Podium at the Southover Street Phoenix Halls, (page 30)	3.3.6	SG3	<b>Action 6:</b> manage the incidence of noise nuisance from street / road activity in areas adjacent purpose-built student accommodation.	<p>All stakeholders to support the activities of Noise Awareness Week.</p> <p>The student unions to work together to establish a common Sshh campaign which is comprehensive, and builds upon good practice in other university towns and cities.</p>
<b>Recommendation 9</b> - The panel would recommend that the University of Brighton considers introducing a policy	3.3.7	SG3	<b>Action 7:</b> Manage the incidence of noise nuisance from within purpose-built student accommodation.	Providers of purpose-built student accommodation to review the resources for staffing of purpose-built

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<p>asking students on the Phoenix Halls site to close their windows before playing music at night, in order to minimize noise nuisance for neighbours. The panel would also ask that clearer, more visible signage is installed across the Phoenix Halls site asking that noise is kept to a minimum after 11pm. (page 30)</p>				<p>student accommodation, to enhance the responsiveness to nuisance incidents.</p> <p>Planners and providers of purpose-built student accommodation to give due consideration to the Planning and design (e.g. Screening) of the impact of noise travelling from developments of purpose-built student accommodation.</p>
<p><b>Recommendation 10</b> - the panel would like to suggest that the University of Brighton considers the staffing resources that might be needed to provide an effective way of managing and minimising the noise nuisance and how its premises in residential areas are controlled, (page 31)</p>	3.3.7	SG3	<p><b>Action 7:</b> Manage the incidence of noise nuisance from within purpose-built student accommodation.</p>	<p>Providers of purpose-built student accommodation to review the resources for staffing of purpose-built student accommodation, to enhance the responsiveness to nuisance incidents.</p>
<p><b>Recommendation 11</b> - the panel recommends that the University of Brighton considers planting trees and bushes on the Phoenix Halls</p>	3.2.3	<p><b>Strategic Goal 2:</b> to reduce or halt over-concentrations of HMO across studentified</p>	<p><b>Action 3:</b> undertake detailed impact assessments of proposed developments of purpose-built student accommodation, and consider</p>	<p>Planning to consider this issue within planning control policies, assessment of Planning applications, and appraisals of development plan documents</p>



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<p>site, in order to assess whether this would help to mask any noise. The panel would like to suggest that the university talks to local residents about their experiences after a trial period, (page 31).</p>		<p>neighbourhoods via the sustainable development of affordable and appropriately-designed, purpose-built student accommodation, in close proximity and / or tied to effective public transport which allows relative ease of access to place of study / campus for students.</p>	<p>any possible unintentional consequences on the wider local housing market.</p>	<p>and individual applications.</p>
				<p>Planning to consider the impact of new developments of student housing on retail businesses.</p>
				<p>Planning to consider the impact of new developments of student housing on existing communities.</p>
				<p>Planning to encourage the inclusion of designated smoking areas within new developments.</p>
<p><b>Recommendation 12</b> - the panel would like to ask that the universities and developers have regard to possible noise impact on neighbours and the particular architectural nature of the area in which they will be built when they are being designed, especially in relation to the provision of smoking areas for residents. The panel also recommends that this suggestion is formalized in any relevant planning documents</p>	<p>3.2.3</p>	<p><b>Strategic Goal 2:</b> to reduce or halt over-concentrations of HMO across studentified neighbourhoods via the sustainable development of affordable and appropriately-designed, purpose-built student accommodation, in close proximity and /</p>	<p><b>Action 3:</b> undertake detailed impact assessments of proposed developments of purpose-built student accommodation, and consider any possible unintentional consequences on the wider local housing market.</p>	<p>Planning to consider this issue within planning control policies, assessment of Planning applications, and appraisals of development plan documents and individual applications.</p>
				<p>Planning to consider the impact of new developments of student housing on retail businesses.</p>
				<p>Planning to consider the impact of new developments of student housing on existing communities.</p>

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relating to student accommodation, (page 31)		or tied to effective public transport which allows relative ease of access to place of study / campus for students.		Planning to encourage the inclusion of designated smoking areas within new developments.
<b>Recommendation 13</b> - the panel recommends that the University of Sussex considers following the good practice established by the University of Brighton and establishes a role of a dedicated Community Liaison Officer for the University of Sussex. The two officers could work together to address shared student problems across Brighton and Hove, (page 32)	3.1.14	<b>Strategic Goal 1:</b> to ensure effective management and support housing and populations within HMO-dominated studentified neighbourhoods, using an area-based approach.	<b>Action 14:</b> provide a responsive service to deal with issues of noise and other nuisance from students / established residents.	Universities to consider the use of more community liaison officers, and the possibility for Community Liaison Officer(s) to work in partnership across the universities.
<b>Recommendation 14</b> - the panel recommends that CityClean issues wheeled bin stickers giving information about collection days so that all households know when to put their refuse out. It is recommended that this would be an alternative to the	3.1.16(1)	SG1	<b>Action 16:</b> manage the impacts on residential environments of the incidence of: (1) spill over refuse on to streets and in gardens / yards; (2) untidy gardens / yards; (3) fly-tipping (e.g. White goods, discarded sofas and beds) in studentified areas; (4) on street	Stickers to be placed on refuse bins by CityClean which provide information of collection day and time.

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magnets that are currently issued, (page 33)			litter in studentified areas, and (5) of flyposting, and provide alternative facilities for display of posters in studentified areas.	
<b>Recommendation 15</b> - the panel recommends that for those areas of the city that do not currently have council-issued wheeled bins, CityClean should erect additional notices on lamp-posts advising residents of their collection day. (page 34)	3.1.16(1)	<b>Strategic Goal 1:</b> to ensure effective management and support housing and populations within HMO-dominated studentified neighbourhoods, using an area-based approach.	<b>Action 16:</b> manage the impacts on residential environments of the incidence of: (1) spill over refuse on to streets and in gardens / yards; (2) untidy gardens / yards; (3) fly-tipping (e.g. White goods, discarded sofas and beds) in studentified areas; (4) on street litter in studentified areas, and (5) of flyposting, and provide alternative facilities for display of posters in studentified areas.	Signs to be placed on lamp posts by CityClean which provide information of collection day and time.
<b>Recommendation 16</b> - the panel recommends that CityClean places the information stickers for their recycling boxes in order that they can be stuck to the box rather than on the lid, as the	3.1.16(1)	SG1	<b>Action 16:</b> manage the impacts on residential environments of the incidence of: (1) spill over refuse on to streets and in gardens / yards; (2) untidy gardens / yards; (3) fly-tipping (e.g. White goods,	CityClean to review the use of information stickers on recycling boxes.

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lids tend to blow away, (page 34)			discarded sofas and beds) in studentified areas; (4) on street litter in studentified areas, and (5) of flyposting, and provide alternative facilities for display of posters in studentified areas.	
<b>Recommendation 17</b> - the panel recommends that CityClean advertises information about changes in collection dates for refuse and recycling in both of the universities' newspapers and on the universities' websites, in addition to the usual council publication locations. (page 35)	3.1.16(1)	SG1	<b>Action 16:</b> manage the impacts on residential environments of the incidence of: (1) spill over refuse on to streets and in gardens / yards; (2) untidy gardens / yards; (3) fly-tipping (e.g. White goods, discarded sofas and beds) in studentified areas; (4) on street litter in studentified areas, and (5) of flyposting, and provide alternative facilities for display of posters in studentified areas.	CityClean to review the strategy for informing residents of changes to collection days and times.
<b>Recommendation 18</b> - the panel recommends that the Cabinet Member for Environment considers the issue of how to tackle the problem of bulky waste being fly tipped by student	3.1.16(3)	<b>Strategic Goal 1:</b> to ensure effective management and support housing and populations within HMO-dominated studentified	<b>Action 16:</b> manage the impacts on residential environments of the incidence of: (1) spill over refuse on to streets and in gardens / yards; (2) untidy gardens / yards; (3) fly-tipping (e.g. White goods,	CityClean to use powers in the environmental protection act. City Council to deal with goods that signify a public nuisance (not wood or metal). CityClean to consider the extra collections at beginning and

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households, both throughout term-time and at the end of term. The panel recommends that the Cabinet Member gives the suggestions made in the body of the report due consideration, (page 36)		neighbourhoods, using an area-based approach.	discarded sofas and beds) in studentified areas; (4) on street litter in studentified areas, and (5) of flyposting, and provide alternative facilities for display of posters in studentified areas.	<p>end of term.</p> <p>CityClean to publicise issues related to prosecution of fly-tipping offenders.</p> <p>The universities and student unions should consider the development of clean up days linked to student volunteering schemes, and charity events.</p>
<b>Recommendation 19-</b> the panel suggests that the universities organise termly clean up days in conjunction with their student unions, (page 36)	3.1.16(3)	SG1	<b>Action 16:</b> manage the impacts on residential environments of the incidence of: (1) spill over refuse on to streets and in gardens / yards; (2) untidy gardens / yards; (3) fly-tipping (e.g. White goods, discarded sofas and beds) in studentified areas; (4) on street litter in studentified areas, and (5) of flyposting, and provide alternative facilities for display of posters in studentified areas.	The universities and student unions should consider the development of clean up days linked to student volunteering schemes, and charity events.
<b>Recommendation 20 -</b> the panel recommend that the universities include information in their prospectuses and accommodation guides about	3.1.17	SG1	Action 17: encourage the use of public transport, and lower the dependence on the usage of private vehicles by students.	The universities to more explicitly discourage students to bring their private vehicles to the city via prospectuses, brochures and accommodation

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the range of public transport and Car Clubs in the city and that they explicitly recommend that students do not bring cars with them, (page 37)				guides.
<b>Recommendation 21-</b> Students should be treated on the same basis as non-students when it comes to the issue of residents' parking permits, (page 37)	3.1.17	SG1	<b>Action 17:</b> encourage the use of public transport, and lower the dependence on the usage of private vehicles by students.	The City Council to review the current policy of car parking permits and to consider the extension of car parking permit schemes in relation to students.
<b>Recommendation 22</b> - the panel would encourage Council Tax officers to continue to liaise regularly with the universities in order to establish current and future student numbers, (page 38)	3.1.1	<b>Strategic Goal 1:</b> to ensure effective management and support housing and populations within HMO-dominated studentified neighbourhoods, using an area-based approach.	<b>Action1:</b> identify areas with high-levels of HMO, and consider the establishment of HMO Action Zones where cross-departmental action within the City Council could be beneficial.	Council tax / revenues team to disseminate information of properties that include one or more students (exemptions from council tax), and to consider the implications of data protection before dissemination of information to other stakeholders. Revenues to enhance the data on student exemptions and properties by working more closely with student unions and universities to ensure that students register and complete exemption forms for council tax when collecting student loan

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				cheques at the beginning of the year.
<p><b>Recommendation 23</b> - the panel recommends that the Council Tax service considers the four suggestions made in the body of the report about how to improve levels of registered student household exemptions, (page 39)</p>	3.1.1	SG1	<p><b>Action1:</b> identify areas with high-levels of HMO, and consider the establishment of HMO Action Zones where cross-departmental action within the City Council could be beneficial.</p>	Revenues to enhance the data on student exemptions and properties by working more closely with student unions and universities to ensure that students register and complete exemption forms for council tax when collecting student loan cheques at the beginning of the year.
<p><b>Recommendation 24</b> - the panel recommend that the existing Planning Strategy team carries out research into the various planning options available to control the level of student housing, and to consider whether there would be any merit in introducing such controls into Brighton &amp; Hove where this was appropriate for the area. If planning controls were introduced, this would help to ensure balanced and mixed communities across the city.</p>			<p><b>Requires a national planning response outside the remit of this strategy</b></p>	
<p><b>Recommendation 25</b> - the panel recommends that the Cabinet Member for Environment lobbies central Government on behalf of Brighton &amp; Hove City Council with regard to the planning Use Classes Order and the associated permitted development rights, (page 41)</p>			<p><b>Recommendation is for Cabinet Member lobbying. This is outside the remit of the strategy</b></p>	
<p><b>Recommendation 26</b> - the panel recommends that the Cabinet Member for Housing lobbies central Government on behalf of Brighton &amp; Hove City Council to request that student housing is given its own targets with regards to providing accommodation, (page 41)</p>			<p><b>Recommendation is for Cabinet Member lobbying. This is outside the remit of the strategy</b></p>	

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<p><b>Recommendation 24:</b> The Planning Strategy Team should also consider the feasibility of adopting a planning condition regarding the need for universities who have planning permission to expand their educational space to provide a commensurate increase in bed spaces.</p>	3.2.6	<p><b>Strategic Goal 2:</b> to reduce or halt over-concentrations of HMO across studentified neighbourhoods via the sustainable development of affordable and appropriately-designed, purpose-built student accommodation, in close proximity and / or tied to effective public transport which allows relative ease of access to place of study / campus for students.</p>	<p><b>Action 6:</b> plan the development of purpose-built student accommodation based on projected future student populations; student needs/preferences, the suitability of proposed sites, and in respect of university student accommodation strategies.</p>	<p>Planners to ensure that there is partnership working with universities during the scripting of the local development framework.</p> <p>Planners to ensure that there is ongoing dialogue between Planning and the universities.</p> <p>Planners to consider this issue in the drafting of the universities Supplementary Planning Document.</p> <p>The universities to increase the proportion of students that are accommodated in purpose-built student accommodation.</p>
<p><b>Recommendation 24:</b> The findings should be published as a Supplementary Planning Document, (page 41)</p>	3.2.6	SG2	<p><b>Action 6:</b> plan the development of purpose-built student accommodation based on projected future student populations; student needs/preferences, the suitability of proposed sites, and in respect of university student accommodation</p>	<p>Planners to consider this issue in the drafting of the universities Supplementary Planning Document.</p>



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			strategies.	
<p><b>Recommendation 27</b> - the panel recommends that the Planning Strategy team recognises the need for student accommodation to be planned and that the team considers positively identifying land suitable for halls of residence in the Local Development Framework. The team could consider the scope for including small numbers of units of student housing amongst major new- build developments (page 42)</p>	3.2.1	SG2	<p><b>Action1:</b> identify possible development sites for purpose-built student accommodation or appropriate mixed-use developments in Brighton and Hove, in line with the Local Development Framework (Site Allocation Document) and Supplementary Planning Documents.</p>	<p>Planning to consider this issue within the context of future Development Plan Documents (DPDs).</p>
				<p>Planning to consider how student accommodation may be integrated into wider new-build developments.</p>
				<p>The universities to consider possible suitable sites on existing campuses or other sites in close proximity to university campuses for student accommodation.</p>
<p><b>Recommendation 27</b> - the panel recommends that the Planning Strategy team recognises the need for student accommodation to be planned and that the team considers positively identifying land suitable for halls of residence in the Local Development Framework. The team could consider the scope for including small numbers of units of student housing</p>	3.2.7	<p><b>Strategic Goal 2:</b> to reduce or halt over-concentrations of HMO across studentified neighbourhoods via the sustainable development of affordable and appropriately-designed, purpose-built student accommodation, in</p>	<p><b>Action 7:</b> understand the diverse accommodation needs and locational preferences of the student population for purpose-built student accommodation.</p>	<p>Annual survey information to be collected by the universities and Student Unions.</p>

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amongst major new- build developments (page 42)		close proximity and / or tied to effective public transport which allows relative ease of access to place of study / campus for students		
<b>Recommendation 28</b> - the panel would suggest that the universities, working with the students' union consider the potential for offering alternative, affordable accommodation in halls of residence for students with low incomes, (page 43)	3.2.6	SG2	<b>Action 6:</b> plan the development of purpose-built student accommodation based on projected future student populations; student needs/preferences, the suitability of proposed sites, and in respect of university student accommodation strategies.	Planners to ensure that there is partnership working with universities during the scripting of the local development framework.
<b>Recommendation 28</b> - the panel would suggest that the universities, working with the students' union consider the potential for offering alternative, affordable accommodation in halls of residence for students with low incomes, (page 43)	3.2.6	SG2	<b>Action 6:</b> plan the development of purpose-built student accommodation based on projected future student populations; student needs/preferences, the suitability of proposed sites, and in respect of university student accommodation strategies.	The universities to increase the proportion of students that are accommodated in purpose-built student accommodation.

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<p><b>Recommendation 28</b> - the panel would suggest that the universities, working with the students' union consider the potential for offering alternative, affordable accommodation in halls of residence for students with low incomes, (page 43)</p>	3.2.7	SG2	<p><b>Action 7:</b> understand the diverse accommodation needs and locational preferences of the student population for purpose-built student accommodation.</p>	<p>Annual survey information to be collected by the universities and student unions.</p>
<p><b>Recommendation 29</b> - the panel would suggest that the universities consider whether there is scope to expand the offer of rooms in halls of residence, not only to first year students but also to those second and third years who would like to live there, (page 43)</p>	3.2.6	<p><b>Strategic Goal 2:</b> to reduce or halt over-concentrations of HMO across studentified neighbourhoods via the sustainable development of affordable and appropriately-designed, purpose-built student accommodation, in close proximity and / or tied to effective public transport which allows relative ease of access to place of study / campus for students.</p>	<p><b>Action 6:</b> plan the development of purpose-built student accommodation based on projected future student populations; student needs/preferences, the suitability of proposed sites, and in respect of university student accommodation strategies.</p>	<p>Planners to ensure that there is partnership working with universities during the scripting of the local development framework.</p>

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<p><b>Recommendation 29</b> - the panel would suggest that the universities consider whether there is scope to expand the offer of rooms in halls of residence, not only to first year students but also to those second and third years who would like to live there, (page 43)</p>	3.2.6	SG2	<p><b>Action 6:</b> plan the development of purpose-built student accommodation based on projected future student populations; student needs/preferences, the suitability of proposed sites, and in respect of university student accommodation strategies.</p>	<p>Planners to ensure that there is ongoing dialogue between Planning and the universities.</p> <p>Planners to consider this issue in the drafting of the universities Supplementary Planning Document.</p> <p>The universities to increase the proportion of students that are accommodated in purpose-built student accommodation.</p>
<p><b>Recommendation 30</b> - the panel would suggest to the universities that they explore the possibilities of expanding their portfolio of directly managed properties over the long term, in order to increase the range of options available to student tenants, (page 44)</p>	3.1.5	<p><b>Strategic Goal 1:</b> to ensure effective management and support housing and populations within HMO-dominated studentified neighbourhoods, using an area-based approach.</p>	<p><b>Action 5:</b> encourage and support the role of the university's and other appropriate organisations for increasing and managing head-leased accommodation in Brighton and Hove.</p>	<p>Sharing of information between stakeholders with regards approaches from commercial providers of purpose-built student accommodation.</p> <p>Joint working between planners and universities.</p>
<p><b>Recommendation 31</b> - the panel recommends that the Private Sector Housing Team</p>	3.1.7	<p><b>Strategic Goal 2:</b> to reduce or halt over-concentrations of</p>	<p><b>Action 7:</b> raise the standards of housing management, and the quality of student</p>	<p>Private Sector Housing to establish an accreditation scheme.</p>

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<p>discuss the potential benefits of extending the landlord accreditation scheme in relation to student accommodation, which does not fit into the existing Houses of Multiple Occupation accreditation scheme, with representatives from Brighton and Hove's landlord associations and other parties, (page 46)</p>		<p>HMO across studentified neighbourhoods via the sustainable development of affordable and appropriately-designed, purpose-built student accommodation, in close proximity and / or tied to effective public transport which allows relative ease of access to place of study / campus for students</p>	<p>accommodation in the private rented sector (see Southern Landlords Association website).</p>	<p>The universities and the City Council to establish a shared accreditation scheme.</p> <p>Universities to set standards for head-leased accommodation and properties that are advertised on Studentpad, in line with accreditation scheme.</p>
<p><b>Recommendation 32</b> - the panel recommends that the Empty Properties Team works proactively with student landlords and managing agents to ensure that student properties that are unoccupied can be reused for social housing, (page 46)</p>	3.1.6	SG2	<p><b>Action 6:</b> identify and implement mechanisms for the conversion of 'empty homes' to family housing in studentified areas, where appropriate.</p>	<p>Planning policy to consider this issue in the broader context of the supply / offering of affordable accommodation</p>

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<p><b>Recommendation 33</b> - the panel recommends that a Student Working Group is formed, comprising of both of the universities and local colleges, the council, police, residents representing Residents' Associations, the students' unions, ward councillors, representatives for landlords and community liaison staff or staff from the accommodation teams. This would facilitate ongoing and improved communication and liaison between the partners.</p>	<p><b>SHS introduction page 6</b> '....establishment of a <b>Student Housing and Universities Working Group</b> linked to the Strategic Housing Partnership. The principal aim of which is to bring key stakeholders together to consider issues of student housing and community relations in the City.'</p>			
<p><b>Recommendation 34</b> - the panel recommends the immediate benefits of a shared information pack for all partners in the city to issue to students and that the Student Working Group could implement this as one of their first actions, (page 49)</p>	3.1.8	<p><b>Strategic Goal 1:</b> to ensure effective management and support housing and populations within HMO-dominated studentified neighbourhoods, using an area-based approach.</p>	<p><b>Action 8:</b> raise expectations and demands for high-quality housing in the student population.</p>	<p>University working group to develop a comprehensive information pack, and to disseminate to all students at the beginning of the academic year. The pack will be publicised and will be available on the internet.</p>
<p><b>Recommendation 35</b> - the panel recommends that the Student Working Group considers the benefits of carrying out a 'Neighbourhood Health Impact Assessment'</p>	3.1.1	SG1	<p><b>Action1:</b> identify areas with high-levels of HMO, and consider the establishment of HMO Action Zones where cross-departmental action within the City Council could be beneficial.</p>	<p>Planning strategy team to consider the establishment of HMO Action Zones or areas of housing mix within the city in neighbourhoods with high levels of HMO.</p>

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				The City Council to consider the different definitions of HMO that are used by various institutional actors (e.g. planners, housing officials, landlords, letting agents, environmental health officers, university accommodation officers, Student Unions) in the city, and how this may influence understandings of HMO in the city.
<p><b>Recommendation 36</b> - the panel would recommend that the universities continue to encourage students to take part in volunteering opportunities in the residential areas in the city where there is a significant student population in order to foster improved community relations. The ward councillors and community association should become involved in helping to prioritise tasks, (page 50)</p>	3.1.18	SG1	<p><b>Action 18:</b> enhance the opportunities for interaction(s) between established residents and students to foster community cohesion.</p>	

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<p><b>Recommendation 36</b> - the panel would recommend that the universities continue to encourage students to take part in volunteering opportunities in the residential areas in the city where there is a significant student population in order to foster improved community relations. The ward councillors and community association should become involved in helping to prioritise tasks, (page 50)</p>	3.1.18	<p><b>Strategic Goal 1:</b> to ensure effective management and support housing and populations within HMO-dominated studentified neighbourhoods, using an area-based approach.</p>	<p><b>Action 18:</b> enhance the opportunities for interaction(s) between established residents and students to foster community cohesion.</p>	<p>The universities to consider the opportunities in curriculum development for integrating students into local communities.</p>
				<p>Student unions and universities to work in partnership with local community organisations to identify suitable projects for the involvement of students.</p>
				<p>Student unions and universities to encourage students to join local community organisations, and local action teams in the city.</p>
				<p>The universities to consider the use of Community and University Partnership Programme (CUPP) and Project V for embedding students into local communities.</p>
				<p>Student unions and universities to encourage students to introduce themselves to neighbours.</p>
<p>Recommendation 37 - the panel would encourage</p>	3.1.18	SG1	Action 18: enhance the opportunities for interaction(s)	Delivery:



<b>SCRUTINY RECOMMENDATIONS</b>	<b>SHP Action Plan Number</b>	<b>SHP STUDENT HOUSING STRATEGIC GOAL</b>	<b>SHP STUDENT HOUSING STRATEGY ACTION POINT</b>	<b>Specific Delivery point</b>
students, via their Students' Unions, to attend their Local Action Team meetings and to play an active part in the community. (p50)			between established residents and students to foster community cohesion.	Student unions and universities to encourage students to join local community organisations, and local action teams in the city.



**Subject:** Procurement of a Brighton & Hove GP-Led Health Centre: Overview & Scrutiny Report

**Date of Meeting:** 28 January 2010

**Report of:** The Director of Strategy & Governance

**Contact Officer:** Name: Giles Rossington Tel: 29-1038  
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**Wards Affected:** All

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The Council's Constitution (Part 6, Paragraph 15.4) requires reports from Overview & Scrutiny Ad Hoc Panels and Select Committees, together with the Executive response to these reports, to be reported to full Council for information.
- 1.2 In this instance the Overview & Scrutiny (O&S) report does not contain recommendations for the Council's Executive, as it concerns local NHS procurement, an area which is within the remit of the Health Overview & Scrutiny Committee (HOSC), but which is not a responsibility of Brighton & Hove City Council. There is therefore no formal Executive response to this panel report.
- 1.3 The ad hoc panel report does include recommendations for NHS Brighton & Hove, and NHS Brighton & Hove's response to the report recommendations is reprinted in **Appendix 2** to this report. (The HOSC ad hoc panel report constitutes **Appendix 1** to this report.)

**2. RECOMMENDATIONS:**

- 2.1 That members note the HOSC ad hoc panel report on the procurement of a Brighton & Hove GP-Led Health Centre and NHS Brighton & Hove's response to this report.

**3. BACKGROUND INFORMATION**

- 3.1 At the 04 March 2009 HOSC meeting, members agreed to form an ad hoc panel to investigate NHS Brighton & Hove's procurement of a city GP-Led Health Centre. Councillors Trevor Alford, Kevin Allen and Jason

Kitcat volunteered to sit on the panel, with Councillor Alford as Chairman.

- 3.2 GP-Led Health Centres are part of a Department of Health initiative to improve access to primary care (i.e. GP services). Each PCT area in England has been obliged to commission additional GP services, offering 7 day a week primary care for registered and unregistered patients in a readily accessible location.
- 3.2 Potential issues regarding the Brighton & Hove GP-Led Health Centre included matters relating to its location, public consultation, the reputation of the successful contractor (Care UK), and aspects of the procurement process. More detailed information can be found in the ad hoc panel report (**Appendix 1**).
- 3.3 The panel's report was endorsed by HOSC at its 08 July 2009 meeting, and the HOSC Chairman subsequently wrote to the Chief Executive of NHS Brighton & Hove requesting a response to the report recommendations. NHS Brighton & Hove's positive and constructive response was debated at the 30 September HOSC meeting (and is reprinted as **Appendix 2** to this report).

#### **4. CONSULTATION**

- 4.1 No formal consultation has been undertaken in relation to this report.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

- 5.1 As this report is to note only there are no direct financial implications, however members should be aware of the implications outlined in the appended reports.

Legal Implications:

- 5.2 There are no legal implications arising from this report which is brought to Council for noting.

Equalities Implications:

- 5.3 None directly, although the GP-Led Health Centre initiative is intended to improve access to primary care, and communities experiencing poorer than average access to GP services may include disadvantaged groups (such as homeless people, people with mental health problems, recent immigrants to the UK etc).

Sustainability Implications:

- 5.4 None directly, although the GP-Led Health Centre is intended to improve access to primary care and may reduce travel times for some patients (e.g. allowing commuters to access GP services on their way to and from work rather than having to make a separate journey from home).

Crime & Disorder Implications:

- 5.5 None directly.

Risk and Opportunity Management Implications:

- 5.6 None identified.

Corporate / Citywide Implications:

- 5.7 Improving access to primary care is likely to improve outcomes for patients (as early diagnosis of many conditions is key to successful and cost effective treatment). It should also reduce inappropriate presentation for treatment at A&E. These aims accord with the Council priorities to make “better use of public money” and to “reduce inequality by increasing opportunity”.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Report of the HOSC ad hoc panel on NHS Brighton & Hove’s procurement of a GP-Led Health Centre;
2. Response to the panel recommendations from the Chief Executive of NHS Brighton & Hove

### **Documents in Members’ Rooms:**

None

### **Background Documents:**

None



# Ad Hoc Panel Report on NHS Brighton & Hove's Procurement of a City GP-Led Health Centre

## 1 Formation of the Ad Hoc Panel

- 1.1 At the 04 March 2009 Health Overview & Scrutiny Committee (HOSC) meeting, HOSC members debated a Public Question concerning the establishment of a Brighton & Hove GP-Led Health Centre.<sup>1</sup>
- 1.2 The topic of the GP-Led Health Centre had been one which HOSC members had addressed on several prior occasions, and it was evident that there was considerable local interest in the issue. Members therefore decided that the subject was one which merited further investigation, and it was agreed that an ad hoc scrutiny panel should be established. Councillors Trevor Alford, Kevin Allen and Jason Kitcat agreed to sit on the Panel, with Councillor Alford elected Chairman.
- 1.3 Panel members subsequently met to scope the topic, agreeing that the initial issue to be determined was whether the process of tendering the GP-Led Health Centre contract (including any requisite public/stakeholder consultation) had been properly conducted by NHS Brighton & Hove. Depending on the results of this investigation, other issues, such as the suitability of the preferred bidder, and broader questions concerning the commercial tender of NHS contracts, might consequently emerge (i.e. particularly so if significant flaws in the tendering process were identified).
- 1.4 Scrutinising a tendering process can be a complicated business, as some elements of tenders may reasonably be subject to commercial confidentiality. It quickly became apparent that relatively little would be achieved by holding public evidence-gathering meetings at an early stage of the scrutiny investigation, as is the norm with ad hoc scrutiny panels, as a very large part of any such meeting would inevitably have to be held in camera due to the commercially sensitive nature of the evidence discussed. Panel members therefore decided that there should be an initial, confidential, meeting with officers of NHS Brighton

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<sup>1</sup> The Public Question, submitted by Mr Ken Kirk, was: "We already know that the B&H PCT (Primary Care Trust) didn't conduct a proper public consultation over the setting up of a GP Clinic, contravening the Department of Health's PCT Procurement Plan. The PCT has given the contract for it to Care UK who run the SOTC (Sussex Orthopaedic Treatment Centre). It was revealed at the November HOSC that the SOTC selects the cheaper surgical procedures, leaving the BSUHT (Brighton & Sussex University Hospitals Trust) to fund the expensive ones. At the meeting a senior clinician stated the hospital has a £2 - £3 million deficit as a result. On whose behalf does B&H PCT spend our NHS funds? Would the committee investigate the awarding of this contract?"

& Hove to discuss in detail the tendering process. Thereafter, meetings in public could be arranged should members identify a need for further investigation.

- 1.5** Officers of NHS Brighton & Hove agreed to meet with the Panel members and a meeting was arranged for 11 May 2009. At this meeting, the Panel discussed the tender of the GP-Led Health Centre contract with Jane Simmons (Head of Partnerships and Engagement, NHS Brighton & Hove), Jonathan Read (Assistant Director of Finance, NHS Brighton & Hove), Steven Ingram (Strategic Commissioner for Primary Care, NHS Brighton & Hove) and Kate Hirst (Project Manager for the GP-Led Health Centre Procurement, NHS Brighton & Hove). Details of this meeting can be found later in this report.

## **2 Background and Disambiguation: GP-Led Health Centres; Additional GP Services for Under-Doctored Areas; and Polyclinics**

### **2.1 GP-Led Health Centres**

- 2.1(a)** The GP-Led Health Centre initiative was launched by Lord Professor Darzi in his national review of the NHS: "High Quality Care For All" (and previously, in more or less identical form, in his interim report: "Our NHS, Our Future"). In High Quality Care For All, Darzi identifies particular problems with GP services. These include:

- 2.1(b) Access.** Darzi contends that there is a major national issue with access to GPs. Access, in this instance, refers not to physical accessibility so much as to surgery opening times. For once, this is not a problem which necessarily correlates with deprivation. In fact, the most deprived people are likely to be unemployed or retired and therefore to have relatively few access problems, as they can attend GP services during normal opening times.

However, access can be a major problem for people working full time, particularly so for commuters; and for tourists, students and anyone else who spends time in a locale where they are not registered with a GP. There is also a much more general issue of access to GP services over the weekend, with few practices open on Saturdays and hardly any on Sundays. (Out of Hours GP services are available, but some have a poor reputation, and they are not always well publicised or widely used.)

- 2.1(c) Registration.** It seems that growing numbers of people are not registering with GPs. Some of these people may be recent immigrants (and possibly non-native speakers of English) who may not fully understand how to access NHS healthcare; others may belong to groups that typically experience problems with the system of registration (homeless people, people with substance misuse issues



etc). Still others may not come from 'deprived' or 'at risk' communities at all: many students and young working people do not bother registering with a GP, perhaps because they do not anticipate requiring primary care services, perhaps because they are unwilling to take the time to pro-actively search out a local GP practice with spare capacity.

Under-registration is a problem for the NHS for several reasons. Firstly, patients who are not registered with a GP may not present for minor treatments. Given that the most effective (and cost-efficient) treatments for many conditions involve early intervention, this can cause difficulties. Secondly, when unregistered patients do present for treatment, they often do so in acute care settings (e.g. A&E). This is relatively expensive and impacts upon the ability of secondary care providers to deliver services for those who are genuinely acutely ill. Thirdly, GPs are increasingly being tasked with providing and collating patient information; clearly this role cannot be properly undertaken if large numbers of people remain unregistered.

**2.1(d)** In order to deal with these problems of access and under-registration the Darzi review required every PCT in England to commission a 'GP-Led Health Centre' (152 nationally). This is defined as an additional GP resource providing services for both registered and unregistered patients. The service must be available 7 days a week, 12 hours a day, and should be situated so as to maximise its benefits in terms of the access and registration criteria. The GP-Led Health Centre should also provide a range of community healthcare services, to be locally determined according to need.

## **2.2 Additional GP Services for Under-Doctored Areas**

**2.2(a)** High Quality Care For All featured another primary care initiative which may sometimes be confused with the GP-Led Health Centre plans. This initiative sought to address the issue of 'under-doctoring'. Since GPs are independent contractors, they have a great deal of freedom in terms of choosing where they operate. In consequence, GP services are not evenly spread across the country. To further complicate matters, GPs tend, on average, to cluster in more wealthy areas, whereas people in the greatest need of primary care services tend to be concentrated in more deprived parts of the country. Darzi addressed this issue by identifying areas of England which were particularly under-doctored and requiring PCTs to develop additional GP services in these areas. No part of Brighton & Hove was considered to be under-doctored under Darzi's criteria, so this initiative has little direct local application.<sup>2</sup>

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<sup>2</sup> The only area to qualify as 'under-doctored' in the South East Coast Strategic Health Authority region was Medway.

## 2.3 Polyclinics

- 2.3(a)** Some time before he embarked on his national review of the NHS, Lord Darzi was commissioned to undertake a review of London healthcare services – Healthcare for London: A Framework for Action.
- 2.3(b)** Healthcare for London differs significantly from High Quality Care For All in that the former is a detailed examination of London’s acute care configuration, while the latter is much more a ‘high level’ survey of the state of the NHS.<sup>3</sup> Although much of the London review is of little obvious relevance outside the capital, one initiative has been widely flagged as having a broader application – this concerns the creation of a network of ‘Polyclinics’.
- 2.3(c)** ‘Polyclinic’ is a term which has been in use for more than a hundred years to describe a variety of primary care facilities. In terms of Darzi’s London review, though, a Polyclinic can be defined as the bringing together of local GP practices<sup>4</sup>, usually (although not necessarily) in a single building.<sup>5</sup> As well as providing GP services, a Polyclinic will typically offer a range of other services, potentially including diagnostics, out-patient appointments, specialist clinics (i.e. for pain-management, sexual health etc.) and minor surgery.<sup>6</sup>
- 2.3(d)** Polyclinics are intended to facilitate the reconfiguration of London’s acute healthcare, which will involve a small number of large hospitals being developed into specialist centres, and the effective downgrading of many of the current smaller acute hospitals (District General Hospitals: DGHs). Polyclinics will re-provide some services which are currently run from these facilities, thereby allowing reconfiguration to take place without impacting upon local levels of service provision.
- 2.3(e)** Polyclinics are also designed to improve access to primary care: the contention is that many London GP practices currently offer rather poor facilities for people with disabilities and can be difficult to reach by public transport. It is also argued that the high number of small practices in the capital and their relative isolation from one another impedes the spread of best practice across the primary care sector.

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<sup>3</sup> High Quality Care For All is itself a fairly high level document, but it is also the impetus for a much more detailed examination of NHS services to be undertaken at a regional (i.e. SHA) level. In the South East Coast SHA region this review is known as “Healthier People, Excellent Care”. (HOSC members have received briefings from the SHA on the content of Healthier People, Excellent Care and will be further involved as the initiative develops.)

<sup>4</sup> GP practices within a polyclinic would be co-sited and might choose to share some costs (of I.T., administrative staff etc.), but would remain as discrete practices sharing a building.

<sup>5</sup> Some polyclinics may be ‘virtual’ – a network/federation of existing GP practices rather than co-siting in a single locality.

<sup>6</sup> Helpfully, under Darzi’s definition, Hove Polyclinic is not a polyclinic as it does not host GP services.

Coalescing small local practices into larger, purpose-built facilities with reasonable transport links is therefore viewed as a solution to these problems of access and the development of best practice.

**2.3(f)** It must be said that the polyclinic initiative has a number of critics, including many London GPs, who rebuff claims that the current configuration offers a poor service. There is also considerable scepticism about the motives behind the initiative, with Darzi's most trenchant opponents viewing the 'centralisation' of GP services as the thin end of a wedge which could end up with the erosion of independent GP practices and their eventual replacement with salaried GPs (working either for the NHS or for large independent sector firms). There are also strenuous objections to the plan to 'localise' London DGH services, particularly from communities who fear the degradation/loss of local acute care.

**2.3(g)** Healthcare for London is a review of the capital's healthcare configuration, and as such, should have only parochial implications. However, the London review has been very widely interpreted as introducing a blueprint for developments across the entire country (an interpretation which has been encouraged by some influential voices within the NHS). There has consequently been a good deal of debate about the desirability of polyclinics, and their suitability for particular parts of the country etc.

**2.3(h)** There has also been a good deal of confusion about what constitutes a polyclinic, sometimes manifested as a conflation of polyclinics, GP-Led Health Centres and additional primary care resources targeted at under-doctored areas.<sup>7</sup>

## **2.4 Disambiguation**

**2.4(a)** It is clear that the Brighton & Hove GP-Led Health Centre cannot reasonably be described as a polyclinic. Firstly, it represents an additional GP resource, not a coalition of existing practices. Secondly, the GP-Led Health Centre will be a standard size GP practice, not the kind of very large practice (or co-sited group of practices) envisaged by Darzi. The GP-Led Health Centre will provide additional services, rather like a polyclinic, but then so do many individual GP practices.

**2.4(b)** Therefore, whatever the merits of the London polyclinic initiative, and whatever intentions there may be to extend the scheme beyond the capital, the Brighton & Hove GP-Led Health Centre is not itself a polyclinic and should not form part of the polyclinic debate.

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<sup>7</sup> For those who take the view that elements of NHS strategic planning are designed to encourage greater provider involvement by the corporate for-profit sector, there may be good reason to conflate polyclinics and GP-Led Health Centres – as both can be viewed as attempts to create structures which are attractive to the corporate healthcare sector (although in the case of polyclinics, any such intention is at a remove from the plans as set out in Healthcare for London).

**2.4(c)** Neither is the GP-Led Health Centre an additional primary care resource targeted at under-doctored areas. Whilst it may plausibly be argued (*pace* Darzi) that some areas of Brighton & Hove are in fact under doctored, it should be clear that the GP-Led Health Centre is not primarily intended to address this issue.<sup>8</sup>

### **3 Concerns About the GP-Led Health Centre Initiative**

**3.1** Some concerns about the GP-Led Health Centre may therefore not be valid. However, other concerns which have been raised locally and nationally may be, and the panel has considered these. These issues include:

**3.1(a) Local Validity of the Initiative.** Although there is no local ability to opt out of this national initiative, it may still be worth asking whether the GP-Led Health Centre scheme is a good way to address issues of access and registration in Brighton & Hove or elsewhere. Certainly, Darzi's plans have been criticised for being imposed on all 152 PCT areas across England, and it can be argued that a 'one size fits all' solution will not suit every locality. This may be particularly the case with large, rural PCT areas with no major population hub. In such areas, a single additional GP facility is unlikely to improve services for very many people, as it will only be local to a minority of residents. The suspicion is that a solution designed for essentially urban problems has been imposed on PCT areas which have very different geographies.

This point may well be valid in terms of the GP-Led Health Centre initiative as a whole, but Brighton & Hove is a compact urban area with very high numbers of tourists, temporary residents (e.g. language students) and commuters. It would therefore seem likely that the initiative is as well-suited to the city as it is to anywhere: it is clear that there is a local need for accessible GP services which is not currently being addressed, and clear also, that a single centrally located facility might adequately address many of these needs.

**3.1(b) Location.** The location of the Brighton & Hove GP-Led Health Centre may be less a matter of debate than the location of, say, the West Sussex equivalent, but it is still an important issue. The central Brighton location chosen (on Queen's Road) does seem a logical option given the remit, as the practice will be readily accessible to everyone using Brighton train station and Brighton city centre. The only obvious alternative would have been a central Hove location, but as Hove has rather fewer tourists and commuters than Brighton, it is easy to see why the Brighton option was preferred.

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<sup>8</sup> Thus there would be no argument for locating the Centre in, say, East Brighton (the city's principle under-doctored area), unless such a location fitted the GP-Led Health Centre criteria (readily accessible by tourists, unregistered patients, commuters etc).

Whilst the location of the health centre may not be a particularly controversial issue, Panel members were interested to determine what steps, if any, NHS Brighton & Hove had taken to gauge local opinion and involve city residents in this issue.

**3.1(c) Large Vs Small.** Some criticisms of the GP-Led Health Centre initiative seem predicated on the belief that contracts for health centres are likely to be awarded to major national/international providers, rather than smaller local concerns.

GP-Led Health Centre contracts are awarded via a competitive tender process. It can be argued that this process is likely to favour large organisations rather than small ones, as the mechanics of application are rather complicated, requiring a great deal of involved form filling – something which is clearly easier for larger organisations to undertake. This may be particularly so in the context of this type of national initiative since some large firms may choose to submit tenders for several different locations across the country and may therefore be able to re-use the generic elements of their tender, whereas bidders interested in only one location have, relatively speaking, a more onerous task.

Of course, there are sound reasons for demanding a high level of engagement on the part of bidders for contracts, as the information gleaned during the tender process can be used to establish the bidder best able to deliver the required level of performance (and because making tenders demanding discourages non-serious bidders from applying). However, there is a point to be answered here, namely was the tender process so complicated that it effectively excluded smaller bidders who might nonetheless have been able to deliver an effective service?

**3.1(d) The Independent Sector.** Many people opposing the GP-Led Health Centre initiative appear motivated by a concern that this initiative will result in an increased independent sector presence in NHS-funded primary health care.

The basis for this type of concern is not always clear, as primary healthcare is already dominated by the independent sector: almost all GPs are partners in (or employed by) GP practices which are independent profit making concerns, structurally identical to any other 'for-profit' business. It is consequently hard to see how this or any other initiative will actually increase independent sector involvement in primary care.

In any case, the NHS is expressly committed to commissioning a 'plurality of providers,' including the for-profit independent sector.<sup>9</sup>

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<sup>9</sup> See 'Delivering the NHS Plan' (2002).

More pertinent here may be the issue of *corporate* independent sector involvement in the primary health market, the argument presumably being that very large firms may not provide the localised/personalised services that people value from traditional GP practices. Therefore, it is necessary to determine whether the successful bidder for the Brighton & Hove GP-Led Health Centre was able to offer assurances that, whatever their status as a company, they were able to offer a localised/personalised service.

**3.1(e) Cost Vs Quality.** Cost is obviously an important and quite legitimate factor in determining the result of any competitive tender. However, there are valid worries that contracts may be awarded to the lowest bidder, even in situations where a more expensive bidder might offer a qualitatively better and more sustainable service which, objectively speaking, would be the better option.

In terms of funding for the GP-Led Health Centre initiative, this comes out of PCT annual allocations rather than being an additional 'ring-fenced' sum.<sup>10</sup> There is therefore a potential PCT interest in encouraging low bids for this type of service. It must however be stressed, that this is a hypothetical risk: the Panel has no evidence whatsoever that NHS Brighton & Hove has ever inappropriately awarded a contract to the lowest bidder and does not suggested that this has ever happened. Nonetheless, any body investigating the award of a contract via competitive tender has a legitimate interest in ascertaining whether cost was appropriately weighted against quality, deliverability etc.

**3.2** Therefore, when it set out to scrutinise the tender for the Brighton & Hove GP-Led Health Centre, the Panel had some questions in mind. These included:

- The degree of consultation regarding the location of the health centre
- Whether the tender process prioritised large firms, when a smaller provider may have been capable of delivering just as good a service
- Whether the tender process took sufficient account of the localised and personalised nature of effective GP services
- Whether the process of awarding the contract appropriately weighted cost against quality, deliverability etc.

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<sup>10</sup> In theory, annual PCT allocations include funding for national in-year initiatives such as GP-Led Health Centres, so there is in fact additional resourcing to pay for the extra GP facilities required. PCTs are not necessarily informed in advance about these initiatives, but are expected to make contingency plans to accommodate such projects when they draw up their annual Business Plans.

## **4 The Brighton & Hove Tender Process**

- 4.1** On 11 May 2009 Panel members met with officers of NHS Brighton & Hove to discuss aspects of the tendering process for the GP-Led Health Centre. This meeting was confidential, as some of the information disclosed might be considered commercially sensitive. In order for the subsequent report to be publicly accessible it has been necessary to omit some of the details discussed at this meeting.
- 4.2** At this meeting, the tender process was explained to Panel members. There are several stages to a competitive public sector tender:
- (i)** In the first instance, the organisation tendering will advertise its intention to contract for a service.
  - (ii)** Potential bidders will respond to this advert, stating that they are interested in applying.
  - (iii)** The tendering organisation will then send out a Pre-Qualification Questionnaire (PQQ). PQQs are intended to sort applicants with a realistic chance of managing the contract from those who lack the requisite experience or financial stability or who are not genuinely committed to progressing.
  - (iv)** Potential bidders who respond to the PQQ will then have the information they have submitted via the PQQ assessed/scored and bidders who exceed the PQQ threshold will be invited to submit bids based on a detailed explanation of the requirements of the contract. This is called an Invitation To Tender (ITT).
  - (v)** These bids will then be scored, and the successful bidder awarded the contract (assuming their bid is of an acceptable quality; if no bid met a threshold of adequacy then the tender process might have to be repeated).
- 4.3** In terms of NHS procurement, the Department of Health provides PCTs with general guidance for conducting tenders. This guidance may then be augmented (as it was in the case of the GP-Led Health Centre initiative) with specific instructions relating to a particular procurement. The guidance determines the basic structure of a procurement process, but there is often considerable scope to fine-tune the details of the tender in order to take account of local conditions. All public sector procurement must accord with European law.
- 4.4** NHS Brighton & Hove procurements are externally overseen by the South East Coast Strategic Health Authority (SHA). The SHA ensures that the tender accords with Department of Health guidance and with European law. Procurements are also internally overseen, both by the

NHS Brighton & Hove Board and by the PCT's Professional Executive Committee (PEC). Procurements must also accord with the NHS Brighton & Hove Internal Standing Orders (which define how the organisation must set about particular tasks). This is overseen by the PCT's Procurement Committee, a sub-committee of the PCT board.

- 4.5** There were twelve expressions of interest from potential bidders at the first stage of the Brighton & Hove GP-Led Health Centre tender. Six were eliminated after PQQ responses were scored. The remaining applicants were invited to tender for the contract; four bids were received, and three evaluated (one bidder withdrew before evaluation).<sup>11</sup> The preferred bidder was then chosen from this shortlist of three.
- 4.6** Panel members were assured that this was a fairly standard rate of attrition for this type of procurement. When a public procurement begins, the contracting organisation will typically release only sketchy details of the nature of the final contract (quite possibly because aspects of the contract are still being finalised). As the procurement progresses, more details will be released, and some potential bidders are likely to withdraw as it becomes clear that the contract is not of interest to them.

In terms of a national initiative such as that for GP-Led Health Centres, it may also be the case that some bidders submit multiple applications, only following through on the areas which interest them most (e.g. areas where there is relatively little competition).

- 4.7** A wide variety of organisations expressed interest in contracting for the Brighton & Hove GP-Led Health Centre, including independent sector 'for-profit' corporations, independent sector 'not for profit' organisations active in the city, regional GP practices and third sector organisations.
- 4.8** Expressions of Interest were not received from local NHS trusts or from city GPs or GP consortia. In the former instance, this may have been because trusts doubted whether their bids would be accepted, due to worries about the 'vertical integration' of primary and acute services.<sup>12</sup> In the latter instance, NHS Brighton & Hove officers speculated that city GP practices may be insufficiently experienced at working in concord with one another to have submitted a consortium

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<sup>11</sup> In this instance it seems that the bidders re-assessed their application, and deciding that it would certainly be rejected at evaluation, chose to withdraw it.

<sup>12</sup> 'Vertical integration', in this context, refers to the same organisation offering primary (GP) and secondary (acute hospital) services to a population. The danger here would be that a vertically integrated provider might be seen to have a perverse incentive to refer patients from primary to secondary care (or at least to its own secondary care facilities rather than others in the local area), as it would be in its financial interest to do so in terms of the way in which NHS services are paid for.



bid.<sup>13</sup> This may change in the relatively near future, as recent developments in Practice Based Commissioning Groups<sup>14</sup> and in the creation of the Brighton Integrated Care Service (BICS)<sup>15</sup> should serve to create a platform from which city GP practices can join together to bid for contracts.

**4.9** Although Panel members were disappointed that there had been no bid from local GPs, they were assured that NHS Brighton & Hove had done all it properly could to encourage the local primary care sector to take an interest in the GP-Led Health Centre contract.<sup>16</sup>

**4.10** Panel members were concerned that the complexity of the tender process may have deterred smaller local providers from bidding. Officers of NHS Brighton & Hove explained that they had done all they could to make the process accessible, including offering workshops for potential bidders. However, there may be a balance to be struck here. On the one hand it is probably true that extremely complex and onerous tender applications do discourage smaller bidders; on the other hand, complex tenders are not necessarily gratuitously so: detailed tender applications require bidders to show that they have thought hard about the contract, and are likely to flag potential problems or misunderstandings at an early stage, rather than risking them coming to light once the contract has been signed.

**4.11** In the case of the GP-Led Health Centre tender, NHS Brighton & Hove sought to create a contract with a large number of binding performance targets. This contract has been directly developed from information gleaned during the tendering process (in essence the contract is a reiteration of the PQQ and ITT details). There is a clear utility to such a procedure, since it enables the PCT to guarantee performance against the contract rather than trusting the winning bidder to deliver its

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<sup>13</sup> The GP-Led Health Centre contract is not a particularly large one, and would not necessarily be beyond the scope of a single GP practice. However, it was widely anticipated that GP practice interest would generally take the form of consortium bids.

<sup>14</sup> Practice Based Commissioning (PBC) is an NHS initiative which encourages GPs to commission some services for their patients directly (rather than having these services commissioned on their behalf by the local PCT). In practice, most GP practices are too small to commission for themselves, and PBC is therefore undertaken via PBC groups/clusters (e.g. groups of local GP practices commissioning jointly).

<sup>15</sup> BICS has been set up in response to another NHS initiative: 'Choose and Book'. Choose and Book allows patients (via their GPs) to decide which secondary care facility they wish to be treated at, when they want to be treated, and (to some degree) the consultants they want to treat them. However, individual GPs are not always in the best position to advise patients on the options they should pursue, as they may not personally be experts on a particular pathway, although some local GP almost certainly is. BICS is intended to remedy this problem by bringing together city GPs' expertise via a referral service which can ensure that patients are directed to the best available acute providers for their circumstances.

<sup>16</sup> Organisations awarding contracts via competitive tender must not improperly favour one bidder over another. For instance, they must ensure that information or guidance offered to one bidder is also offered to all other applicants.

promises. This degree of control is well beyond that which PCTs are able to exercise on the majority of their GP contracts (General Medical Services Contracts) which do not generally permit the imposition of local performance indicators. Therefore, the complexity of tender information is, in this instance, directly related to assuring that the successful bidder is both capable of delivering a good service and contractually bound to doing so.

- 4.12** However, even though the complexity of tenders may be entirely functional, it is still the case that they will generally tend to favour larger providers. This seems to a degree unavoidable, although NHS Brighton & Hove officers did suggest that, whilst this may be the case for individual tenders, it can become less so over a period of time, as bidders for local contracts become more experienced at going through the tender process, which is essentially very similar for a range of procurements. Thus, providers who bid for several contracts and who take the opportunity to receive detailed PCT feedback on their failed bids, are typically able to make significant improvements to their applications for subsequent contracts. Officers of NHS Brighton & Hove told Panel members that some local healthcare providers who had initially had little success in competitive tenders were now regularly competing effectively and winning contracts. Thus, although the competitive tender process may favour the corporate sector in any single instance, there is nothing to stop smaller firms from developing into effective bidders over time, providing they are willing to commit resources to doing so.

## **5 Scoring the Tender**

- 5.1** At the ITT stage, applicants were judged against a series of criteria, which can be summed up thematically as:

- **performance** (the quality of services to be provided)
- **cost** (the sum charged to provide these services)
- **risk** (the risk of the bidder being unable to deliver the contract)
- **timing** (how quickly the provider can get its service operational).

An overall **Value For Money** (vfm) score was also calculated for each bidder (essentially this was reached by dividing each bidder's performance score by their costings).

- 5.2** All bidders were required to exceed a threshold for performance before being evaluated against other criteria.
- 5.3** There was no specific test of local experience at either the PQQ or ITT (the formal invitation to tender) stages of the procurement. Attaching such conditions would have been difficult, as it might have effectively limited bidders to those organisations currently active in the Local Health Economy. Such a limitation might have been legally

problematic, and would certainly have run counter to NHS Brighton & Hove's stated aim to encourage a 'plurality' of local providers (i.e. a greater plurality than is currently the case). However, although bidders were not asked to show local experience, they were required to demonstrate a proven ability to work with local providers and to align their practices with the needs of the locality. This seems to have been the most that could have been demanded in the circumstances.

- 5.4** The tender process is essentially one in which bidders self-evaluate their ability to perform against the demands of the contract. There is therefore a quite reasonable worry that unethical bidders might exaggerate their competencies in order to win contracts. However, in terms of the GP-Led Health Centre tender, many of the performance guarantees which bidders must make will subsequently be embedded in their contract, meaning that applicants will be required to deliver on their promises. Bidders who fail to deliver in accordance with their contractual obligations can be replaced at any point before the Centre becomes operative, and may be liable for damages. An underperforming service will also incur financial penalties and may be terminated. In this instance, therefore, it does seem as if a good deal has been done to incentivise applicants to supply accurate information.

## **6 Invitation To Tender (ITT) and Final Stage Evaluation**

- 6.1** Six potential bidders who submitted PQQs were issued an 'Invitation To Tender' (i.e. they were invited to submit formal bids). Of these, four organisations placed bids, and three formed the final shortlist for evaluation.
- 6.2** The successful bidder, **Care UK**, is a large for-profit organisation operating a number of healthcare facilities nationally, including the Sussex Orthopaedic Treatment Centre (SOTC). The two other short-listed bids came from a not-for-profit independent sector provider in alliance with a local GP practice, and from a non-local GP practice. Since the identity of and details concerning unsuccessful bidders might be deemed commercially confidential, these organisations will be referred to as **bidder B** and **bidder C** (with Care UK **bidder A**).
- 6.3** After evaluation of the formal bids, it was established that all three short-listed bidders had comparable performance scores.<sup>17</sup>
- 6.4** However, bidder A offered to contract for the GP-Led Health Centre for considerably less than bidders B and C. This difference in cost amounted to approximately £2,000,000 over the course of the 5 year

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<sup>17</sup> The GP-Led Health Centre contract will measure performance via a series of performance indicators/targets. Up to 25% of the funding for the contract may be withheld for under-performance.

contract (i.e. bidder A was £2 million cheaper than the next cheapest bidder). Bidders B and C submitted very similar costings.

- 6.5** Given the large discrepancy between bidder A and the other bidders' costings, and given that bidders B and C submitted very similar tenders in terms of price, Panel members were concerned that bidder A's costing might prove to be an underestimate. PCT officers told members that they were confident that bidder A's figures were robust as Care UK has some experience of running similar centres, and should consequently be in a good position to estimate costs. In any case, there is relatively little risk for the Local Health Economy here, as Care UK is bound to deliver its contract at the price agreed; it will apparently not be the case that extra money will be provided to top up an unrealistically low bid.<sup>18</sup>
- 6.6** Prior to beginning this tender process, officers of NHS Brighton & Hove met informally with regional PCT colleagues and with officers from the Department of Health to try and estimate a reasonable price (or range of price parameters) for the GP-Led Health Centre contract. All three of the short-listed Brighton & Hove tenders came within these anticipated parameters (with bid A at the low end and bids B and C at the high end of the parameters). There is therefore no reason to suppose that the winning bid is undeliverable, as it falls within the range of anticipated pricings. (NHS Brighton & Hove officers noted that had the bid been outside the expected parameters it might well have caused them concern.)
- 6.7** Panel members asked how bidder A's tender came to be lower than those of the other bidders. There appear to be three elements to this:
- (i) Staffing.** Bid A specifies that the GP-Led Health Centre GPs should be permanent, salaried GPs, whilst bids B and C rely upon employing local GPs to work part-time as locums. Generally speaking, it is considerably cheaper to employ permanent staff rather than locums (as locum rates of pay are higher).<sup>19</sup>

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<sup>18</sup> The only real opportunity for Care UK to be paid more than the contracted amount for running the GP-Led Health Centre would be if there was significant over-performance against the contract (i.e. more patients were seen than had been contracted for). This is not anticipated, and, if it did occur would probably indicate a previously unmet level of need in the local health economy.

<sup>19</sup> 'Continuity of Care' (i.e. enabling patients to see the same doctor whenever they access GP services) is often viewed as a key aspect of GP services, particularly for patients with long term conditions. However, this did not form part of the GP-Led Health Centre tender requirements (and would have been very difficult to impose, as GPs are statutorily entitled to choose to work part time, take maternity leave or otherwise work in ways which impact upon their ability to deliver continuity of care, whatever agreement their employers might have with the local PCT). To the degree that continuity is a concern though, the bidder A model of permanent salaried staff would seem better placed to provide it than the bidder B and bidder C models of employing locums from local GP practices.

- (ii) **GP/Nurse Ratio.** Bid A specifies a rather lower GP to Practice Nurse ratio than bids B and C (i.e. more nurses and fewer doctors) across the term of the contract. This has a significant impact upon costs, as Practice Nurses are considerably cheaper to employ than GPs.<sup>20</sup>
  - (iii) **'Back Office' Costs.** As Care UK is a large enterprise it may be able to use its existing resources to supply certain 'back office' services (general admin, HR, ICT support etc.) more cheaply than can other bidders.
- 6.8** In terms of the other areas of the tender evaluation (risk, deliverability etc.), all the short-listed bidders were able to satisfy these criteria. Generally speaking, these were pass/fail issues (e.g. an organisation is either deemed to be financially stable or it isn't) rather than areas where there would be very much value in rating bidders against each other.
- 6.9** Panel members enquired how reputational issues were assessed in the evaluation process. This is a pertinent question, since Care UK has a somewhat chequered reputation as a healthcare provider, both locally (at the Sussex Orthopaedic Treatment Centre) and nationally. Members were told that both the PQQ and ITT processes included mechanisms to examine the past performance of bidders. The evaluation of Care UK's bid (and of bids B and C) concluded that there was no reason to reject these bids because of problems which may have occurred elsewhere.

## 7 Recommendations

- 7.1** GP services are a key component of the British healthcare system, acting as the 'gatekeeper' to all other services. It is therefore vital that everyone has ready access to a GP. At the moment it is evident that this is not always the case. People who work long hours, who commute, or who are temporarily living and/or working away from home may struggle to access a GP, as may many people who live unsettled or chaotic lifestyles.

People who are not registered with a GP or who are unable to attend their GP practice during its opening hours may find that they are effectively denied early diagnosis of and treatment for a range of conditions. When such people do access healthcare, it is often at 'inappropriate' points in the system, such as hospital A&E departments.

It is therefore clear that there is room for an initiative which provides GP services for unregistered patients and for those not well served by their own GPs.

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<sup>20</sup> NHS Brighton & Hove claims that it has carefully checked this skill-mix and is confident that it can deliver high quality services.

The GP-Led Health Centre initiative may well not be the best solution for many localities, and its blanket introduction across England is scarcely a shining example of devolved decision making. However, in the context of Brighton & Hove - a compact urban area with very large numbers of commuters, temporary residents and visitors - the establishment of a city-centre primary care facility offering walk-in services to registered and non-registered patients has an obvious utility.

- 7.2** It is also evident that, given the significant cost differences between the short-listed bidders for the Health Centre contract, and the fact that all bidders were of broadly comparable quality and met the other tender criteria, NHS Brighton & Hove had little choice other than to award the GP-Led Health Centre contract to Care UK, as this was clearly the most competitive of the short-listed bids.
- 7.3** Therefore, in terms of the substantive issue this Panel was formed to investigate, it is quite clear that NHS Brighton & Hove acted properly in procuring a GP-Led Health Centre and in contracting Care UK to run the Brighton & Hove facility. The Panel found no reason to suppose that NHS Brighton & Hove did anything other than to adopt best practice throughout the procurement.
- 7.4** The above notwithstanding, there are still aspects of the GP-Led Health Centre initiative and the procurement of a local contractor which remain of concern to Panel members. These include the points listed below.
- 7.5** **Reputational Issues.** It can certainly be argued that Care UK has a poor reputation as a healthcare provider. This is the case nationally, where fairly intense recent media coverage has focused on two Care UK services which have been alleged to be sub-standard. It is also the case locally, where there have been long standing problems with the management of the Sussex Orthopaedic Treatment Centre (SOTC), culminating in a highly critical Healthcare Commission report on the centre.<sup>21</sup>

However, even assuming that all the media allegations against Care UK are well founded (which may well not be the case), this is a complex issue. It is quite possible for an organisation (perhaps particularly if it is a large corporate entity operating very widely) to run some services or types of service very poorly and others very well. Therefore, the fact that a large provider has encountered significant problems with one or more of its operations does not necessarily mean

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<sup>21</sup> The SOTC was originally managed by Mercury Health, with Care UK taking over a contract which had already run into trouble. All the problems at the SOTC may therefore not be the fault of Care UK. However, Care UK has now been managing the facility for some time and, at least at the point of the Healthcare Commission investigations, had not instituted necessary and widely flagged reforms to service.

that it is unfit to run other services (although clearly this is not an irrelevance: one would generally rather be dealing with an organisation which delivered consistently high quality than one whose quality was patchy).

In the case of the GP-Led Health Centre, Panel members were assured that Care UK's reputational issues had been taken into account as part of the tender process, and had not been deemed serious enough to disqualify the bidder.

It is also the case that the GP-Led Health Centre contract has been designed so that it contains many enforceable performance targets. This should ensure that the services provided are those contracted.

The Panel welcomes these assurances from NHS Brighton & Hove and trusts that the Health Centre will be a success. Nonetheless, members still have reservations about Care UK's ability to deliver the quality of care required. Given these doubts, the Panel urges NHS Brighton & Hove to monitor the establishment of the GP-Led Health Centre very closely to ensure that Care UK does in fact deliver the high level of service it is contracted to provide.

**7.5(a) The Panel recommends that NHS Brighton & Hove pays particular attention to monitoring the GP-Led Health Centre contract, given Care UK's uneven record as a provider of high quality healthcare.**

**7.6 Awarding NHS Contracts Via Competitive Tender.** Clearly it is national NHS policy to award contracts via competitive tender and not something that can be influenced at a local level. Nonetheless, Panel members feel there is value in noting that they have reservations about the general process of competitive tendering for NHS contracts.

The problem here is that the competitive tendering process inevitably favours larger organisations which can afford the time and effort required to produce the high quality documentation required for a successful tender bid. These organisations will not necessarily be from the corporate 'for-profit' sector (NHS trusts are often quite large enough to compete with the corporate sector in this respect), but they are unlikely to be small businesses and may well not be firms with local connections or histories.

One way in which this might be mitigated would be for local PCTs to work effectively to encourage a wide range of local providers to gain expertise in bidding for NHS contracts, and to facilitate the development of consortia of providers in order to bid for contracts beyond the scope of sole businesses. As already noted, even relatively small organisations can be effective bidders for tenders providing they develop some expertise in the tendering process – an expertise which is best gained by bidding, receiving detailed feedback and then bidding again for subsequent contracts.

Developing providers in the local health economy in this type of way would be directly beneficial to the city as it would help to make local businesses more competitive against national and international competition. Given that competitive tendering for NHS contracts seems to be here to stay, this may be the best way to mitigate its negative effects on the local health economy.

Officers of NHS Brighton & Hove noted that one of the main learning points they have taken from the GP-Led Health Centre tender has been the need for them to develop the local provider market, particularly in terms of encouraging greater involvement from the city NHS trusts in this type of bid.

Of course, NHS Brighton & Hove has already done a good deal of work in this area, and some earlier initiatives (such as working closely with local GP practices to develop BICS) may already be bearing fruit in terms of the increased competitiveness of local healthcare providers. The Panel trusts that NHS Brighton & Hove will be able to build upon this good work, and that it will keep the HOSC updated on this important issue.

**7.6(a) The Panel recommends that HOSC should request a report from NHS Brighton & Hove on its strategy to improve the commercial competitiveness of local health care providers.**

**7.7 Monitoring the GP-Led Health Centre.** GP practices are routinely audited for the quality of their services, both by the Quality Care Commission<sup>22</sup> and by local PCTs. In time it would seem reasonable to assume that the GP-Led Health Centre will be monitored in the same way. However, given the importance of this initiative, its estimable aim of improving access to primary care, and the controversial performance history of Care UK, it is evident that special measures must be put in place for monitoring the early progress of this contract.

The Panel is particularly interested in ascertaining the following information:

- Whether the Health Centre is running smoothly from a contractual perspective (i.e. whether all aspects of the management contract have been adhered to)?
- Whether there has been significant under or over-performance (i.e. more or fewer patients than anticipated)?
- What percentage of service users are registered/unregistered patients (and whether they are city residents, visitors etc)?

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<sup>22</sup> Until recently this role was undertaken by the Healthcare Commission.



- Whether the Health Centre's activity is in line with a 'typical' city GP surgery (e.g. is the Centre seeing an atypical number of people with particular conditions; are Health Centre GPs prescribing in any interesting ways etc)?
- Whether the GP-Led Health Centre has had an impact upon other city centre GP practices - i.e. have local practice list sizes reduced following the opening of the Health Centre? (Such an impact might not necessarily be detrimental to the Local Health Economy, given relatively high GP list sizes across the city.)
- Whether the additional services (sexual health services) provided at the GP-Led Health Centre have proved popular?
- What impact the Centre has had on (inappropriate) A&E attendances.
- Information on patient satisfaction with the GP-Led Health Centre.

**7.7(a) The Panel recommends that HOSC requests a comprehensive update on the above issues, to be received after the GP-Led Health Centre has been in operation for twelve months or so.**

**7.8 Public Involvement.** One of the issues the Panel was interested in was the degree to which local people had been involved in determining elements of the local GP-Led Health Centre programme. As detailed above, it is clear that, given the requirements of the GP-Led Health Centre initiative, there was relatively little opportunity to involve members of the public in this project.

However, NHS Brighton & Hove did make an effort to involve members of the public in the procurement process, particularly in terms of scoring the various applicants at PQQ stage. The PCT is eager to repeat this with other procurements, and may seek to train a pool of patients for this purpose. The Panel would welcome development of the PCT's policies in this regard as an excellent way of ensuring that NHS procurements are viewed as fair is to ensure that the public are involved in them.

A related issue concerns the degree to which NHS procurements are open to scrutiny by local people and by stakeholders. Panel members appreciate the co-operation of NHS Brighton & Hove in researching and compiling this report and are pleased that the PCT felt able to disclose details of the GP-Led Health Centre procurement to the Panel. However, this disclosure was in confidential session, and it has not been possible to include certain details of this discussion in this report.

To a degree this is wholly reasonable: there is a legitimate argument in favour of commercial confidentiality where the disclosure of information might embarrass an organisation who had placed an unsuccessful bid, or might have a detrimental impact upon the success or costings of

future bids. However, there is room for interpretation here: not all information obtained via commercial tender is necessarily commercially sensitive, and a refusal to disclose any information is likely to fuel public suspicions of wrongdoing whether these are grounded or not.

It is therefore important that PCTs are as open as possible in terms of commercial procurements. The method chosen in this instance – confidential disclosure to HOSC members – is a useful one, but serious consideration should also be given to the full public disclosure of any information that is not truly commercially confidential.

**7.8(a) The Panel commends NHS Brighton & Hove for its constructive approach to sharing information in relation to the GP-Led Health Centre. It is to be hoped that the PCT will be similarly open in terms of other procurements, and will endeavour to place as much information about tenders as possible in the public domain.**

**7.9 Consultation.** There is also a broader issue of public consultation to be considered here, as one of the principle aims of the Panel was to determine whether there had been adequate consultation over the Health Centre initiative.

NHS Brighton & Hove did consult over the development of a city GP-Led Health Centre. It did so by contacting 1500 members of the local Citizens' Panel, asking them where they would prefer a Health Centre to be sited and what additional services they would like to see it provide. The results of this consultation exercise were subsequently presented to the HOSC.

There is obvious merit in this course of action, as the Citizen's Panel is designed to provide a representative cross-section of the local public. It is unlikely that alternative means of consultation would have been successful in engaging a genuine cross-section of local opinion, as public consultations, when they attract anyone at all, tend to attract campaigners and others with strong opinions about a particular initiative. These people may have extremely cogent points to make, but they are unlikely to be 'typical' members of the public or represent an average viewpoint.

There is also an issue of cost to be considered here, as arranging a major consultation exercise with leafleting, public meetings etc. can be very expensive indeed. In this instance, it does not seem that such expense could have been justified.

However, without some form of public engagement where people with strong opinions are given the chance to present their views, the NHS does risk the accusation that it is seeking to avoid or forestall legitimate debate. Relatively simple and economic ways of eliciting public opinion do exist – for example setting up an on-line consultation on the NHS Brighton & Hove website, or running an article inviting comments in the

City News magazine. Such actions might not be appropriate for a very major public consultation exercise, but for an initiative such as this they might provide a useful way for members of the public to have their views taken into account.

**7.9(a) When it launches future initiatives, NHS Brighton & Hove should give serious consideration to ensuring that there is a method via which members of the public can present their views, even in situations where full public consultation would not be appropriate.**





## Brighton and Hove

1<sup>st</sup> September 2009

Councillor Garry Peltzer Dunn  
Chairman  
Brighton and Hove Health Overview & Scrutiny  
Committee (HOSC)  
PO Box 2500  
Kings House  
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✉ [darren.grayson@bhcpct.nhs.uk](mailto:darren.grayson@bhcpct.nhs.uk)

Dear Councillor Peltzer Dunn,

### **Brighton & Hove GP-Led Health Centre**

Thank you for sending me a copy of the Health Overview & Scrutiny Committees ad hoc scrutiny panels report and recommendations into the tendering process of the GP-Led Health Centre. As discussed briefly at the last HOSC, PCT staff were pleased to be involved and to have the opportunity to discuss the tendering process.

The following is the PCTs response to the recommendations detailed in the report:

**The Panel recommends that NHS Brighton & Hove pays particular attention to monitoring the GP-Led Health Centre contract, given Care UK's uneven record as a provider of high quality healthcare not going to achieve on a particular indicator.**

The Alternative Provider Medical Services (APMS) contract allows stronger contract and performance management. There are more than 40 performance indicators which must be achieved or financial penalties kick in. There is no additional payment for high performance except under the Quality and Outcomes Framework<sup>1</sup>.

Care UK is required to notify the PCT if it thinks it is not going to achieve on a particular indicator. Care UK is also required to collate quarterly reports on activity including any issues that arise, such as serious untoward incidents.

**The Panel recommends that HOSC should request a report from NHS Brighton & Hove on its strategy to improve the commercial competitiveness of local health care providers.**

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<sup>1</sup> Quality and Outcome Framework is a national scheme to reward GP practices that reach the standards laid out in the framework. These cover a range of clinical and organisational standards such as the management of patients with long term health conditions which includes an indicator 'The percentage of patients with diabetes who record a retinal screening in the previous 15 months'

Chairman: Denise Stokoe    Chief Executive: Darren Grayson

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The PCT is currently revising its procurement strategy and developing a detailed market management strategy. Key to this will be a consideration of how the PCT can support the development of all local health care providers, whether those who currently provide services or potential new providers. This will include issues around commercial competitiveness, although the PCT has to balance regard for local provision with compliance with procurement legislation. The market management strategy is intended for completion by October 2009, and the PCT would be more than willing to involve the HOSC.

**The Panel recommends that HOSC requests a comprehensive update on the above issues, to be received after the GP-Led Health Centre has been in operation for twelve months or so.**

This information can be provided to HOSC when requested. These will be based on the quarterly reports provided by Care UK.

**The Panel commends NHS Brighton & Hove for its constructive approach to sharing information in relation to the GP-Led Health Centre. It is to be hoped that the PCT will be similarly open in terms of other procurements, and will endeavour to place as much information about tenders as possible in the public domain.**

The PCT takes seriously its role in managing public money, and aims to be open and transparent about all the activities in which it engages. The PCT will continue to make available the fullest possible range of information about procurement activity and outcomes via its website and in response to any queries received.

**When it launches future initiatives, NHS Brighton & Hove should give serious consideration to ensuring that there is a method via which members of the public can present their views, even in situations where full public consultation would not be appropriate.**

NHS Brighton and Hove will ensure that all significant future initiatives are notified online and comments are invited from the public.

If you require any further information please let me know.

Yours sincerely

Darren Grayson  
Chief Executive

cc: Denise Stokoe, Chair, NHS Brighton and Hove

<b>Subject:</b>	<b>Older People and Community Safety: Scrutiny Panel Report</b>		
<b>Date of Meeting:</b>	<b>28 January 2010</b>		
<b>Report of:</b>	<b>Director of Strategy &amp; Governance</b>		
<b>Contact Officer:</b>	Name: Tom Hook	Tel: 29-1110	
	E-mail: Tom.hook@brighton-hove.gov.uk		
<b>Wards Affected:</b>	All		

## FOR GENERAL RELEASE

### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Council's Constitution (Part 6.1 Paragraph 15.4) requires reports from Overview & Scrutiny Panels and Select Committees, together with the Executive response to these reports, to be reported to full Council for information.
- 1.2 **Appendix A** to this report is the Overview & Scrutiny Panel report on Older People and Community Safety. **Appendix B** to this report is the response to the Older People and Community Safety report, including an appended implementation plan Appendix B(2), considered by Cabinet on 9 December 2009. **Appendix C** is an extract from the minutes of the Cabinet meeting.

### 2. RECOMMENDATIONS:

- 2.1 That the Older People and Community Safety Scrutiny Panel's report of findings and recommendations; and the Cabinet's response to the report; be noted.

### 3. BACKGROUND INFORMATION

- 3.1 A cross-party working group of Members of the Environment and Community Safety Overview and Scrutiny Committee (ECSOSC) comprising Councillors Warren Morgan, Tony Janio and Ian Davey, considered priority issues for scrutiny in October 2008. The group identified the importance of fear of crime to older people in the City and improved information for older people; as a key issue. This had been raised at a recent Community Safety Forum by the Director of Age Concern.

- 3.2 The Environment and Community Safety Overview & Scrutiny Committee (ECSOSC) subsequently agreed to establish a scrutiny panel on older people and community safety with a remit to investigate:
- To what extent are the views of older people known, regarding community safety?
  - Do older people have specific concerns about safety in the community?
  - How can older people be helped to feel safer in the community?
- 3.3 Councillors Mo Marsh (Chair), Amy Kennedy, David Smart, David Watkins with co-optee from the Older People's Council, John Eyles, served on the Panel.
- 3.3 The Panel's completed report was endorsed by the Environment and Community Safety Overview and Scrutiny Committee on 14 September 2009 and referred to the Council's Executive.
- 3.5 Cabinet considered the report on 9 December 2009 and agreed the actions as detailed in the implementation plan.

#### **4. CONSULTATION**

- 4.1 No formal consultation has been undertaken in compiling this report.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### **Financial Implications:**

- 5.1 The overall approach is to deliver the recommendations within existing resources. However, the implementation plan (App B(2)) will be the mechanism through which any necessary additional resources are identified. Should that be the case, the timescales of implementation will be set accordingly and a commentary included within future progress reports.

*Finance Officer Consulted: Patrick Rice*

*Date: 25 Nov 09*

##### **Legal Implications:**

- 5.2 As indicated in paragraphs 1.1 and 2.1 above, and in accordance with the council's procedure rules on overview and scrutiny, this report is purely for Council to note. There are no further legal implications arising directly from the report.

##### **Equalities Implications:**



5.3 None specific to this report for information. Please see the implications on the attached report to Cabinet.

**Sustainability Implications:**

5.4 None specific to this report for information. Please see the implications on the attached report to Cabinet.

**Crime & Disorder Implications:**

5.5 None specific to this report for information. Please see the implications on the attached report to Cabinet.

**Risk and Opportunity Management Implications:**

5.6 None specific to this report for information. Please see the implications on the attached report to Cabinet.

**Corporate / Citywide Implications:**

5.7 None specific to this report for information. Please see the implications on the attached report to Cabinet.

**SUPPORTING DOCUMENTATION**

**Appendices:**

- A. The Overview & Scrutiny Report on Older People and Community Safety
- B. The 9 December 2009 Cabinet response to the Older People and Community Safety Report and implementation plan [App B (2)]
- C. Extract from the minutes of the 9 December 2009 Cabinet meeting.

**Documents in Members' Rooms:**

None

**Background Documents:**

None





**Report of the Older People and Community Safety  
Overview and Scrutiny Panel**

**August 2009**

**Older People and Community Safety**

**Investigating older people's concerns about community  
safety and how older people can be helped to feel safer**

**Panel Members**

**Councillor Mo Marsh (Chairman)  
Councillor Amy Kennedy  
Councillor David Smart  
Councillor David Watkins  
Mr John Eyles, Older People's Council (Panel co-optee)**

## Chair's Foreword

Older people can tend to be less visible and quieter than younger people in the community and may have unnecessary concerns about crime.

This scrutiny panel was set up to investigate how older people view community safety and what are the main issues from an older person's perspective.

We found that older people are less likely than the rest of the population to become victims of crime. We heard evidence of a large range of community safety preventative and support services from the Council and partner organisations that are available for older people.

However having heard from residents at the Panel meetings we agreed that all this information, and sources of advice and help are not as well known as they could be, especially amongst older people who are socially isolated.

Therefore we identified that well-coordinated community safety messages should be given to all older people, in the form of a purpose-designed booklet similar to those in use by other local authorities. Also that further research and analysis coordinated between the Council and its partners should focus more on the needs of older age groups as well as the wider population.

We also want to support community development schemes that help build the resilience of older people.

We hope that the recommendations in this report will contribute to helping people in later life feel safer.

On behalf of all the Panel Members I would like to thank Age Concern Brighton Hove and Portslade Director Jim Baker, who raised this matter. Thanks are also due to everyone who came to discuss their work with the Panel and most of all to the members of the public speaking at the meetings.



*Mo Marsh*

Councillor Mo Marsh  
(Chair, Scrutiny Panel on Older People and Community Safety)

## **Executive Summary**

The scrutiny review was set up to investigate how older people view community safety, what are the main issues from an older person's perspective and how older people can be helped to feel safer.

The panel heard evidence of the community safety services and initiatives provided by the Council and partner organisations for all age ranges. Older residents also gave their views.

Members identified a need for well-coordinated community safety messages, purpose-designed for older people and recommended further consultation and engagement, plus support for schemes developing resilience and social inclusion of older people.

## **List of Recommendations**

### **Recommendation 1 – Information for older people**

The panel recommends that a purpose designed booklet be provided to older people in user-friendly format to engage and inform on community safety and keeping safe

### **Recommendation 2 – Inter-generational initiatives**

The Panel recommends inter-generational initiatives to help raise awareness, build resilience and feelings of safety of older people and better understanding between different age groups

### **Recommendation 3 – Equalities Impact Assessments**

The Panel recommends Equalities Impact Assessments be brought forward with wide consultation with older people on policies/strategies of the Council and Partner organisations. This will help eliminate or minimise adverse impact on the mobility, independence and quality of life of older people and their ability to interact fully in society

### **Recommendation 4 – Mainstreaming successful schemes**

The Panel recommends that the Neighbourhood Care Scheme, and other programmes shown to be successful in working with isolated vulnerable older people, be mainstreamed.

### **Recommendation 5 – Housing policy**

The Panel recommends that the Council consider giving some priority for a move in an area near family or friends where support for an older person would be nearby.

### **Recommendation 6 – Cold calling**

The Panel recommends that to help combat doorstep crime including distraction burglary, Trading Standards consider the introduction of 'no cold-calling' zones in areas identified from intelligence.

### **Recommendation 7 – Domestic Violence**

The Panel recommends that regular training be further developed for every professional carer and volunteer working with older people in looking for early signs of elder abuse and domestic violence.

### **Recommendation 8 – Information on Domestic Violence**

The Panel recommends that additional research and analysis be carried out including with service users. This would provide the council and partner agencies with better information on the extent and nature of domestic violence involving older people and elder abuse to help further develop preventive and support services.

### **Recommendation 9 – Select Committee on Dementia**

The Panel recommends that operational protocols between agencies regarding elder abuse in cases of mental illness be referred on to the Select Committee on Dementia.

**Recommendation 10 – Good Practice**

The Panel welcomes the many initiatives regarding racial harassment and older people. The Panel recommends that good practice examples such as 'Reporting Centres' be extended where possible to other vulnerable older people including LGBT communities and disabled older people for example.

**Recommendation 11 – Alcohol and older people**

The Panel welcomes the social marketing campaign on the serious health consequences of alcohol abuse by older people and recommends that NHS Brighton & Hove be asked to report the outcomes of the campaign.

**Recommendation 12 – Social spaces for older people**

The panel recommends that licensed and unlicensed venues be encouraged to consider offering good value daytime activities and food and drink with the aim of attracting older customers.

**Recommendation 13 – Data on older people**

The panel recommends to enable the Council jointly with partners target future preventative work with older people, that where possible consistent data be distinguished by age and gender for vulnerable older people. This includes alcohol-related incidents and harm, black and minority ethnic population, domestic violence, disabled, LGBT and other minority groups.

**Recommendation 14 – Police independent advisory group**

The Panel recommends that the Older People's Council be asked to nominate an older person to serve on the Sussex Police Independent Advisory Group.

**Recommendation 15 – Customer relationship management**

The Panel recommends that to facilitate contact with older vulnerable people, the Council's Customer Relationship Management system be extended to include this population group.

**Recommendation 16 – Consultation**

The Panel recommends further consultation and analysis using the Community Engagement Framework to identify and respond to older people's specific concerns about community safety.

**Recommendation 17 – B&H Community Safety Crime Reduction and Drugs Strategy 2008 – 2011**

The Panel recommends that the particular needs of older people for keeping safe and maintaining independence should feature more prominently in the review of the B&H Community Safety Crime Reduction and Drugs Strategy 2008 – 2011.

**Recommendation 18 – Monitoring action**

The Scrutiny Panel asks its parent committee ECSOSC to monitor the implementation of actions following this scrutiny review. It also requests ECSOSC to add community safety work regarding minority older groups, to its work programme.

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## 18. List of Background Papers

- 1 – Community Safety Crime Reduction and Drugs Strategy 2008 – 2011
- 2 – PCST Scoping report
- 3 – PCST Services to Older People Domestic Violence; Sexual Violence and Abuse; Racist and Religiously Motivated crimes and incidents; LGBT Community Safety; services for older people; Burglary; Environment Improvement; Communities against drugs; Anti-Social Behaviour; Family Intervention Project; Refugees and Migrants
- 4 – Reporting and Addressing Racism
- 5 – Cheers!? Project on Alcohol and Older People
- 6 – OPC Annual Report
- 7 – Community Engagement Framework

## 1. Introduction

1.1 The Scrutiny Panel on Older People and Community Safety was established following 6 October 2008 Community Safety Forum meeting. The Director of Age Concern Brighton Hove and Portslade said the perception of crime by older people was a particularly important issue and that better contact was needed with older age groups. The Director later gave evidence to the Panel.<sup>1</sup>

1.2 The Environment and Community Safety Overview and Scrutiny Committee (ECSOSC) agreed to set up a scrutiny panel and invite the Older People's Council (OPC) to nominate a co-optee. ECSOSC resolved that the Panel's remit would be to investigate

- To what extent are the views of older people known, regarding community safety?
- Do older people have specific concerns about safety in the community?
- How can older people be helped to feel safer in the community?

1.3 Councillors Amy Kennedy, Mo Marsh, David Smart and David Watkins plus OPC co-optee Mr John Eyles served on the panel and Councillor Mo Marsh was elected Chair.

1.4 Two informal meetings were held to agree the main scope of the review and work programme, and to gather initial information. Four meetings were held in public and a final informal meeting was arranged for the Panel to agree the draft scrutiny report.

1.5 The Partnership Community Safety Team (PCST) conducted an analysis for the Scrutiny Panel on crime, safety and fear of crime as experienced by older people. This sets out population characteristics, housing tenure, crime by older people, crime and reporting levels, crimes experienced by older people and perceptions of crime, based on police crime data, Office for National Statistics, British Crime Survey, Place Survey 2008 and Citizen's Panel 2008.<sup>2</sup>

1.6 Additional commentary and analysis was also provided to the Panel the Partnership Community Safety Team Members on Community Safety Services to older people.<sup>3</sup>

1.7 Compared with currently published information on local Community Safety, both reports focussed specifically on people over the age of 50. This more detailed information on older people in the two reports was particularly welcomed by the Scrutiny Panel.

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<sup>1</sup> Letter to Scrutiny Panel from Age Concern (Appendix 1) and minutes 24 April 2009 (Appendix 2)

<sup>2</sup> Community Safety and Older People Scoping Report, March 2009 (Background paper 2)

<sup>3</sup> Partnership Community Safety Team paper on Services to Older People.(Background Paper 3)

1.8 Together with other key issues raised by the Panel Members and by members of the public and organisations working with older people, the Partnership Community Safety Team information formed the main basis of the scrutiny findings and recommendations.

1.9 For the purposes of the Panel, an 'older person' was taken to mean over 50 years of age although different agencies use various definitions.

1.10 Community safety is defined by the Home Office as "an aspect of 'quality of life' in which people, individually and collectively, are protected as far as possible from hazards or threats that result from the criminal or anti-social behaviour of others, and are equipped or helped to cope with those they do experience."

1.11 Amongst the vast range of work the main areas investigated by the Panel have been vulnerable, isolated older people, focussing on feelings of safety, alcohol-related harm and incidents, domestic violence and doorstep crime. These are identified as relating in particular to older people in the Brighton & Hove Community Safety Crime Reduction and Drugs Strategy 2008 – 2011.<sup>4</sup>

1.12 The Panel regretted that their work was time-limited, and so they were unable to cover many key areas. The Panel asked that community safety work regarding minority older groups such as disabled and LGBT people for example be included in the work plan of the Environment and Community Safety Overview and Scrutiny Committee.

1.13 The final report of the Scrutiny panel will be considered by ECSOSC for endorsement and reported to the Community Safety Forum. It will be taken forward to decision-makers and on to full council.

1.14 The Panel would like to thank all the witnesses who gave information either in person or in writing.

1.15 The Panel would like to give special thanks to the members of the public and organisations working with older people who attended the meetings or gave their comments.

## **2. Key findings**

2.1 There is a large amount of work with older people by the Council, Crime and Disorder Reduction Partnership and other organisations working with older people.

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<sup>4</sup> Community Safety Crime Reduction and Drugs Strategy 2008 – 2011 (Background Paper 1)

2.2 Older people are less likely than younger people to be victims of crime but older people's fear of crime is disproportionately greater; the impact of any crime can be greater.

2.3 Older people as a group are not prioritised within the current published Community Safety Crime Reduction and Drugs Strategy 2008 – 2011. However all other priority crime areas incorporate targeted crime reduction activities, which are appropriate to the needs of older people.

2.4 There is a higher level of reported domestic violence crimes and incidents from older people than from the population as a whole.<sup>5</sup>

2.5 The older black and minority ethnic population are least likely to report racially or religiously motivated crimes and incidents but the reasons for this are not known<sup>6</sup>

2.6 Despite current partnership work, older people would benefit from more targeted information on community safety and crime prevention services

2.7 Further close working between Council services and partners based on shared evidence can build on existing strategies to keep older people feeling safer

2.8 Recommendations within the body of this report address these key findings.

### **3. Older People and Community Safety**

3.1 The Panel acknowledged the wide range of local Community Safety initiatives across all age ranges, set out in the Community Safety Crime Reduction and Drugs Strategy 2008 – 2011.

3.2 The panel recognises the success of neighbourhood policing teams working with key partners - especially welcoming the developing work of the growing network of Local Action Teams (LATs), and praising Police Community Support Officers.<sup>7</sup>

3.3 Brighton & Hove's Crime & Disorder Reduction Partnership (CDRP) website campaign 'Safe in the City' gives a wide range of information on all the priority areas of the Crime and Disorder Reduction Partnership and measures being taken to tackle them, and ways of becoming involved, with contact details. ([www.safeinthecity.info](http://www.safeinthecity.info))

3.4 This Scrutiny Panel's work, although limited to four public meetings, was important in that it was investigating the needs of older people which can often be different from the rest of the population.

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<sup>5</sup> Scoping Report Background Paper 2 para 7.1.3

<sup>6</sup> Reporting and Addressing Racism, Senior Racial Harassment Caseworker Background Paper 4 p5

<sup>7</sup> Minutes of Panel meeting 10 July 2009 (Appendix 5)

3.5 Some older people are likely to feel uncomfortable in settings where most people appear younger or even where there are young people laughing and shouting.

3.6 Older people may generally have different perceptions of their own safety in the community compared with younger people. They may have lower tolerance levels and feel more vulnerable compared with other age groups who might feel better able to shrug off anti-social behaviour.

3.7 Other factors can be associated with ageing such as social isolation, physical or mental illness, disabilities, sensory impairment or reduced mobility. These may affect an older person's perception of their own safety in addition to their ability to tap into the available support and services.

3.8 The Panel especially wished the Council and partner organisations to try to reach more 'out of sight' older people; those who had little or no support or contact with individuals or groups.

3.9 All the public meetings were reminded that older people do have a disproportionate fear of crime both nationally and locally, despite much lower levels of victimisation for most crime types. (Scoping report, page 4). This may be because older people might tend to avoid areas they see as higher risk or less willing or able to report crime, but also because there can be a greater impact on older people who are victims, than on younger people.

3.10 Members made the point that this message needed even higher visibility and it should be better targeted at older people. Older people are less likely than younger people to have internet access and socially isolated older people may be less aware of information that would help them feel safer.

3.11 Members wanted this message and other relevant information to be more widely communicated to older people in appropriate ways.

#### **4. Communications and information**

4.1 Throughout the scrutiny review the Panel members were aware that for a variety of reasons information and community support and services were likely to be less accessible to older people than younger people.

4.2 Older people in the public gallery at Panel meetings indicated that more information would be helpful. Representatives of two groups asked for talks or presentations on policing at their local meetings. Respondents from Sheltered Housing Action Group also wrote that improved communications could assist in improving an older person's feeling of safety.

4.3 Other safety measures such as personal safety, home security and smoke alarms had been raised at the final panel meeting and it was felt that this type of information and advice should also be more widely publicised for older people's benefit.

4.4 The Panel are aware of the wide range of existing publications and communications channels and forums for contacting older people about community safety matters. Amongst others these include local media organisations, City News, The Pensioner, other local newsletters and magazines, 'Grey Matters' The Patrol, information via NHS organisations, Age Concern, Community and Voluntary Sector Forum, Community Safety Forum, Local Action Teams, Older People's Council and the annual Older People's Day.

4.5 The Panel concludes that older people would benefit from better access to consistent community safety information, advice and services which are targeted to their needs.

4.6 The Panel wished to support and extend the current outreach work to older people, especially to minority groups and those who are socially isolated. From experience Members said that some older people liked to have information on paper handed to them and discussed in person, rather than just pushed through the letter box.

4.7 The Panel asked that a 'one-off' publication for older people be produced similar to the 'Be Smart Be Safe' example that had been successfully used in other local authorities such as Essex County Council, Dudley Metropolitan Borough Council, Shropshire Council, Middlesbrough Council and Plymouth City Council.

4.8 This would need to be tailored to Brighton & Hove style and format requirements including, with full contact details:

1. Explanation of community safety services, action to tackle crime, anti-social behaviour and community cohesion
2. Neighbourhood policing and role of PCSOs
3. When and how to report incidents
4. How to recognise and report elder abuse and Domestic Violence
5. Reporting hate crime
6. Doorstep crime advice and reporting
7. Personal safety advice
8. Care assessments
9. Home fire safety assessments
10. Home security measures

### **Recommendation 1 – Information for older people**

**The panel recommends that purpose designed booklet be provided to older people in user-friendly format to engage and inform on community safety and keeping safe**

4.9 In hearing from the East Sussex Fire and Rescue Service (ESFRS) about home fire safety assessments the ESFRS Head of Community Safety e-mailed concerning all care agencies' fire assessments. This additional

matter does not fall within the remit of this scrutiny panel and the Panel Chair has asked the Council's Director of Adult Social Care and Housing to reply to ESFRS. (See Appendix 8)

## **5. Inter-generational Initiatives**

5.1 Some older people may not have much contact with the younger generation, other than when they are on 'good behaviour' in front of elderly relatives. Conversely, younger people may well be unaware of the serious impact their behaviour can sometimes have on older people.

5.2 The Panel Members were aware of good examples of community safety information being taken in to schools and other groups and felt that older people could be encouraged to take opportunities to engage with younger people for mutual benefit.

5.3 Members were interested to support outreach schemes that include working in the community for instance with the Youth Council and in schools encouraging children to pass on information and advice to older relatives and friends. Trading Standards and RISE (Refuge Information Support and Education; formerly Women's Refuge Centre) said that officers regularly visit schools. An event involving older and younger people had been held at St Richards Centre, Hangleton and younger people had been at a presentation during a Local Action Team meeting.

5.4 The Panel Members wish to encourage inter-generational programmes to help build up greater understanding between older and younger people; for example by way of history projects and explaining how young people's behaviour may cause distress to older people.

### **Recommendation 2 – Inter-generational initiatives**

**The Panel recommends inter-generational initiatives to help raise awareness, build resilience and feelings of safety of older people and better understanding between different age groups.**

## **6. Assessing the Impact on Older People of Policies and Strategies**

6.1 The Panel noted and supported Age Concern's principles and values. Under the future Equality Act public bodies will need to consider the needs of everyone who uses their services, regardless of their age.

6.2 The International Development Manager, on the steering group of the Cheers!? Project on alcohol and older people also made the point that strategies should be interlinked with the needs of an ageing population.<sup>8</sup> The Panel wishes to recommend longer-term measures to increase the general resilience and independence of older people.

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<sup>8</sup> Minutes of the Panel meeting 3 July 2009 (Appendix 4)

### **Recommendation 3 – Equalities Impact Assessments**

**The Panel recommends Equalities Impact Assessments be brought forward with wide consultation with older people on policies/strategies of the Council and Partner organisations. This will help eliminate or minimise adverse impact on the mobility, independence and quality of life of older people and their ability to interact fully in society**

6.3 Members asked that this scrutiny report be referred to the cross-party group on equalities which had recently been established.

#### **7. Community Schemes**

7.1 Members of the Panel were pleased with the success of the partnership work on Bristol Estate, set up to deal with anti-social behaviour.<sup>9</sup>

7.2 Consultation at the estate on people's perception of anti-social behaviour and crime before and after taking action had shown that local neighbourhood schemes can significantly strengthen a sense of safety.<sup>10</sup>

7.3 The Cabinet Member for Community Affairs, Inclusion and Internal Relations and Chair of the Community Safety Forum Councillor Dee Simson highlighted the importance of work to build inclusive communities. Information being gathered would help to shape future community safety services.

7.4 The good neighbour scheme Neighbourhood Care Scheme was described to the Panel; it helps older people and carers by recruiting local volunteers to support them in a variety of ways.

7.5 The Panel Members are aware that fostering a good sense of community takes a long time to establish and attracting funding can be a lengthy process. There seems to be scope for the Council to work closely in partnership, to improve the sustainability of community inclusion and cohesion projects that help maintain older people's feelings of safety, resilience and independence.

7.6 Therefore the Panel wishes to support and where possible mainstream, community programmes that are shown to be successful in helping isolated older people, such as the Neighbourhood Care Scheme.

### **Recommendation 4 – Mainstreaming successful schemes**

**The Panel recommends that the Neighbourhood Care Scheme, and other programmes shown to be successful in working with isolated vulnerable older people, be mainstreamed.**

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<sup>9</sup> Minutes of the Panel meeting 10 July 2009 (Appendix 5)

<sup>10</sup> Results of Surveys on Bristol Estate (Appendix 7)



## **8. Housing Policy**

8.1 Homemove, the council's choice-based lettings system for council and housing association properties, allows tenants and prospective tenants to bid for the available properties they are interested in. The letting system is currently under review.

8.2 To help assist a care network of family and friends the Panel agreed it would be helpful as a part of the review, if priority could be given to bids for a move in an area near family and friends where care and support for an older person would be nearby.

### **Recommendation 5 – Housing policy**

**The Panel recommends that the Council consider giving some priority for a move in an area near family or friends where support for an older person would be nearby.**

## **9. Doorstep Crime**

9.1 Older people are known to be more affected than younger people by doorstep criminals such as bogus doorstep callers, rogue traders and distraction burglars.

9.2 Doorstep crime is a particularly heinous crime against vulnerable people and the Panel heard of the work being done locally and regionally to counteract it.

9.3 In national and local surveys older people have been shown to dislike cold calling and were worried about being conned in their own homes. Some local authorities had successfully introduced 'no cold-calling' zones. A member of the public asked if 'no cold calling' stickers can be made available.

### **Recommendation 6 – Cold calling**

**The Panel recommends that to help combat doorstep crime including distraction burglary, Trading Standards consider the introduction of 'no cold-calling' zones in areas identified from intelligence.**

## **10. Domestic Violence**

10.1 Domestic violence and elder abuse are not easy to recognise or talk about. Chief Executive Officer of RISE (Refuge, Information Support and Education and formerly Women's Refuge Centre) gave the Panel some examples and an anonymous case study of an older service user.

10.2 The Panel heard evidence of under-reporting of domestic violence and elder abuse and possible reasons why older women may be particularly

reluctant to disclose abuse. Some members of the 60+ Action Group had difficulty engaging with a speaker on Domestic Violence services.<sup>11</sup>

10.3 First indications can start with financial abuse when firm evidence comes to light for example because of unpaid bills, and may then lead on to other forms of abuse and even physical violence. A part-time worker at the Accident and Emergency Department at Sussex County Hospital helps to find signs of Domestic Violence and abuse.

10.4 There is a lower level of awareness of elder abuse compared with child abuse even amongst professionals and consistent data on domestic violence and elder abuse in older age groups is limited.

10.5 In its summary of older people's main concerns about community safety the Sheltered Housing Action Group listed more action and information on elder abuse and domestic violence as one of its top priorities.

10.6 The Panel received only limited data on domestic violence but there is evidence of a higher level of reported domestic violence crimes and incidents from the older population than the population as a whole<sup>12</sup>.

10.7 The scoping report showed that the most common location for violent crime against older people is within a dwelling. This differs from 'violence against the person' offences within the population as a whole, which are more likely to occur in a public place than a dwelling. Older people are shown to experience domestic crimes at the hands of family members.

10.8 Information from the Lead Commissioner for Mental Health, NHS Brighton & Hove indicated a likely link between domestic violence and alcohol misuse.

10.9 Members were concerned at cases of domestic abuse victims having to leave home while the perpetrator remains.

10.10 The Panel's view was that older and more vulnerable might be expected to be less 'visible' to the authorities and probably less likely than younger people to arrive at Accident and Emergency hospital departments.

10.11 Having considered the evidence presented the Panel concluded that further work including with service users, was needed. This would involve community safety and adult social care officers and council partners getting a clearer picture of the needs of less visible and vulnerable older people in relation to domestic violence and elder abuse.

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<sup>11</sup> Summary of replies to the Scrutiny Panel (Appendix 8)

<sup>12</sup> Scoping Report Background Paper 2 para 7.1.3

## **Recommendation 7 – Domestic Violence**

**The Panel recommends that regular training be further developed for every professional carer and volunteer working with older people in looking for early signs of elder abuse and domestic violence.**

## **Recommendation 8 – Information on Domestic Violence**

**The Panel recommends that additional research and analysis be carried out including with service users. This would provide the council and partner agencies with better information on the extent and nature of domestic violence involving older people and elder abuse to help further develop preventive and support services.**

10.12 In a rare case, information was given to the Panel by a carer in the Older People's Mental Health Team of an older person with mental illness needing additional protection from a perpetrator in their own home. Though rare this was a serious incident. The Head of Community Safety reassured the Members that operational protocols between agencies in these circumstances were being drawn up via the Safeguarding Adults Board and reported to the Community Safety Forum.

10.13 A Select Committee on Dementia set up by the Adult Social Care and Housing Overview and Scrutiny Committee is in progress. Despite this case being rare the Panel did have a high level of concern because an incident could be serious. The Panel asked that the matter be forwarded to that Select Committee.

## **Recommendation 9 – Select Committee on Dementia**

**The Panel recommends that operational protocols between agencies regarding elder abuse in cases of mental illness be referred on to the Select Committee on Dementia.**

## **11. Racist and Religiously Motivated Incidents**

11.1 The definition of racist and religiously motivated incident (RRMI) is wide enabling the recipient to determine what is inappropriate and unwanted behaviour.

11.2 The Senior Racial Harassment Caseworker gave the Panel a comprehensive account of incidents that can be experienced by minority ethnic and religious groups. This was a complex area of work to analyse not least because people may be targeted for identities other than age and ethnicity eg disability or sexual orientation and also because the numbers of instances are relatively low.

11.3 Older people in general are thought to be less likely to report incidents than younger people (*Scoping report*). For ethnic and religious groups there

can be additional barriers to reporting for older people such as language capacity and potentially, fear of repercussions.

11.4 There is evidence that the older black and minority ethnic population are the least likely to report racially or religiously motivated crime and incidents. However there is no information as to whether or not that is as a result of a lower level of experiencing those crimes or a lack of trust and confidence, knowledge or unwillingness to report.<sup>13</sup>

11.5 There was already a great deal of work already under way with elderly BME community members including monitoring levels and trends, providing advocacy and support to victims and where possible working with partner agencies to respond to the incidents - for example taking action against the perpetrator.

11.6 At the end of a Panel meeting further advice and information was requested by members of the public from minority groups. This was given separately in person by officers in the Partnership Community Safety Team.

11.7 Accessing preventative and support services by minority communities where there are language, cultural and bureaucratic barriers had been identified as a priority by the City's Racial Harassment Forum.

11.8 Members welcomed the RRMI action plan 2008 - 2011 and all the outreach work under way to improve communication via translation, interpreting jargon and engaging in more accessible ways.

11.9 The folded booklet 'Racism – Don't Accept It' and Pan Sussex racist incident report form used by partner agencies were good examples of this. Enabling elderly BME members of the community - who may not find reporting easy – to report incidents through a known agency worker or at a local 'Reporting Centre,' could perhaps be extended to all vulnerable elderly.

## **Recommendation 10 – Good Practice**

**The Panel welcomes the many initiatives regarding racial harassment and older people. The Panel recommends that good practice examples such as 'Reporting Centres' be extended where possible to other vulnerable older people including LGBT communities and disabled older people for example.**

## **12. Alcohol Abuse**

12.1 It is not uncommon for people to greatly underestimate the amount of alcohol they drink. Alcohol is a disinhibitor of violence and reduces constraints around social behaviour, and can be linked with physical ill health, anxiety and depression. This can be a sensitive matter that people may feel uncomfortable to raise even with their GP. The Lead Commissioner for Mental

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<sup>13</sup> Reporting and Addressing Racism Background Paper 4

Health, NHS Brighton & Hove said the most prolific users of alcohol unhealthily, is probably the 50+ age group.

12.2 Availability of low-cost alcohol and higher drinks costs in pubs and restaurants can lead to more solitary drinking, especially amongst older people who are likely to spend more time at home than younger people.

12.3 The scoping paper indicates a link between violent crime committed by people aged 50+ and alcohol. (*Scoping paper page 9*)

12.4 Unlike smoking where there is a clear message for health reasons to stop smoking, drinking alcohol should not always be seen as negative.

12.5 The effects of alcohol on younger people at present has a higher profile compared with older age groups so Members welcomed a new social marketing campaign targeted at older people. This is one part of a major programme on awareness and intervention being initiated by NHS Brighton & Hove.

12.6 Scrutiny Panel Member John Eyles Older People's Council co-optee, would serve on the interview panel to select the marketing company.

### **Recommendation 11 – Alcohol and older people**

**The Panel welcomes the social marketing campaign on the serious health consequences of alcohol abuse by older people and recommends that NHS Brighton & Hove be asked to report the outcomes of the campaign.**

12.7 Cheers!? Is a local joint research project that looks into the reasons for older people's drinking because this was seen as a neglected area of research, policy and practice.<sup>14</sup> International Development Manager and member of the project steering group told the Panel that the needs of older people who are overlooked within the general population are likely to be greater for those who are already marginalised. This work linked in with the Healthy Cities Programme.

12.8 The project highlighted the importance of maintaining social spaces where older people can meet others.

### **Recommendation 12 – Social spaces for older people**

**The panel recommends that licensed and unlicensed venues be encouraged to consider offering good value daytime activities and food and drink with the aim of attracting older customers.**

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<sup>14</sup> Cheers!? A project about older people and alcohol Background paper 4

12.9 No detailed evidence on older people and alcohol misuse was given. The Panel suggested that where possible agencies collect and disaggregate consistent data on community safety for older age groups as well as for younger people. (See Crime/incident data below)

### **13. Crime/Incident Data**

13.1 For the purposes of the scrutiny review an 'older' person was taken to mean someone over 50 years of age. Different agencies use other age ranges or none to record community safety data.

13.2 Part of the questioning for the Scrutiny Panel has been around coordinating the considerable amount of high quality information that is already available for planning services and conveying consistent messages to the public.

#### **Recommendation 13 – Data on older people**

**The panel recommends to enable the Council jointly with partners target future preventative work with older people, that where possible consistent data be distinguished by age and gender for vulnerable older people. This includes alcohol-related incidents and harm, black and minority ethnic population, domestic violence, disabled, LGBT and other minority groups.**

### **14. Neighbourhood Policing and Reporting Incidents**

14.1 Evidence provided by the PCST indicates that rates of reporting crimes and incidents by older people are lower than by other age groups (*Scoping Paper page 12*)

14.2 There could be a number of reasons for this. But questions asked at Panel meetings indicated that older members of the public do not necessarily know when and how best to report incidents. Without internet access, people may not easily be able to find this out.

14.3 Amongst responses from individual older members of the public and written submissions from Sheltered Housing Action Group and 60+ Action Group, there was a view that the police ought to be more visible on the streets. It also seemed that the role of Community Police Support Officers (PCSOs) was not fully clear to residents and there was a question whether PCSOs could be issued with business cards.

14.4 Police representatives presented the neighbourhood policing plan to the Panel and said that the police were more accessible and visible than ever before. Around 95% of all police work did not need to involve a warrant-card-holding regular police officer. The PCSOs worked closely with local communities and Local Action Teams. Older people are the least likely to become victims but younger people needed to understand better the impact

they can have on others. Conversely older people could be encouraged to understand the younger generation better and perhaps visit schools or youth groups and explain how they feel.

14.5 The police representatives said that if necessary messages for PCSOs can be left at the Lewes call centre. Regarding when to report an incident; false alarms are preferable to ignoring serious incidents.

14.6 Historically the fear of crime had been overlooked but with a reduction in levels of crime, work to address this had now become important.

14.7 This and other community safety messages had to be communicated over the whole Division. At the same time more detailed information and intelligence needed to be addressed at a very local neighbourhood level. The Police were looking at ways to contact people other than via the Internet or 'The Patrol' monthly newsletter. (See Communications below)

14.8 There was praise for the work of PCSOs from Panel Members and some people in the public gallery who had worked closely with them. Members agreed that the PCSO role and responsibilities should be explained more widely.

14.9 As part of the Sussex Police Consultation strategy, an Independent Advisory Group advises the police on the impact of critical incidents and the Police were seeking an independent older person to serve on this. The Panel felt that the OPC were well placed to facilitate a nominee. The Older People's Council's Annual Report 2008 – 2009 had been circulated<sup>15</sup>.

#### **Recommendation 15 – Police independent advisory group**

**The Panel recommends that the Older People's Council be asked to nominate an older person to serve on the Sussex Police Independent Advisory Group.**

14.10 There was a question about using a database of older vulnerable or isolated people to simplify contact in cases of emergency. Details entered on to a Customer Relationship Management system would enable a caller and background details to be identified from the phone number alone.

#### **Recommendation 14 – Customer relationship management**

**The Panel recommends that to facilitate contact with older vulnerable people, the Council's Customer Relationship Management system be extended to include this population group.**

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<sup>15</sup> Older People's Council Annual Report 2008 – 2009 Background Paper 6

## **15. Consultation**

15.1 The Panel publicised its work via press releases prior to meetings and via direct mailings to organisations working with older people and tenants' and residents' associations. The information received in reply from residents and groups working with older people is included in the minutes of the Panel meetings or otherwise summarised in Appendix 8.

15.2 Full details on the use of the Community Engagement Framework have been presented to the Panel by the Community Engagement Improvement Officer. The Panel noted that faith groups, regularly making home visits were important in the context of contacting older people.

15.3 Members are grateful to the residents and members of the public and groups working with older people who gave evidence to the Panel. Similarly to other Scrutiny Panels, this review has been restricted to only four meetings. Where responses concerned other matters such as access and pavement obstacles these have been passed on to relevant officers

15.4 Referring back to the Bristol Estate initiatives and consultation (Appendix 7), Members also welcome and support all the coordinated partnership work that has been presented to them. Over time the Panel would like this to become even more inclusive by further:

- developing consultation arrangements with older people including service users on their perceptions of anti-social behaviour and crime
- improving the Council's knowledge of the most vulnerable and isolated older people including those who either by choice or lack of information do not engage with services or organisations
- providing more publicity and coordinated information on current services

15.5 This should be done consistently over time by specialists working in partnership in front-line services and together with Community Engagement officers.

### **Recommendation 16 – Consultation**

**The Panel recommends further consultation and analysis using the Community Engagement Framework to identify and respond to older people's specific concerns about community safety.**

### **Recommendation 17 – B&H Community Safety Crime Reduction and Drugs Strategy 2008 – 2011**

**The Panel recommends that the particular needs of older people for keeping safe and maintaining independence should feature more**



**prominently in the review of the B&H Community Safety Crime Reduction and Drugs Strategy 2008 – 2011.**

## **16. Monitoring the Recommendations of Scrutiny Review**

16.1 The Panel asked that the Environment and Community Safety Overview and Scrutiny Committee monitor action following this scrutiny review.

16.2 It also asked ECSOSC to add to its work programme .community safety work regarding minority older groups, that were not covered by this scrutiny review,

### **Recommendation 18 – Monitoring Action**

**The Scrutiny Panel asks its parent committee ECSOSC to monitor the implementation of actions following this scrutiny review. It also requests ECSOSC to add community safety work regarding minority older groups, to its work programme.**

## Appendices

### APPENDIX 1

#### Letter from Jim Baker, Director, Age Concern, Brighton Hove & Portslade

##### BACKGROUND

- 1.1 Age Concern Brighton Hove & Portslade has a central and essential role of ensuring that the perspective of older people in this City is considered by decision makers within the City. Our Mission and Core Values are below, and we hope that these show our desire to act in partnership to ensure that our client group are able to receive a quality, unified, service from all providers across the City.
- 1.2 Our intention in making a submission to the Scrutiny Panel is to assist the Panel's deliberations discussing and making recommendations in relation to:
- (i) **Impact & Communication.** Communicating with 30%+ of the population when there is no free newspaper and many of them do not purchase the local paper or welcome unsolicited correspondence is a significant problem in this City
  - (ii) **Trust & Rumour** Within a context of lack of information, or lack of choosing to access information it is very easy for people with a negative perspective to cause distress amongst others
  - (iii) **Collaboration & Value for Money.** There is a considerable amount of quality information and organisations currently available in the City in relation to community safety but how effective can numerous leaflets and consultations be, if older people are expected to read them all and know what is relevant at a given time
  - (iv) **Targeted Support.** City wide information may not deal with the problems experienced (or believed to be occurring) in specific localities
  - (v) **Network of older peoples organisations.** How do we ensure that they have a chance to be involved, even if they are small and do not have a constitution. This is critical if we are to make this work in neighbourhoods

- (vi) **Role of the Older Peoples Council.** Although it is true that there are a number of organisations involved in working with older people the only formally elected body across the City is the OPC. Its role within this process requires clarification
- (vii) **Relationship to the Local Area Agreement targets.** In particular
  - N14: People who feel they can influence decisions in their locality;
  - N16: Participation in regular volunteering;
  - N17 Creating an environment for a thriving third sector.

## **AGE CONCERN**

**Our mission**  
Our mission is to promote the well-being of all older people and to help make later life a fulfilling and enjoyable experience.

### **Principles**

Values and principles underpin what we do, why we do it, and guide how we work to achieve our mission. Our underlying principles are:

- Ageism is unacceptable: we are against all forms of unfair discrimination, and challenge unfair treatment on grounds of age
- All people have the right to make decisions about their lives: we help older people to discover and exercise these rights
- People less able to help themselves should be offered support: we seek to support older people to live their lives with dignity
- Diversity is valued in all that we do: we recognise the diversity of older people and their different needs, choices, cultures and values
- It is only through working together that we can use our local, regional and national presence to the greatest effect.

### **Values**

Our work is also guided by a set of values:

- Enabling: we enable older people to live independently and exercise choice
- Influential: we draw strength from the voices of older people, and ensure that those voices are heard
- Dynamic: we are innovative and driven by results and constantly deliver for older people.

- Caring: we are passionate about what we do and care about each individual.
- Expert: we are authoritative, trusted and quality-orientated

### **Corporate priorities 2007 – 2010**

- Prevent poverty and maximize income in retirement
- Promote age equality and enable older people to make full contributions to our economy, society and neighbourhoods.
- Maximize healthy life expectancy and promote health, independence and wellbeing for all older people
- Achieve greater social inclusion of the most disadvantaged older people and challenge the causes of exclusion
- Achieve a step change in effectiveness and efficiency, in which a crucial element will be a greater focus on older people as customers and contributors to all that we do

**BRIGHTON & HOVE CITY COUNCIL**

**ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY  
COMMITTEE AD HOC PANEL - OLDER PEOPLE AND COMMUNITY  
SAFETY**

**11.00am 24 APRIL 2009**

**VALLEY SOCIAL CENTRE**

**MINUTES**

**Present:** Councillor Marsh (Chair)

**Also in attendance:** Councillor Watkins, Smart and Kennedy

**Other Members present:** Mr John Eyles Older People's Council co-optee

**PART ONE**

**1. PROCEDURAL BUSINESS**

1.1 There were no substitutes – substitutes are not allowed on scrutiny panels.

1.2 Councillors Kennedy and Marsh said they had personal and non-prejudicial interests as they were volunteers for and supported the Neighbourhood Care Scheme. Councillor Smart said his wife was a recipient of NCS support.

1.3 There were no declarations of party whip.

1.4 Members of the press and public were not excluded from this meeting but the Panel noted that anyone could ask to give information to the Panel in private session.

**2. TO NOTE THE REMIT OF SCRUTINY PANEL AND INITIAL FOCUS**

2.1 The Panel noted the remit of the Panel and particular areas that they may wish to pursue as per agenda.

**3. INFORMATION GATHERING**

**Introduction**

The Chair Councillor Mo Marsh welcomed members of the public attending the meeting in the Valley Social Centre. The Scrutiny Panel Members and speakers introduced themselves. The Chair explained that for the purposes of the Panel an older person was defined as anyone 50 years or over. The

Community Safety Crime Reduction and Drugs Strategy 2008 – 2011 had been developed by the Crime and Disorder Reduction Partnership.

### **Information from Age Concern**

3.1 Mr Baker Director of Age Concern Brighton Hove and Portslade, had first raised the issue of older people and community safety at a meeting of the Community Safety Forum. He welcomed the panel investigation.

3.2 Older people were far less likely to be victims than younger people yet older people's fear of crime was greater but disproportionate to the actuality. This message had to be spread.

3.3 Mr Baker stated that there needed to be stronger communication with older people; both to receive and give information. He thought business sponsorship or other funding sources could be attracted to produce an independent publication for older people in Brighton and Hove. Consultations with older people would be better received in a publication that was already being regularly read and could work out cheaper than at present for statutory consulters including health organisations.

3.4 Mr Baker envisaged this as a free quarterly newsletter that would include for instance good news regular features local events and emergency phone numbers aimed at older people. He felt the Older People's Council and other organisations could be involved with this. He did not criticise any current publication but said more collaboration was needed and the proposal would not affect any existing newsletter such as the Council's City News, the Leader or The Pensioner, published by the Pensioners' Forum.

3.5 Councillor Smart said that in his ward the Knoll Scroll and Hangleton Harbinger were now circulated to more than 6000 households. This had taken years of hard work to establish.

3.6 From his experience of supporting local clients Mr Baker said social inclusion of older people was an area to be developed, to help people feel safe. Older People could lose their sense of independence and yet often they themselves did not recognise this and did not see themselves as vulnerable. Supporting social networks and developing these should be an area of priority in his view. One example was give; tenpin bowling.

3.7 Speaking about interaction with local groups he said a full list did not exist of local organisations working with older people. Putting together such a contact list and keeping it up to date would be a long process; however it would be a simple task and would help communicate key issues such as fear of crime.

3.8 More personal alarms for local vulnerable older people could be provided if unwanted mobile phones were collected for emergency use by older people in Brighton and Hove, rather than being sent for recycling elsewhere. Handsets could be programmed with a 'one-touch' key if necessary and linked with a Geographical Positioning System to help identify and locate an alert.

3.9 Regarding future grant funding rounds, Mr Baker said closer partnership working by the Council had the potential to demonstrate the various client groups thereby strengthening funding applications.

3.10 Mr Baker said that the Council should give more support to the Older People's Council, and commented that he felt more could be done 'Designing out Crime' as for example in award-winning West Yorkshire. The Head of Community Safety pointed out the long-term input into planning policies and into individual planning applications of the Environmental Initiatives Team and its direct practical environmental work.

3.11 Answering questions Mr Baker said that from 1 April 2009, Age Concern and Help the Aged had merged. These were national charities and therefore those who wished to make a donation or leave a legacy for local use needed to specify 'to be spent in Brighton and Hove.'

3.12 Age Concern held a number of contracts within the council, accounting for around  $\frac{3}{4}$  of its services and around  $\frac{1}{4}$  were funded by legacies and donations. Responsibilities for Older People's Services within the Council lay with Cabinet Member for Adult Social Care and Cabinet Member for Housing.

3.13 Regarding lines of communications Mr Baker said he had meetings at Cabinet Member level. It was a period of change for both Age Concern and council Members and officers and there was room for improvement in communications with partners. An example of a need for closer working was a 'Patient's Choice' health event targeted at older people.

3.14 The Head of Housing Management who was also the scrutiny link officer for the Panel, lead officer for the Older people's Council and manager of the 50+ Community Programme, said that the Panel had seen and liked the handbook 'Be Smart Be Safe' produced by the Safety Education Foundation and if wished, could recommend the funding of this, tailor-made to Brighton and Hove.

3.15 Individual's names could not be shared because of data protection legislation; however the list of clubs/activities and organisations formerly compiled and maintained by Adult Social Services was likely to be part of the remit of a council officer in the near future. This would be helpful to many, including the Access Point. Information on the 50+ Community Programme had been provided to the Panel and was available to view on request.

3.16 Mr Baker told the meeting Age Concern had a free counselling service. Client confidentiality was important. He said elder abuse typically started with financial abuse, perhaps by a family member or carer which could lead on to criminal, physical psychological or emotional abuse. An older person may tend to internalise emotions, feel guilty or responsible and timescales in arranging help - such as the support of a social worker - could be so long that unrepairable damage may have been made to the client.

### Neighbourhood Care Scheme

3.17 Mr de Podesta had run NCS, the Neighbourhood Care Scheme (different from Neighbourhood Watch) since 1998. He said many elderly people were isolated and 'invisible' and had inescapable difficulties which required support which could best be provided by NCS. A paper giving facts and figures and leaflet was circulated.

3.18 The Scheme was key to helping people stay active alert and involved and gives emotional and practical support to vulnerable people. It gives neighbours an opportunity to help which he said as responsible concerned people, they often wanted to do. People wishing to volunteer were first interviewed then checked with the Criminal Records Bureau, then had induction sessions and on-going support and training.

3.19 He gave examples of people needing help and volunteers who often formed lasting friendships. Answering a question about risks associated with introducing befrienders, Mr Podesta said that NCS do risk assessments for both client and volunteer. Though the scheme was risk-aware it was not risk-averse and just comparable to everyday life.

3.20 Despite major Neighbourhood renewal programmes that had been funded across the country, Mr de Podesta said that fostering a sense of community and good neighbourliness had not been promoted well.

3.21 Mr de Podesta said he knew of no other scheme in the UK that put such a stress on giving people the opportunity to help their neighbours and reduce social isolation. There was great potential for the scheme to grow, describing it as an un-mined seam of neighbourly good-will.

### Older People's Mental Health Service

3.22 Staff from the Older People's Mental Health Team gave examples of safeguarding adult alerts involving those with dementia or mental health problems that concerned the meeting. These indicated gaps in procedures between agencies; operational protocols needed to be addressed directly, to enable a victim to be protected in their home from a perpetrator. Progress would be reported back to this Panel.

3.23 In discussion the OP MHT said that those supporting the elderly including NCS volunteers might benefit from further training on looking for signs of abuse. It was noted that people with dementia and mental health problems were not good witnesses and evidence was difficult to gather, except where financial transactions were on record.

3.24 Regular courses for staff were run at a nominal fee. Identification cards could be issued to those with serious dementia in case police or other services needed to intervene but the use of these had other implications.



3.25 The Panel had received a copy of the Safeguarding Adults Annual report and work programme, available to view on request, and a summary of the Older People's Mental Health Service structure was circulated.

#### Head of Community Safety

3.26 The Head of Community Safety said that a strategic assessment (crime analysis) had been provided to the Panel in a report available to view on request on the extent to which older people experience and perpetrate crime.

3.27 The report drew out the risk areas that were not normally discussed such as alcohol-related harm and incidents, domestic violence, doorstep crime, criminal damage and hate crime, for which the number of incidents reported by older people, although low, had risen in comparison with the rest of the population.

3.28 Members discussed:

- a) Extent of awareness of elder abuse and compared with child abuse
- b) Training for councillors, staff
- c) The attrition rate for perpetrators
- d) Role of the Older People's Council, particularly in contacting individual older people electorate

#### **4. FUTURE MEETINGS**

4.1 The Panel noted that a Select Committee on Dementia and a scrutiny panel on pavement obstructions such as A- boards would shortly start work.

4.2 Summarising the Chair said the Panel would be asking for more information on alcohol and older people and hopefully more public interest would be generated as the Panel progressed. The Chair would be discussing the next agendas with the scrutiny officers.

4.3 Possible/probable items for next meetings 22nd May and 3rd July

- Cabinet Member Cllr Dee Simson
- Primary Care Trust and older people risk from alcohol-related incidents/harm
- Community engagement and meeting the particular needs of older people
- 60+ Action Group
- Progress following 24<sup>th</sup> April
- others

The meeting concluded at 1.30pm

Signed

Chair

Dated this

day of

**BRIGHTON & HOVE CITY COUNCIL**

**ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY  
COMMITTEE AD HOC PANEL - OLDER PEOPLE AND COMMUNITY  
SAFETY**

**11.00am 22 MAY 2009**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Marsh (Chair) Smart and Watkins  
and Mr John Eyles OPC cooptee

**PART ONE**

**5. PROCEDURAL BUSINESS**

5.1 The Panel Chair welcomed all to the meeting including all the speakers and Councillor Dee Simson the Cabinet Member for Community Affairs, Inclusion and Internal Relations and Chairman of the Community Safety Forum. The Chairman was pleased to see more members of the public in attendance than previously and reminded everyone of the Panel's remit.

**6. DRAFT MINUTES OF THE MEETING HELD ON 24 APRIL**

6.1 Subject to a minor amendment by Sean de Podesta the minutes of the 24 April meeting were agreed and signed by the Chairman.

6.2 With the agreement of the Chairman, Ms Joan Moorhouse Chair of the Brighton & Hove Pensioners' Forum; which published 'The Pensioner' magazine made comments on the minutes. She said that 'The Pensioner' was written by older people for older people and thought it would indeed be adversely affected by an additional publication in this area. Ms Moorhouse handed out copies of the latest edition and said there was no need for any similar publication.

6.3 Two Members of the Older People's Council (OPC) served on the Editorial Board and the OPC contributed articles to the magazine. 'The Pensioner' was supported by statutory providers including the Council and health organisations and was distributed across Brighton & Hove. However circulation numbers had recently been reduced from 6,000 to 4,000 and it was difficult to attract more business and statutory sponsorship. The Pensioners' Forum had 600 individual and group members and was actively trying to recruit more affiliated organisations.

6.4 Mr Eyles, OPC co-optee to the scrutiny panel, said 'The Pensioner' was a useful way to publicise older people's issues. Other Panel members praised the quality of the magazine and it was suggested that Council funding of OPC could be used to buy advertising space in the magazine. The Panel heard of production and distribution costs and advertising fees. The Head of Housing Management said that Adult Social Care had contributed to the newsletter's production costs and paid for OPC members' expenses not programmes.

6.5 Ms Moorhouse told the Panel that the Brighton & Hove Pensioner's Forum organised a joint 'Older People's Day.' The event typically attracted more than 1,000 delegates and this year was being held in Hove Town Hall on Thursday 19 November.

6.6 The Chairman asked if the following Panel meeting could appear in the next edition of the magazine and thanked Ms Moorhouse for her comment.

## **7. DISCUSSION WITH CABINET MEMBER AND CHAIRMAN OF COMMUNITY SAFETY FORUM**

7.1 Councillor Simson, Cabinet Member for Community Affairs, Inclusion and Internal Relations, referred also to her relatively new role of Chairman of the Community Safety Forum. She said older people had a greater fear of crime and were particularly fearful of groups of young people. It was important to help reduce these fears by encouraging schemes that brought the age groups together.

7.2 Noting that the Panel may wish to focus on domestic violence and violence in the home Councillor Simson said as Cabinet member she was working to build inclusive communities to increase individuals' resilience and reduce vulnerability; for example via discretionary funding for third sector organisations which was currently under way. Helping older and younger people to work more closely and reaching out to older people especially for instance when they are isolated or confined indoors were important.

7.3 Councillor Simson noted that partners including the Primary Care Trust and Sussex Police were also contributing to the scrutiny panel, and referred to the work of the City Inclusion Partnership. Housing policies could be key in helping to keep families and communities together she said.

7.4 The Panel's remit was potentially wide and the information being gathered would help increase the visibility of older people and help shape future community safety services.

## **8. INFORMATION-GATHERING AND FUTURE MEETINGS**

### **Head of Trading Standards, John Peerless**

8.1 The Head of Trading Standards outlined the history of the Service from 'weights and measures' to fair trading, product safety, food standards and Consumer Advice to taking steps to address some of the wider agendas such as Health and Community Safety.

8.2 He said older people were more affected by doorstep criminals than younger people and that doorstep crime was linked with distraction burglary. A national survey of people aged over 55 by the Institute of Trading Standards showed that 96% disliked cold calling such as energy sales and property repairs. The survey revealed that 60% were worried about being conned in their own home and 70% thought the development of an 'approved' trader scheme would be helpful.

8.3 Scams and rogue trading tended to be cross border issues. Whilst steps were taken locally to help support residents it was recognised there was a need to work regionally and nationally with enforcement colleagues.

8.4 Trading Standards South East (TSSE) a group of Trading Standards Authorities co terminus with the GOSE region have collaborated to develop a regional response. The group was funded by BERR (Department of Business, Enterprise and Regulatory Reform) to produce a Community Safety Toolkit which brought together best practice. A Community Safety project was also financed including the musical 'trickster' which was organised a number of times by Trading Standards during 2006 and 2007.

8.5 More recently TSSE had implemented a Regional Intelligence Unit to collate and disseminate intelligence across the region and with colleagues across the country. The Unit liaised with 'Operation Liberal' a Derbyshire Police-based national reporting database for incidents of doorstep crime.

8.6 The Head of Trading Standards said that there were a number of different commercial trader schemes that could help the public identify suitable traders; but it was recognised that a Trading Standards Approved Scheme would help provide even better protection. Therefore in 2006 Brighton & Hove implemented the 'Buy with Confidence' scheme which had been started 2 years before by Hampshire Trading Standards.

8.7 'Buy With Confidence' had been adopted across the region and there were now 80 local members. Potential members have to undergo a very stringent process including the vetting of their terms and conditions and obtaining references. The scheme is publicised in 'The Pensioner' and 'The Argus' works with East and West Sussex and Brighton & Hove to produce a quarterly advertorial.

8.8 Consumer Direct South East (CDSE) was the regional arm of a national consumer advice line that receives all first contacts for Trading Standards in the region. CDSE identifies and refers potential 'doorstep crime' incidents by telephone immediately. A Rapid Action Team (RAT) aims to respond to these calls within 40 minutes and since 2006 RAT has responded to more than 50 calls.

8.9 The CDSE number is 08454 040506. Doorstep crime can also be logged with Sussex Police by calling 08457 606999.

8.10 Brighton and Hove Trading Standards was one of the few Services to employ an Education Officer. The officer works with a wide range of organisations involved with older and vulnerable people and uses links with schools to give information to children to pass on to older relatives and friends.

8.11 Jointly with the Community Safety Partnership Team alternative prevention measures are used including the fitting of locks, door chains and the provision of posters designed to deter door step callers.

8.12 Answering a question, the Head of Trading Standards said the service could investigate providing 'no cold calling' stickers for individual households and would also support the implementation of 'no cold calling' zones in relevant communities or areas identified from intelligence.

8.13 Asked about rogue management agents the Head of Trading Standards indicated that he was not aware of reports of this particular problem.

8.14 However all consumers were encouraged to report suspicions of rogue trading or scams via CDSE, Trading Standards or the Police to help build the case for targetting resources.

8.15 Some Panel members said they had not been not aware of all the various initiatives and contact details.

8.16 The Chair thanked the Head of Trading Standards who was about to begin a secondment to manage a Regional Fraud Unit funded by BERR. The Scambusters Team has a remit to work with 61 local authorities in the South East and East of England and London to tackle cross border crime including doorstep crime.

### **RISE Refuge, Information, Support and Education (Formerly Women's Refuge Centre)**

8.17 Gail Gray spoke to the scrutiny panel as the Chief Executive Officer of RISE, Refuge Information Support and Education, formerly the Women's Refuge Project. She explained that domestic violence included emotional, physical, psychological sexual and financial abuse that takes place within an intimate or family type relationship and forms a pattern of coercive and controlling behaviour. Although professional carers may not come into this category they may have a close and intimate relationship with the person being cared for that may become abusive.

8.18 A briefing note was handed to the Panel and case study was given.

8.19 Anyone could experience domestic abuse but most were women. It was difficult to disclose abuse and there was some evidence of considerable under-reporting. An Australian study had shown that 1/3 of all older women had experienced domestic violence at some time but as much as 60% of these had not reported it.

8.20 An older person could suffer the physical and psychological consequences of domestic violence that had happened during their lifetime or later in life when retirement, deprivation, disability or sexual changes could exacerbate abuse. Under-reporting by older people could be due to a sense of shame, embarrassment, guilt or, particularly amongst BME communities, honour; that may not exist to the same extent amongst younger people. Older people who were physically and socially isolated would find it more difficult to report domestic violence for lack of someone to talk to.

8.21 In some cases there may be a fear of the consequences of reporting, such as the response of the professionals or, for families with a concern for an older family member, fear of having a dependent relative.

8.22 Perpetrators could be adult children perhaps financially dependent on a vulnerable mother. An older woman may be the carer for the perpetrator or may depend on the perpetrator for care. In many cases the criminal justice system was not appropriate and specialist resources to help and support the sometimes more complex physical and medical needs of those involved were limited.

8.23 Domestic abuse often breaks up families. However there is some success in bringing families together via local support services for perpetrators and Rise services working separately with grandmother, mother and children before re-integrating the father into the family.

8.24 Neither nationally nor locally was there firm information; reporting was the responsibility of different individuals and agencies for example GPs – for whom more training was needed - and hospital Accident and Emergency (A+E) departments. RISE had recently appointed an independent adviser partly based in A+E to do this.

8.25 Domestic violence is often subsumed under 'elder abuse.' It seemed that there was a low level of knowledge and awareness of domestic abuse even amongst professionals. Signs of domestic violence were not being well recognised

8.26 Local research and data collection was necessary and there needed to be agreement as to what level of support was needed in the City as a whole and what were the appropriate resources for older people and domestic violence.

8.27 Ms Gray said RISE was the only specialist domestic violence provider in the City and formed part of a coordinated crisis response. RISE had disabled-friendly refuge but this accommodated families often with younger children and complex needs and so was not usually the best option for older people other than in an emergency.

8.28 It had a dedicated helpline and also outreach services in areas of Whitehawk and Moulsecoomb which is now a citywide resource though with

limited capacity due to funding ending. Community outreach was the best way to work with older people and this had also been done successfully in partnership in Turner and Eastern Road areas. RISE provided preventative education in schools on healthy relationships and young people's groups. A recent development has been a group for young people who are aggressive in their relationships and a Carers' group that runs alongside this.

8.29 Rise worked together with the Safeguarding Adults Team and the Domestic Violence coordinator of the Community Safety team and was helping develop policies and protocols on domestic violence and vulnerable adults including a checklist and flowchart for professionals.

8.30 Ms Gray said there needed to be a level of risk assessment including for carers' schemes. Raising awareness was key and RISE was providing training and talks to local groups targeting older people. Feedback from these group said that leaflets should be printed in accessible and suitable formats and a Compact Disk (CD) for easy use would be useful. However more could be done.

8.31 Ms Gray stated that most domestic abuse victims have to leave home while the perpetrator remains. She said there was a need for housing for older people who had experienced domestic violence. She said in her opinion domestic abuse should be included in a cross-cutting older people's strategy and older people's safety included prominently within the older people's housing strategy.

Rise Helpline is 622822. Rise website is [www.riseuk.org.uk](http://www.riseuk.org.uk)

8.32 On behalf of the Panel the Chairman thanked all the speakers for their helpful information.

## **9. Discussion/questions from members of the public**

9.1 A member of the public asked what could be done for older people who had neighbours who made them feel unsafe? The meeting heard that there was active working on anti-social behaviour between tenants associations, neighbourhood policing and Police Community Support Officers. A direct call line was available to give a rapid response.

9.2 Answering another question, the officers would investigate producing 'No cold calling' door stickers.

## **10. Future Panel meetings, Brighton Town Hall**

10.1 It was agreed to start the final two meetings earlier; start times would now be:

10.30am 3 July and  
1.30pm 10 July

## 10.2 Future probable/possible information

- a) Alcohol-related Incidents and Crime
- b) Feedback on Older People's Mental Health Team following evidence on 24 April
- c) Community Engagement and older people
- d) Feedback from 60+ Action Group
- e) 50+ Programme Annual report
- f) Older people from Black and Minority Ethnic Communities and Community safety
- g) Policing re Older People in the Community

The meeting concluded at 1.30pm

Signed

Chair

Dated this

day of



**BRIGHTON & HOVE CITY COUNCIL**

**ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY  
COMMITTEE AD HOC PANEL - OLDER PEOPLE AND COMMUNITY  
SAFETY**

**10.30am 3 JULY 2009**

**COMMITTEE ROOMS 2/3, BRIGHTON TOWN HALL**

**MINUTES**

**Present:** Councillor Marsh (Chairman), Kennedy, Smart and Watkins,

**Co-optee:** John Eyles (Older People's Council)

**PART ONE**

**9. PROCEDURAL BUSINESS**

**a Declarations of Substitutes**

Substitutes are not allowed on Scrutiny panels

**b Declarations of Interests**

Councillor Smart said he had formerly been a trustee of Hangleton and Knoll Project.

**c Declaration of Party Whip**

There were none.

**d Exclusion of Press and Public**

In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

**RESOLVED:** That the press and public be not excluded from the meeting.

**10. MINUTES OF PREVIOUS MEETING**

12.1 The minutes of the meeting held on 22<sup>nd</sup> May were signed by the Chair.

**11. CHAIRMAN'S COMMUNICATIONS**

11.1 The Chair welcomed everyone to the meeting and introductions were made. Members of the public who wanted to make a comment or ask a

question were requested to say if they were speaking for themselves or on behalf of an organisation.

## **12. ALCOHOL AND OLDER PEOPLE'S COMMUNITY SAFETY**

12.1 Lead Commissioner for Mental Health Simon Scott, NHS Brighton and Hove, spoke to the Panel about the impact of alcohol across the City on people above 50 years old. He said there was evidence to show that the most prolific users of alcohol unhealthily, was the 50+ age group and resources were being allocated to addressing this via the Joint Commissioning Board, chaired by Councillor Ken Norman.

12.2 It was not uncommon for people to underestimate by half the amount of alcohol they drink. It was thought that the group in the general population who drink most above the recommended levels of alcohol are 50+ old and living on a low income in social housing.

12.3 Unlike smoking for which the clear and simple message is to stop smoking; the alcohol message is not necessarily to abstain but to drink in moderation and there was not one single message to send out for all parts of the community. Unhealthy drinking over a number of years has a physiological impact especially on liver kidneys and the brain (cognition) which accrues over time.

12.4 Over a single year there was thought to have been a 17% rise in alcohol-related hospital admissions including falling, fighting and domestic violence or, more commonly, adverse effects on physical health.

12.5 Falls and alcohol can be more associated with older people, whose mobility can be more affected, than younger people. Existing information did not show the extent to which older people were victims of alcohol misuse but it was likely that even hearing younger people drinking laughing and shouting would not aid an older person's sense of wellbeing.

12.6 Alcohol was an disinhibitor of violence and reduced constraints around social behaviour. Violence in the home was a serious concern for the city.

12.7 Brighton & Hove was known to have significantly more alcohol-related problems than the national and south east region averages, and other seaside towns.

12.8 Answering questions the Lead Commissioner said alcohol was associated with the young onset of dementia. Existing dementia services were seeing people younger and younger and there was not optimism about a cure.

12.9 Prompt early action was needed but this was difficult when alcohol was widely available and ridiculously cheap, he said. The cheaper the alcohol is, the more it was consumed.

12.10 Alcohol was a relaxant and depressant but excessive misuse exacerbated depression. The use of alcohol could affect a healthy sleep pattern, leading to poorer ability to cope.

12.11 Low income, below £10,000, was a key factor associated with greater use of alcohol and anxiety and depression were also interlinked. Asked about reasons there was no other known explanation, other than the social circumstances that older people can find themselves in. Intelligence was poor as to why people drink but there is anecdotal evidence that social isolation can lead to drinking at home. The Cheers!?! Project to be described later at this meeting, would help to shed light on this, said the Lead Commissioner.

12.12 The Lead Commissioner outlined a recent alcohol-related initiative: Firstly to understand what is healthy drinking and persuade people to drink healthily. Social marketing to young people was now to be extended to people over 50 years. Interviews were being held on 24 July re tenders for social marketing to older people and NHS would like a volunteer to serve on the panel. Older People's Council co-optee John Eyles agreed to do this.

12.13 Secondly a series brief interventions sessions were being arranged for people drinking at a harmful level, to encourage more sensible drinking patterns. This contract has been let to a voluntary sector organisation.

12.14 Thirdly focussed intervention was being provided on the hospital ward to a dependent group for whom alcohol is known to be a problem for example domestic violence offenders/victims, public place violent crime perpetrators, and other people presenting to hospital. Those over 50 were likely to form a large part of this group.

12.15 The Chair thanked the Lead Commissioner for his helpful information.

12.16 The Chair welcomed Cheers!?! Steering Group member Angela Flood, International Development Manager, working across City Council Adult Social Care and NHS Brighton and Hove. Her work was also related to the development at city level of the World Health Organization's Healthy Cities Programme. A 4-page summary of the Cheers!?! project had been distributed to the Panel.

12.17 Cheers!?! A project about older people and alcohol, was a joint research project between Age Concern, the University of Brighton School of Applied Social Science, NHS Brighton and Hove, the City Council and the Drug and Alcohol Team and was funded through the Brighton and Sussex Community Knowledge Exchange. It was carried out because alcohol and older people was seen as a neglected area of research, policy and practice – the focus had been on young people's drinking - and the reasons for older people's drinking were not well documented.

12.18 The project, built on a previous scoping study carried out by the Health & Social Policy Research Centre enabled older people themselves to carry out the research and included representation from the Older People's Council.

The research findings were disseminated at a special launch event on 11 June and the project also won the University of Brighton's Research and Innovation Award for 2009, attracting further funding to develop the research.

12.19 Drinking should not always be seen as negative but could have a negative impact from the point of view of health, social life and relationships with family and friends. The Brighton and Hove night-time economy, aimed at younger people, was linked to economic development but ageing can exclude older people from certain locations and some areas were perceived to be unsafe. Perceptions can have a powerful impact on behaviour, potentially leading to an increase in social isolation.

12.20 The availability of low-cost alcohol, sometimes cheaper than bottled water, and higher drinks costs in pubs and restaurants could lead to more solitary drinking at home. Negative uses of alcohol tended to decrease for those with an active social life.

12.21 Some older people who feel their drinking is becoming a problem will seek help; however, some GPs may feel reluctant to raise this sensitive and confidential subject and possibly risk spoiling their relationship with the patient. The needs of older people which are overlooked within the general population, are likely to be worse for those who are already marginalised.

12.22 Main findings from the study which impacted adversely on drinking habits:

- Feelings of exclusion/social isolation
- Life transition points can trigger drinking (e.g. bereavement, unemployment, retirement)
- Current and previous lifestyles ('hanging onto youth')
- Cost and easy availability of alcohol
- Inactive social life
- Night time drinking economy affects perceptions of safety (e.g. 'no-go' areas)
- Leisure spaces aimed at younger people

12.23 Strategies and policies should be interlinked and planned collaboratively to provide an overall holistic approach to the needs of an ageing population.

12.24 A member of the public said that older people can also be fearful in their own homes (for example fear of users of drugs and alcohol in high-rise flats) in addition to certain places from which they feel excluded. Another member of the public said that many women feel isolated at home in the evenings as they are scared to go out.

12.25 Some panel members felt there were not enough suitable social meeting places where older people would feel comfortable.

12.26 The International Development Manager said that older people could be fearful of something that had happened in the past which would have an impact on their perceptions of safety and future social mobility.

12.27 Publicans could play a key role in offering good, reasonably priced food so that establishments provided a social not just a drinking-only environment. Ideally, the City should be age-friendly; a place where all ages should feel comfortable and included.

12.28 The Head of Community Safety reminded the Panel that there is clear information that older people are least likely to be victims of crime. She would be happy to speak to community groups including the Women's Institute

12.29 The Chair thanked the International Development Manager for her helpful information.

### **13. COMMUNITY ENGAGEMENT AND OLDER PEOPLE**

13.1 The Community Engagement Improvement Officer circulated a copy of her presentation. The Community Engagement Framework had been developed for use city-wide and not only across the Council.

13.2 There had already been much good practice but some poor practice in community engagement work in the city. Before starting any engagement activity it was important to research what had already been done in the area.

13.3 There was a need to learn from experience and improve quality and coordination of engagement activity. It was important to be clear and honest when engaging with communities; if there were no extra resources, then that information should be included.

13.4 Many local organisations and groups already had good relations and know their client groups within communities, and should be engaged in the process at the outset. Members noted that there were well-established existing ways of communicating – such as 'The Pensioner', 'Grey Matters' and 'City News.'

13.5 The Community Engagement Improvement Officer reminded the meeting of the Duty to Involve and said that there was a commitment to respect and build upon existing structures and organisations. This would be a gradual process that would take time but it shouldn't be assumed that anything new was needed.

13.6 Some Members had the impression that, having completed many surveys over the years, there were no results to show.

13.7 The comment was made that older people were likely to prefer information to be provided in paper form.

13.8 A Member of the public felt that older people preferred a physical presence at a help desk rather than use the phone, a publication or the internet. For example the Pensioners' Service was a low-level and effective

service available at libraries. A database of all older, vulnerable or isolated people in the City might be helpful for the local statutory authorities to know of their existence in cases of emergency and to help older people to feel included, he said.

13.9 The Head of Housing Management would reply to the Panel.

13.10 The Chair thanked the Community Engagement Improvement Officer for her presentation and handout.

#### **14. ANNUAL REPORT OF 50+ PROGRAMME**

With the agreement of the Chair this item was postponed to the following meeting.

#### **15. RACIAL HARASSMENT AND OLDER PEOPLE**

15.1 The Senior Racial Harassment caseworker reminded the meeting that the Partnership Community Safety Team (PCST) was a partnership of the Brighton & Hove Council with the Sussex Police, the Racial Harassment Forum, the Domestic Violence Forum, and the LGBT communities. Some members of the Team were employed by the Council and others were employed by the Police.

15.2 She said together the team worked to reduce racist and religiously motivated crimes and incidents. The aims of the service included increasing reported incidents, ensuring victims and witnesses are fully supported and building their confidence in the criminal justice systems.

15.3 The Senior Racial Harassment Caseworker tabled a briefing on Racist and Religiously Motivated Incidents and Older People, available to view on request. She emphasised that the definition of racist/religiously motivated incident was intended to empower the victim; it was for the recipient to determine what was inappropriate and unwanted behaviour.

15.4 In some incidents there may be direct verbal racial hostility demonstrated by the perpetrator/s and in other cases the incidents may not be accompanied by direct racist abuse and the victim / witness or a third party may have attach a perception that 'these things are done to them' because of their race / faith / ethnicity / culture / colour / language / nationality etc. Prejudice is taken into account in their investigation of the incident by Police, Schools, NHS and employers, both statutory and private. Actions against the perpetrator / s are evidence led.

15.5 Incidents could be verbal or physical violence in the home or in the neighbourhood or in other public domain.

15.6 As shown in the PCST scoping report (available to view on request and circulated to the Panel previously) there was evidence to show that older people in general were less likely to report incidents than younger people. There were additional barriers to reporting racially motivated incidents such as language capacity, and fear of backlash. Surges in incidents occurred for example after the July 2005 London bombing and failed London bombing.

During such politically turbulent times minority communities were known to restrict their mobility and also expect incidents/ abuse and may not report incidents, believing it to be normal. Older people may fear a backlash more than younger people.

15.7 Older people may be targeted due to their race or because of more than one identity for example BME, disabled, and sexual orientation. The statistics presented in the paper accounted for the racist and religiously motivated incidents only.

15.8 At present, available data showed the types of incident against ethnicity for all people and did not distinguish between older and younger people. Around a quarter of incidents were directed at Asian people and around a quarter against white ethnic groups.

15.9 Racial and Religiously Motivated Incidents can be experienced by anyone, not necessarily from an ethnic group – for example by association with partner, children or friend.

15.10 Current work in progress by the Racial Harassment caseworkers included advocacy and casework support. This could be done by meeting at a person's home, which was especially relevant for older people. There used to be drop-in Neighbourhood Surgeries in East Brighton, Turner and Central Hove. Language or sign interpreter, could be provided if needed and information about available services and reporting forms had been translated.

15.11 The Senior Racial Harassment Caseworker gave an example of successful work with Chinese older people in Brighton & Hove. The Chinese Community in the city was larger than the national average and represented around 0.5% of the population. There were many older people, many have issues around English language capacity, work in family owned shops/takeaways/are front line workers, and many had limited access to services. The Partnership Community Safety Team had translated the reporting forms in Cantonese and Mandarin and worked in partnership with a community organisation called 'Chinese Information Pilot' to effectively access Chinese older people. Recently a visit by Chinese elders was organised to the police station together with information on rights and how to report incidents with a view to increasing trust and confidence in the community. This has led to increased reporting levels.

15.12 The PCST attended and took stalls to relevant events of the minority communities and neighbourhoods. This has led to increased reporting and improved mechanisms and access to services.

15.13 Councillor Smart said he was serving on a local steering group concerning the Bangladeshi community and asked if this was a citywide process.

15.14 A member of the public said that although she contacted the police and local councillors with concerns about community safety, these were not

always followed up. Councillor Watkins said that elected Members should be informed about incidents in their own wards.

15.15 The Senior Harassment Casework said that local councillors would only be informed about individual incidents with the consent of the client.

15.16 A Pan Sussex Racist Incident Report form was tabled at the meeting. This was for use by all organisations to record racist and religiously motivated incidents and then send the completed forms to the Partnership Community Safety Team (PCST) for monitoring and casework. Individuals could go to any organisation and fill in form thus increasing access to the reporting and casework services. This also meant that people could report at locations other than the police station. For example St Richards, Hangleton & Knoll Project, MOSAIC etc. were trained to be a reporting centre so people do not need to go to the City – can use existing staff. Individuals could also directly complete self reporting forms or contact the team to report incidents.

15.17 Casework services could help individuals if they gave their names and contact details. The Partnership Community Safety Team monitored levels and trends of incidents and reporting systems enable people to report anonymously, should they wish. On the central database, some 60% of reports come from the police – the remainder from other organisations including PCST which accounts for around 15 – 20%. Other organisations were now submitting more reports.

15.18 Asked by a member of the public about reporting to Crimestoppers the Head of Community Safety said local organisations should be used. Older people who were victims of RRMI were often not able to telephone and speak in English. The right local agency trust and confidence is important. Access is complex issue.

15.19 The Chair said people did not always know who to contact to get information or report incidents. Local Councillors were not always directly contactable. Councillor Marsh said she thought a printed publication aimed at older people would be helpful. The Internet was not the favoured tool of the elderly.

15.20 Members thanked the Senior Racial Harassment Case Worker for her presentation and especially for good outreach work.

## **16. SUMMARY AND NEXT MEETING; 10 JULY, 1.30PM BRIGHTON TOWN HALL**

The Chair thanked all the contributors to the meeting and invited members of the public to the following meeting, being held at 1.30pm on 10<sup>th</sup> July in Brighton Town Hall.

The meeting concluded at 1.15pm



**BRIGHTON & HOVE CITY COUNCIL**

**ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY  
COMMITTEE AD HOC PANEL - OLDER PEOPLE AND COMMUNITY  
SAFETY**

**1.30pm 10 JULY 2009**

**COMMITTEE ROOMS 2/3, BRIGHTON TOWN HALL**

**MINUTES**

**Present:** Councillor Marsh (Chairman), Kennedy and Watkins,

**Co-optee:** John Eyles (Older People's Council)

**PART ONE**

**17. PROCEDURAL BUSINESS**

**18a Declarations of Substitutes**

Councillor Smart had given his apologies. Substitutes are not allowed on Scrutiny panels

**18b Declarations of Interests**

There were none.

**18c Declaration of Party Whip**

There were none.

**18d Exclusion of Press and Public**

In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

**RESOLVED:** That the press and public be not excluded from the meeting.

**18. MINUTES OF THE PREVIOUS MEETING**

19.1 The Chair stated that the draft minutes of the previous meeting held on 3 July were not yet published. Anyone who wanted to receive a copy could leave their contact details on the attendance sheet left in the public gallery.

19.2 Sergeant Castleton gave additional information following the previous meeting; the Police Equality Working Group had identified a pattern of racial harassment for older people; for people up to 60 years old, there were more men than women reporting racial harassment; after 60 years old there were more women than men reporting racial harassment.

## **19. CHAIR'S COMMUNICATIONS**

20.1 The Panel noted that the Annual Report 2008 – 2009 of the Older People's Council had been circulated with the agenda.

20.2 Councillor Marsh had attended the Community Safety Forum (CSF) meeting on Monday 6 July as Chair of the Coombe Road LAT. There she found out that there had been a commitment to hold a Scrutiny Panel meeting in Portslade and Hangleton areas and she had been unaware of this. Councillor Marsh quoted in full the extract from the 9 March CSF minutes:

“44.1 The Head of Community Safety presented a report on the Scrutiny of Community Safety and Older People and stated that this was the first issue that had been referred from the Community Safety Forum onto an Overview & Scrutiny Committee agenda.

She stated that meetings to discuss the issues were taking place on 24 April at the Valley Social Centre, 22 May at Hove Town Hall and 3 July at Brighton Town Hall. As many agencies and community organisations as possible were being invited to submit information.

44.2 A member of the Forum asked whether the focus on tackling crime should be shifted to a focus on the prevention of crime, which was more in line with Sussex Police policies. The member felt a proactive approach was needed to ensure community safety. The Head of Community Safety stated that all issues around this subject would be discussed and a report would be produced with recommendations for action that could be taken forward by the Crime & Disorder Reduction Partnership (CDRP).

44.3 Councillor Barnett asked that a further meeting be arranged in either Portslade or Hangleton to allow people from those areas to attend more easily. The Head of Community Safety agreed and stated that meetings would be arranged in both of these areas.

44.4 A member of the Forum welcomed the work being done, but highlighted that safety for disabled people needed to be addressed as well. The Head of Community Safety stated that this piece of work had a specific focus on older people, but noted that work had begun on addressing the issue of community safety for those with disabilities and those who experienced hate crimes, which was recognised as a highly

important piece of work and would be taken forward later on in the year.

44.5 A member of the Forum welcomed this information and asked that GEMS was included as well when taking forward the work on community safety for those with disabilities and those who experienced hate crimes. The member asked whether baseline levels of crime would be established before work began on this report. The Head of Community Safety confirmed that baselines would be established and where possible targets would be set and recommendations produced.

44.6 Councillor Watkins stated that the scrutiny panel set up to examine Community Safety of Older people was time and financially limited and noted that this was a large subject to scrutinise. He asked for assurances from the Chairman that full support would be given to the recommendations and outcomes. The Chairman agreed and stated that she fully supported the scrutiny of this issue.

44.7 A member of the Forum raised the issue of material being accessible for older people and the Head of Community Safety stated that all literature about the subject would take into consideration its target audience and be accessible for all.”

20.3 Councillor Marsh said that safety for disabled people and hate crimes were important pieces of work that the Scrutiny Panel had not had an opportunity to investigate although relevant organisations had been invited to contribute information to the scrutiny review.

20.4 Asked about monitoring the safety of minority groups Sergeant Peter Castleton said that number of crimes against all older people were low and reduced significantly as people got older, irrespective of other identities such as ethnicity or sexuality. This would be partly because many older people tended not to put themselves in situations where they might become vulnerable and partly for other reasons; for example there were now more older BME workers in frontline services. People were not vulnerable because they were older, per se.

20.5 Councillor Marsh asked that Councillor Dee Simson Chair of Community Safety Forum and Cabinet Member for be kept informed of progress with the scrutiny review.

## **20. 50+ PROGRAMME ANNUAL REPORT (POSTPONED FROM 3 JULY)**

21.1 The Head of Housing Management outlined her role as the Council's Adult Social Care and Housing link to the scrutiny review and outlined the Community development work at the Bristol Estate, situated north of the Royal Sussex County Hospital, that had been described at the Panel's first

scoping meeting. This work to tackle anti social behaviour issues on the estate, had been funded jointly by Housing Management and the Police.

21.2 Research into the initial outcomes of the work showed that feelings of safety increased and general satisfaction with the Estate had been improved. For the first time, people now wanted to move to the Estate rather than avoid it. Further research was now under way with a 100% survey being carried out.

21.3 The Panel asked for the data to be added to the evidence received, especially information on links between age and feelings of safety on the Bristol Estate.

21.4 The Head of Housing Management also introduced the annual report of the 50+ Community Programme. This team of workers and volunteers from a range of services and voluntary organisations delivered services to support people aged 50 and over in the Queens Park Ward, Craven Vale and Hangleton and Knoll areas. It is led and funded by Brighton & Hove City Council jointly with the Primary Care Trust in line with the Local Area Agreement and most projects had exceeded the annual targets

21.5 The Panel had heard evidence on 24 April from the Neighbourhood Care Scheme NCS – a citywide scheme which helped people stay active alert and involved and actively put people in touch with each other. NCS also helped strengthen links and develop trust between older and younger generations and helped maintain older peoples' independence and resilience. The Head of Housing Management said NCS was a prime example of a scheme that required relatively low resourcing compared with high benefits for both volunteers and older people.

21.6 There was reassuring evidence from evaluation of people's feelings, that 50+ Community Programme activities are having a positive effect, so resourcing is continuing for this year. However funding from one year to the next may not allow for the best value from community development projects because these take time to establish. The Panel may wish to encourage the mainstreaming in partnership, of successful community projects to enable future stability of resourcing.

21.7 The Panel were aware of the 3- year discretionary grant funding process and the considerable skills that organisations needed in order to attract additional funds. Members felt that there was scope to work more closely in partnership, to improve the sustainability of community development projects that help maintain older people's feelings of safety, resilience and independence

21.8 Asked about the effect of the Council's housing allocations policy on the ability to keep families within close contact the Head of Housing Management said that with choice-based lettings, people can say where they would like to go, but as the city has limited social housing it could take a long time for people to get their preference. Officers could help older people

without social networks to move, to release family sized homes and there were good news stories of how older people's lives had been changed in this way.

21.9 A Member of the public asked about the success of choice-based lettings for older people and heard that this was being reviewed.

21.10 Members of the public asked about coverage of the community projects in the Programme and heard that the Bristol Estate project was in a neighbourhood renewal area but had not been included in the New Deal for Communities Neighbourhood Regeneration Programme. Therefore together with the police separate prevention work had been arranged for the estate. Hangleton and Knoll and Queens Park/Craven Vale were selected because of the Local Area Agreement priorities based on the highest proportion of older people and levels of deprivation, which were key areas of interaction with Primary Care Trust.

## **22. FEEDBACK RE EVIDENCE FROM OLDER PEOPLE'S MENTAL HEALTH TEAM**

22.1 As requested by the scrutiny panel, the Head of Community Safety reported back from the 24 April meeting which had heard evidence from officers from the Older People Mental Health team. The officers worked with older people with alzheimers or dementia who live in their own homes, privately rented or social housing and who, in rare cases, could be victims of crime because of mental ill health.

22.2 Despite cases being rare, the Panel did have a high level of concern because incidents could be serious and because of the possible vulnerability to abuse by carers who may be family members, or others. A potential victim would not necessarily be protected from a potential perpetrator and so may be preyed upon by a burglar or drug dealer befriending them and identifying their home as a place to use as a drug den; a relatively new crime known as cuckooing.

22.3 Statutory services did protect the needs of this small but very vulnerable group however only limited joint working between Adult Social Care and Community Safety Team had been done to put in place extra prevention and protection actions and strategies.

22.4 The Head of Community Safety reported she was one of the senior managers serving on the Safeguarding Adults Board which works with Police Representatives, and senior Health and Adult Social Care Managers. An action plan being drafted in consultation with police colleagues in the coming weeks would soon be reported to the Community Safety Forum.

22.5 Council lawyers were now using new powers, in joint operations with police, housing, landlords and the community safety team to deal with closure of premises in this type of case, especially where the resident was the victim.

The victim who was unable to protect him/herself could then go to appropriate accommodation and the offenders suitably dealt with.

22.6 Sergeant Castleton stressed that only rarely were significant powers used and then only as a last resort.

22.7 A Member of the public representing a residents association said she had been concerned about cuckooing it had taken too long to secure premises; she heard that the new protocols and working arrangements would speed up the process.

22.8 The Panel were pleased at the important work being done with care and consideration to safeguard older vulnerable people on their own premises, and that serious offenders faced the full force of the law. Members felt that this work could be shared with other local authorities.

22.9 A representative of a Tenants and Residents Association made a number of points;

- can a speaker visit his area, to reassure senior citizens about community safety and fear of crime
- nobody would know if someone with a mental illness had been allocated sheltered housing accommodation
- was community safety funding available for his area

22.10 Sergeant Castleton said mental health varied widely from minor issues to serious conditions requiring people to be 'sectioned' under the Mental Health Act; detained for treatment against their will. The Head of Housing Management replied that there was a new requirement in the Single Assessment Process for a community care assessment including mental health needs, before someone moves into sheltered accommodation. This information was shared with Sheltered Housing.

22.11 As regards fear of crime, Sergeant Castleton told the meeting that until recently this had tended to be overlooked. However actual crime levels had fallen to such an extent that this and perceptions of crime, anti-social behaviour and crime prevention measures for example design of the built environment had become more important areas of work.

22.12 The Head of Community Safety said that additional Local Action Teams could be set up. There were currently 38 and the number was growing. It was challenging for only 4-5 officers to attend all LAT evening meetings but information and support was available and LAT representatives could be co-opted onto the Community Safety Forum.

22.13 The Chair encouraged people to be involved in their LAT, where community safety issues could be raised.

22.14 Representatives of the Women's Institute and the Pensioner's Forum said that older people's fears about safety can extend to dying alone in their own homes. The Head of Housing Management said that one of values of the

50+ Community Programme was to reach large numbers of older people. The Neighbourhood Care scheme did try to identify and then support older people who may feel isolated. A Council officer was available to arrange and attend a funeral service where there was no-one else to do this.

22.15 The Head of Community Safety said this question was only on the border of community safety. The Panel could simply recommend a process whereby someone can refer an older person for an assessment of their needs. This process already worked well but perhaps greater publicity would be helpful.

22.16 A Member of the public felt that face to face contact with the public was especially important for older people. The Head of Housing Management said issues could largely be resolved by phone to make best use of resources. Not everyone needed a full care assessment and face to face help was available for more far-reaching matters.

### **23. POLICING STRATEGY**

23.1 Police Sergeant Peter Castleton handed out copies of the Local Policing Plan for Sussex 2009 – 2012 and explained to the Panel how it impacted on older people. The approach to Neighbourhood policing was:

- Being visible and accessible (enhanced teams in neighbourhoods, the public influencing our priorities and building confidence)
- Working with communities (Managing demand, enhancing supervision and delivering effective interventions) and
- Providing a quality response (building strong relationships, achieving best outcomes through partnerships and communicating effectively)

23.2 He said there was not a police officer at every corner. However the police were more accessible and visible than ever before and made professional judgements about the best policing programme. The Police Community Support Officers (PCSOs) provided a high quality response.

23.3 PCSOs worked closely with communities and Local Action Teams and with older people because they often had more time. PCSOs could signal crimes such as damage to benches and this impacts on people's feelings of safety and actual safety because criminals tended to operate in areas perceived to be lawless.

23.4 Inspector Delacour said people's confidence depended on the ability of the service to deal with matters but acknowledged that an older person may regard a 'quality response' differently compared with a younger person.

23.5 He referred to bogus callers who tended to prey on older more vulnerable people with minimum defence. They remained a day or two in an area and then moved on.

23.6 Neighbourhood Watch tended to be populated by people at home during the day, often older people being good neighbours. The service was moving away from phone- to internet-based.

23.7 Turning to a potential gap between generations he said young people need to understand better the impact they can have on others. Conversely many older people without contact with children and younger people needed to understand the younger generation better.

23.8 He said he would like to encourage older people into schools to explain how they feel about groups of children in the streets. The Panel may wish to make a recommendation on this.

23.9 Free upgrade to locks could be provided for older people without the means to do the work themselves. Advice could be given to individuals about personal safety and how to conduct themselves when out at night. Older people were least likely to become victims but they could take extra precautions, for instance with their personal belongings, he said.

23.10 As part of Sussex Police Consultation strategy, an Independent Advisory Group advises the police on the impact of critical incidents and the Police were seeking an independent person from the older community to serve on this. The Panel felt that the Older People's Council were well placed to nominate an independent older person.

23.11 Inspector Delacour said the Police were looking at other ways to contact people without access to the internet. The monthly newsletter 'The Patrol' was placed in accessible places such as doctors' surgeries.

23.12 The conduct of most young people was fine and this message needed to be promoted. For instance at Hangleton Local Action Team, Members of the Youth Council as well as older people were given a presentation. This involvement of Younger people was specially welcomed by the Panel.

23.12 Members also preferred the paper newsletter for older readers as otherwise people without use of the internet missed out on latest developments. There was concern about the move of Neighbourhood Watch to internet-based and a suggestion that older people be provided with a computer.

23.13 Mr Eyles OPC Co-optee to the scrutinypanel remarked that communications was vital. Neighbourhood Watch was one source of information. However not all publications covered the whole of the City.

23.14 Inspector Delacour said there would be a communications and media centre at police headquarters in Lewes. While there were overarching community safety messages to be communicated over the whole Division, detailed information needed to be addressed to specific areas at a very local neighbourhood level.



23.15 A Chair of a Residents Association stated that even though young people may not intend harm, even playing loud music or driving fast around the block can have much more serious consequences for older people than for younger people. There needed to be much wider recognition that older and vulnerable people were likely to have different needs and reduced tolerance levels. Earlier intervention was necessary in those cases, he said.

23.16 Another person in the public gallery said older people who have issues or concerns wanted to be better recognised and respected by public sector services. He felt that PCSOs and Neighbourhood officers should be issued with standardised business cards linked with incident numbers recorded at a call centre.

23.17 Inspector Delacour said a message could be left for a PCSO at the call centre in Lewes if the name and number are known. There was a facility on the Operational Information System which recognised a person by name from the phone number; however this was accessible only by a named senior police officer. Referrals from Adult Social Care system would be useful for example where a person was unable to speak and was feasible for some vulnerabilities. A person's phone number could be added to the OIS at the request of ASC or a relative but not all information on the ASC database could be transferred to the OIS. Officers would investigate possible options.

23.18 A questioner from the Women's Institute asking about police coverage of Preston Park and Patcham which were not generally regarded as deprived areas, heard that problems could occur anywhere. Preston Park LAT held regular meetings with PCSOs. A local councillor or local police officer could be invited to a WI meeting.

23.19 Inspector Delacour said each Neighbourhood policing area – West, East and Central had a Police Sergeant/Inspector and 20 PCSOs who integrated into the community and gathered neighbourhood information. In addition there was 24-hour police coverage for the city plus CID and other police-force-based teams.

23.20 More than 95% of police work did not involve the use of a warrant card

23.21 The Panel had received comments that older people wanted to see 'more bobbies on the beat.' However having heard evidence today, the Panel wished to collectively enforce the message that 95% of policing is about other work. There was praise for their local PCSOs from several members of the public.

23.22 A representative of the Pensioners Forum asked about providing locks for older people and it was confirmed that there was a fund to provide deadlocks where there was a need, based on a person's vulnerability.

23.23 Asked when it was appropriate to dial 999 or the general police line Inspector Delacour acknowledged that it was sometimes impossible to distinguish between high spirits and real emergencies. Officers would go

where they thought there would be a problem. False alarms were preferable to ignoring serious incidents.

23.24 There was a comment from the public gallery that reinforced the view that there were many rowdy behaviour incidents and while these may not be unlawful they can make older people feel uncomfortable or unsafe and impact on their quality of life. Everyone would become an older person and the ageing process can affect sight, hearing, mobility and perceptions.

23.25 The Chair thanked the police officers and all the speakers who had contributed to this meeting.

## **24. AREAS OF FINDINGS, RECOMMENDATIONS**

24.1 The Panel sketched out its main headline areas of recommendations and agreed to hold an informal meeting not in public, on 11 August. This would be to consider a first draft report with the intention of reporting back to the parent Committee, the Environment and Community Safety Overview and Scrutiny Committee on 14 September.

24.2 A member of the public asked for information on smoke alarms.

The meeting concluded at 4.45pm

Signed

Chair

Dated this

day of

**List of Scrutiny Panel meetings**

Scoping Meeting - 23 January 2009

Agree Chairman – note remit of Panel – agree publicity and press release – contacting older people and groups – Letter from Age Concern

Scoping Meeting - 20 March 2009

Receive PCST Scoping report and PCST papers on details of services for older people – agree witnesses and scope: contacting the vulnerable elderly, fear of crime, alcohol-related crimes and incidents, domestic violence and elder abuse and burglary artifice.

Valley Social Centre, Whitehawk, Meeting in public - 24 April 2009

Evidence from:  
Age Concern  
Neighbourhood Care Scheme  
Older People's Mental Health Team

Hove Town Hall, Meeting in public - 22 May 2009

Evidence from:  
Cllr Dee Simson, Cabinet Member  
Trading Standards  
Refuge Information Support and Education (Formerly Women's Refuge)

Brighton Town Hall, Meeting in public - 3 July 2009

Evidence from:  
Lead Commissioner for Mental Health Services, NHS Brighton & Hove  
Board Member - Cheers!? Alcohol project  
Community Engagement Framework Improvement Officer  
Senior Racial Harassment Caseworker

Brighton Town Hall, Meeting in public -10 July 2009

Evidence from:  
Head of Housing Management  
Head of Community Safety  
Representatives of Sussex Police

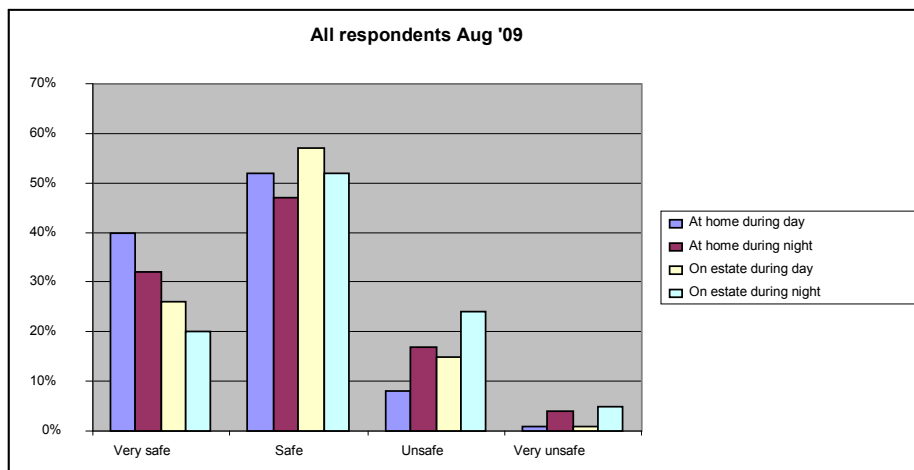
## APPENDIX 7

### Survey of outcomes of Community Development at Bristol Estate

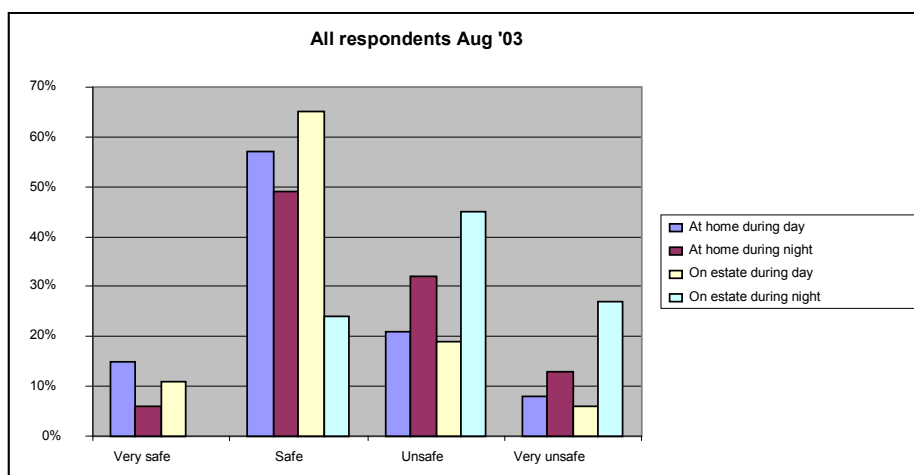
Residents on the Bristol Estate were surveyed before community development support, and then annually, being asked: How safe do you feel – At home during the day; At home during the night; On the estate during the day and On the estate during the night?

The latest survey results (August '09; see graph A below) show high percentages of households feeling safe or very safe, with households of people over 50 years of age (which relates to about a third of all households) showing little difference from all households. See graph C below.

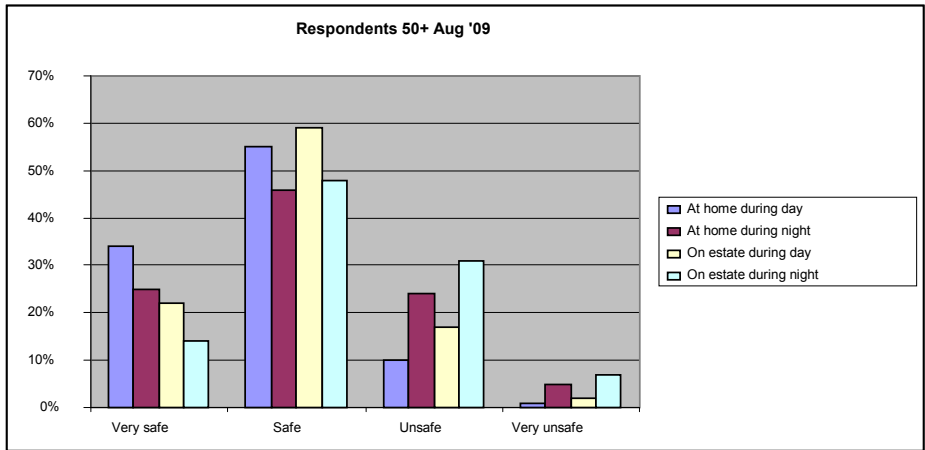
This compares with August 2003 when there were fewer households feeling safe or very safe and more households feeling unsafe or very unsafe as shown in graph B below. This 2003 survey data was not disaggregated by age.



A. Feelings of safety in August 2009 for all households who replied



B. Feelings of safety in August 2003 for all households who replied



C. Feelings of safety in August 2009 for households of people aged 50+.

*Andy Silsby  
Community Development Consultant  
Serendipity Enterprising Solutions CIC*

### Other Information Received by the Panel

#### 1. SHAG Sheltered Housing Action Group

##### **Introduction**

Below is a submission to the Older People's Community Safety scrutiny panel from the Sheltered Housing Action Group. The group is made up of tenants from across the city that live in Brighton & Hove City Council sheltered housing.

Representatives were asked to list what older people's main concerns about community safety are and what could improve matters. 26 tenants from 18 schemes took part in the consultation.

##### **Findings**

Two areas were considered a priority for older people: more police on the street and more action and information on elder abuse.

##### ***Increased Police Presence***

This was the most popular suggestion for improving community safety for older people particularly at night and in known trouble spots. It was thought that this would also help reduce graffiti and vandalism.

##### ***Elder Abuse***

Elder abuse and domestic violence was highlighted as a real concern for older people. It was mentioned that being 'bullied and picked on' by staff is a worry as is financial abuse.

The following are other suggestions made by group members:

- Better street lighting would improve community safety
- More secure windows on the ground floor of sheltered schemes
- Stop cars from parking on pavements and ramps, as wheelchair and scooter users have to go on to the road
- Excessive speeding in Winfield Avenue is extremely dangerous for residents when they cross from the bus stop, as there isn't a crossing. Also crossing the road near Hazelholt in North Portslade is a problem as it is such a busy road
- The failure of lifts and the time it takes to repair them is a problem for older people as is not getting a repair completed 'first time'

- Not having a call on a Sunday in sheltered schemes is an issue for some residents
- Door stop distraction / burglary is a concern for some older residents
- Alcohol and drug related incidents and crimes are a worry with incidents sometimes being the fault of visitors to the scheme rather than residents
- The fear of crime as opposed to actual crime was noted as having an impact on an older person's feeling of safety. It was suggested that an improvement in communication between council staff and residents could assist with this, as scheme managers are often aware of residents' fears and concerns
- Fire safety talks were suggested as a way to increase the feeling of safety within schemes
- CCTV to flats to allow tenants to see who is at their door was a recommendation from one scheme

## **2. 60+ Action Group**

The only firm messages we have so far from our groups are that a) group members are more concerned about the state of municipal services, e.g. cracked pavements, inadequate street lighting, lack of handrails in strategic places, etc. than about crime, domestic violence or alcohol; and b) they want more "bobbies on the beat" – they say that the PCSOs are "not the same". We haven't had the opportunity to explore the latter in more depth in order to find out what PCs would provide compared to PCSOs – i.e. would they feel safer, and what makes them feel unsafe?

We did discover that members were actively hostile to a speaker from domestic violence services and determined this had nothing to do with them. I suspect alcohol issues might provoke the same reaction. Bearing in mind that the average age of our members is over 70, and the great majority are widowed women, I suspect they are too uncomfortable with this type of issue to talk openly about their experiences.

### **3. Summary of Telephone Comments from residents to the Panel (Referred to officers)**

1. Numbers of police
2. Obstacles on pavement
3. Hours of Police Community Support Officers
4. Work of the Carer's Centre
5. 20 mph speed limit in town / residential areas and 40 mph speed limit on rural roads
6. Bicycle and cars obstacles on pavements
7. Feels threatened by young people out on Saturday nights
8. Phone kiosk vandalised
9. Drug dealing location
10. Night-time noise and shouting
11. Neighbour's behaviour
12. Road speed limit
13. Mobility of scooter on pavement
14. Safety and security advice/ older ethnic minorities issues
15. Elder women and domestic violence/ well-being issues
16. Reporting alcohol/drugs incidents
17. Drug dealing

### **4. Potential 'Doorstep Crime' or Rogue Trader incidents**

To contact Consumer Direct South East, the Regional Consumer Advice Line and Rapid Action Team

**Telephone 0845 040506**

### **5. Domestic Violence: RISE Refuge Information Support and Education (Formerly Women's Refuge Centre)**

Rise Helpline is 01273 - 622822. Rise website is [www.riseuk.org.uk](http://www.riseuk.org.uk)

### **6A. East Sussex Fire and Rescue Home Safety visits**

East Sussex Fire and Rescue Home Safety visits are available to all members of the community. One of the most vulnerable and therefore largest target group for East Sussex Fire and Rescue Service are the elderly and disabled.

The visits are completely free and are carried out by dedicated teams and all Firefighters. The home safety visit provides a risk assessment and advice and safety in the home.

The teams can also refer the occupier on to partner agencies for assistance with matters other than Fire Safety. Where necessary smoke alarms will be fitted free of charge.



**To arrange a visit call on 0800 1777069.**

You will be asked a few simple questions to help us provide the right service based on the individuals needs.

**6B. E-mail re Fire Assessments from Head of Community Safety, East Sussex Fire and Rescue Service**

e-mail to Mrs van Beinum  
Scrutiny Support Officer (Older People and Community Safety Scrutiny Panel)

"Thank you for your enquiry. East Sussex Fire & Rescue recently launched the "Who Cares?" campaign. The campaign is specifically targeted at carers (both professional carers and others, such as family members or members of the community) . The aim of the campaign is to generate referrals to our long-standing home safety visit service. This service is free of charge and includes (where appropriate on safety grounds) the free fitting of smoke detectors.

The home safety visit scheme is widely advertised , in publications, new papers etc, it is regularly mentioned on local radio stations and always promoted in our press releases relating to relevant incidents. That said , it is a message that bears repeating and wide promulgation. ESFRS have produce a pack which has been provided to all our (fire) Boroughs for staff to use a tool with which to engage local care workers & their managers.

ESFRS has frequent contact with a wide variety of agencies in it's effort to identify the most vulnerable in the community, for example we have many referrals made to us by the Pensions Service. We recognise that older people are the amongst the MOST vulnerable and that is exacerbated where other conditions apply , such as living alone or where a person suffers physical or other impairments. ESFRS aim (across the Service area) to complete 11,000 home safety visits each year and in addition to our operational staff we have ten dedicated community safety advisors who are primarily engaged in this work. The Service has a target of 60% of all home safety visits to be conducted at homes where an occupier is regarded as 'vulnerable' . We are meeting this target but would like to target our resources better still. There is no doubt whatsoever in our minds that the most effective way of achieving better targeting is for other agencies (such as the BHCC) to refer to us individuals who most need our assistance.

The "Who Cares?" campaign was born of circumstances in which a number of individuals did their best to assist (by specifically looking at fire risk) a very vulnerable person. No-one thought of contacting the Fire & Rescue Service. That individual later died in a home fire. We very much need carers to contact us and not rely solely upon their own best efforts.

A recent inquest in to a fire death in Brighton has resulted in the HM Coroner writing to the City Council with a view to ensuring that vulnerable people are identified and best protected. That communication has a resonance with the

outcomes of a Serious Case Review (in respect of juvenile fire deaths) and a recommendation that relevant agencies consider the issue of fire risk for those individuals that they have contact with. ESFRS would like to see all care agencies include 'fire' within their various & individual assessments as a matter of standard practice.

ESFRS are able to monitor the number of referrals that are made to us by other organisations and by that means are able to identify of those organisations that are thinking seriously about fire risk.

I would be delighted to assist the scrutiny panel in any way that they consider to be helpful. I have spoken with the ESFRS (fire) Borough Commander for Brighton & Hove, Area Manager Keith Ring and he too is very willing to ensure that opportunities to identify the vulnerable are fully exploited.

I should add that in conducting home safety visits we are able to fit specialist equipment (usually free of charge) for people with impairments and in the most extreme cases of risk we will work with partners in considering fire suppression mechanisms such as sprinklers. During our home safety visits we often identify people who need the caring services from other agencies, we therefore, make reciprocal referrals to facilitate this.

Please do not hesitate to contact Keith Ring ( email [keith.ring@esfrs.org](mailto:keith.ring@esfrs.org)) or myself for further information. We would be pleased to arrange for a presentation to be made to the panel.

Regards

**Chris Pascoe** MA,BA | Head of Community Safety | Directorate of Prevention & Protection | East Sussex Fire & Rescue Service Headquarters | 20 Upperton Road | Eastbourne | East Sussex | BN21 1EU | **Tel:** (01323) 462497 | **Fax:** (01323) 462044 | **Mobile:** 07949 285560 | **E-mail:** [Chris.Pascoe@esfrs.org](mailto:Chris.Pascoe@esfrs.org) | **Web:** [www.esfrs.org](http://www.esfrs.org) | “

As this matter is not directly within the remit of this scrutiny panel the Chair Councillor Mo Marsh has written to the Director of Adult Social Care and Housing, asking for a reply to ESFRS.

**CABINET****Agenda Item 135**

Brighton &amp; Hove City Council

<b>Subject:</b>	<b>Response to the report of the Environment &amp; Community Safety Overview &amp; Scrutiny Committee on 'Older People and Community Safety'</b>		
<b>Date of Meeting:</b>	<b>9 December 2009</b>		
<b>Report of:</b>	<b>Director of Environment</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Linda Beanlands</b>	<b>Tel:</b> 29-1115
	<b>E-mail:</b>	<b><a href="mailto:linda.beanlands@brighton-hove.gov.uk">linda.beanlands@brighton-hove.gov.uk</a></b>	
<b>Key Decision:</b>	<b>No</b>		
<b>Wards Affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Age Concern is one of a number of co-opted organisations to the Community Safety Forum. In October 2009, the Director of Age Concern raised the importance of fear of crime to older people in the city and that improved information was needed to older people about the effectiveness of work undertaken. The Forum acknowledged the importance of this issue and referred the matter to the Environment & Community Safety Overview & Scrutiny Committee. The Committee established a scrutiny panel to investigate:
- The extent to which the views of older people on community safety are known
  - The specific community safety concerns of older people
  - How older people can be helped to feel safer in the community.
- 1.2 The full report (appended), which describes the scrutiny process and summaries evidence, findings and recommendations, was considered by the Community Safety Forum at its meeting on 19 October. The Forum welcomed the report and endorsed all of the recommendations, requesting that they be brought to Cabinet for approval. To assist in that process, a draft implementation plan is also appended which when complete, will assist monitoring and review of progress in delivery of the recommendations.

**2. RECOMMENDATIONS:**

- 2.1 That Cabinet notes the evidence, findings and recommendations of the Environment & Community Safety Overview & Scrutiny Committee and its scrutiny panel, in relation to Older People and Community Safety.
- 2.2 That Cabinet agrees the actions as detailed in the implementation plan.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 For the purposes of the scrutiny, an older person was identified as anyone over 50 years of age. According to the mid year population estimates (2007), 29% of the population in the city is over 50 years of age. However, according to police recorded data in 2008/09, they experience 12% of all crime in the city showing that older people are less likely to be a victim of crime. Other information provided conclusive evidence that older people experience less crime than the rest of the population and that the likelihood decreases even further in each older age group.
- 3.2 However, while this information is reassuring, issues were identified about particular vulnerabilities of older people in their homes which gave cause for concern. The number of older people who experience domestic violence and who have increased vulnerability because of dementia are two examples. There are recommendations contained within the scrutiny report which specifically set out actions which are to address those and other specific concerns.
- 3.3 The significant finding, was confirmation of the extent to which older people's perception of crime is very much at odds with the low likelihood of being a victim or having direct experience of a crime. Feeling safe is very important to older people's quality of life and their overall health and welfare. Changing perceptions of older people, increasing their awareness of their actual level of safety and reducing their fear is therefore a high priority of the scrutiny panel and one which fully accords with the priorities of the Partnership Community Safety Team. The Team, together with Adult Social Care, will take the lead in implementing the recommendations from the scrutiny report that set out to address this issue.

#### **4. CONSULTATION**

- 4.1 Four of the scrutiny panel meetings were advertised as public meetings and provided opportunities for residents of the city to share their views and experiences. Their information was taken into account as evidence. At an early stage the panel invited a range of organisations, including the Older People's Council to give evidence and to respond to questions from panel members. Community Safety Forum meetings provided further opportunities for consultation.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 The overall approach is to deliver the recommendations within existing resources. However, the implementation plan (draft appended) will be the mechanism through which any necessary additional resources are identified. Should that be the case, the timescales of implementation will be set accordingly and a commentary included within future progress reports.

*Finance Officer Consulted: Patrick Rice*

*Date: 25/11/09*

##### Legal Implications:

- 5.2 The Crime and Disorder Act 1998 gives the police and local authority an equal duty to reduce crime and disorder and fear of crime and improve community

safety. Requirements are also placed upon partners within the Crime and Disorder reduction Partnership by this and subsequent legislation and guidance. The scrutiny process and the recommendations further the delivery of these legal provisions and convenience of users; any other matters that appear relevant to the Council.

*Lawyer Consulted:*

*Simon Court*

*Date: 02/11/09*

Equalities Implications:

- 5.3 The implementation of the recommendations will improve the lives of those who are vulnerable either because of older age, disability or ill health. The effect of policies and practices on older people are to be included within the impact assessments for some service areas, including community safety.

Sustainability Implications:

- 5.4 Implementation of the recommendations to address the findings of scrutiny will greatly assist in the overall delivery of the Community Safety, Crime Reduction and Drugs Strategy 2008-2011 in which a number of sustainability objectives are identified.

Crime & Disorder Implications:

- 5.5 The overall purpose of the scrutiny process which is the subject of these reports was to reduce fear of crime, increase understanding of effective action taken by the Crime and Disorder Reduction Partnership and to increase the safety of older people.

Risk & Opportunity Management Implications:

- 5.6 The recommendations are designed in some cases, to reduce actual risks that may be experienced by older people as well as to reassure them that are in fact, safer than they perceive. However, reducing fear of crime is in itself of benefit to the welfare of older people and therefore results in risk reduction.

Corporate / Citywide Implications:

- 5.7 The recommendations will bring benefits for all of those in the city who are over 50 years of age.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The full submission of analysis reports and evidence by the scrutiny panel facilitated consideration of options in how to address concerns that were raised. The final recommendations proposed by the panel are the final outcome of the options considered.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The recommendations for which consideration and approval is sought are as the result of scrutiny of which the Environment & Community Safety Overview &

Scrutiny Committee has had oversight. Considerable supporting evidence was provided to inform the process from the start, including an analysis report carried out by the Crime and Disorder analyst within the Partnership Community Safety Team.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Report of the Older People and Community Safety Overview and Scrutiny Panel: August 2009
2. Implementation Plan

### **Documents in Members' Rooms**

1. Report of the Older People and Community Safety Overview and Scrutiny Panel: August 2009

### **Background Documents**

1. Scoping and Analysis Reports on Older People and Community Safety: March 2009. Prepared by Partnership Community Safety Team
2. Community Safety, Crime Reduction and Drugs Strategy 2008-2011

**Implementing the recommendations from the scrutiny of Older People’s Community Safety concerns**

Recommendations	Response of Partnership Community Safety Team	Response of Primary Care Trust	Response from Adult Social Care & Housing
<p><b>1 – Information for older people</b> The panel recommends that a purpose designed booklet be provided to older people in user-friendly format to engage and inform on community safety and keeping safe.</p>	<p>The PCST will work with Adult Social Care to produce a good quality handbook for Older People.</p>	<p>In July 2009 NHS Brighton and Hove and Brighton and Hove City Council (Adult Social Care) launched <i>Information Prescriptions</i> as a six month pilot scheme. The prescriptions are a tool that can be used for both health and social care staff and will help service users to:</p> <ul style="list-style-type: none"> <li>• feel in control and independent;</li> <li>• gather information at an appropriate time, quickly and easily;</li> <li>• access information in a format that suits them; and</li> <li>• reduce the need to use health and social care services.</li> </ul> <p>Information and advice about community safety could be included in the website.</p>	<p>ASC&amp;H can contribute to the production of an information document, the content needs to be broader and examples of the publications used in Crawley and Mid Sussex and the Be Smart Be Safe Handbook were considered good practice.</p>
<p><b>2 – inter-generational initiatives</b> The Panel recommends inter-generational initiatives to help raise awareness, build resilience and feelings of safety of older people and better understanding between different age groups.</p>	<p>The PCST will work with its partners, particularly those which deliver initiatives targeted at Young People, to introduce inter-generational work where appropriate.</p>	<p>The Healthy Ageing Sub-Network (including WHO Healthy Cities, Healthy Ageing Sub-Network) The Healthy Ageing Sub-Network is to include inter-generational development in their next development programme.</p> <p>NHS Brighton &amp; Hove and Adult Social Care have are represented at the Centre for Intergenerational Practice which could be used to inform/develop initiatives.</p> <p>NHS Brighton &amp; Hove and Adult Social Care are working together on a peer support development programme being developed under the National Dementia Strategy Demonstrator Site bid.</p>	<p>ASC&amp;H can facilitate inter generational work, this happens on some Council Housing Estates and there have been links with schools and sheltered housing schemes.</p>

**Implementing the recommendations from the scrutiny of Older People's Community Safety concerns**

Recommendations	Response of Partnership Community Safety Team	Response of Primary Care Trust	Response from Adult Social Care & Housing
		This will cut across all ages and it may be possible to include issues about community safety for this vulnerable group.	
<p><b>3 – Equalities Impact Assessments</b> The Panel recommends Equalities Impact Assessments be brought forward with wide consultation with older people on policies/strategies of the Council and Partner organisations. This will help eliminate or minimise adverse impact on the mobility, independence and quality of life of older people and their ability to interact fully in society.</p>	The PCST will incorporate assessments on the effect of its policies and practices, within its wider equalities impact assessment work.	NHS Brighton & Hove have a robust programme for reviewing all policies, procedures and commissioning decisions that currently includes older people. (This process is under review).	Equality Impact Assessments are carried out and these consider the impact on older people of policies and strategies. The monitoring of EIA's must ensure the relevant emphasis is given.
<p><b>4 – Mainstreaming Successful Schemes</b> The Panel recommends that the Neighbourhood Care Scheme, and other programmes shown to be successful in working with isolated vulnerable older people, be mainstreamed.</p>	N/A	This will be considered alongside other priorities when commissioning services.	Annual funding can be problematic for some projects and some good work is lost when the monies available are for new initiatives. Mainstreaming could become part of the commissioning function to ensure VFM.
<p><b>5 – Housing Policy</b> The Panel recommends that the Council consider giving some priority for a move in an area near family or friends where support for an older person would be nearby.</p>	N/A	N/A	The review of the choice based lettings system could enable applicants to be awarded priority in relation to their ability to offer or receive acknowledged support. This would mean people could then be housed in a certain area of the City, receive support from local people and minimise their dependency on services.
<p><b>6 – Cold Calling</b> The Panel recommends that to help combat doorstep crime, Trading Standards consider the introduction of 'no cold-calling' zones in areas identified from intelligence.</p>	The PCST is in discussion with Trading Standards about whether or not this work can be implemented.	N/A	ASC&H will liaise with Trading Standards in adopting these zones, this already happens in relation to the sheltered housing schemes.



**Implementing the recommendations from the scrutiny of Older People's Community Safety concerns**

Recommendations	Response of Partnership Community Safety Team	Response of Primary Care Trust	Response from Adult Social Care & Housing
<p><b>7 – Domestic Violence</b> The Panel recommends that regular training be further developed for every professional carer and volunteer working with older people in looking for early signs of elder abuse and domestic violence.</p>	<p>The Senior Officer Strategy Group for Domestic Violence is to consider the resource implications of this recommendation.</p>	<p>Suggest that this recommendation is discussed at the Domestic Violence Senior Officers Group.</p>	<p>Ongoing training for ASC&amp;H staff to raise awareness of elder abuse and domestic violence.</p>
<p><b>8 – Information on Domestic Violence</b> The Panel recommends that additional research and analysis be carried out including with service users. This would provide the council and partner agencies with better information on the extent and nature of domestic violence involving older people and elder abuse to help further develop preventive and support services.</p>	<p>The Senior Officer Strategy Group is to consider the best means of implementing this recommendation.</p>	<p>Suggest that this recommendation is discussed at the Domestic Violence Senior Officers Group.</p>	<p>ASC&amp;H to be part of this information collection and sharing protocol.</p>
<p><b>9 – Select Committee on Dementia</b> The Panel recommends that operational protocols between agencies regarding elder abuse in cases of mental illness be referred on to the Select Committee on Dementia.</p>	<p>N/A</p>	<p>It is anticipated that this recommendation will be picked up as part of the Select Committee on Dementia.</p>	<p>It is anticipated that this recommendation will be picked up as part of the Select Committee on Dementia.</p>
<p><b>10 Racist/Religiously crimes/incidents</b> The Panel welcomes the many initiatives regarding racial harassment and older people. The Panel recommends that good practice examples such as reporting centres are extended to vulnerable older people including LGBT communities and disabled older people.</p>	<p>The PCST to implement this recommendation.</p>		<p>ASC&amp;H will ensure models of good practice are explored and adopted as appropriate.</p>
<p><b>11 – Alcohol and older people</b> The Panel welcomes the social marketing campaign on the serious health consequences of alcohol abuse by older</p>	<p>The Alcohol Strategy Group is carrying out consultation with Older People as to the most effective way of providing information and assistance to Older</p>	<p>The Cheers! report (social marketing campaign looking at alcohol consumption and older people) has informed the Alcohol and Mental Health</p>	<p>The Cheers! report (social marketing campaign looking at alcohol consumption and older people) has informed the Alcohol and Mental Health Strategies.</p>

**Implementing the recommendations from the scrutiny of Older People's Community Safety concerns**

Recommendations	Response of Partnership Community Safety Team	Response of Primary Care Trust	Response from Adult Social Care & Housing
people.	People.	Strategies.	
<p><b>12 - Social spaces for older people</b> The panel recommends that licensed and unlicensed venues be encouraged to consider offering good value daytime activities and food and drink with the aim of attracting older customers.</p>	N/A		ASC&H would look to participate in this work in relation to building communities on estates and ensuring the relevant services are provided for older people in the city.
<p><b>13 – Data on older people</b> The panel recommends to enable the Council jointly with partners target future preventative work with older people, that where possible consistent data be distinguished by age and gender for vulnerable older people. This includes alcohol-related incidents and harm, black and minority ethnic population, domestic violence, disabled, LGBT and other minority groups.</p>	The PCST to implement this recommendation within CDRP services as far as is possible.	Suggest that this recommendation is picked up through the Partnership data group (analysts working for the Council; Police, NHS Brighton & Hove etc)	Suggest that this recommendation is picked up through the Partnership data group (analysts working for the Council; Police, NHS Brighton & Hove etc). By agreeing to hold data on older people in a consistent way partners would have the ability to provide more effective analysis. This could be addressed in the council through the development of CRM corporately.
<p><b>14 - Police independent advisory group</b> The Panel recommends that the Older People's Council be asked to nominate an older person to serve on the Sussex Police Independent Advisory Group.</p>	Sussex Police are to implement this recommendation.	N/A	This request has been made to the OPC by the Police and will be discussed at their meeting 28 October 2009.
<p><b>15 - Customer relationship management</b> The Panel recommends that to facilitate contact with older vulnerable people, the Council's Customer Relationship Management system be extended to include this population group.</p>	N/A	N/A	ASC&H would need to adapt their front line services to utilise CRM to provide this improved customer service.
<p><b>16 – Consultation</b> The Panel recommends further consultation and analysis using the Community</p>	PCST to discuss this recommendation with the Policy lead of community engagement.	N/A	ASC&H would contribute to this work as required.

**Implementing the recommendations from the scrutiny of Older People's Community Safety concerns**

Recommendations	Response of Partnership Community Safety Team	Response of Primary Care Trust	Response from Adult Social Care & Housing
Engagement Framework to identify and respond to older people's specific concerns about community safety.			
<p><b>17 – B&amp;H Community Safety Crime Reduction &amp; Drugs Strategy 2008–2011</b>                      The Panel recommends that the particular needs of older people for keeping safe and maintaining independence should feature more prominently in the review of the B&amp;H Community Safety Crime Reduction and Drugs Strategy 2008 – 2011.</p>	The PCST to implement this recommendation.		ASC&H would support this as appropriate.
<p><b>18 – Monitoring Action</b>                      The Scrutiny Panel asks its parent committee ECSOSC to monitor the implementation of actions following this scrutiny review. It also requests ECSOSC to add community safety work regarding minority older groups, to its work programme.</p>	The PCST to take the lead in implementing this recommendation.	N/A	ASC&H will support this monitoring by providing the relevant details of progress made towards the recommendations.



**DRAFT EXTRACT FROM THE PROCEEDINGS OF THE CABINET MEETING HELD  
ON THE 9 DECEMBER 2009**

**CABINET**

**4.00PM 9 DECEMBER 2009**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**DRAFT MINUTES**

**Present:** Councillors Mears (Chairman), Brown, Caulfield, Fallon-Khan, Kemble, K Norman, Simson, Smith, G Theobald and Young

**Also in attendance:** Councillors Hawkes (Opposition Spokesperson, Labour Group), Randall (Convenor, Green Group) and Watkins (Opposition Spokesperson, Liberal Democrat Group)

**Other Members present:** Councillors Hamilton, Marsh, Oxley, Smart and Taylor

**135 RESPONSE TO THE REPORT OF THE ENVIRONMENT & COMMUNITY  
SAFETY OVERVIEW & SCRUTINY COMMITTEE ON 'OLDER PEOPLE AND  
COMMUNITY SAFETY'**

135.1 The Cabinet considered a report of the Director of Environment detailing the Cabinet response to the scrutiny review of 'Older People and Community Safety' (for copy see minute book).

135.2 The Chairman welcomed Councillor Marsh to the meeting. She thanked Councillor Marsh for chairing the scrutiny panel and commended the panel's report.

135.3 Councillor Simson reported that the scrutiny panel's report had been welcomed by the Community Safety Forum and its members looked forward to the seeing the implementation plan taken forward.

135.4 Councillor Marsh stated that she was pleased that the scrutiny panel's recommendations would be taken forward in conjunction with the Council's partner organisations. She thanked the Partnership Community Safety Team and in particular the Head of Community Safety. Councillor Marsh also thanked the Head of Housing Management and Mr. Jim Baker, who first raised the issue. She reported that an information booklet would be published as part of the implementation plan and that this would be accessible to all older people. She hoped that the Council would work with the business community to encourage increased social spaces and day time activities for older people. She added that monitoring of progress against the implementation plan would be key.

135.5 In relation to recommendation 10 of the implementation plan Councillor Randall

advised that the Council should be working more closely with LGBT and HIV/AIDS groups as the number of older people affected had increased. He also noted the increased problem of abuse against older people.

- 135.6 Councillor Watkins commended the report to the Cabinet in his capacity as a member of the scrutiny panel. He advised that monitoring of progress against the implementation plan would be key.
- 135.7 Councillor Caulfield explained that recommendation five of the implementation plan was partly addressed by the local lettings plans for over 50s in council housing and sheltered schemes. She requested that the recommendation be considered by the Housing Management Consultative Committee to allow tenants the opportunity to comment.
- 135.8 Councillor Simson confirmed that progress against the implementation plan would be monitored closely. She added that the Council was supportive of any third sector groups providing support to vulnerable groups.
- 135.9 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:
- (1) That the evidence, findings and recommendations of the Environment & Community Safety Overview & Scrutiny Committee and its scrutiny panel, in relation to Older People and Community Safety, be noted.
  - (2) That actions detailed in the implementation plan be agreed.

Note: This item was brought forward at the request of the Chairman and considered following item 130.

**COUNCIL**

28 January 2010

**Agenda Item 49**

Brighton &amp; Hove City Council

<b>Subject:</b>	<b>Licence fees 2010/2011</b>		
<b>Date of Meeting:</b>	<b>28 January 2010</b>		
<b>Report of:</b>	<b>Director of Environment</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Tim Nichols</b>	<b>Tel:</b> <b>29-2163</b>
	<b>E-mail:</b>	tim.nichols@brighton-hove.gov.uk	
<b>Wards Affected:</b>	All		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report sets out the proposed fees and charges for 2010/11 relating to the range of services covered by Environmental Health & Licensing.

**2. RECOMMENDATIONS:**

- 2.1 That Council approves the Fees and Charges within the schedule at Appendix A.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The budget 2010/11 assumes that income is inflated by 2%. This report aims to provide members with information on the services that are charged and the rate of increase proposed for 2010/11. The schedule of fees and charges covered by this report are set out in Appendix A.
- 3.2 The council should move to realign fees to achieve break even in the accounts. There will be a cash freeze to the sex establishment fee. Service managers benchmark with appropriate sectors on the level of charges made for services which forms part of the corporate fees and charges policy. Camden, Westminster and Bristol have higher sex shop licence fees than the council; Birmingham and Islington have slightly lower fees. The council has higher fees for sex establishments than other Sussex authorities. It is recommended that the council should freeze this year's sex establishment charge, and provide for a reduced renewal fee to recognise the reduced administration costs. It is also proposed to increase the Street Trading charges by 10% in order to recover costs over time. Any overall financial implications of this in terms of the corporate 2% expected rise will have to be dealt with within the overall Environment budget.

- 3.3 Any fees charged must be in accordance with any requirements of the legislation under which they are charged. Fees payable to the licensing authority relating to functions covered by the Licensing Act 2003 are set centrally by the Secretary of State for Culture, Media and Sport.
- 3.4 This year, the European Services Directive will take effect from the end of 2009. It aims to ensure that licence applications and procedures are transparent and burdens on business kept to a minimum. The processes must be non-discriminatory, justified, proportionate, clear, objective, made in advance, transparent and accessible. The domestic legislation will require “any charges provided for by a competent authority which the applicant may incur under an authorisation scheme must be reasonable and proportionate to the cost of the authorisation procedures and formalities under the scheme and must not exceed those procedures and formalities”. Any fee charged for establishing a service can only be based on cost recovery and cannot be set at an artificial high level to deter service sectors from an area. Application costs can include administration, initial visits, third party costs (e.g. expert advice like a vet), management costs and local democracy costs. The directive also requires that ongoing enforcement costs should be refundable in the event of an application refusal. Council should schedule regular fee reviews.
- 3.5 A principle that has underlined fee setting since 1991 is R v Manchester City Council ex p King. The case was about street trading licences but is applicable to all schemes. It indicates that fee setting is not a revenue raising provision and fees charged must be related to the scheme operated by the council. If fees levied exceed the cost of operating the scheme, the original decision remains valid provided the council reasonably considers the fees would be required to meet the total cost of operating the scheme.
- 3.6 The EU Services Directive does not apply to taxi licensing but will apply to street trading, sex establishments, animal licensing like pet shops and cosmetic piercing like tattooing.
- 3.7 The corporate fees and charges policy following Audit Commission review requires transparency for councillors informing decision making. During the process of the annual review of fees and charges for services provided should be set to recover costs including central overheads and capital financing.
- 3.8 It is proposed to freeze sex establishment fees, increase street trading fees by 10% and maintain taxi licence fees, cosmetic piercing fees and most animal welfare fees at their current level. A zoo licensing fee has been recalculated based on veterinary inspections required during the 6 year licensing period for zoos with or without dispensation.
- 3.9 Licensing authorities are responsible for setting the fees for Gambling Act 2005 premises licences. These must be calculated on a cost recovery basis. Fees must not exceed the maximums set out in the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007.



#### **4. CONSULTATION**

4.1 Council's finance officer and legal services.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

5.1 Directorates are required to carry out an annual review of fees and charges in line with corporate policy. The proposed fees and charges should result in income of around £750,000 to offset against the costs of providing the service. Councils are required to comply with the EU Services Directive. Street trading is still likely to operate at a minimal deficit in 2010-11. .

Finance Officer Consulted: Karen Brookshaw

Date: 11/01/2010

##### Legal Implications:

5.2 EU Services Directive requires non-discriminatory, justified, proportionate, clear, objective, public, transparent and accessible process for setting of fees. Fees charged for establishing a service falling within the scope of the Directive cannot be set artificially high to deter specific service sectors.

Lawyer Consulted: Rebecca Sidell

Date:

##### Equalities Implications:

5.3 There are no direct equalities implications.

##### Sustainability Implications:

5.4 There are no direct sustainability implications

##### Crime & Disorder Implications:

5.5 There are no direct crime and disorder implications.

##### Risk and Opportunity Management Implications:

5.6 None

##### Corporate / Citywide Implications:

5.7 The city council's ability to raise income impacts on the level of Council Tax and service levels and therefore has citywide implications.

#### **SUPPORTING DOCUMENTATION**

**Appendices:**

Appendix A – list of fees and charges.

**Documents In Members' Rooms:**

None

**Background Documents:**

None

Service: Environmental Health & Licensing  
 Division: Public Safety  
 Department:  
 Environment

FEEES AND CHARGES

DESCRIPTION AND BASIS OF PROPOSED CHARGE	2009/10 CHARGE PER UNIT	2010/11 PROPOSED CHARGE PER UNIT	% INCREASE
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**DESCRIPTION AND BASIS OF PROPOSED CHARGE**

**Skin Piercing Fees : Cosmetic Piercers**

Acupuncturist - Premises	116.00	116.00	0.0%
Tattooist, ear piercing - Premises			
Each additional piercer			
Body Piercing, ear piercing - Premises inc one person			
Each additional piercer			

**Street Trading :**

Upper Gardner Street	524.00	576.40	10%
Zone B (mobiles)	628.00	690.70	10%
Zone A (42 sq.ft.)	3594.00	3953.40	10%
Zone A (50 sq. ft.)	4312.00	4743.20	10%
Street artists	30.00	33.00	10%

**Street Trading :**

Miscellaneous short term consents	30.00	33.00	10%
Farmers Market - Per Stall	227.00	249.70	10%

Small Street Market	300.00	330.00	10%
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**Other**

Sex Establishment Grant	11837.00	11837.00	0%
Sex Establishment Renewal	11837.00	10061.45	-15%
Occasional Sex Establishment	4044.00	4044.00	0%

**Animal Welfare**

Licence fees :

animal boarding	167.00	170.00	2%
dangerous wild animals	199.00	203.00	2%
dog breeding	41.00	42.00	2%
export licences	50.00	51.00	2%
pet shops	111.00	113.00	2%
riding establishments	262.00	267.00	2%
zoo		4500.00	
zoo (with dispensation)		2500.00	
Dog Fouling- Fixed penalty			
Noise Pollution- Fixed Penalty			

**Vehicle Licensing**

Hackney carriage vehicle	180.00	180.00	0%
Private hire vehicle	157.00	157.00	0%
Substitute vehicle fee	29.00	29.00	0%
Drivers initial-Hackney Drivers	66.00	66.00	0%
Drivers renewal-Hackney drivers	44.00	44.00	0%
Private hire - Initial drivers	66.00	66.00	0%
- renewal drivers+A148	44.00	44.00	0%
Private hire operator			
- 1 to 2-Operators License Single	56.00	56.00	0%
- over 2 -~operators License Multiple	197.00	197.00	0%

Each additional external plate	28.00	28.00	0%
Temporary Hackney Carriage / Private Hire Drivers Licence	11.00	11.00	0%
CRB Fees	38.00	38.00	0%
Plate Deposit-Hackney Carriage	38.00	38.00	0%
Plate Deposit-Private Hire	28.00	28.00	0%

<b>Gambling Act 2005</b>	2009/10 CHARGE	2010/11	
	PER UNIT	PROPOSED	
	As table below	CHARGE PER UNIT	% INCREASE
		No change	No change

**Table of Premises Licence Fees for Brighton & Hove Licensing Authority**

Classes of Premises Licence	Reg. 4(2)(a) Conversion - fast track	Reg. 4(2)(b) Conversion - non fast track	Reg. 5(2)(a) Non Conversion -Provisional Statement Premises	Reg. 5(2)(b) Non Conversion - Other Premises	Reg. 6 and Reg. 8 First Annual and Annual Fees	Reg. 10 Change of Circumstance	Reg. 11 Variation	Reg. 12 Transfer	Reg. 13 Copy of Licence	Reg. 14 Reinstatement	Reg. 15 Provisional Statement
<b>Regional Casino</b>	n/a	n/a	n/a [8,000]	n/a [3,000]	n/a [15000]	n/a [50]	n/a [7,500]	n/a [6,500]	n/a [25]	n/a [6,500]	n/a [15,000]
<b>Large Casino</b>	n/a	n/a	n/a [5,000]	n/a [3,000]	N/a [10000]	N/a [50]	n/a [5,000]	n/a [2,150]	n/a [25]	n/a [2,150]	n/a [10,000]
<b>Small Casino</b>	n/a	n/a	n/a [3,000]	n/a [3,000]	N/a [5,000]	n/a [50]	n/a [4,000]	n/a [1,800]	n/a [25]	n/a [1,800]	n/a [8,000]

<b>Existing Casino</b>	£260 [300]	£1,155 [2,000]	n/a	n/a	£1,500 [3,000]	£11.55 [50]	£1,155 [2,000]	£1,155 [1,350]	£11.55 [25]	£1,155 [1,350]	n/a
<b>Bingo Premises</b>	£260 [300]	£1,155 [1,750]	£577.50 [1,200]	£1,155 [3,500]	£500 [1,000]	£11.55 [50]	£1,155 [1,750]	£1,155 [1,200]	£11.55 [25]	£1,155 [1,200]	£1,155 [3,500]
<b>AGCs</b>	£260 [300]	£1,000 [1,000]	£577.50 [1,200]	£1,155 [2,000]	£500 [1,000]	£11.55 [50]	£1,000 [1,000]	£1,155 [1,200]	£11.55 [25]	£1,155 [1,200]	£1,155 [2,000]
<b>Betting – Tracks</b>	£260 [300]	£1,155 [1,250]	£577.50 [950]	£1,155 [2,500]	£500 [1,000]	£11.55 [50]	£1,155 [1,250]	£950 [950]	£11.55 [25]	£950 [950]	£1,155 [2,500]
<b>FECs</b>	£260 [300]	£1,000 [1,000]	£577.50 [950]	£1,155 [2,000]	£375 [750]	£11.55 [50]	£1,000 [1,000]	£950 [950]	£11.55 [25]	£950 [950]	£1,155 [2,000]
<b>Betting - Other</b>	£260 [300]	£1,155 [1,500]	£577.50 [1,200]	£1,155 [3,000]	£300 [600]	£11.55 [50]	£1,155 [1,500]	£1,155 [1,200]	£11.55 [25]	£1,155 [1,200]	£1,155 [3,000]
<b>Lotteries - New</b>								£40.00	*	£40.00	0.00
<b>- Renewal</b>								£20.00	*	£40.00	0.00

Prices shown in pounds (£) are the relevant fees in Brighton & Hove only; prices in square brackets are legal maximum levels for information.

**COUNCIL**

28 January 2010

**Agenda Item 50**

Brighton &amp; Hove City Council

<b>Subject:</b>	<b>Community Safety, Crime Reduction and Drugs Strategy 2008- 2011</b>		
<b>Date of Meeting:</b>	<b>28 January 2010</b> Cabinet 14 January 2010		
<b>Report of:</b>	<b>Director of Environment</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Linda Beanlands</b>	<b>Tel:</b> 29-1115
	<b>E-mail:</b>	<b><a href="mailto:linda.beanlands@brighton-hove.gov.uk">linda.beanlands@brighton-hove.gov.uk</a></b>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No: CAB13689</b>	
<b>Wards Affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE/ EXEMPTIONS****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The Crime and Disorder Act 1998 and subsequent guidance, requires that on behalf of the Crime and Disorder Reduction Partnership, the local authority publish a three yearly Community Safety, Crime Reduction and Drugs Strategy for its area. Each Strategy is to set out the crime reduction and safety priorities and the action plans for their delivery based on annual strategic assessments and the identified concerns of local communities and communities of interest. This report presents the Community Safety, Crime Reduction and Drugs Strategy 2008 – 2011, for Council approval (appendix 2).

**2. RECOMMENDATIONS:**

- 2.1 That Cabinet recommends Council to give approval to the priorities within the Community Safety, Crime Reduction and Drugs Strategy 2008 -2011 and to the action plans for the delivery of those priorities (see Cabinet resolution at appendix 1).

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The Community Safety, Crime Reduction and Drugs Strategy, firstly sets out its overarching key aims which are to:
- Reduce crime, including serious violent crime
  - Reduce anti-social behaviour and crimes which matter most to people
  - Reduce fear of crime and improve public confidence
  - Tackle underlying causes and harm from alcohol and drugs
  - Take early action to prevent crime and reduce re-offending

- Deliver visible justice, including enabling offenders to participate in restorative justice and community payback
- 3.2 The Strategy also commits to quality of service delivery and in doing so, closely references the ‘Hallmarks’ of effective partnership working which are required of Crime and Disorder Reduction Partnerships and on which performance is measured. Also described, is how the work makes best use of resources to achieve value for money in the delivery of its crime reduction activities and how targeted approaches are incorporated together with those that address inequality. The Strategy sets out each of the crime and safety areas of activity which are to be prioritised within the three year period and the delivery plans for each priority. They are summarised as:
- 3.3 **Physical Environment, Infrastructure and Quality of Life**
  - 3.3.1 Reduce criminal damage and visible crimes which matter most in neighbourhoods.
  - 3.3.2 Improve perceptions and public confidence through effective communication and community engagement.
  - 3.3.3 Target those with the greatest fear of crime: young people and older people.
  - 3.3.4 Build the capacity of local people to work together to participate in the CDRP and support the network of Local Action Teams.
- 3.4 **Anti-Social Behaviour**
  - 3.4.1 Consistent, city wide delivery of successful approaches of prevention, support, diversion and enforcement through delivery of integrated services.
  - 3.4.2 Prevent and reduce anti-social behaviour by children and young people and their entry into the youth justice system through youth crime prevention (‘Challenge & Support’) within the Integrated Youth Support Service.
  - 3.4.3 Sustain and extend excellent outcomes of Family Intervention Project, targeting those households most at risk and integrate with Family Pathfinder to achieve systems change.
  - 3.4.4 Continue to support police Operations on serious crimes such as Closure of Premises.
- 3.5 **Children and Young People**
  - 3.5.1 In partnership with the Local Children Safeguarding Board, reduce DV as an underlying cause of child protection registrations.
  - 3.5.2 Sustain partnership working with the Youth Offending Service, Restorative Justice, Challenge and Support, and the Integrated Youth Service to reduce first time entrants into the youth justice system.
  - 3.5.3 Anti-Social Behaviour Team and RUOK to reduce risks to children and young people from excessive drinking.



**3.6 Alcohol Misuse and Alcohol Related Crime and Disorder (Brighton & Hove is a 'National Alcohol Priority Area')**

- 3.6.1 Local Alcohol Strategy to provide a commissioning and performance management framework and delivery plan.
- 3.6.2 Raise awareness of harmful effects through sustained campaigns to achieve change and create 'a new generation of young people who are able to resist alcohol misuse'.
- 3.6.3 Continue best practice regulation, management and partnership working in the night time economy.
- 3.6.4 Provide interventions and support to young people who drink to excess.
- 3.6.5 Further develop the Community Alcohol Team and specialist staff within mainstream health care services.
- 3.6.6 Reduced levels of domestic and sexual violence where alcohol is a significant factor.
- 3.6.7 Develop and mainstream skills of all workers to identify, assess and respond

**3.7 Illicit Drugs Misuse Action plan is to deliver on the two challenges of reducing supply & demand as set out in the National Strategy (2008)**

- 3.7.1 Protection of communities through robust enforcement to tackle drug supply, drug related crime and anti-social behaviour.
- 3.7.2 Prevention of harm to children, young people and families affected by drug misuse.
- 3.7.3 Delivery of new approaches to drug treatment and social re-integration.
- 3.7.4 Public information campaigns, communication and community engagement

**3.8 Acquisitive Crime: Burglary, Theft and Business Crime**

- 3.8.1 Sustain effective outcomes of Operation Reduction which reduce acquisitive crime.
- 3.8.2 Sustain Operation Inroad which provides an enhanced response to victims of distraction burglary together with provision of security measures.
- 3.8.3 Raise standards of city centre car parks.
- 3.8.4 Sustain partnership approaches with the Business Crime Reduction Partnership in both the daytime and night time economy.

### **3.9 Hate Crime and Incidents (Race, Religion and LGBT)**

- 3.9.1 Sustain work to build trust and confidence, increase reporting and quality casework services to victims: mainstream understanding and good practices throughout services in the City.
- 3.9.2 Prevent and deter offenders, reduce repeat offending through improved rates of detection and court outcomes.
- 3.9.3 Deliver targeted initiatives to those most vulnerable.
- 3.9.4 Promote community cohesion, building bridges across ethnic groups and faiths.

### **3.10 Hate Crime for those with disabilities**

- 3.10.1 Extend all hate crime interventions to include those targeted as a result of their disability.
- 3.10.2 Increase public awareness and pursue equality, empowerment and social inclusion.

### **3.11 Building Resilience to Violent Extremism**

- 3.11.1 Support the Prevent Partnership Group in delivery of interventions to achieve a shared vision to 'protect the City of Brighton & Hove; that is what binds and unites us as citizens' as well as delivery of Prevent objectives.
- 3.11.2 Increase engagement with faith communities and a positive understanding of the perspectives of all faiths within the city.
- 3.11.3 Extend partnership working to include Universities and Colleges.
- 3.11.4 Deliver specialist programme of support and learning within schools.

### **3.12 Domestic Violence**

- 3.12.1 Sustain specialist services and accredited court and perpetrator programmes which support the Anti-Victimisation Unit to achieve increased protection and rates of prosecution and conviction.
- 3.12.2 Integrate work with CYPT and health providers, placing specialist in A& E.
- 3.12.3 Develop work with Brief Interventions Service for survivors and perpetrators.
- 3.12.4 Extend activities to address violence against women and girls.

### **3.13 Serious Sexual Offences and Abuse**

- 3.13.1 Increased specialist support to victims, reporting and number of offenders brought to justice.
- 3.13.2 Targeted work to decrease risks heightened by alcohol misuse

- 3.13.3 Support police to deliver interventions to reduce risks to sex workers
- 3.13.4 Support Women's Services Strategic Network to develop services for victims and offenders and extend activities to deal with violence against women and girls.
- 3.14 Prolific and Priority Offenders**
  - 3.14.1 Sustain the reduction of offending by priority and prolific offenders, increasing their ability to successfully change their lives and rehabilitate and resettle into communities.
  - 3.14.2 Deter young people from becoming repeat offenders.
  - 3.14.3 Extend successful good practices to the management of all offenders in the City (Integrated Offender Management).

#### **4. CONSULTATION**

- 4.1 The views of Local Action Teams and Forums which include those representing communities of interest are taken into account throughout the year at regular meetings attended by police and community safety officers. The results of surveys (such as the Place Survey) are also taken into account.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 In preparing the action plans for each of the priority crime reduction areas, careful consideration is given to resource implications. The Crime and Disorder Reduction Partnership manages a pooled budget which allocates available resources to achieve the most cost effective and beneficial outcomes for the overall achievement of crime reduction and improved safety in the city.

*Finance Officer Consulted: Jill Spedding Date: 09/12/09*

##### Legal Implications:

- 5.2 The Council is required within the provisions of the Crime and Disorder Act 1998, to publish a three year Community Safety, Crime Reduction and Drugs Strategy. The Strategy for 2008 -2011 accords with legislative requirements.

*Lawyer Consulted: Simon Court Date: 09/12/09*

##### Equalities Implications:

- 5.3 Addressing inequality and building community cohesion is central to the delivery of the programme of work achieved by the delivery of the priority areas within the Strategy. The findings of the Inequality Review have informed the preparation of the Strategy.

#### Sustainability Implications:

- 5.4 Each crime and safety priority area, identifies how its delivery contributes to the delivery of the Sustainability Strategy for the City.

#### Crime & Disorder Implications:

- 5.5 The Community Safety, Crime Reduction and Drugs Strategy complies with statutory requirements including the duty placed upon the local authority to work in partnership with the police to reduce crime and improve safety within its area.

#### Risk & Opportunity Management Implications:

- 5.6 The Strategic Assessment on which the Community Safety, Crime Reduction and Drugs Strategy is based assesses risk and opportunity for achieving crime reduction and improved safety by applying analysis within the National Intelligence Model.

#### Corporate / Citywide Implications:

- 5.7 The Community Safety, Crime Reduction and Drugs Strategy is a city wide, cross cutting strategic plan which acknowledges within it, the relationship with other strategic or 'parallel' plans. The Strategy also clearly sets out the targets and indicators which aim to be achieved by its delivery and those which are included within the Local Area Agreement.

### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The basis for the preparation of the Strategy is a Crime and Disorder Reduction Partnership strategic assessment of crime and disorder within the National Intelligence Model. Evaluating alternative options is therefore fully considered within that process.

### **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 There is a statutory requirement to prepare and publish a three yearly Community Safety, Crime Reduction and Drugs Strategy which is also required to be approved by Council.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Extract from the minutes of the Cabinet Meeting held on the 14 January 2010.
2. Community Safety, Crime Reduction and Drugs Strategy 2008 -2011.

### **Documents in Members' Rooms**

1. Community Safety, Crime Reduction and Drugs Strategy 2008 -2011

### **Background Documents**

None

**DRAFT EXTRACT FROM THE PROCEEDINGS OF THE CABINET MEETING HELD  
ON THE 14 JANUARY 2010**

**CABINET**

**4.00PM 4 JANUARY 2010**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**DRAFT MINUTES**

**Present:** Councillors Mears (Chairman), Brown, Caulfield, Fallon-Khan, Kemble, K Norman, Simson, Smith and Young

**Also in attendance:** Councillors Hawkes (Opposition Spokesperson, Labour Group), Randall (Convenor, Green Group) and Watkins (Opposition Spokesperson, Liberal Democrat Group)

**Other Members present:** Councillors Bennett, Davis, Older and Oxley

**155 COMMUNITY SAFETY, CRIME REDUCTION AND DRUGS STRATEGY 2008-2011**

155.1 The Cabinet considered a report of the Director of Environment presenting the Community Safety, Crime Reduction and Drugs Strategy 2008 – 2011 (for copy see minute book).

155.2 Councillor Hawkes thanked the Partnership Community Safety Team and the Council's Head of Community Safety for putting the strategy together.

155.3 In response to a question from Councillor Hawkes, Councillor Brown advised that a review of youth services was taking place. Officers would be working closely with the Partnership Community Safety Team and that she did not expect there to be a change to the area based approach to youth services.

155.4 Councillor Randall commented that there was a need to concentrate efforts nationally and locally on educating people about the dangers of alcohol abuse and the link to violent behaviour. He also hoped that the Council and its partners would find the resources to tackle the problem of hate incidents targeting disabled people as detailed in the strategy.

155.5 Councillor Simson explained that the Licensing Act meant that it was difficult for the Council to limit the availability of cheap alcohol, but that Licensing Panels were committed to using the powers at their disposal. She added that new services within the city had joined forces with the Council to help tackle over-consumption of alcohol and that measures were in place.

155.6 Councillor Watkins commented that it would be necessary to defend vital youth services from the prevailing economic circumstances in order to protect the futures of the city's residents.

155.7 The Chairman explained that Councillor Simson was committed to youth work and that the budget contained a separate proposal to ring fence funding for targeted youth work.

155.8 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendation:

- (1) That the priorities within the Community Safety, Crime Reduction and Drugs Strategy 2008 -2011 and the action plans for the delivery of those priorities be recommended to Council for approval.

Brighton & Hove

# Community Safety, Crime Reduction and Drugs Strategy

2008 - 2011

Revised 2009



Brighton & Hove  
**Community Safety, Crime Reduction and Drugs Strategy**  
2008 - 2011

First revision

CDRP contact details:

**Safe in the City Partnership**  
**Partnership Community Safety Team**  
162 North St  
Brighton BN1 1EA

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[www.safeinthecity.info](http://www.safeinthecity.info)

Our thanks go to:

All partners who have contributed to the development of this Strategy  
All residents and organisations who have participated in the consultation process



## Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11

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## Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11

# F oreword

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### Aim of the Strategy

This strategy aims to make the city safer by

- > reducing crime, including serious violent crime;
- > reducing anti social behaviour and those crimes that matter most to people;
- > reducing fear of crime and improving public confidence;
- > tackling underlying causes of offending and reducing harm from drugs and alcohol;
- > taking early action to prevent crime and reducing re-offending; and
- > achieving visible justice, including offenders participating in restorative justice and community payback

.... and so improve the quality of life for all those who live in, work in or visit Brighton & Hove.

### Why we are producing the Strategy

Crime remains a top public concern in Britain; only the economy ranks higher. In Brighton & Hove, a low level of crime is the factor most chosen by residents that 'makes somewhere a good place to live'.

In neighbourhoods, action plans which identify what most needs to be done to improve the locality, include actions to address local disorder and anti-social behaviour, the effects of alcohol and drug misuse and improvements to the local physical environment. How streets and public spaces look makes a big difference to how safe people feel and their quality of life. We also know these concerns effect perception of crime and levels of public confidence in the ability of the police, council and other agencies keeping people safe.

Continually striving to improve performance and outcomes is the job of Brighton & Hove Local Crime & Disorder Reduction Partnership (Safe in the City Partnership). A starting point is undertaking each year, a Strategic Assessment and analysis of data, intelligence and information from local people. We assess what all that information is telling us, what matters most and is of the greatest concern for the City. Having done that we prepare a partnership plan, a Community Safety, Crime Reduction and Drugs Strategy. This is our fourth strategy. It covers the period from April 2008 to March 2011. The current document is the first revision of the strategy originally produced in 2008.

### National context

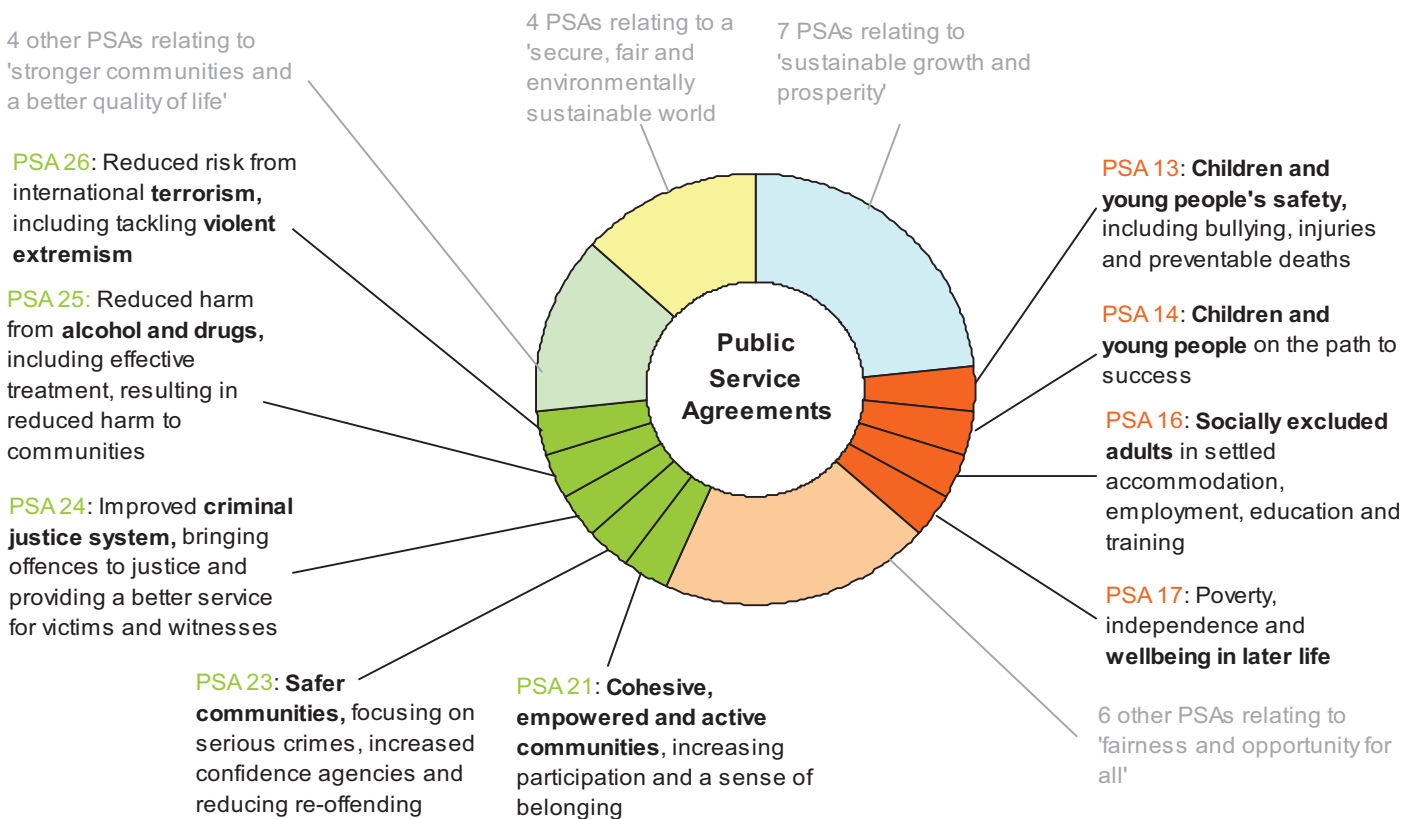
The Government acknowledges that since 1998 (Crime and Disorder Act) partnership working has contributed to a sustained fall in crime. With improved performance nationally on reducing all types of crime and its root causes, the landscape against which we are all working has significantly changed. However, public perception of these good outcomes and the extent to which they may become a victim of crime or be effected by it, has not kept pace with actual good performance. We also need to remain alert to the potential of economic conditions adversely impacting on our good progress.

**Foreword**

In May 2009, The Government brought these considerations together with the findings of important reviews and published "Cutting Crime: Two Years on". The 'sharpened priorities' that are identified in this document are reflected in our overall aims and throughout this strategy. The 'New Developments and Focus of this Strategy' section below particularly summarises these new challenges. In addition, the Home Office 'Guide to Effective Partnership Working' (2007) describes requirements and recommended best practice for CDRPs in the form of 'Hallmarks for Effective Partnership Working'. We continue to take these into account in preparing this strategy and particularly in establishing the way the Safe in the City Partnership works in Brighton & Hove (see next section on page 8 for further details).

The Public Service Agreements Priority Outcomes are set out within the 2007 Comprehensive Spending Review. The Safe in the City Partnership contributes to the delivery of many of these outcomes.

**Priority Outcomes set out in the Government's Comprehensive Spending Review 2007, showing those which relate to crime and community safety**



These government priorities are also reflected in the Local Area Agreements which are negotiated between central government and each local authority area for the period 2008-11. The 35 targets in the Brighton & Hove Local Area Agreement include targets around alcohol harm, drugs misuse, perceptions of anti-social behaviour, first time entrants to the youth justice system, domestic violence and prolific offenders. However, there were originally a total of 198 National Indicators (NIs) (subsequently reduced) on which all Local Strategic Partnership areas are required to report and on which performance will be monitored. The work in this strategy will help deliver on many of these indicators. Those indicators where the CDRP has the lead role or are most relevant are listed under each priority area in the present strategy.

## Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11

### New developments and focus of this Strategy

Our strategy has taken into account and will deliver on the government's priorities as well as those identified within the Brighton & Hove Strategic Assessment and on those that matter most to local people. They are:

- > Reduce fear of crime and improve public confidence, including within the criminal justice system. Provide more information about what we are doing to deal with crime and anti-social behaviour and increase community engagement.
- > Increasing Integrated Offender Management approaches, particularly within those targeted initiatives where there is strong evidence of good crime reduction outcomes. These include the Drug Intervention Programme, PPO Project and Operation Reduction which tackles illicit drugs misuse through combining enforcement with access to treatment and resettlement services.
- > Focusing on the root causes of crime and disorder, intervening at the earliest stage to prevent its escalation; this is particularly important in relation to dealing with violent crime and anti-social behaviour.
- > Increasing interventions to address the root causes of offending and re-offending, including addressing excessive drinking and the harm that comes from alcohol misuse.
- > Delivering Family Intervention and parenting programmes in order to support families, particularly where children and young people are identified as likely to offend and become first time entrants into the youth justice system: the interventions will include where appropriate, putting in place parenting contracts and Orders alongside other enforcement powers delivered by the Anti-Social Behaviour Team.
- > Identify and address the risks that can result in children and young people becoming victims and, in a minority of cases, offenders. The CDRP is working in close partnership with the Children and Young People's Trust as the new Targeted Youth Support Service and Youth Crime Prevention Service and panels are established throughout the city.
- > Delivering work to tackle sexual violence and abuse in all contexts and in according to national guidance; this is a new priority for the CDRP and we recognise the variety of circumstances in which it can occur and in particular its relationship with domestic and gender based violence.
- > Continuing to build on the progress made in dealing with domestic violence. National accreditation has been awarded for Brighton & Hove's services which include our specialist domestic violence courts, risk assessment and case conferencing arrangements, independent advisors and outreach services. They provide a real opportunity to be increasingly effective in dealing with this unacceptable crime which damages many lives.
- > Targeting new work towards those who are most vulnerable either as a result of age (we know that while older people are less likely to be a victim of crime, the impact is severe when that does occur) and to those who suffer because of physical, sensory or learning disability.
- > Developing further our work to 'build resilience to violent extremism' according to national requirements as set out in Contest 2, the Governments wider Terrorism Strategy. This work has a close relationship with many of our existing activities that aim to foster trust and confidence in communities, protect those who suffer prejudice because of their race or religion, and to promote understanding between communities of different faiths and ethnicities. The work also makes a significant contribution to the wider agenda of community cohesion.
- > Sustaining effective working of the Environment Improvement Team and the Communities Against Drugs Team which achieve excellent results in identifying and responding to local problems in neighbourhoods. Both teams aim to put in place improvements to the physical

## Foreword

environment and support to local communities which make a real difference to people's lives and reduce the likelihood of crime and disorder.

- > Increase community engagement, and support to Local Action Teams and community led Forums such as the Racial Harassment Forum.

### Links with other strategies and achieving more with combined resources

A wide range of work carried out by other agencies and strategic partnerships contribute to delivering the crime reduction and safety priorities set out in this Strategy. Action plans and work programmes of those partner agencies which overlap most closely with those set out in this Strategy, are identified in each priority crime area section.

In the delivery of our new Community Safety, Crime Reduction and Drugs Strategy, the CDRP will pay particular attention to addressing and delivering within the context of the findings of the Inequality Review of Brighton & Hove. The Review identifies key issues and inequalities across the city as well as for particular neighbourhoods and communities. Findings that are particularly relevant for the CDRP to consider are broadly grouped within the following headings:

- > the changing demography of the city (a projected population increase of 300,000 by 2029)
- > a changing population profile (an estimated increase of 35% between 2001 and 2004 in the number of those within a Black and minority ethnic category)
- > a fast growing economy but the city having some of the most significantly deprived areas in England and high levels of inequality

Particular attention is also given to the way in which this crime reduction strategy supports the city's Sustainability Strategy and how our work will make a difference to addressing environmental, social and economic sustainability. The way in which this can happen is set out within each of our priority crime areas.

### Taking the Strategy forward and monitoring progress

This strategy is divided into crime reduction and safety priority areas. Lead officers have been assigned to each area who will co-ordinate and 'progress chase' actions within the work programmes. Those lead officers will work closely with partnership groups whose members have particular expertise. Those support groups meet regularly and help ensure progress is maintained.

Measures of success help us monitor and measure progress against targets and stated objectives for each area. Action Plans for each priority area provide details of the work planned to achieve outcomes. Full Action Plans are produced which set out outputs, targets, milestones and timescales, as well as who is responsible for individual actions and resources required.

Progress on performance related to the Strategy is reported to the Safe in the City Partnership on a quarterly basis and a summary report is available on the Partnership's website.

**Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

# **E**nsuring an Effective Partnership

**Objective: To ensure an effective Crime & Disorder Reduction Partnership (Safe in the City Partnership) which maximises capacity to deliver the crime reduction and safety priorities of those who live, work and visit Brighton & Hove, as well as meeting statutory requirements**

The Crime and Disorder Reduction Partnership (CDRP) is required to ensure that it has the capacity and capability to deliver the priorities and objectives that are set out in this Strategy. While the CDRP in Brighton & Hove is regarded as a mature and effective partnership, it is imperative that we sustain our understanding of the full breadth of crime and community safety issues in the city and that we can demonstrate effective action to deal with them. We remain focused on continuing to improve our skills and processes to perform better and continue therefore to strive to work within the ‘Hallmarks of Effective Partnerships’ to review and restructure the principles of the way in which we work. These Hallmarks are set out below, together with some activities that we will be undertaking to maximise capacity and performance in the coming three years.

**Hallmark 1. Empowered and effective leadership**

Brighton & Hove’s Safe in the City Partnership, led by the Chief Executive and Divisional Police Commander is the responsible authority which ultimately signs off and commits to the implementation of this Strategy. The Partnership incorporates the work of the Drug and Alcohol Action Team with that of dealing with crime and disorder and focuses on the misuse of alcohol and drugs. The Partnership, which meets quarterly, includes senior representation from the ‘responsible authorities<sup>1</sup>’ as well as from other key experts and partners in the city including the Lead Cabinet Member for community safety and the Community and Voluntary Sector Forum. The Partnership is focused on ensuring that strategically, all partners are working towards common goals and shared priorities, that performance is evaluated and problem solving is shared across the partnership. There are strong links with the Children and Young People’s Trust Board. The Partnership is aligned with the Local Strategic Partnership, Public Service Board and their priority setting and business planning decision processes and with those of the Public Service and Local Area Agreement processes.

<b>Empowered and effective leadership: Direct work to address current concerns while also building up sustainable solutions</b>
Further actions to support Hallmark 1
1.1 Conduct an annual review to ensure that the partnership has the appropriate skills, knowledge and resources to meet the statutory requirements; consider the development of a work force development plan
1.2 Ensure that protocols and arrangements for information sharing, including for sharing personal information where necessary and proportionate, are in place and being utilised to full effect for all delivery partners, including for example registered social landlords and Women’s Refuge Project
1.3 Improve joint working with Sussex Criminal Justice Board and Criminal Justice agencies

<sup>1</sup> The responsible authorities are: Sussex Police Authority; Sussex Probation Service; East Sussex Fire and Rescue Service; Brighton & Hove Police Division; the Primary Care Trust and Sussex Partnership Trust; and the Local Authority.

**Ensuring an Effective Partnership****Hallmark 2. Intelligence-led business processes**

The CDRP is responsible for preparing an annual strategic assessment. Strategic assessments must include community intelligence, as well as recorded crime and information from a broad range of other sources (including from the police, demographic information sources, Accident and Emergency and ambulance data, community surveys, public meetings, Local Action Teams and so on). A 'stock take' on delivery of previous community safety activities is also included in strategic assessments. The findings of the 2007 and 2008 strategic assessments provided the basis on which CDRP priorities are selected and fed into the Local Area Agreement process and informed decision making about the allocation of resources.

A Partnership Operational CDRP meets regularly to monitor and respond to trends and patterns of crime and disorder, consider performance and analysis reports and discharge partnership tasks to deal with hot-spots and problems identified. Day to day operational practice accords with the National Intelligence Model and arrangements are in place to deliver an intelligence-led, problem solving approach to enable accurate identification of problems and develop targeted solutions. An example includes the collation and analysis of information in relation to young people who are identified through youth disorder and anti-social behaviour operations, the purpose of which is to plan partnership operations and to identify those young people who are most in need of early interventions to support changes in behaviour as well as the small number for whom enforcement action is necessary. Dedicated analysts are in place for some areas, including for drugs and anti-social behaviour.

<b>Intelligence-led business processes: Work is prioritised and targeted according to the findings of analysis, proven best practice and the views of local people</b>
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Further actions to support Hallmark 2
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2.1 Further increase sources of community intelligence. Develop and embed arrangements for analysing and utilising this and other local data in the identification of problems and targeted solutions
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2.2 Consult, listen and respond to the views of local communities and communities of interest Those communities who are usually under-represented in consultation to be targeted where possible.
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2.3 Ensure the CDRP has flexibility to be able to respond to new analysis and findings
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2.4 Support and encourage information/intelligence sharing between members of partnership, ensuring compliance with legal requirements. Ensure that, as required by new regulations, data disclosure and analysis of depersonalised datasets are incorporated into the Operational CDRP arrangements on a quarterly basis
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2.5 Distribute information on crime and disorder hotspots and victim profiles between all partners who can contribute to developing solutions through the Operational CDRP and other multi-agency groups and information sharing procedures
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2.6 Learn about best practice through published material and adopt successful methods where they might translate to local circumstances
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2.7 Monitor performance against targets and actions in the CDRP's strategy and keep track of other performance indicators. The Operational CDRP to receive regular progress updates
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2.8 Plan for and carry out an annual strategic assessments to check priorities against new information, emerging trends and the views of communities and manage risk. Integrate more closely the production of the strategic assessment with the police National Intelligence Model annual assessment
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2.9 Evaluate and explore lessons learned from previous projects and interventions, including those that have been successful, and use this information to inform the future direction of work
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2.10 Monitor the performance of other comparable partnerships and learn from best performers
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2.11 Contribute partnership data to <a href="http://www.BHLIS.org">www.BHLIS.org</a> (the website of the Local Strategic Partnership/2020 Community Partnership), enabling public access to neighbourhood level information
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## Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11

### Hallmark 3. Effective and responsive delivery structures

The Community Safety, Crime Reduction and Drugs Strategy 2008–2011 sets out the priorities that are to be the focus of the CDRP's resources, identifies indicators against which performance will be measured, the overall outcomes sought and headline actions that will be undertaken to achieve targets and outcomes. More detailed action plans sit behind each of the priority areas of the Strategy and a performance management framework is in place which enables the CDRP to review and monitor progress against targets and indicators. The Strategy is published through website access and a summary is to be available to communities.

Delivery of the priority areas of the Strategy and 'fast time' responses to new crime and disorder problems is managed through a structure of working or action groups which are mobilised around a particular issue, or through Joint Action Groups in the East, West and Central areas of the city and a network of Local Action Teams and community of interest groups. Information which feeds into regular meetings of an Operational CDRP (a 'tasking and co-ordinating group') is considered within a culture of performance management.

The CDRP is aware of the added value of drawing on all available resources to successfully manage delivery. Consolidating neighbourhood policing arrangements with those of targeted partnership work in localities together with multi-disciplinary services of the Partnership Community Safety Team have already significantly increased effectiveness, achieving outcomes that would otherwise have not been possible. The close working with Local Action Teams, community champions and private and voluntary sector organisations is achieving the same excellent results.

#### Effective and responsive delivery structures: A robust performance management framework and maximisation of resources

##### Further actions to support Hallmark 3

3.1 Revise the Community Safety, Crime Reduction and Drugs Strategy annually

3.2 Seek to integrate community safety concerns into service priorities, planning and work programmes of all agencies. In particular, develop our mainstreaming and Section 17 duties of the Crime and Disorder Act ensuring that all responsible authorities are doing all that they reasonably can to prevent crime and disorder, anti-social behaviour, drug/alcohol misuse, and behaviour adverse to the environment

3.3 Develop further the opportunities for problem solving, joint approaches and sustainable solutions which come from neighbourhood policing and partnership work with local communities and communities of interest

3.4 Develop further, including through the Local Area Agreement process, opportunities for pooled budgets, particularly to achieve delivery of activities that achieve shared priorities across services

3.5 Continue to access external sources of funding for specific projects wherever possible

3.6 Develop further monitoring of the cost benefit and cost effectiveness of our work and the extent to which specific projects and areas of activity are economic, efficient and effective (value for money)

3.7 Increase transparency by developing a financial information section of the Strategy which states how resources are being applied to deliver the Strategy and how the CDRP ensures that resources are being applied to good effect

3.8 Increase the visibility of the CDRP in order that communities and partners further understand the role and added value that the Partnership brings and the good outcomes that are achieved

### Hallmark 4. Community engagement

There are new statutory requirements to 'consult and involve' communities, not only about what priorities the partnership should tackle and how delivery affects them, but also to consider the way in which communities can help support the delivery of the priorities in the partnership Strategy. Brighton & Hove's CDRP considers that the level of joint working that is embedded within its practices provides a constant dialogue with many of its communities of interest and with those in



**Ensuring an Effective Partnership**

neighbourhoods. The Neighbourhood Action Plans prepared during 2007/08, the local audits carried out by the Community Against Drugs and Environment Improvement Teams, the network of meetings with the Black and minority ethnic and faith based communities and those with the LGBT community all go a considerable way to achieving and sustaining high levels of community engagement.

The 40 Local Action Teams in the city are also an excellent way of directly engaging with local people about their day to day experiences which, together with the neighbourhood policing arrangements described above, provide a framework for dialogue and consultation at the sharp end. However, the CDRP will also take forward city wide consultation as necessary throughout the life of this Strategy.

<b>Community engagement: Further development of communities' involvement in the work of the partnership and ensuring provision is accessible and suitable for all groups of citizens</b>
Further actions to support Hallmark 4
4.1 Encourage and support participation by local people and businesses in community safety and crime prevention work
4.2 Increase our engagement with and support to Local Action Teams, providing a consistent framework through which local people and the partnership can jointly identify problems and deliver solutions. Provide practical support to those who are prepared to 'take a stand' and to those who give their time and expertise to assist the CDRP with enforcement to make support communities safer
4.3 Take into account the detailed findings of the Inequality Review ensuring that the delivery of this Strategy is targeted towards those groups and communities who are identified as most vulnerable, at risk and excluded
4.4 Incorporate within the work programme for 'building resilience to extremism', positive initiatives and events which build community engagement and cohesion, taking the learning from that work into the mainstream of community safety work
4.5 Target measures to increase reporting at those least likely to report
4.6 Target work to reduce fear of crime at those most concerned including towards older people

**Hallmark 5. Visible and constructive accountability**

The CDRP is aware that an effective partnership is one that is visible and accountable to its community for the decisions and actions it takes on their behalf. Arrangements are already in place for people in neighbourhoods and communities of interest to meet with key decision makers from the partnerships. The quarterly public meetings of the Community Safety Forum which also provide the opportunity for dialogue with elected members, the 'Face the People' meetings and the multi-agency Forums which enable open information sharing and joint decision making are well established in day to day community safety practice. In many contexts, that openness and accountability has developed to community-led and partnership multi-agency working across the city (as with the Racial Harassment Forum) and targeted in neighbourhoods (as with the Local Action Teams). In that way, and through direct feedback to individuals and groups within communities from front line staff and caseworkers, we are letting people know about problems solved and actions taken.

<b>Visible and constructive accountability: Effective communication of the work and outcomes of the partnership</b>
Further actions to support Hallmark 5

**Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

5.1 Increase and improve outward and visible performance management of the priorities and targets that are being delivered by the CDRP in order to further increase feelings of public confidence and reassurance amongst communities
5.2 Produce an accessible summary of the work in this strategy that encourages understanding within communities and supports improved visibility and accountability
5.3 Embed the new Community Safety Overview and Scrutiny arrangements within the local authority's processes and ensure its accountability
5.4 Further embed the use of the partnership 'Safe In the City' brand which identifies and raises awareness of work carried out by the Partnership, including that which is visible to communities as well as throughout the city
5.5 Use a variety of ways to publicise the work of the partnership, including the media and local neighbourhood networks; Utilise partnership meetings at district and local neighbourhood level and other opportunities to share information and develop solutions that support the objectives of the CDRP
5.6 Maintain the CDRP website ( <a href="http://www.safeinthecity.info">www.safeinthecity.info</a> ) and encourage its use
5.7 Help to deliver responsive, visible justice through offenders facing the consequences of their crimes through community payback and restorative justice

**Hallmark 6. Appropriate skills and knowledge**

The CDRP is required to ensure that it has the necessary skills and knowledge to support effective partnership management, analysis, problem solving and the delivery of the Community Safety, Crime Reduction and Drugs Strategy 2008–2011.

<b>Appropriate skills and knowledge</b>
Further actions to support Hallmark 6
6.1 Reference the National Occupational Standards identifying any gaps in the skills and experiences of CDRP members and arranging for individual and partnership learning programmes.
6.2 Ensure elected members are kept abreast of key information to assist in decision making

**All Crime in the City**

# A II Crime and Disorder in the City

**Objective: To reduce crime and disorder in the city and respond to changes**

All crime and disorder – whether serious crimes or low level incidents – directly or indirectly impacts upon individuals and communities and damages quality of life.

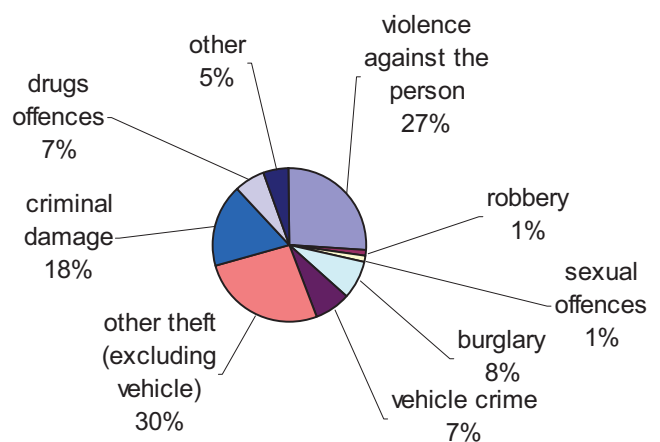
In 2008/9 there were about 25,100 police recorded crimes in Brighton & Hove. About 30% of the total related to theft (not including motor vehicles), 27% were violence against the person offences and 18% were criminal damage.

Compared with 2007/08 total crimes in the city have reduced by nearly 9% in 2008/9. Compared with other CDRPs in our benchmarking group of fifteen areas with similar characteristics and demographics, the number of crimes per head of population is fewer than average.

Although our partnership focuses on the particular priorities as dictated by our Strategic Assessment and the priorities of local people, we continue to monitor total crime as a performance indicator locally so we can keep a check on any displacement of criminal activity away from those areas being prioritised and monitored closely by the partnership.

We also monitor levels of social disorder and anti-social behaviour. Anti-social behaviour is a priority area in this strategy and further information is found on page 19.

**Crime breakdown, Apr 2008 - Mar 2009  
(n=25,146)**



**Performance Indicators**

- LI: Total police recorded crime
- LI: % of people who think that the level of crime has got better, worse or stayed the same over the last three years

**Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

# **P**hysical Environment, Infrastructure and Quality of Life

**Objective: To build up and maintain a crime-resistant city and neighbourhood infrastructure, reduce criminal damage and improve feelings of safety**

## **Why is this a priority?**

The quality of our physical environment affects how safe we feel. Signals of neglect are an invitation to vandalism and anti-social behaviour. If deterioration is not addressed, affected areas can become places that people avoid, particularly at night, and fear of crime can curtail active use and enjoyment of neighbourhoods and the city centre.

The long term solution involves investing in careful design and planning of the city's physical infrastructure and this is important in ensuring sustainable solutions to crime and disorder reduction. However, it's not just about the physical infrastructure – it's also about building up the 'people infrastructure' and community capacity in local neighbourhoods and improving communication with service providers.

Environmental quality issues are regularly highlighted as matters of concern by local residents. Central government has also emphasised the underlying importance of this area of work by headlining '*Stronger Communities and a Better Quality of Life*' as one of the four themes to be addressed through Public Service Agreements in the Comprehensive Spending Review 2007.

## **The local picture**

Police recorded criminal damage has shown a steady decline since 2006/07, dropping by 19% during 2007/08 and again by 13% during 2008/9 to date. However, it continues to make up nearly a fifth of total recorded crime, and considering the issue of underreporting, it remains a significant issue. In 2007 nearly 20% of Citizens' Panel respondents felt that criminal damage was a fairly or a very big problem in their neighbourhood, but this had reduced to 14% in the 2008 survey. Forty percent of recorded criminal damage is against vehicles and a quarter against dwellings. The percentage of streets judged unsatisfactory for graffiti, fly-posting and overall has continued to improve over the last year, although this remains above the targeted level.

In 2007 (City Views Survey) 87% of residents reported feeling safe in the city as a whole during the day and 53% after dark and this is also a clear improvement on the position one year before. These results have been substantiated through the Place Survey in 2008 when 94% of respondents felt safe in their local neighbourhood during the day and 63% at night.

However, we know that some groups and communities, for example, older people or those with limiting long term illness, feel less safe than others. Although this group are less likely to experience crime, if they are a victim,

### **Main Partners**

Brighton & Hove City Council, (including CityClean, Sustainable Transport, Environment Improvement and Communities Against Drugs Teams and others within the Public Safety division)  
 East Sussex Fire and Rescue Service  
 Sussex Police  
 Children and Young People's Trust  
 Local Action Teams  
 Southern Railway  
 British Transport Police  
 Brighton & Hove Bus & Coach Co. Ltd.

## Physical Environment, Infrastructure and Quality of Life

the impact is greater than it is upon younger people. Women tend to feel less safe at night than men, although this effect is not evident during the day.

The 2008 Citizens' Panel survey found that on average respondents were less worried about most types of crime than they were in the survey a year before. The crime types which were of most concern were domestic burglary (30% worried), theft from motor vehicles (24%) and cycle theft (24%). Worry about violence and robbery had decreased. Although there were relatively low levels of worry in the general population of attack on grounds of apparent ethnicity or sexuality, these results are likely to be somewhat different among minority groups. Respondents continued to be more worried about being physically attacked by a stranger than about being attacked by someone they know.

### Current status of work

Over the last year there has been continued development around targeted work in city neighbourhoods to address particular issues of local concern. Work in neighbourhoods has been particularly assisted by a further increase in the number of Local Action Teams (LATs), with 35 LATs now in place across the city. LATs are made up of local community champions as well as neighbourhood policing officers, council officers and others who consider crime, disorder and anti-social behaviour problems in their neighbourhood and help work towards local solutions. An information sharing forum for LAT chairs has been set up where successful local approaches can be shared and collaboration enabled where this is helpful. The Safe in the City website ([www.safeinthecity.info](http://www.safeinthecity.info)) now provides a dedicated page for each LAT where they can post details of meetings, local contacts, records of activities, and so on.

A survey in 2007 confirmed that on average people tend to feel at their most unsafe in the city centre at night. However, partnership work around the nighttime economy continues strongly, including for the first time in October 2008 the very successful 'White Night' event which drew into the city centre many people who would not typically use the city for their late night entertainment. This very well attended event offered a wide range of on-street and other night time entertainment as an alternative to the pub and club nightlife in which alcohol often plays a central role.

The Place Survey asked a number of questions for the first time during 2008 and this has drawn attention to the fact that residents in Brighton & Hove do not feel particularly well informed or consulted about the work that the partnership is doing to tackle crime and anti-social behaviour. In response to this, more resources are being assigned to this area of work, including a citywide poster campaign (designed around the partnership logo theme) to draw attention to the work of the Crime and Disorder Reduction Partnership (CDRP) and how there are many and varied people, whether from agencies or local communities, whose work contributes to tackling crime and disorder. This publicity work draws people to the CDRP's website (relaunched in April 2008) which has seen a corresponding rise in visits. The use of the partnership logo throughout is helping to tie together and identify the wide range of our work as that of the CDRP.

Work to improve and maintain the quality of the physical environment includes the Environment Improvement Team implementing further local design improvements through closely working with residents in a number of prioritised neighbourhoods. This team has also input to the city's planning processes to contribute expertise around the design of 'crime-resistant' urban redevelopments.

There has also been an ongoing work which continues to reduce opportunities for criminal damage. For example, work has continued around the containerisation of waste, a number of high profile areas of the city are kept clear of graffiti and there has been focused work with young people to tackle arson.

In addition to city-wide street appearance work by CityClean, there have also been further 'community action days' carried out in the city. These have involved agencies and residents working together on tasks to tidy, clean and improve the local neighbourhood, reducing the opportunity for criminal damage, and encouraging local ownership and a sense of community.

## Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11

### Where next?

The Action Plan below is seeking to achieve the following:

- > Continued influence in the planning process to build up and sustain a city infrastructure which is resistant to crime and disorder.
- > An efficient structure which extends the co-ordination and targeting of community safety resources further into neighbourhoods and across the city, including the continued development of Local Action Teams and their work.
- > Situational problem-solving through partnership working and community engagement
- > A well-maintained physical environment and reductions in criminal damage and arson.
- > An ongoing programme of work around communication of the work of the CDRP to the people of Brighton & Hove.

### Links to other priority areas

Work in this area integrates with and supports work to tackle anti-social behaviour and promote community cohesion. It also helps people to feel safer resulting in them using open spaces more freely which, in turn, provides a natural guardianship of the area, deterring other types of crimes (for example, vehicle theft or violence).

### Parallel plans

- |  |                                    |
|--|------------------------------------|
| • Neighbourhood Action Plans                             | • Local Development Framework      |
| • The Core Strategy                                      | • Supplementary Planning Documents |
| • East Sussex Fire and Rescue Strategic and Annual Plans | •                                  |

### Performance Indicators

- NI 33: Non-accidental fires
- NI 195: Improved street and environmental cleanliness (levels of graffiti, litter, detritus and fly-posting)
- NI 196: Improved street and environmental cleanliness (fly-tipping)
- LI: % of people feeling safe or very safe in their local neighbourhood (before and after dark)
- LI: % of people feeling safe or very safe in the city centre (before and after dark)
- LI: Number of police recorded criminal damage offences

**Physical Environment, Infrastructure and Quality of Life**

<b>Physical Environment, Infrastructure and Quality of Life Action Plan</b>
<b>Outcome Sought 1</b>
<b>Community safety and crime reduction implications are fully considered at the planning stage of all infrastructure developments and redevelopments</b>
Areas of action
1.1 Continue to integrate community safety and crime reduction objectives within the work of the council's planning department. Investigate options, such as a requirement for all planning applications to have Design and Access Statements which include crime prevention measures, and seek changes that will routinely ensure these objectives are achieved citywide.
1.2 Seek to introduce a requirement for Safer Places Statements (developed by the Environment Improvement Team and Sussex Police) to be submitted in relation to major developments.
1.3 Deliver training to officers and elected members involved in making planning decisions
1.4 The CDRP to proactively seek the prioritisation of an Supplementary Planning Document on community safety
1.5 The CDRP to input to the council's long term planning strategy (Core Strategy)
1.6 Monitor crime and disorder levels before and after planning developments to learn any lessons
<b>Outcome Sought 2</b>
<b>There is an efficient structure, co-ordination and targeting of community safety resources in neighbourhoods and across the city</b>
Areas of action
2.1 Maintain and develop the Local Action Team and Joint Action Group structure across the city
2.2 Produce terms of reference and agree principles of working for LATs. Collate this and other useful and practical information (including information on this Strategy's priorities and objectives) in an accessible format for the use of LATs
2.3 Define LAT boundaries across the city and seek full coverage
2.4 Provide a mainstreamed resource for the analysis of crime and disorder and the presentation of information in a user-friendly, accessible manner
<b>Outcome Sought 3</b>
<b>Information sharing and situational problem-solving are achieved through partnership working and community engagement</b>
Areas of action
3.1 The Environment Improvement Team to continue to work in neighbourhoods, engaging with residents and undertaking small scale, local street appearance and design projects to reduce the likelihood of criminal damage (and other crime and anti-social behaviour) and to reduce fear of crime
3.2 Continue to support the work of the LATs
3.3 Make further information on local crime patterns available at a neighbourhood level and publicise it
3.4 Continue to share information around community safety issues on public transport, taking forward projects to deal with new issues as they arise
3.5 Keep alert for opportunities for partnership working where an area of development can support shared objectives, for example, around sustainable transport or CCTV

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<b>Outcome Sought 4</b>
<b>There is less criminal damage and arson, and improved feelings of safety, through a well maintained physical environment</b>
Areas of action
4.1 Develop work with children and young people to deter them from committing criminal damage
4.2 Enhance community involvement in identifying areas at risk and taking steps to find solutions
4.3 Undertake analysis of criminal damage against vehicles and respond to the findings through partnership work with different parties with relevant roles and interests
4.4 Continue partnership work to tackle graffiti through removal, physical barriers to access, prosecution, etc.
4.5 CityClean to continue work around containerisation, flyposting, flytipping, etc.
4.6 Continue enforcement work around abandoned vehicles
4.7 Continue environmental action days which co-ordinate the activities of a range of partners to address environmental disorder in local neighbourhoods
4.7 Pro-actively identify premises at risk of arson and work with owners/occupiers to reduce risk of fire.
4.8 Fire service and other agencies to share resources and knowledge to help reduce arson incidents in the area
4.9 Continue fire service engagement with firesetters to prevent arson
<b>Outcome Sought 5</b>
<b>The widened scope of Section 17 of the Crime and Disorder Act is promoted and compliance reviewed</b>
Areas of action
5.1 Hold a seminar for key players to determine where further developments are necessary.
<b>Outcome Sought 6</b>
<b>There is effective communication of the work of the CDRP to the people of Brighton &amp; Hove</b>
Areas of action
6.1 Maintain the CDRP website and keep it up to date.
6.2 Encourage use of the website by residents and partners working in local neighbourhoods. Develop the neighbourhood section to include a page for each LAT and keep this updated with information provided by each LAT
6.3 Ensure CDRP news is communicated through press releases and new items on CDRP website. (Endeavour to ensure that messages reach out to populations in the city who are most fearful of crime or who are most vulnerable to crime.)
6.4 Maintain flow of information to Local Action Teams, residents groups, etc. through forwarding community safety and crime reduction content for use in local newsletters and websites
6.5 Further promote partnership work, including the use of the CDRP logo in conjunction with the work of enforcement agencies, technology, interventions, initiatives, etc. to enhance visibility and public reassurance
6.6 Working with the Council's Communications Team develop and promote campaigns targeted at particular initiatives with a view to reducing crime and improving public confidence



# A nti-Social Behaviour

**Objectives:** To deliver a balanced programme of interventions to reduce anti-social behaviour in the city and to address the concerns of communities.

To work in partnership to assist in the prevention of first time entrants into the youth justice system and prevent children becoming 'looked after'.

To prevent homelessness, improve the overall health of families and reduce the number of children and young people who are not in education, training and employment

## Why is this a priority?

The Crime and Disorder Act 1998, defines anti-social behaviour as acting 'in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household'. Such behaviour has a negative impact on communities which if left unchecked, increases communities fear of crime, reduces public confidence in police, council and other services and impacts in a negative way on overall quality of life. Where people feel confident, safe and supported, they are more likely to come together with others in their community to build trust, shared values and agree what is and is not, acceptable behaviour within their neighbourhoods. Individuals committing anti-social behaviour can quickly escalate their actions into more serious and sustained crime if interventions are not successfully delivered to disrupt that offending behaviour.

While dealing with anti-social behaviour remains a high priority, the extent to which communities perceive anti-social behaviour as a problem, is reducing. This is the outcome of innovative and successful integrated working between statutory, community and third sector organisations which provide co-ordinated responses to individual case and contribute to local problem solving and sustainable solutions.

The Crime & Disorder Act 1998 and subsequent guidance, required the Crime & Disorder Reduction Partnership to prioritise the development of responses to tackle anti-social behaviour, (including the appointment of a city wide ASB Co-ordinator). The Home Office continues to provide good practice

### Main Partners

Anti-Social Behaviour Team  
 Brighton & Hove Police  
 Children & Young People's Trust  
 Council Housing and City Support  
 Registered Social Landlords  
 Business Crime Reduction Partnership  
 Local Action Teams  
 Youth Offending Team  
 Environment Improvement Team  
 Targeted Youth Support Service  
 East Sussex Fire and Rescue Service  
 Sussex Probation Service  
 HM Courts Service  
 Parenting Pathfinders Team  
 Mental Health Services

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guidance to help deliver on the ground, practical measures to achieve safer and stronger communities. More recently, the Department of Children, Schools and Families launched the Youth Taskforce Action Plan (2008). that Plan sets out a clear vision of integrated services delivering 'triple track' interventions of prevention and risk reduction, non-negotiable support and tough enforcement. These interventions are targeted at children and young people at risk of, or involved in anti-social behaviour. This model of working is already well established in Brighton & Hove.

### The local picture

Within the Partnership Community Safety Team we have a well established Anti Social Behaviour Team with staff from the police and council coming together to directly manage casework and work with other agencies to provide positive interventions to protect communities and divert adult perpetrators of anti social behaviour as well as children and young people. The team and its problem solving approach has been recognised as best practice nationally and awarded Trailblazer status.

This partnership approach is one that seeks to strike a balance in tackling anti-social behaviour through appropriate support, diversion, intervention and enforcement. **In 2007/08 the Anti-social behaviour team delivered 1138 interventions with a very high proportion of those, being successful in protecting the communities and preventing the need for Anti-Social Behaviour Orders or Injunctions (only in 21 instances). In 2008/09, there were 1408 interventions with only 15 requiring the need for an ASBO or injunction.**

Overall analysis highlights that extremely positive progress is being achieved across the city. Our analysis looks at what percentage of the community perceive anti social behaviour as a problem in their neighbourhood. In 2006/07 the perception rate was at 36%, in the 2008 Place Survey the perception of-anti social behaviour as a problem had fallen to 19.6%.

### Current status of work

Overall, there are approximately 20,000 calls generated by members of the public to Sussex Police about anti-social behaviour in Brighton & Hove each year. In 2008/09 the number of police recorded incidents of social disorder had fallen by 4.3% compared with the previous year. The police recorded youth disorder incidents had also fallen by 13.2% compared with 2007/08.

The current work programme and planned priorities in service provision are:

- > Fulfilling the city wide co-ordination role, ensuring consistency of approach and good practice, disseminating guidelines, protocols and legal expertise throughout the Partnership, including to Social Housing providers. These initiatives include Closure of Premises Protocols, Class A Drugs Premises Protocols and Dispersal of Groups Orders.
- > Delivering the requirements of the city wide Designated Public Places Order including the delivery of joint police and outreach service patrols to tackle begging & street drinking, quarterly monitoring street counts and so on.
- > Front line anti-social behaviour casework services for communities, individual victims and within police youth disorder Operations
- > Anti-social behaviour legal, crime analysis and police support.
- > Youth Crime Prevention and 'Challenge and Support' Programmes for those most at risk including Individual Support Orders
- > Joint working with RUOK (young peoples substance misuse service) ensuring that young people who are at particular risk as a result of excessive drinking, receive the services they need
- > Parent support interventions and Orders, targeted to those most at risk
- > Targeted work with the most challenging families in the city

## Anti-Social Behaviour

The anti-social behaviour approach in the city relies on integrated day-to-day partnership work by key agencies working together and alongside communities in generating sustainable solutions to local issues. It is therefore important that partnerships remain flexible, responsive and able to meet the changing needs of communities and to explain and give feedback about outcomes and performance.

### Where next?

The Strategic Assessment of Crime & Disorder in Brighton & Hove (November, 2007) identified the contribution that the anti-social behaviour approach and service contributes to the delivery of wider crime reduction and community safety objectives, confirming that sustaining the approach and anti-social behaviour team is a high priority.

The Youth Taskforce Action Plan: 'Give Respect, Get Respect – Youth Matters' sets a clear direction in 'working with local partners to drive forward a better response to those young people in serious trouble'. The requirements of the Action Plan and developing work programme provides new opportunities for the Anti-Social Behaviour Team, Police and the Children & Young People's Trust to further develop integrated and targeted working to identify those young people who are most 'in trouble', address the underlying causes and through individual and family support, prevent and reduce youth crime. This initiative has been taken forward alongside the development process of the new Targeted Youth Support service (led by the Children and Young People's Trust) which, while maintaining its joint working arrangements with the Anti-Social Behaviour Team, police-led youth disorder operations and Youth Offending Team, is delivering at neighbourhood level through six 'Hubs' in the East, West and Central Districts of the city. The principles of youth crime prevention and 'Challenge and Support' are being maintained within this new integrated service.

### The Family Intervention Project

Brighton & Hove's Partnership Community Safety Team was one of the first in the country to receive funding to pilot a Family Intervention Project and has received 'Trailblazer' status for the high quality of the project outcomes so far. The project targets families who are at risk of eviction due to persistent anti-social behaviour which besides placing every family member at additional risk, particularly where there is the possibility of the children becoming 'looked after' by the local authority, reduces the quality of life of neighbours and communities.

**The Family Intervention Project national target is to achieve a 70% reduction in complaints of anti-social behaviour. Brighton & Hove is currently averaging a 79.6% reduction for the cases that receive interventions from its Project.**

All the families worked with in the ASB FIP were at risk of losing their tenancy due to high levels of anti-social behaviour. Of these none have to date entered the 'Homelessness' system. This has been due to the family reducing their levels of ASB to the extent where the linked ASB Housing Officer is no longer concerned. Where the ASB persists, keyworkers will work with other agencies to ensure sanctions are used appropriately and effectively.

Where it has become untenable for the family to remain in their current property due to relationships irreversibly breaking down in their neighbourhood, families are placed in Family Intervention Tenancies elsewhere in the city. With this type of tenancy FIP work very closely with Housing and the family must agree to sign up to a family contract and work intensively with the allocated keyworker.

In April 2009 further funding was received from the Department for Children, Schools and Families, via the Youth Crime Action Plan, to widen the support offered to families in the city using the FIP model. Our FIP has now expanded to be the city's Youth Crime FIP. The Project criteria requires us to target those families where there is a child (within the 5 – 10 age group) identified as being at risk of offending.

All of the families worked with on the project are subject to multiple disadvantage, with the majority being lone mothers, living on benefits, victims (current or in the past) of domestic violence, ongoing

## Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11

mental health issues, misusing substances and have few if any, aspirations which they have the capacity to achieve. All these issues clearly impact on their parenting capacity with the resulting increased risks for the child.

The Family Intervention Project Team consists of highly skilled keyworkers who work intensively with all of the family members and bring together the key agencies involved to ensure a co-ordinated multi-agency approach. Following a detailed assessment of the family's needs the keyworker will work with the family, alongside other professionals to achieve the targets set out in a family contract. In all cases the keyworker attempts to strike a balance between considering the needs and safety of the community (using enforcement tools with family members where necessary) and providing intensive support to families.

FIP's key objectives are to:

- reduce the number of complaints of anti-social behaviour in a locality
- prevent young people from entering the Youth Justice system and of reoffending
- prevent families from entering the 'Homelessness' system
- prevent children from becoming 'Looked After' by the local authority
- improve the health of families
- reduce the number of children who are not in education employment or training

These are in addition to supporting the targets that are linked to the five Every Child Matters outcomes.

### Implications for sustainability

It is very important that the city continues to be a safe place in which to live and visit and that residents and visitors alike are able to engage and participate fully in city life and all it has to offer. Reducing anti-social behaviour and the joint work programme of the Partnership Community Safety Team, Family Intervention Project and its partners is integral to the city's work to deliver this outcome for all communities, including those most at risk.

#### Performance Indicators

- **NI 17: Perceptions of anti-social behaviour** (LAA top 35 indicator)
- NI 21: Dealing with local concerns about anti-social behaviour and crime by the local council and police
- NI 22: Perceptions of parents taking responsibility for their children in the area
- NI 23: Perceptions that people in the area treat one another with respect and dignity
- NI 24: Satisfaction with the way the police and local council dealt with anti-social behaviour
- NI 25: Satisfaction of different groups with the way the police and local council dealt with anti-social behaviour
- NI 27: Understanding of local concerns about anti-social behaviour and crime by the local council and police
- **NI 111: Reduce first time entrants to the Youth Justice System and other "Every Child Matters" outcomes**
- LI: Local output key partner dataset covering use of tools and powers in response to anti-social behaviour
- LI: Begging & street drinking numbers

**Anti-Social Behaviour**

**Parallel plans**

- Neighbourhood Action Plans
- Sussex Police, Brighton & Hove Division Local Policing Plan
- Brighton & Hove Parent Support Strategy
- East Sussex Fire and Rescue Strategic and Annual Plans
- Brighton & Hove Children & Young People’s Plan
- Brighton & Hove Youth Justice Plan
- Brighton & Hove Housing Strategy 2008-13

**Anti-Social Behaviour Action Plan**

**Outcome Sought 1**

**Sustain city wide delivery by the multi-disciplinary Anti-Social Behaviour Team through targeted work with the Police, Children and Young People’s Trust and other key partners. Deliver good practice interventions to prevent, divert, support and change the behaviours of those who commit anti-social behaviour, enforcing when necessary.**

**Actions**

- 1.1 Continue to resource and develop the skills and ‘triple track’ approaches of the ASB Team working towards a consistent level of service across the city.
- 1.2 Further develop effective partnership arrangements and integrated services within mainstream provision which positively contribute to anti-social behaviour outcomes for the city and ensure maximum value for money.
- 1.3 Continue to be accountable for anti-social behaviour performance, outcomes and objectives through the range of Forums, Local Action Teams, the Responsible Authorities Partnership (CDRP) and Committees.
- 1.4 Further develop targeted work to local communities and communities of interest, taking account of the findings of the Inequality Review
- 1.5 Increase support for the role and contribution of local communities and individual champions who ‘take a stand’, particularly in those neighbourhoods identified as needing most attention (Inequality Review), working with front line partners and stakeholders such as housing, and neighbourhood police officers

**Outcome Sought 2**

**Increased effectiveness from targeted work informed by monitoring intelligence, crime and disorder analysis and intelligence on offenders and offences**

**Actions**

- 2.1 Review, develop and improve performance monitoring of anti-social behaviour outputs and responses across the anti-social behaviour partnership programme and the outcomes achieved.
- 2.2 Review and develop the roles of the monthly ASB Multi-Agency Planning Meeting .
- 2.3 Maintain current anti-social behaviour databases and wider partnership casework systems and improve and develop these information system structures to ensure a consistent and coherent integration with housing and Children & Young People’s Trust systems.

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2.4 Continue to ensure that anti-social behaviour 'hotspots' and the individuals involved or at risk of being involved are identified through crime and disorder analysis and reporting
<b>Outcome Sought 3</b>
<b>Good practice interventions that comply with national and local standards are integrated within housing management services of the City Council Housing, Registered Social Landlords and, where possible, with private landlords.</b>
<b>Actions</b>
3.1 Continue to ensure strong day to day working relationships between the Anti-Social Behaviour Team and partner service of City Council Housing Management Services and Registered Social Landlord's (RSLs) in providing anti-social behaviour services to residents and communities and supporting their delivery of the Respect Housing Management Standard.
3.2 Deliver specific and joint training events with housing partners aimed at improving practices and services.
3.3 Work with housing providers to develop the role of Parenting Support and using appropriate interventions such as effective targeting, parent support groups and parenting contracts/orders. Integrate these interventions with housing based legislative tools and powers.
3.4 Evaluate and scope the need for an Anti-Social Behaviour Victim/Witness Support & Advocacy Project in the city and extend the remit of the Anti Social Behaviour Team PCSO to work more with victims.
3.5 Ongoing prioritisation of joint work between the Anti-Social Behaviour Team and housing providers to ensure effective exchange of high quality casework guidance, support and access to appropriate and specialist anti-social behaviour and community safety legal advice services.
<b>Outcome Sought 4</b>
<b>Prevent and reduce anti-social behaviour by children and young people and their entry for the first time into the youth justice system.</b>
<b>Actions</b>
4.1 Work with partners in the Brighton & Hove Children & Young People's Trust to achieve integration between the Targeted Youth Support (TYS), the Challenge and Support approach and Youth Crime Prevention Programme with the city's anti-social behaviour partnership work programme.
4.2 Deliver multi-agency training to the service providers of partners, including those within the Children & Young People's Trust, working towards shared knowledge, competencies and skills and a consistent and coherent approach.
4.3 Deliver intensive services to those families referred to the Youth Crime Family Intervention Project who have at least one child at risk of entering the youth justice system.
<b>Outcome Sought 5</b>
<b>Further reduced levels of public perception that anti-social behaviour is a problem, improved feelings of safety/reduced fear of crime and good performance against the national and local indicators set out in this Strategy</b>
<b>Actions</b>
5.1 Reduce the public's perception of anti-social behaviour from 19.6% in 2008/09 to 16% in 2010/11 and through communicating effectively that national best practice is being delivered and that sustainable solutions are achieved which address community concerns.

**Anti-Social Behaviour**

5.2 All partner agencies to work effectively towards achieving significant progress in meeting all nine of the Local Indicators and National Indicators targets and objectives for anti-social behaviour.
5.3 Collect and share relevant performance information amongst key partners and provide feedback to communities with objective assessments of actions delivered and outcomes in response to community concerns.
<b>Outcome Sought 6</b>
<b>Reduction of anti-social behaviour through the provision of intensive family support and other appropriate interventions to families and households who are causing harassment, alarm or distress to communities</b>
<b>Actions</b>
6.1 Continue to deliver the Family Intervention Project (FIP) to those households where anti-social behaviour is causing harassment, alarm or distress to communities and where those households have unmet complex needs
6.2 The Partnership Community Safety Team and the Children & Young People’s Trust to work in partnership to integrate the good practices of both the ‘Think Family’ initiative and the ‘FIP’ to create and sustain an agreed model of delivery
6.3 Ensure referring agencies are aware of the service and a robust referral process is in place
6.4 Ensure the assessment process sufficiently provides the information required to define the interventions required to change behaviour
6.5 Staff are supported and trained adequately so they are able to carry out the necessary interventions, including applying sanctions where necessary
6.6 Work in partnership with agencies to develop evidence based services that are likely to bring about change in behaviour
6.7 Ensure there is a robust mechanism in place to monitor complaints/reports of FIP clients anti-social behaviour
<b>Outcome Sought 7</b>
<b>Community concerns to be responded to and national requirements around the development of partnership work to be met</b>
<b>Actions</b>
7.1 Maintain and sustain the city’s position as a positive example of how good, integrated anti-social behaviour services are delivered and continue to work with partner agencies and communities to showcase what works and to continuously seek to improve and develop.
7.2 Maintain positive relationships with government offices (national and local) and maximise inward investment into new and existing anti-social behaviour projects and overall work programme
7.3 Take action to reduce the number of hoax calls to the emergency services
7.4 Further support for educational work with young people who have offended or are at risk of offending, or who have been victims of crime, to prevent crime and anti-social behaviour through the LIFE scheme and to work towards better outcomes for themselves (subject to funding)
7.5 Continue to improve and evolve anti-social behaviour services and actively seek community and stakeholder involvement in these processes.
<b>Outcome Sought 8</b>

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<b>To work in partnership with agencies to identify and work intensively with families with multiple, complex needs who have at least one child who has been identified as being at risk of offending</b>
<b>Actions</b>
8.1 Ensure referring agencies are aware of the risk factors linked to offending behaviour
8.2 Support the process of mapping services working within youth crime prevention and develop a clear pathway between agencies and reduce any unnecessary duplication of services
8.3 Use the ONSET tool as an assessment for identifying the risk of offending, monitoring the reduction of those risk factors and use as an indicator for ending the support given to families
8.4 Working alongside the Youth Offending Team, develop a clear, robust system for monitoring offending
8.5 Research effective evidence based programmes for all family members that will bring about positive change within the family and reduce the risk factors linked to offending
<b>Outcome Sought 9</b>
<b>Work in partnership with Children and Families Area Team to identify and work with families where children and young people are at high risk of becoming 'Looked After'</b>
<b>Actions</b>
9.1 Ensure priority is given to referrals where there is a risk of the children entering the 'Looked After' system
9.2 All staff working within the Family Intervention Project are adequately trained in safeguarding issues
9.3 Ensure there are adequate systems in place (reviewed regularly) to record emerging child protection issues and actions taken as a result and ensure staff are well supported in this
9.4 Work in partnership with Children and Families Area Teams to support, where appropriate, extended family members to care for children who are considered at risk within their home with the aim of reintegrating them back into a safe family home
<b>Outcome Sought 10</b>
<b>Develop a pathway back into education, employment and training for all members of families engaged with the FIP who are currently NEET (not in education, employment or training)</b>
<b>Actions</b>
10.1 Ensure there are positive links set up within statutory education, further education programmes and Job Centre Plus, inviting representatives onto the FIP steering group to provide advice and guidance for developing the work
10.2 Ensure targets are being set within the family plan for each family member who are NEET and regularly monitor progress against them, identifying blocks and reviewing interventions
10.3 Monitor school attendance and work alongside the Education Welfare Service to apply sanctions where appropriate
<b>Outcome Sought 11</b>
<b>Identify the health needs of families engaged with FIP and link them to the appropriate service or health professionals</b>
<b>Actions</b>



**Anti-Social Behaviour**

11.1 Appoint a health professional to work within FIP to support the team in identifying family members health needs and reviewing processes related to health
11.2 Work with key agencies to develop screening tools (where tools are not available) that will support staff to identify health issues, e.g. domestic violence, substance misuse, mental health issues
11.3 Through a robust training programme, continue staff development around health issues
11.4 Continue to develop good links with the range of health services and negotiate a fast tracking system to services where it is appropriate
<b>Outcome Sought 12</b>
<b>To work intensively with families and housing to ensure families engaged with FIP do not enter the Homelessness system, whilst addressing the concerns of the neighbourhood</b>
<b>Actions</b>
12.1 Monitor referrals to ensure families where there is a high risk of homelessness due to anti-social behaviour are targeted and work alongside key agencies where this is not happening
12.2 Maximise the use of Family Intervention Tenancies where it has become untenable for the family to remain in their current property due to the negative impact on the neighbourhood and relationships irreversibly breaking down
12.3 Alongside housing, develop and monitor the appropriate use and effectiveness of using Family Intervention Tenancies
12.4 Wherever possible work with family members intensively, using a range of support and enforcement interventions, to reduce the levels of anti-social behaviour and therefore lower the risk of eviction

## Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11

# C children, Young People and Families

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**Objective: To protect children and young people from risk and increase their safety**

**To reduce youth disorder and anti-social behaviour**

**To reduce offending and first time entrants into the youth justice system**

### **Why is this a priority?**

Over the last generation, children's lives have undergone profound change. Whilst there are more opportunities and freedom for young people in some areas of life, there is also greater uncertainty and risk.

Protecting children and young people from harm, as well as risk, is fundamental in decreasing the likelihood of those young people becoming perpetrators of crime. A high proportion of young offenders suffer a number of complex family, health, educational and community problems which need to be positively addressed if they are to be successfully diverted from offending behaviour.

Government reports such as 'Keeping Children Safe', 'Every Child Matters' and the Youth Crime Action Plan recognise that while the Children Act 1989 and the Crime and Disorder Act 1998 provide the legal framework to safeguard children and young people, partnership working is essential if we are to protect young people from being victims of crime as well as from becoming offenders. The information within this priority crime area describes therefore, some of the areas of work where established CDRP and CYPT services are integrated and contribute towards the achievement of shared outcomes and indicators.

### **The local picture**

There are 53,700 children and young people aged 0-19 in Brighton & Hove, of which 21,000 are aged between 10 and 17 years of age (ONS 2007 mid year estimate). There is also an increasing BME population in the city and an increasing number of children and young people with English as a second language.

Brighton & Hove contains areas of significant deprivation which pose particular challenges around children and young people. There is a general alignment of the areas in which youth offenders live with areas of multiple deprivation and with low ranking scores in the child well-being index. These areas of deprivation also correlate with higher than average numbers of excluded children and those not engaged in employment, education or training (NEETS), as well as being areas with concentrations of crimes against young people by offenders of all age groups.

Crimes committed in Brighton & Hove by young people, as well as those committed against young people, are predominantly theft and violence against the person offences. 75% of offences committed by children and young people are committed by males. Violence against the person offences are prevalent in youth on youth crime, whilst theft offences are very low, and suggestive of under reporting amongst young people.

### **Safety of Children, Young People and Families**

There has however, been a steady decline since April 2007 in the number of first time entrants into the youth justice system, which is a reflection of positive joint-agency working. There has also been an 8.4% decrease in the number of school exclusions in the academic year 07/08.

However, there has been a significant increase in recent years in the numbers of children on the Child Protection Register. In June 2009, there were 303 children who were subject to a Child Protection Plan; domestic violence and abuse being the most frequent underlying cause of registration.

Sussex Ambulance figures consistently show increases in calls to deal with alcohol related incidents experienced by young people. The Tell Us survey (2008) found the percentage of young people reporting either frequent misuse of drugs or alcohol was significantly higher than regional or national figures. There are also challenges around employment opportunities for young people, an important protective factor in diversion from offending behaviour. The number of 18-24 year olds claiming Jobseekers Allowance has risen, from 1,230 in July 2008, to 1,880 in July 2009 and 590 young people in the city aged 16-18 are currently not engaged in employment, education or training (NEETs).

#### **Current status of work**

Integrated and partnership work between the Crime and Disorder Reduction Partnership and Children and Young People's Trust is successful in increasing the protection of children and young people and diverting them from offending. Some of the joint initiatives are:

- The ongoing development of a Prevention Strategy which comprehensively identifies risk factors which harm children and young people and the co-ordinated services of agencies to reduce and remove those risks
- Involvement within the delivery of the Safeguarding responsibilities. In particular, reporting arrangements in place in relation to the CDRP's extensive programme of work to reduce domestic violence and increase protection to women and children. The programme is led by a multi-agency Senior Officer Strategy Group.
- A 'Stay Safe' sub group of the Local Children Safeguarding Board which takes practical steps to protect children within families and communities.
- A Youth Justice Steering Group which takes responsibility for the development and oversight of police, Partnership and Youth Offending Team services aimed at reducing first time entrants into the Youth Justice System and Youth Crime Action Plan priorities
- A Priority and Prolific Offender scheme which prioritises partnership working to 'Deter' young people from re-offending. The PPO scheme funds and locates a 'Deter' worker in the Youth Offending Service.
- The Hate Crime and Healthy Schools Teams jointly develop and deliver anti-bullying programmes in schools, particularly focusing on reducing bullying which is motivated by racist or religious prejudice and homophobia or transphobia.
- The Healthy Schools Team work with the 'Preventing Violent Extremism Partnership Board' and deliver programmes within schools to both increase the confidence of staff to challenge extremist ideology where it occurs and to broaden children's understanding of different faiths and cultures. The Board include representation from City College and the University and also work to increase pastoral care of Muslim students.
- The CDRP places its youth crime prevention money, 'Challenge and Support' into the pooled budget of the Targeted Youth Support service. Co-located staff work within area based teams to achieve good outcomes against all CYPT and CDRP indicators.

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- A Restorative Justice worker, working across the Police and Youth Offending Team and successful in diverting young people away from the criminal justice system.
- The Anti-Social Behaviour Team identifies young people in trouble at an early stage and since 2007, has delivered casework and other protective interventions (in partnership with the Youth Offending Team) to 259 young people aged under 17 years of age. The Anti-Social Behaviour Team plays a major role in supporting weekly youth disorder operations on a Friday and Saturday night (Operation Park) and ensuring that where necessary, home visits and parental involvement and support are part of the package of solutions offered to divert the young person from escalating and offending behaviour
- The CDRP funds a post within the RUOk service, to specifically receive referrals and deliver interventions to those children and young people who come to the attention of the Anti-Social Behaviour Team and who are at particular risk from excessive drinking
- A multi-agency steering group commissions a service which aims to reduce risks to young people and adults of being drawn into or involved in prostitution and supports Police Operations which deal with trafficking and child protection concerns.
- Sussex Police lead work to deal with serious sexual offences. The CDRP is supporting and commissioning the development of local support services for women and men and for those who receive services from the Sexual Assault Referral Centre
- The Family Intervention Project and Parenting programmes target those families most at risk to offending and through holistic assessment and agreed outcomes with each family member, delivers a range of interventions which change behaviour and reduces risks. Parenting Support is one of the key supports delivered. (Ref: the Anti-Social Behaviour Section of this Strategy for full details). The Project links closely with the Family Pathfinder.

### Where next?

At the time of writing (September 2009) the revision of the Children and Young People's Plan is also underway. Future action plans for both this Strategy and for inclusion within the Children and Young People's Plan will therefore be incorporated, upon completion of joint reviews.

### Parallel plans

- |  |   |
|--|---|
| • Children and Young People's Plan 2009 - 2012                                 | • Domestic Violence Action Plans (within this Strategy)             |
| • Youth Justice Plan   | • Anti-Social Behaviour Action Plans (within this Strategy)         |
| • Recommendations of the Local Children Safeguarding Board and Review findings | • Reducing the Harm caused by Alcohol Misuse (within this Strategy) |

## Safety of Children, Young People and Families

### Measures of success and numerical targets

- **NI 111: First time entrants to the Youth Justice System aged 10-17** (LAA top 35 indicator)
- NI 19: Rate of proven re-offending by young offenders
- NI 45: Young offenders' engagement in suitable education, employment or training
- NI 46: Young offenders' access to suitable accommodation
- NI 69: Children who have experienced bullying
- NI 70: Hospital admissions caused by unintentional and deliberate injuries to children and young people
- NI 110: Young people's participation in positive activities
- NI 115: Reduction in substance misuse by young people
- LI: Number of i) total crimes and ii) public place violent crime where the victims are under the age of 18

**Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

# **C**hildren and Young People (Family Pathfinder)

**Objective: To improve outcomes for the cohort of families targeted by the pathfinder project – starting in East Area of CYPT**

**To ensure the partners have shared aims for children and families and share a common language and approach to working with families**

**To prevent families who have some disadvantages from getting into further difficulties through early identification of problems by front line public services**

**Why is this a priority?**

The key partners recognise the need to work differently with families in the city in order to improve outcomes for individual children and adults and for the communities where they live. There is a commitment to work together more effectively to achieve effective integrated services which uses our resources to the best effect. It is clear to us that a multi-agency model will deliver improved results for our most disadvantaged families and will have benefits for other families as well. The Family Pathfinder is an excellent opportunity to further our integrated work with families.

**The local picture**

Brighton and Hove is one of 15 pathfinders across the country looking to identify and implement systems changes across all children and adult services. It aims to pilot and apply the ‘think family’ model at a local level which improves the life chances of families at risk and helps to break the cycle of disadvantage that in turn impacts on a child’s behaviour, life chances and general well being.

The Partnership Community Safety Team is a key partner and driver in developing this work. A pathway to support families in disadvantage has been devised to enable professionals to follow a systematic evidence based process of assessment, planning and review, working in partnership with the families supported. This has been agreed by the sponsors group (directors from the partner organisations and Directorates).

In addition to this the project is identifying blockages within systems that prevent effective support to families. Strategic work currently been taken forward includes workforce development, progressing links with Primary Care teams, linking in with and integrating the whole spectrum of Advice and Guidance services within the city

The next stage involves working with a group of families with multiple and complex problems to test new

<b>Main Partners</b>
Children and Young People’s Trust
Brighton and Hove PCT
Adult Social Care and Housing
Community & Voluntary Sector
Partnership Community Safety Team
Sussex Partnership NHS Foundation Trust
Learning and Skills Council

**Safety of Children, Young People and Families**

processes and models for the delivery of adult and children’s services. During this stage consideration will be given to the roll-out of changes to the whole city. The work will be monitored and evaluated in relation to the outcomes for individual families.

**Current status of work**

The Pathfinder is initially focussing on the East area of the city and is building on the effective integrated services already in place for children and adult services such as the Family Intervention Project, POCAR (Parents of Children at Risk), substance misuse services and the Improved Access to Mental Health Therapies, as well as other initiatives such as the Common Assessment Framework (including ‘Team around the Child’), the Parent Support Strategy, the Youth Homelessness Strategy and the housing strategy.

150 referrals were made by various agencies and families have been ranked by the number of risk factors identified by the referrer and 39 have been identified with 4 or more deprivation factors. These families are being approached and given an opportunity to be part of the Family Pathfinder Project.

The DCSF are closely monitoring the project and there is a national evaluation by York Consulting in conjunction with Newcastle University which will track the families’ progress and outcomes.

<b>Children &amp; Young People (Family Pathfinder) Action Plan</b>
<b>Outcome Sought 1</b>
<b>30 families receive an effective, co-ordinated, multi-agency service and achieve positive outcomes with regard to identified needs recorded in a Family Contract</b>
Actions
1.1 Identify a cohort of families where a parent is under 26 years old and there are multiple problems and invite them to take part in the Pathfinder project
1.2 Staff required to be involved in the Pathfinder are supported and trained so they are able to carry out the necessary tasks
1.3 Set up a support system for lead professionals working with the families
1.4 Devise and review resources, building on the Common Assessment Framework, for working with families (e.g. Family Assessment, Family Plan, Review documentation)
1.5 A monitoring system in place to measure progress, service involvement and blockages to progress
<b>Outcome Sought 2</b>
<b>All Family Pathfinder core partners identify families who are having difficulties and take action to assist them</b>
Actions
2.1 Produce a guide to services for families (including tiered pathways) produced for core partner organisations front line staff
2.2 Support the development of the Family Information Service and to improve access to it.
2.3 Set up a support system for lead professionals working with the families, including the provision of CAF mentors, and contact with Development managers
2.4 Produce a ‘Think Family’ prompt sheet/guidance for front line staff and managers to support them to work differently with families

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<b>Outcome Sought 3</b>
<b>Family Pathfinder core partners have shared aims for families and a common approach to working with families with difficulties</b>
<b>Actions</b>
3.1 Develop an aims for families statement with practitioners that is linked to the Parent Support Strategy and ratified by the Sponsors Group
3.2 Ensure that each core partner organisation includes a statement of aims for families in their key strategic documents
<b>Outcome Sought 4</b>
<b>All stakeholders receive regular and appropriate communications about the Family Pathfinder</b>
<b>Actions</b>
4.1 Develop, continually review and implement the Communications plan



**Alcohol Misuse and Crime and Disorder**

# **A**lcohol Misuse and Alcohol-related Crime and Disorder

**Objective: To promote within the city a safe, sensible and social drinking culture which reduces the social and health related damage associated with the hazardous, harmful and dependent use of alcohol**

**Why is this a priority?**

Reducing and preventing alcohol related harms is both a national and local priority. The national Alcohol Strategy: "Safe. Sensible. Social", published in June 2007, estimates that the cost of alcohol-related ill health and crime and disorder is approximately £20 billion each year. In Brighton & Hove, it is estimated, for example, that 44% of recorded violent crime and 13% of all recorded crime is alcohol-related. Over 50,000 adults in the city are thought to be drinking above safe levels, and Brighton & Hove ranks "significantly worse" than the national and regional averages for a number of health indicators including alcohol specific hospital admissions and male alcohol mortality rates. The annual overall cost to the city is estimated to be in the region of £35 million.

In 2008/9 Brighton and Hove was identified by GOSE as a national alcohol priority area. Recent increases in offences of serious violence correspond with increased alcohol related ambulance call outs and A&E admissions.

The national Alcohol Strategy identifies a significant minority of drinkers at greatest risk of harming themselves or others as falling into three main groups: young people under 18, in particular aged 11–15 (when most people start to drink alcohol) who sometimes behave in an anti social manner in public places, young adults, particularly 18–24 year old binge drinkers who contribute to a substantial amount of crime and disorder; and harmful or dependent drinkers who damage their physical or mental health and who sometimes drink in public places, sometimes antisocially.

In a survey of students in the city in 2007 37% (out of a cohort of 915 university students) had drunk five or more alcoholic drinks in a row on six or more days in a 30 day period.

Excessive drinking is increasingly associated with youth disorder, anti-social behaviour and youth crime. It is also heavily implicated in a large majority of offender assessments, including prosecutions for violence and domestic abuse and theft.

What the national Alcohol Strategy describes as "a co-ordinated and concerted approach to support (a) change in drinking culture" is required to reverse these trends.

<b>Main Partners</b>
Drug and Alcohol Action Team
Brighton Oasis Project
Brighton & Hove City Council
Brighton and Sussex Universities Hospital NHS Trust
Substance Misuse Service
Primary Care Trust
Sussex Police
Crime Reduction Initiatives
RUOK?
Hove YMCA
South Downs Health NHS Trust
Sussex Probation Area
Brighton Housing Trust
Housing Services

## **Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

### **Current status of work**

During the last four years, despite a period of limited central funding specifically for alcohol, some progress has been made in relation to the eight outcome areas identified. For young people, 100% of schools now have Healthy Schools status, improving the standard of alcohol education.

The "Hidden Ones" Schools Communication Pack, dealing with children of drug and/or alcohol using parents, has been widely disseminated; and a significant number of staff working with young people in a range of settings, such as the Targeted Youth Support Service, have received alcohol harm reduction training.

For adults, there has been the establishment of a multi-agency Community Alcohol Team, offering a range of services including detoxification; counselling and aftercare; the establishment of a service users group to help inform service development and local policy; and a research project into the needs of older people who are drinking excessively.

Brighton & Hove City PCT has produced both Adult and Young People's Alcohol Needs Assessments to inform the work of the multi agency Alcohol Strategy Group. The PCT has also commissioned more Local Enhanced Service [LES] and IM&T Directed Enhanced Service [DES] for alcohol users in Primary Care services, as well as an extensive Alcohol Identification and Brief Interventions Service. There is ongoing work in particular to improve care pathways for street drinkers and offenders, including perpetrators of domestic violence.

Young people's substance misuse services are already assessing every alcohol related A&E and hospital attendance, and offering advice, information and referral where appropriate to the young people and their parents.

The Alcohol Strategy is designed to have an impact on targeted priority groups; population-based Identification and Brief Interventions; and facilitate access to alcohol interventions for people coming into contact with a range of non specialist services where their alcohol needs are identified.

The city has gained beacon status in recognition of partnership work managing the night time economy, it is important that projects and work that contributes to managing the night time economy continues to be recognised and supported.

### **Where next?**

The next three years should see a greater focus on tackling alcohol related harm, with particular emphasis on reducing its contribution to domestic violence, to public place violent crime (as described elsewhere in this strategy), to general rates of offending and youth disorder; and to hospital A&E visits, revisits and hospital admissions.

The development of an extensive alcohol learning resource in paper and electronic form should help both specialist and non specialist staffs gain the skills to identify, assess, treat and support, through the maintenance of change, a significantly increased number of problem drinkers.

The promotion of 'White Nights' where the city promotes a late night entertainment offer or venues that are not alcohol focussed should be built upon with such events happening on a more frequent basis.

### **Links to other priority areas**

Alcohol related interventions are significantly interrelated to other Strategy priority areas, including public place violent crime and disorder; sexual violence and abuse; prolific and priority offenders ; anti-social behaviour; domestic violence; hate crime; and children and young people affected by their own or others' drinking.

**Alcohol Misuse and Crime and Disorder**

**Parallel plans**

- Children & Young People's Plan 2009–12
- Homelessness Strategy 2008–13
- Young Peoples' Alcohol Action Plan 2008-11
- B&H City PCT Alcohol Needs Assessment
- B&H Homelessness Strategy 2008
- Domestic Violence Strategy
- Prolific and Other Priority Offenders Strategy
- Youth Justice Plan
- B&H City PCT Young People's Alcohol Needs Assessment
- Anti Social Behaviour Action Plan 2008-11
- Sexual Violence and Abuse Strategy

**Performance Indicators**

- **NI 39: Alcohol-harm related hospital admission rates** (LAA top 35 indicator)
- NI 41 Perceptions of drunk and rowdy behaviour as a problem
- NI 15: Serious violent crime
- NI 20: Assault with less serious injury crime
- LI: Police recorded crime where alcohol is a factor

<b>Alcohol Misuse Action Plan</b>
<b>Outcome Sought 1</b>
<b>Work to reduce alcohol-related harm is taken forward within a robust framework</b>
Actions
1.1 Establish a CDRP Local Alcohol Strategy that: a) accords with national requirements/guidance b) provides a commissioning framework for the delivery of best practice, evidence-based solutions and care to prioritised groups of drinkers c) sets out a delivery plan and performance management framework for all partners
1.2 Resource and support partnership structures to implement the Local Alcohol Strategy and monitor progress.
1.3 Report to Central Government how measures to reduce population levels of alcohol consumption require population and evidence based control measures, including unit cost and availability.
1.4 Utilise the Cumulative Impact Area Assessment to ascertain the number of licensed premises that a successful local night time economy can support within a given resource.
1.5 Further establish information and data sharing protocols to enhance the management of the night-time economy and the number and location of alcohol-related incidents, accidents, violence and anti-social behaviour, using this information proactively to reduce crime, disorder and other alcohol related harm.
<b>Outcome Sought 2</b>
<b>Heightened awareness among those most at risk of the harmful effects of alcohol and of the CDRP's work to bring about change</b>
Actions

**Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

2.1 Raise awareness of the harmful effects of alcohol through sustained campaigns to bring about change.
2.2 Target those groups most vulnerable to harmful drinking patterns and behaviours which occur both publicly and domestically, taking account of gender, generational, social, cultural and geographical differences
2.3 Publicise the CDRP's approach to a Safe, Sensible and Social drinking culture.
2.4 Utilise social marketing exercises in which targeted campaigns attempt to engage particular groups to help them analyse their alcohol consumption and its effects.
2.5 Establish protocols and care pathways which assist priority groups to access information, advice and treatment interventions appropriate to their need and as advised in Models of Care for Alcohol Misuse [2006] utilising the Stepped Care Model.
<b>Outcome Sought 3</b>
<b>A city centre night time economy and licensed premises which are managed and regulated in support of a safe, sensible and social drinking culture</b>
Actions
3.1 Continue to support the Business Crime Reduction Partnership in increasing the resistance of businesses to alcohol related crime, specifically alcohol related shoplifting in the day time and support to licensed premises to promote safe and sociable drinking particularly at night.
3.2 Brighton & Hove City Council won Beacon Status for managing the night time economy in February 2009. Maintain and enhance the effective strategies that have made it possible to manage a healthy night time economy while recognising and responding to the effects of alcohol related incidents and offending on residents and visitors.
3.3 Maintain the Safe Space service in its capacity to respond to residents and visitors who get into difficulties, many of which are alcohol related.
3.4 Utilise information from the Cumulative Impact Area Assessment to develop plans to enhance the experience of residing in and visiting Brighton & Hove
3.5 Continue to monitor and evaluate the use of the Cumulative Impact Area in managing the NTE and its effect in reducing alcohol related crime
3.6 Maintain the Business Crime Reduction Partnership's Yellow and Red Card scheme to identify perpetrators of alcohol-related unacceptable behaviour and to develop staff training in relation to giving information and advice and referral to Identification and Brief Interventions services where appropriate.
<b>Outcome Sought 4</b>
<b>A new generation of young people who are able to resist alcohol misuse</b>
Actions
4.1 Implement evidence-based targeted education and public awareness campaigns in schools, colleges, pubs and clubs to promote sensible drinking and to highlight the harmful effects of drinking, including the risk of injury and of committing offences
4.2 Enhanced PSHE interventions, reflecting statutory status implemented in 2010-11, within schools and maintenance of achievement of National Healthy Schools status
4.3 The Targeted Youth Support Service to pursue activities and approaches with young people which discourage the use of alcohol and promote alternative interests.
4.4 Utilise the Young People's Alcohol Needs Assessment to develop the Young People's Alcohol Action Plan and regularly review its progress.
<b>Outcome Sought 5</b>

**Alcohol Misuse and Crime and Disorder**

<b>Support is provided for and accessed by young people who drink to excess to alleviate any health risks and/or offending behaviour</b>
<b>Actions</b>
5.1 Provide a specific resource within the under 19s substance misuse treatment service with a remit to improve the rate of identification, referral into, and delivery of, appropriate interventions for young people with alcohol related health or behavioural problems
5.2 Utilise the Young Peoples' Alcohol Needs Assessment to identify the adequacy of resources for Alcohol Interventions and plan and allocate resources appropriately.
5.3 Create a multi-agency (Social Care, Education, Police, Community Safety, Health Trainers, YOT, Targeted Youth Support Service, Families Intervention Programme, Probation, Homeless Outreach, Hostels, Band 2 Housing, Housing Support, Home Care, A&E, Primary Care, In Patient Acute, In Patient Secondary, mental health services, School Nursing) process for identifying young people who are drinking to excess and offering to refer them to into appropriate services.
5.4 Maintain Operation Park and the targeting of individuals into referral pathways for Information and Advice and Identification and Brief Interventions services through the ru-ok? Substance Misuse Services' alcohol specific treatment and care system.
<b>Outcome Sought 6</b>
<b>Support is sustained and developed within mainstream health care services for individuals who are drinking at harmful levels</b>
<b>Actions</b>
6.1 Sustain and further develop the Community Alcohol Team and alcohol specialist staff within mainstream health care services in response to Models of Care for Alcohol Misuse and the local and national alcohol strategies.
6.2 Create a multi-agency process for identifying individuals who are drinking at harmful levels, the care pathways they require to access services appropriate to their needs; and the aftercare and support they require to maintain the changes they make.
6.3 Utilise the information from the B&H City PCT Adult Alcohol Needs Assessment to identify gaps in service provision and plan to direct resources to meet the unmet need.
<b>Outcome Sought 7</b>
<b>Reduced levels of domestic violence which is perpetrated under circumstances where alcohol is a significant factor</b>
<b>Actions</b>
7.1 Improve access to information, advice, identification and referral into treatment for perpetrators of domestic violence where alcohol is a significant factor.
7.2 Provide appropriate support for survivors of domestic violence where alcohol is a significant factor and, where identified, refer into service appropriately sensitive to their specialist needs.
7.3 Agree care pathways with service providers to increase uptake of alcohol interventions appropriate to the needs identified for both perpetrators and victims of domestic violence, paying particular attention to ensuring victims can access services away from perpetrators who are also accessing services.
<b>Outcome Sought 8</b>
<b>Develop and enhance the skills of all workers to identify and assess alcohol problems in their client groups across all disciplines, agencies and settings</b>
<b>Actions</b>
8.1 Assess the need for Alcohol Identification and Brief Interventions training for the Partnership workforces.

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8.2 Determine preferred learning methods and opportunities to incorporate learning in related activity such as staff induction and continuous professional development.
8.3 Utilise and assess the Alcohol Learning Centre's online resources and e-learning packages.
8.4 Further develop alcohol-specific interventions training for front line, secondary care and specialist workers, to enhance assessment of need, treatment and outcomes for alcohol clients.
8.5 Assess the need for support to retail off-sales staff and on-sales server and door staff at licensed premises to support the "Prove It" test purchasing scheme and the BCRP Yellow and Red Card schemes

## Illicit Drugs Misuse

**Objective: To reduce and prevent the harm to individuals, families and communities associated with the use of illicit drugs**

### Why is this a priority?

Reducing and preventing drug related harms remains both a national and local priority. The use of illicit drugs has a direct impact on other priority areas in the Strategy. It causes physical, psychological and social harm to the individuals concerned, as well as giving rise to significant disruption and cost to families and communities.

National policy continues to be based on efforts to reduce both the supply of, and the demand for, illicit drugs. The 2008 Drug Strategy "Drugs: Protecting Families and Communities", identifies four responses to these twin challenges:

- > protecting communities through robust enforcement to tackle drug supply, drug-related crime and anti-social behaviour
- > preventing harm to children, young people and families affected by drug misuse
- > delivering new approaches to drug treatment and social re-integration
- > public information campaigns, communications and community engagement.

A Young People Needs Assessment in 2008-09 indicated that self-reported drug use amongst 14–15 year olds had remained at generally constant levels, with approximately two thirds reporting no illicit drug use and 30% reporting use of cannabis, the most frequently consumed drug, a reduction in use from 2004. Based on Home Office data, however, it is estimated that approximately 588 young people aged 10–16 are frequent drug users, and 226 are Class A drug users. For 17–18 year olds, the figures are an estimated 980 and 798 respectively, indicating that for a significant minority of young people, problematic and potentially dependent drug misuse remains a high priority for prevention and treatment services to address. In 2008-09, the Communities Against Drugs Team undertook audits of six neighbourhoods and found that lack of reporting of drug issues and selling of drugs in the street were perceived as a problem by 41% and 30% respectively of those surveyed. The estimated number of problem drug users [using opiates and/or crack cocaine], based on the most recent data available for 2006-07 for 15–64 year olds, is 2,584. There are an estimated 800 drug injectors, which may be an underestimate, according to treatment service providers, and represents a sizeable at risk population vulnerable to drug related deaths, which in 2008 stood at 44, once again the highest rate [20.7 per 100,000] recorded nationally. There has been a sustained high level of detection of, and convictions for, Class A drug supply offences, with effective drug enforcement and the resulting reduction in both drug related acquisitive crime and the risk of drug related violent crime remaining a police priority.

#### Main Partners

Drug and Alcohol Action Team  
 Communities Against Drugs Team  
 NHS Brighton & Hove  
 Sussex Police  
 Sussex Probation  
 SPFT Substance Misuse Service  
 CRI  
 Brighton Oasis Project  
 Brighton Housing Trust  
 RU-OK?

## **Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

### **Current status of work**

Since 2008, work with young people has focused on improving early identification and screening for young people at risk of substance misuse by the range of services responsible, including social care teams, the targeted youth support service, housing teams, schools, CAMHS, A&E, the anti-social behaviour team and the Youth Justice Team. The number of young people entering the specialist treatment service, ru-ok?, continues to rise, and the case for a transitional service to meet the needs of 18–24 year olds is under consideration. The Communities Against Drugs team has carried out audits in seventeen neighbourhoods since 2005 and has extended its work into East Brighton. Work to directly tackle identified drug and alcohol issues is combined with having an impact on perceptions, which saw a reduction of 50% in the proportion of people regarding drugs and alcohol as problematic between the first and second audits. The sustained investment in communities based work by the CDRP over several years has enabled Communities Against Drugs to add value to the enforcement, prevention and treatment strands of the national Drug Strategy and to gain national recognition for its pioneering work. Treatment services have continued to attract an increasing number of people, with 1,587 in treatment according to the 2009-10 Adult Substance Misuse Needs Assessment, a 60% increase over five years. Pharmacy based needle exchange provision has been improved in terms of both availability and the range of equipment provided. The drug treatment system has been reconfigured to reflect National Institute for Health and Clinical Excellence [NICE] Guidance on evidence based treatment. Further work is required on treatment outcomes, to improve the proportion of treatment journeys which are completed successfully; on the provision and recording of harm reduction interventions, particularly general healthcare assessments and Blood Borne Virus services; and on further reduction of waiting times. With regard to drug enforcement, Operation Reduction has continued to make a significant contribution to the number of Class A drug offenders brought to justice for supply offences and 330 offenders have been diverted into the treatment system.

### **Where next?**

The next year will need to focus on a range of systems improvements within an overall context of resource constraint and continued emphasis on efficiency savings. For young people, demand for specialist substance misuse treatment interventions is likely to increase, as those services supporting vulnerable populations make more referrals, with treatment pathways more clearly aligned with the Common Assessment Framework. For children of substance misusing parents and carers, there will be an evaluation of service provision three years after inception, in order to seek improvements in the maintenance of family units and a reduction in substitute care. For local communities, the Communities Against Drugs team will continue its core activities of: working within neighbourhoods to respond to issues raised by Local Action Teams and deliver against Action Plans; working to support families and carers; and developing the health and well-being of individuals through, in particular, implementation of the Health Trainer service. Drug treatment will seek to: consolidate the increased access to services for families and carers; improve the throughput of people in the drug treatment system; review access to and outcomes for residential rehabilitation; improve access for under-represented groups, including BME and LGBT; and focus on social re-integration via enhanced availability of accommodation, training and employment. Enforcement activity, to reduce drug supply and to lessen the impact of drug dealing on community cohesion, will be sustained through Operation Reduction, supported by efforts to enhance community reporting and linked to overlapping areas of work such as Prolific and other Priority Offenders interventions.

### **Links to other priority areas**

Illicit drug misuse, in the words of the Home Secretary's foreword to the new Drug Strategy "wastes lives, destroys families and damages communities. It costs taxpayers millions to deal with the health problems caused by drugs and to tackle the crimes, such as burglary, car theft, mugging and robbery which are committed by some users to fund their habit". The use of illicit drugs can be a significant factor in work with a number of other Strategy priority areas, including anti-social



**Illicit Drugs Misuse**

behaviour, acquisitive crime, public place violent crime, domestic violence, and preventive and support work with young people, as well as having a negative influence on the quality of the environment.

**Parallel Plans**

- Children and Young People's Plan 2009–12
- NTA Adult Drug Treatment Plan 2009–10
- Drug Needs Assessment 2009–10
- PCT Operation Plan [Vital Signs] 2009–10
- Prolific and Other Priority Offenders Strategy
- Housing Strategy 2008–13

**Performance Indicators**

- **NI 38: Drug-related (Class A) offending rate** (LAA top 35 indicator)
- **NI 40: Drug users in effective treatment** (LAA top 35 indicator)
- NI 42: Perceptions of drug use or drug dealing as a problem
- NI 115: Substance misuse by young people [Local Target]

**Illicit Drugs Action Plan****Outcome Sought 1**

**Protection of communities through robust enforcement to tackle drug supply, drug related crime and anti-social behaviour.**

**Actions**

1.1 Continuation of Operation Reduction into its fourth year, aiming to build on the positive findings of the independent research undertaken in 2008, which reported a 50% reduction in a range of drug related acquisitive crime amongst those targeted by the Operation.

1.2 Sustained activity via Communities Against Drugs to empower communities to report drug dealing and drug related activity.

**Outcome Sought 2**

**Prevention of harm to children, young people and families affected by drug misuse.**

**Actions**

2.1 Deliver drug education through Healthy Schools Team support for PSHE and through the work of the Targeted Youth Support Service.

2.2 Promote the further improvement, supported by the under 19 treatment service, ru-ok?, as a provider of specialist consultation, of Tier 2 targeted [enhanced] services for vulnerable young people – those who have ever been in care; those who have ever been homeless; truants; those excluded from school; serious or frequent offenders; and those whose parents or carers are problematic drug users – with effective screening and assessment at an early stage supported by appropriate training where necessary.

2.3 Increase the number of young people appropriately referred by the Police; Antisocial Behaviour Team; Detached Youth Work Team; Youth and Connexion Personal Advisors; hostel and other accommodation services; and from Accident and Emergency, into the under 19s treatment service, ru-ok?

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2.4 Meet the 8 targets set by the National Treatment Agency incl.: 20% or more referrals to the treatment service via Children and Family services; 100% of young people receiving a care plan within two weeks of starting treatment; and 80% or more young people leaving treatment in an agreed and planned way.
2.5 Improve treatment service delivery in respect of: general healthcare assessments; responding to diverse needs, including those who are victims of sexual exploitation; mental health assessments and treatment; and access to intensive Tier Four interventions.
2.6 Improve the capture of accurate data and reliable information and fully implement a joint recording and case management system [Aspire].
2.7 Provide information and advice to local communities on access to family support, including PATCHED, and via an annual Families Conference.
<b>Outcome Sought 3</b>
<b>Delivery of new approaches to drug treatment and social re-integration</b>
3.1 Refresh the Harm Reduction Strategy in order to improve access to, and uptake of, Blood Borne Virus testing and vaccination programmes, combined with an increased emphasis on accurate data recording.
3.2 Develop the availability of naloxone administration training for service users, currently those in structured treatment, but extended to other at risk groups such as hostel residents, as well as to families and carers, in order to have a positive impact on the drug related deaths rate.
3.3 Increase the number of psychosocial intervention treatment places and investigate ways of reducing waiting times, which have often exceeded 21 days.
3.4 Improve access to, engagement in and planned discharges from treatment for under represented groups, including BME, LGBT, dual diagnosis clients and substance misusing parents.
3.5 Review the current provision for Tier 4 residential rehabilitation, demand for which outstrips available resources for funded places, in order to try and respond to need more effectively.
3.6 Improve planned discharge rates, which have been below national averages, with a particular focus on recovery and reintegration via better access to accommodation, training and employment.
3.7 Improve the quality of data recording across the treatment system, particularly in respect of Treatment Outcome Profiles and Harm Reduction data, in order to better reflect actual practice, and utilising standardized contract review mechanisms to encourage compliance.
3.8 Continue to integrate family support and treatment through local PATCHED services and through support groups at Lewes Prison.
3.9 Develop employment/educational pathways through peer mentoring and workforce development work.
3.10 Develop work that increases the self-esteem and self-image of those in recovery through arts and creative activities.
3.11 Support Integrated Drug Treatment System prison work through PATCHED and Health Trainer inputs.
<b>Outcome Sought 4</b>
<b>Public information campaigns, communications and community engagement</b>
Actions
4.1 Continue Communities Against Drugs neighbourhood liaison work, potentially extended to other aspects of community safety, so as to engage with local communities via the audit, commissioning and review cycle.
4.2 Promote local campaigns, both within Tackling Drugs Week and throughout the year as appropriate, to identify good practice and successful outcomes for local residents.
4.3 Raise awareness of risks from the night-time economy via the Safe Space project and Spiked campaign.

**Acquisitive Crime**

# **A**quisitive Crime: Burglary, Theft and Business Crime

**Objective: To reduce acquisitive crime including burglaries, thefts of and from motor vehicles, cycle theft and business crime**

## **Why is this a priority?**

Acquisitive crime, often motivated by drug abuse, is invasive. In particular, domestic burglaries have a significant impact on victims and business crime can jeopardise the prosperity of businesses in the city.

The Home Office estimates that the average financial cost of each domestic burglary is £3,268, theft of a vehicle is £4,138 and theft from a vehicle is £858.

Acquisitive crime in Brighton & Hove accounts for a significant proportion of overall crime (45%) and long term trends in overall crime are therefore heavily influenced by acquisitive crime. Over the past five years peaks and troughs in acquisitive crime are visibly echoed in total crime trends.

During 2008/9 acquisitive crime began to rise from historically very low figures over the past few years. The recession could be an influence on acquisitive crime but at the moment there is no local direct evidence or information to attribute rises in crime to the economic downturn.

## **The local picture**

In 2007, the Citizens' Panel Survey found that 29% of local people reported feeling fairly worried or very worried about their homes being broken into and a further 45% felt slightly worried. Roughly similar percentages of people were worried about theft of or theft from their vehicles. 12% of Citizen's Panel respondents had experienced or observed domestic burglary in the past twelve months and a similar percentage had experienced or observed attempted burglary.

Over the course of recent years levels of police recorded vehicle crime and domestic burglary have substantially fallen. Vehicle crime remains at relatively low levels but locally we are seeing a rise in thefts from vehicles particularly in city centre car parks, domestic burglaries are showing signs that they might be rising again. It is therefore important we continue with current work streams and develop new actions to combat these trends. Increasing cycle use in the city unfortunately creates more opportunity for offenders to steal cycles that are not properly secured in public places.

## **Current status of work**

Operation Reduction, a well established and nationally acclaimed partnership operation, that targets drug dealers and users with a dual approach of enforcement and support has made a significant contribution locally to reducing acquisitive crime, as has work with prolific and priority offenders (described further in a separate section of this strategy).

Operation Inroad has been successful in increasing

### **Main Partners**

Sussex Police  
 Housing Services  
 Neighbourhood Watch  
 Trading Standards  
 Victim Support  
 Business Crime Reduction Partnership  
 Sustainable Transport Team  
 Bike Off  
 British Transport Police

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awareness of potential victims of distraction burglary. When incidents do occur, this initiative provides an enhanced response to victims and a quality focussed investigation.

The Crime and Disorder Reduction Partnership (CDRP) appointed priority crime reduction officer has coordinated and delivered a wide range of activities and initiatives around acquisitive crime drawing on national best practice. This has included a programme of providing free additional security to over 500 homes over the past three years. These have mainly been in the city centre where properties tend to be more vulnerable.

Recent trends and series are largely determined by the presence or absence of certain offenders who commit multiple crimes. Some trends in vehicle crime and burglary have been attributable to youth organised crime groups with hotspots emerging close to some young peoples home addresses.

In response to the rise in cycle theft, a multi-agency group continues to deliver on an action plan which includes improved cycle parking facilities and work to raise awareness among cyclists about best practice around cycle security.

The Business Crime Reduction Partnership (BCRP), supported by the CDRP, continues to increase its membership and provides support to businesses in reducing crime. Areas of business supported include the retail sector and the night time economy.

CDRP activity has therefore made a significant contribution to crime reduction in this area. Underlying this is the day to day work of the police in Brighton and Hove in dealing with victims, gathering intelligence, targeting offenders, detecting offences and bringing offenders to justice.

### **Where next?**

The CDRP priority crime reduction officer will continue to develop initiatives to maintain our reductions in these crime areas and we will continue to invest in Operation Reduction and work targeting prolific and priority offenders.

Work in the city centre to environmentally audit car parks and make changes to raise their specification to meet accredited standards.

Better information sharing between the police, YOS, TYS and others working with and supporting young people to divert the activities of those involved in youth organised crime groups and share information and intelligence on those involved to detect offences.

The CDRP will continue to work with the BCRP developing the roles of the night time and day time coordinators to encompass wider crime reduction activity and to actively own, develop and coordinate relevant elements of the Community Safety, Crime Reduction and Drugs Strategy.

### **Links to other priority areas**

Work in this area is supported by work in the action plans relating to priority and prolific offenders, drugs misuse, physical environment, infrastructure and quality of life children and young people and alcohol related crime and disorder.

### **Sustainability issues**

As shown above, many people have an underlying concern about the risk of acquisitive crimes, particularly those which are personally invasive. Also, business crimes are not victimless; small businesses particularly can be disproportionately disadvantaged by business crime and neighbourhoods where premises have closed down detract from the visual appearance of the area, can lose their attraction as places to visit and encourage criminal damage and anti-social behaviour.

## Acquisitive Crime

National research has found their cycle has been stolen, two out of three people will cycle less frequently and one in four will stop cycling altogether. A reduction in cycle theft rates therefore supports work to build up environmental sustainability and also has positive health benefits.

Since acquisitive crime levels have been relatively low in recent times, it would be easy to divert resources into other crime and community safety issues. However, the CDRP must continue with ongoing police operations and CDRP initiatives so as to maintain these low levels of crime. These are not currently resource intensive so this is achievable. The CDRP will continue to monitor crime trends in this area and where spare analytical capacity exists successful projects and operations will be evaluated to learn from their success.

### Parallel plans

- Sussex Police and Brighton & Hove Policing Plans
- Sustainable Transport Plan

### Performance Indicators

- NI 16: Serious acquisitive crime rate
- LI: Number of police recorded domestic burglaries
- LI: Number police recorded thefts from and thefts of vehicles
- LI: Number of police recorded shoplifting offences
- LI: Number of Business Crime Reduction Partnership members

## Acquisitive Crime Action Plan

### Outcome Sought 1

#### Targeted crime prevention in burglary hotspots

##### Actions

- 1.1 Continue to promote and focus secure locks scheme in the most vulnerable properties
- 1.2 Ensure property is marked in hotspot areas
- 1.3 Promote Neighbourhood Watch in hotspots
- 1.4 Increase awareness of capable guardians in hotspots
- 1.5 Ensure quality focussed investigations in hotspot areas
- 1.6 Provide high visibility patrols in hotspot areas

### Outcome Sought 2

#### Increase active Neighbourhood Watch schemes

##### Actions

- 2.1 Promote Neighbourhood Watch across the city

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2.2 Ensure PCSOs are all trained in setting up and supporting schemes
2.3 Maintain established Neighbourhood Watch schemes during transition management arrangements
2.4 Continue to support and promote Brighton and Hove Neighbourhood Watch Association
2.5 Provide better communication to Neighbourhood Watch coordinators
<b>Outcome Sought 3</b>
<b>Improved security standards in dwellings</b>
<b>Actions</b>
3.1 Promote secure locks scheme across the city
3.2 Provide advice to householders on securing their property and good practices
3.3 Work with planning to ensure new developments, refurbishments and extensions meet specific standards of security
3.4 Improve security in dwellings occupied by vulnerable people
3.5 Take special measures to tackle distraction burglaries
<b>Outcome Sought 4</b>
<b>Improved property marking and property recovery</b>
<b>Actions</b>
4.1 Targeted work with householders to ensure property is appropriately marked
4.2 Targeted work to promote property marking and increase awareness of the benefits
4.3 Improve the use of technology and recording systems to identify covertly marked recovered goods
4.4 Work with second hand outlets to monitor stock and who they buy their stock from
<b>Outcome Sought 5</b>
<b>Targeted vehicle crime prevention in hotspots and improved environmental design to deter vehicle crime</b>
<b>Actions</b>
5.1 Make motorists aware of hotspots
5.2 Provide intelligence to capable guardians regarding hotspots
5.3 Improve the built environment in long term hotspots
5.4 Improve security and safety standards in car parks
5.5 Make car parks look secure, safe and clean
5.6 Through planning ensure all new environmental improvements maximise opportunities to reduce vehicle crime
<b>Outcome Sought 6</b>

**Acquisitive Crime**

<b>Increased responsibility and improved crime prevention practices by motorists</b>
<b>Actions</b>
6.1 Raise awareness of good crime prevention practices
6.2 Work with motorists to ensure property is appropriately marked
6.3 Encourage off street parking
<b>Outcome Sought 7</b>
<b>Support the Business Crime Reduction Partnership in protecting businesses from crime</b>
<b>Actions</b>
7.1 Increase the membership of the BCRP
7.2 Encourage existing members to report and record crime and incidents
7.3 Maintain and develop intelligence between the police, PCST and BCRP
7.4 Work with the BCRP to improve working practices to reduce crime in the night time economy
7.5 Work with the BCRP to improve working practices to reduce crime in the day time economy
<b>Outcome Sought 8</b>
<b>Initiate effective business crime reduction activities and disseminate good practice</b>
<b>Actions</b>
8.1 Equip businesses with the information needed to reduce crime
8.2 Give businesses access to best practice to reduce business crime
8.3 Reduce drive offs from petrol stations
<b>Outcome Sought 9</b>
<b>Reduction in cycle theft rate</b>
<b>Actions</b>
9.1 Carry out high profile publicity campaign on secure cycle locking practice
9.2 Promote registration of cycles to assist with retrieval
9.3 Continue to expand and improve cycle parking provision in the city, including in car parks and residential settings
9.4 Evaluate effectiveness of 'M design' cycle stands trial
9.5 Seek quality cycle parking provision in new planning applications and for this to be adequately enforced

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# Hate Crimes and Incidents

**Objective: To reduce crimes and incidents which are motivated by hatred and protect victims**

Hate crime is 'any incident which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate<sup>2</sup>.' It is an action that goes beyond causing offence or being hostile, it is a criminal offence committed against a person or property.

Hate incidents and crimes are motivated by an offender's hatred of someone because of their:

- > race, colour, ethnic origin, nationality or national origins
- > religion
- > gender or gender identity
- > sexual orientation
- > disability.

Hate incidents can take many forms including:

- > physical attacks, assaults, damage to property, offensive graffiti, neighbour disputes and arson
- > threat of attack including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints
- > verbal abuse or insults, offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letter boxes and bullying at school or in the workplace

Brighton & Hove's Crime and Disorder Reduction Partnership is committed to dealing with hate crime and the prejudice and discrimination that fuel such hatred. In the next three sections of the Strategy, work is described which tackles hate crimes motivated by racist and religious hatred; by homophobia, transphobia, biphobia and prejudices towards disabled people.

Our sections of the Strategy which set out our work programmes for tackling domestic and sexual violence recognise the relationship between these crimes and gender-based violence and the new duties that are required by the Equality Act 2006. During 2009, the Partnership will consider how it can further integrate considerations of gender within the work on other priority crime areas. These considerations will ensure that the CDRP is fully compliant with all recent equality duties.

<sup>2</sup> Association of Chief Police Officers (ACPO) definition



**Racist and Religiously Motivated Incidents****R**acially and Religiously Motivated Crimes/Incidents

**Objectives: To prevent and reduce racist and religiously motivated crimes and incidents**

**To increase trust and confidence**

*Definition - 'A racist or religiously motivated incident is any incident which is perceived to be racist or religiously motivated by the victim or any other person.'*

**Why is this a priority?**

According to the census data the BME population in Brighton and Hove is relatively small compared to other similar cities. This means that their needs and concerns can be marginalised. The capacity of support networks within the BME community are limited and mainstream services are working towards reaching their full potential to deliver the best service to BME clients and fully fulfil their statutory obligations. There is a long history of BME communities not having trust and confidence in statutory agencies. Many concerns have now been addressed but working towards increased trust and confidence remains an important priority. This means that BME community members who experience racially or religiously motivated crimes and incidents do not always seek or receive the support they need or deserve to ensure the best outcomes for them.

The 2001 Census estimated that there were just over 14,200 people from non-white ethnic groups – 5.7% of the city's population. However, BME groups were estimated to have increased in size by 35% over the period 2001 to 2004 (against a national increase of 13%). 15% of the city's residents were born outside of England (well above national levels) and 20% of all new births in 2005 were to mothers born outside the UK. The city ranks in the top 10 local authorities across England in terms of numbers of migrant workers with 5,000 registrations from overseas workers in 2005 alone (Inequality Review 2007/08, Brighton & Hove City Council). The city also hosts several thousand overseas students every year.

Assessing the extent to which this increasing population is vulnerable to racist/religiously motivated crimes and incidents is informed in part by national research which consistently shows high levels of under-reporting, specifically that police databases record fewer than a fifth of those incidents which are revealed through surveys.

**The local picture**

The Brighton & Hove Crime and Disorder Reduction Partnership (CDRP) has consistently prioritised work aimed at increasing reporting either to the police, the caseworkers within the Community Safety Team, housing and school staff or to one of our community or voluntary sector partners.

The central area of the city, which is the focus for visitors and businesses, has the highest concentration and increasing number of incidents (Regency ward) with other central areas (Queen's Park and St. Peter's & North Laine) and East Brighton also showing concentrations.

Our analysis also shows that rises or peaks in reported incidents correlate with international and national events and tensions. For example, in July 2005 following the London bombing incidents, Brighton & Hove had the largest number of reported incidents that it had recorded in any single previous month. We estimate that those incidents were particularly experienced by those who were

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perceived to be of the Muslim faith. However, other communities are also at an increased risk of targeted crimes or incidents, including gypsies and travellers, refugees and migrant workers, overseas students, health service workers and BME businesses, particularly those which work in front line occupations such as food and retail outlets and taxi drivers.

### Community engagement and trust and confidence

Our work to prevent and deal with these hate crimes has also directly contributed to building increased trust and confidence by local communities in criminal justice and statutory partner agencies. Community engagement and supporting partnership work with communities is prioritised as one of a number of ways through which we build trust and confidence. That work and the positive direct relationships that our police officers and staff within the Partnership Community Safety Team have with the Muslim Forum, the Sudanese Coptic Association, the Jewish Representative Council and other faith based groups provide the opportunity for directly addressing the concerns and daily experiences they have and of delivering solutions which further protect them.

### Current status of work

Brighton & Hove CDRP will continue its active support of the Racial Harassment Forum, the 'multi-agency panel' which was identified as a key good practice initiative within the findings of the Stephen Lawrence Inquiry. The Forum is a partnership of community, independent sector and statutory service providers. An independent review of its governance and working practices in 2006 has ensured that the Forum is 'fit for purpose' to deliver its duties including all those which are set out in the detailed action plan of this Strategy which incorporates targeted work to build resilience to violent extremism as well as comprehensive actions to reduce racist/religiously motivated crimes and incidents.

A high priority is to sustain and further develop the provision of high quality police responses and casework services which provide the full range of criminal and civil justice remedies which resolve safety issues, protect victims and, where appropriate, bring offenders to justice. The added value that will come from closer working with Neighbourhood Policing Officers and Teams will be one of the initiatives in coming months which aim to improve responses.

We have done particularly well in taking forward projects which reduce risks for particularly vulnerable groups. A Home Office grant is awarded from the Victim Fund which has allowed an outreach worker employed by Friends, Families and Travellers to work with gypsies and travellers to increase reporting. Funding has also been secured to work with taxi drivers in the city and to increase their safety from racist abuse and attacks. The success of this initiative is a result of a strong partnership with community leaders and the members of Sudanese community in particular.

Mainstreaming good practice approaches has significantly progressed with expertise being shared from the Partnership Community Safety Team in the delivery of training programmes to many council services. The Healthy Schools Team (within the Children and Young People's Trust (CYPT)) has led cutting edge work to tackling bullying in schools. The 'Social and Emotional Aspects of Learning' initiative has been delivered to primary schools and by September 2008 will be implemented in all schools in the city. As the local education authority, the CYPT has now analysed a full year of returns from schools, which together with the findings of the 'Safe at School' survey is

<b>Main Partners</b>
Racial Harassment Forum
BME and faith community groups and businesses
Sussex Police
Partnership Community Safety Team
Primary Care Trust
Children and Young People's Trust
Social housing providers
Crown Prosecution Service
Court services

## **Racist and Religiously Motivated Incidents**

providing important information on which we can base educational and preventative work with children and young people.

### **Where next?**

Sustaining our multi-agency panel, the Racial Harassment Forum continues to be a high priority. We will provide support to those representatives of the community and independent sector who give of their time and expertise in helping in the delivery of the Forum's work which includes the work programme set out within this strategy and action plan. The Annual General Meetings provide important opportunities to review progress and to celebrate shared achievements. We will continue to strengthen the link with democratic processes through the Community Safety Forum and with stronger links within neighbourhoods.

Work to further increase reporting will continue and we will sustain and extend the delivery of good practice casework to victims and witnesses, co-ordinating effective multi-agency responses and remedies.

We will continue to meet Home Office requirements to record, monitor and analyse tensions and risks and submit monthly reports. We will also continue to address the particular concerns and experiences of those who are targeted and fearful because of their faith.

We will progress the strands of work that seek to ensure the effective use of the education system, and where appropriate the youth service, to promote faith understanding in schools, colleges and universities. We will seek to increase the involvement of women from different faith groups in new initiatives, work with our partners to further introduce inclusive cultural initiatives, inter faith work and projects which build civic capacity. Our activities during Refugee Week in June and the 'City People's Day' in October 2009 will be two of the initiatives which will help take forward that work. At a strategic level, we will contribute to partnership work to help build community cohesion.

### **Links to other priority areas**

Work in this action plan feeds into broader work around equalities and community cohesion. It also supports and is supported by other work in this strategy around anti-social behaviour, children and young people, public place alcohol related crime disorder and Preventing Violent Extremism.

### **Sustainability**

Racially and religiously motivated crimes and incidents significantly adversely affect the health, well-being and quality of life of individuals and families, damage lives and communities and undermine community cohesion.

#### **Performance Indicators**

- LI: Number of Racist Incident Report Forms received
- LI: Number of agencies actively engaged in using the RIRF
- LI: Number of police recorded racist and religiously motivated crimes and incidents
- LI: The detection, prosecution and conviction rate of racist and religiously motivated crimes
- LI: Number of racist and religiously motivated crimes where the victim has been a victim of a racist or religiously motivated crime in the last 12 months

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### Parallel plans

- Preventing Violent Extremism – Winning Hearts and Minds (DCLG: 2007)
- Commissioning Integration and Cohesion: Our Shared Future (DCLG 2007)
- Strengthening Opportunities – Promoting Cohesion (DCLG 2005/07)
- Inclusive Council Policy; and community cohesion and Reducing Inequalities Review
- Anti-Bullying Strategy: Children & Young People’s Trust and national guidance: ‘Safe To Learn’.
- Saving Lives, Reducing Harm. Protecting the Public. An Action Plan for Reducing Violence 2008–11.

### Racially and Religiously Motivated Crimes and Incidents and Building Resilience to Violent Extremism Action Plan

#### Outcome Sought 1

**Increased reporting of racist and religiously motivated crimes and incidents and improved responses and services to those reporting.**

#### Actions

- 1.1 Develop and distribute widely self-reporting packs to increase reporting of racist incidents
- 1.2 Expand web-based and on-line reporting opportunities
- 1.3 Enhance facilities to report and access services within the neighbourhood
- 1.4 Further implement and mainstream the use of the Pan-Sussex RRMI reporting form
- 1.5 Increase reporting in the community and voluntary sector
- 1.6 Prioritise work with repeat victims to support and protect them and their families from further victimisation
- 1.7 Further develop the capacity of the multi-agency Casework Panel to improve the response to racist incidents and to support victims
- 1.8 Conduct client satisfaction surveys and act on feedback from the client in relation to the standards of service provided to them
- 1.9 Deliver a consistently high quality service to victims from wherever they access support
- 1.10 NHS Trusts to devise measures to increase reporting and embed it within their policies & practice
- 1.11 Publicise reporting centres, reporting schemes and support services.

#### Outcome Sought 2

**To promote an anti-racist attitude within communities and increase knowledge, skills and ability of the city’s workforce to respond through publicity, training and partnership projects.**

#### Actions

- 2.1 Provide targeted publicity and support to vulnerable groups to raise awareness about reporting and enable easy access to hate crime services. Translated information to be made available on support services and first contact

**Racist and Religiously Motivated Incidents**

2.2 Prioritise promotion of clear and consistent anti-racist messages and raise awareness of racist bullying in young people's settings, particularly schools, using a variety of young person friendly media and training
2.3 Work with English language schools, higher education establishments, universities, and host families to raise awareness risks and of reporting mechanisms among overseas students and address their safety concerns. Examine this process and ensure that it is targeted at the right people
2.4 Ensure clients are aware of statutory sector complaint procedures e.g. Council, Police, NHS, CPS and learn from complaints made
<b>Outcome Sought 3</b>
<b>Prevent and deter offenders, reduce repeat offending and bring offenders to justice whenever appropriate through improved rates of detection, prosecution and court outcomes</b>
3.1 To review policies and practices relating to the recording and referral of issues relating to repeat offending
3.2 Race/Faith caseworkers to work closely with Anti-Social Behaviour and Youth Offending Teams regarding known perpetrators
3.3 Develop a mechanism to identify and manage risk presented by racist and religiously motivated offenders
3.4 Work towards developing early intervention programmes with young people in young people's settings
3.5 Work with perpetrators and their parents to address their racial or religiously-motivated anti-social behaviour by appropriate interventions and referral to appropriate services
3.6 Monitor records to ensure early identification and tagging of racist and religiously motivated incidents
3.7 Monitor the racist incident reporting process within Sussex Police and the Crown Prosecution Service to identify gaps in the system and develop a plan to address them
3.8 Monitor the number of racist and religiously motivated crimes recorded and detected along with the number of arrests, cautions, prosecutions and convictions
3.9 Develop and monitor tracking of criminal cases to check progress and provide feedback to the victims and communities
3.10 Map and analyse hotspots for racist incidents to assist in problem solving and to assess the effectiveness of work undertaken
3.11 Maintain the city-wide centralised monitoring system of racist incidents, produce regular updates on trends and patterns for monitoring by producing the Racist Incident Database Report to direct future preventative and development work
<b>Outcome Sought 4</b>
<b>Deliver targeted initiatives, including specific projects, which aim to increase the safety of those vulnerable to particular risks and which contribute to the wider aims and objectives within the Strategy</b>
<b>Actions</b>
4.1 Housing Management to continue to develop appropriate and specific housing policies and procedures and work with registered social landlords and the private sector to minimise potential risk of vulnerable people from Black and minority ethnic communities being housed in vulnerable locations

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4.2 Housing strategy to develop strategy action points to combat racist and religiously motivated harassment
4.3 Collect tension risk information in the city and engage BME groups, voluntary and community organisations with regard to community cohesion issues
4.4 Ensure consistent response to all reports of RRMI
<b>Outcome Sought 5</b>
<b>Promote local community cohesion and engagement between existing and new communities, building bridges and links across all ethnic groups and faiths.</b>
<b>Actions</b>
5.1 Link action plan from Community Cohesion meetings to Community safety strategy action plan
5.2 Develop and support the RHF
5.3 Develop a youth section of the Racial Harassment Forum
5.4 Develop links with external agencies/individuals from around the UK to bring inspiration and expertise to the RHF
5.5 Statutory providers to consult and engage with BME communities in developing good practice of priorities and services with regard to i) racial and religiously motivated incidents ii) other services
5.6 Engage with refugee, asylum seeker and migrant worker communities and address their safety concerns
5.7 Develop a proactive communications strategy to raise the profile of the anti-racist work, respond to negative publicity, publicise successful prosecution and to promote respect for diversity
5.8 Review RHF publicity and refresh accordingly
5.9 Assess and respond positively to emerging tensions and potential conflicts

**Preventing Violent Extremism**

# **B**uilding Resilience to (Preventing) Violent Extremism

**Objectives: Increase trust and confidence within communities and build long-term resilience to violent extremism**

## **Why is this a priority?**

The aim of the United Kingdom's strategy for countering international terrorism (Contest: March 2009) is 'to reduce the risk to the UK and its interests overseas from international terrorism, so that people can go about their lives freely and with confidence'. The government's plans to achieve this aim are set out within four main workstreams which are: Pursue, Prevent, Protect and Prepare. The Prevent workstream is more fully described as 'Building Resilience to Violent Extremism' and requires a partnership approach between local authorities, a range of statutory and third sector organisations in localities and most importantly, local communities.

Local delivery of the Building Resilience to Violent Extremism priority begins with an understanding of Brighton & Hove's ever changing population and the extent to which international and national events together with circumstances within the city, could conspire to foster extreme ideologies which could then escalate to violent action. The delivery of this priority area is therefore, a particular challenge for the CDRP, needing us to consider local responses within the city's communities to world events which are outside of our control. We have to recognise that many people in our city while being part of Brighton & Hove's communities, also share their lives with families and communities in other countries and can be personally affected by international events. However, while this global perspective is important, we also prioritise the extent to which we identify and deal with local factors which can increase vulnerability to extremism. Real or perceived grievances, frustrated ambitions and a sense of victimhood, a failure to address inequality and exclusion, together with an absence of shared values, will increase vulnerability to extremist messages.

In our first community workshop (March 2009) we took up that challenge with very positive outcome: we agreed that **'We want to protect the city of Brighton and Hove, and that is what binds and unites us as citizens'**.

Having a Prevent programme of action is in line with national guidance on Prevent delivery and is central to both national indicator 35 (NI 35) and the equivalent APACS indicator. Local authorities, in collaboration with our partners, were required to measure themselves against NI 35 for the first time in April 2009 and this will continue on an annual basis.

### **Main Partners**

Sussex Police  
 Brighton & Hove Muslim Forum  
 University of Brighton  
 Al-Medinah Mosque  
 CYPT  
 Corporate Communications  
 Brighton & Hove Interfaith Group  
 Fellowship Dialogue Society  
 Islamic Society, University of Brighton  
 Islamic Society, University of Sussex

## **Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

### **The Building Resilience to (Prevent) Violent Extremism Partnership Group**

The purpose of the Prevent Partnership Group is to progress the national Prevent agenda in Brighton and Hove within a locally developed framework. The group leads the work on behalf of the CDRP and is responsible for setting, monitoring and delivering on targets.

The group's remit is to work together to

1. **Challenge** the violent extremist ideology and support mainstream voices
2. **Disrupt** those who promote violent extremism and the institutions where they may be active
3. **Support** vulnerable individuals
4. **Increase the capacity** of communities to resist violent extremists
5. **Address** grievances
6. **Develop** Prevent-related research and evaluation
7. **Improve** strategic communications

### **Current status of work**

There has been good progress in engaging with representatives from the Muslim and interfaith communities on this sensitive agenda. The Prevent Partnership Group has been established and a programme of work is in development. The Partnership Group reports quarterly to each CDRP meeting, which includes elected member representation.

Senior council officers and police colleagues attend monthly Local Security Review meetings which will identify local threats and help inform the action plan.

Dedicated community engagement and a strategic post will be in post by November 2009 and will add significant capacity to making progress with the action plan.

### **Where next?**

The next phase of work is threefold:

1. The development of an in depth and thoroughly researched assessment of threats and vulnerabilities to local resilience to violent extremism. This will require a much deeper understanding of our local communities of interest.
2. The development of the programme of events and activities which:
  - enhance the profile of Muslim communities, in particular
  - establish means to effectively address grievances
  - undermine extremist ideology.
3. Working with schools and the higher/further education sector to raise awareness, provide information, manage risks and empower children and young people to create communities that are more resilient to extremism

In all these areas of work, skilled communication with partners and communities is essential to achieving positive progress on this sensitive priority area.

### **Implications for sustainability**

Stopping people from resorting to violence or terrorist action is fundamental to the security and well being of our citizens. While front line policing and intelligence are vital to countering terrorism, allocating resources exclusively to these activities will not address alone its root causes. That is why the government has made a grant of £120,000 in 2008/09 and 2009/10 Brighton & Hove Crime and Disorder Reduction Partnership in recognition that communities themselves must be at the centre of an effective response to reducing violent extremism and tackling disaffection. We aim to work together to ensure that extremist ideology does not escalate in a way which reduces our



**Preventing Violent Extremism**

safety or threatens our peaceful way of life. Local partners, who know their communities best, have the flexibility to respond to local needs.

**Parallel plans**

- UK Government Strategy - Contest 2
- Sussex Police Prevent Plan
- Learning Together to be Safe and Children and Young People’s Action Plan and Safer Schools Plans
- Brighton & Hove Equality Frameworks of Statutory Partners
- Hate Crime policies and action plans of the Crime and Disorder Reduction Partnership
- Brighton & Hove Community Cohesion frameworks

**Measures of success and numerical targets**

NI 35: Preventing Violent Extremism

There are four criteria to NI 35\* and achievement against each of the criteria is ranked locally on a nationally defined scale of 1 to 5 (with a potential combined total of 20)

- We assess ourselves to currently measure 8.5 out of a maximum of 20, with a target of 14 for achievement by the end of 2009/10 and 16 by the end of 2010/11.

\*The 4 criteria are:

- a) understanding of and engagement with Muslim communities,
- b) Knowledge and understanding of the drivers and causes of violent extremism and the Prevent objectives,
- c) Development of a risk-based preventing violent extremism action plan, in support of delivery of the Prevent objectives, and
- d) Effective oversight, delivery and evaluation of projects and actions

**Preventing Violent Extremism Action Plan**

**Outcome Sought 1**

**Understanding of, and engagement with, Muslim communities**

**Actions**

1.1 Working with Muslim Forum and Muslim leaders in the city and through engagement with men, women and young people, develop a narrative or ‘story’ which describes perspectives in relation to their faith and aspirations for participating fully in the life of the city. The narrative will assist our understanding and inform our work.

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1.2 Continually work to develop shared values by initiating events which increase understanding, particularly of the positive perspectives of the Muslim faith and our local Muslim community. The People's Day event (October each year) is one such initiative and is organised with the B&H Muslim Forum and other faith organisations.
1.3 Taking the lead from the Muslim leaders in the city, and together with members of inter-faith groups, celebrate significant religious festivals
1.4 Work with Sussex and Brighton universities and with City College, to enhance the positive profile of Muslim communities within the student population and in particular to support the pastoral role of a dedicated Imam with a view to giving guidance and undermining extremist ideology
1.5 Following national good practice (Learning Together to be Safe and others), develop and deliver programmes of work for schools, children and young people, which increase the confidence and capacity of schools to understand: how the extremist narrative can be challenged: how to prevent harm and manage risks: how to support vulnerable individuals: increase the resilience of pupils and school communities and to use curriculum opportunities to air and resolve grievances through conflict resolution and active citizenship.
1.6 Support as appropriate, the Muslim Forum and community members, in exploring the feasibility of a new Muslim and Inter-faith cultural and dialogue centre and which also provides facilities for multi-cultural events
<b>Outcome Sought 2</b>
<b>Knowledge and understanding of the drivers and causes of violent extremism and the Prevent objectives</b>
<b>Actions</b>
2.1 Participate in national and regional strategic and operational forums, ensuring national good practice and information informs the work of the membership of the Prevent Partnership Group
2.2 The Partnership Community Safety Team to ensure information, new developments and progress of the work of the Prevent Partnership Group and in particular the concerns of the Muslim community, are disseminated throughout the CDRP and influences mainstream work programmes as necessary
2.3. Build the capacity of the Prevent Partnership Group in order that it is able to fully represent all perspectives of Muslim and other faiths and of Inter- faith dialogue initiatives and that those voices can be heard and given equal consideration; work to develop a shared understanding of the causes of violent extremism and solutions to prevent its escalation. Provide leadership to the city in this respect and particularly of shared values.
<b>Outcome Sought 3</b>
<b>Development of a risk-based preventing violent extremism action plan, in support of delivery of the Prevent objectives</b>
3.1 Informed by Sussex and Brighton & Hove Police security review information, identify vulnerabilities and risks and include within the action plan, activities which will target and reduce those specific risks.
3.2 The Partnership Community Safety Team to complete the monthly Community Tension Risk Assessment feeding into national, regional and local information as required
3.3 Participate in the police led, Sussex wide Prevent Group, ensuring activities within the Brighton & Hove Action Plan are co-ordinated with those in the Sussex Action Plan.
3.4 Brighton & Hove police to sustain opportunities for Muslim leaders and community leaders (and those of all other faiths) to raise grievances and to manage partnership responses which effectively address those grievances.

**Preventing Violent Extremism**

3.5 The Partnership Community Safety Team to continue to develop and deliver its work address racist and religiously motivated crimes and incidents and to build trust and confidence within the Black and minority ethnic, Muslim and other faith based communities
3.6 Increase skills in managing public perceptions through the delivery of 'Media Training for Muslim leaders, key community representatives and members of the Prevent Partnership Group
<b>Outcome Sought 4</b>
<b>Effective oversight, delivery and evaluation of projects and actions</b>
4.1 Partnership Community Safety Team to manage monitoring of effectiveness of action plan delivery within the performance management frameworks of the CDRP.
4.2 Prevent Partnership Group to maintain oversight of delivery of action plan and to assess progress against the scoring for the National Indicator e Quarterly reporting to CDRP Reports to GOSE
4.3 Quarterly reports to be submitted to Government Office for the South East as required
4.4 Financial management of the Prevent money and its allocation to projects and activities to be managed within national guidance

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# LGBT Hate Crimes and Incidents

**Objectives: To reduce homophobic, biphobic, and transphobic crimes and incidents**

**To improve the trust and confidence of Brighton and Hove LGBT people in Crime and Disorder Reduction Partnership agencies and their work to develop community cohesion**

**Why is this a priority?**

Brighton & Hove has an estimated LGBT population of 35,000 people. Official figures show a relatively low level of hate crime and incidents recorded. The level of under-reporting however, has been evidenced in “The Count Me In Too” survey of 2006. This showed that 73% of the 847 people taking part, had experienced at least one crime or incident within the previous five years. Of these, only 1 in 7 had reported it. During that five year period, 763 crimes and incidents had been officially recorded. Extrapolating that figure could mean that as many as 5,341 crimes and incidents actually took place during the period, over 1,000 per year. This research also shows a disproportionate impact on vulnerable, excluded or marginalised groups. There is therefore, a real danger that tackling homophobic/trans/biphobic crimes and incidents might not be adequately prioritised if recorded crime figures are the only source of information. The evidence shows that a sustained level of hate crime and incidents are not being reported. This has a cumulative and serious impact on individuals and LGBT communities.

While the city presents culturally as being socially inclusive and tolerant of LGBT diversity, it also has a vibrant night time economy which has recently been awarded Beacon status, and is a popular destination for short term visitors. The central area of Brighton, including the prominent LGBT area of Kemptown, is home to a transient community (as well as established residents). This diverse community with different levels of understanding experience various levels of discrimination. Discrimination ranges from verbal to physical abuse, some of which is unrecorded and therefore difficult to address

LGBT residents and visitors migrate to Brighton and the majority believe it to be safe and tolerant place to live and visit. However there are parts of the community that can be disillusioned to find that this is not always the case. LGBT people need to have trust and confidence in services dealing with hate crime and the PCST are committed to ensure they deliver in its working strategy to ensure under-reporting is reduced to a minimum. This, along with

<p><b>Main Partners</b></p> <p>Sussex Police</p> <p>Partnership Community Safety Team</p> <p>Crown Prosecution Service</p> <p>Courts service</p> <p>Primary Care Trust</p> <p>Housing services</p> <p>Children and Young People’s Trust</p> <p>Terrence Higgins Trust</p> <p>Brighton &amp; Hove LGBT Switchboard</p> <p>Clare Project</p> <p>Mankind</p>
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## **LGBT Hate Crimes and Incidents**

a criminal justice attrition rate which is greater than that of other hate crimes, combines towards a lack of confidence in the reporting process.

### **Current status**

2007 saw the creation of multi-agency LGBT working groups, including a Casework Panel and an LGBT Community Safety Working Group, with standing groups around topics including mental health, housing and domestic violence and abuse. These groups will be instrumental in providing improved partnership solutions in reducing hate crime and incidents. This has continued into 2008 providing a concrete base for a multi agency working partnership focused on LGBT safety issues.

The Count Me In Too report of 2007 provided important information and further focussed analysis of the community safety data has also been undertaken. This provides further information on the LGBT community's perceptions of hate crime and assessments of agency responses as well as useful evidence for the development of service approaches.

Example of developments that have been informed by Count Me In Too data, is the setting up of weekly trans drop-in sessions. Also specifically targeting work identifying multi marginalised communities such as, the Bi community, victims of sexual assault and HIV + men with mental health issues.

Partnership work to encourage reporting of incidents continues with the development of a third party reporting centre with a LGBT Switchboard. In field work successful multi-agency projects continue to operate in 2008/9 under the name of Operation Reagan which specifically focused on reducing violent crime in a hotspot areas (including PSE [Public Sex Environments]).

### **Where next?**

Information and evidence about incidents can serve as a basis for the development and design of future bespoke services to meet the needs of victims and change the behaviour of perpetrators. The PCST and Police will continue to work with repeat victims of crime to establish good practice measures and solutions including Restorative Justice and working with the ASB team to identify and challenge the behaviour of repeat offenders so identified success can be achieved and reducing further offending.

We need to reduce hate crime and make Brighton & Hove the safest place for LGBT people to live and visit. A priority will be to increase reporting and improve recording. We will seek to increase opportunities for third party reporting through a common framework of shared reporting systems with other agencies and improve recording by developing better recording systems. This will allow us to carry out analytical work on data collected across all agencies focussing on areas such as criminal justice and offending patterns.

We have and will continue to develop our community engagement processes and support the level of community capacity. We will continue to explore and build stronger relationships which will improve the trust and confidence of LGBT people and community agencies. In turn, this will help to improve co-ordination and partnership work to implement strategic recommendations.

We will continue to support victims and witnesses and respond to the safety needs of multiple marginalised people and support counselling services for survivors. This will also involve sustaining development work on domestic violence, anti bullying and sexual offences.

### **Implications for sustainability**

It is vital for the social, economic and environmental well being and for the overall health of individuals that the local LGBT community feel safe and are able to participate fully in the life of the city. Good community cohesion is achieved where cultural diversity is encouraged and recognised,+ strong and positive relationships exist between people from different backgrounds and where people trust one and other and have trust in; local institutions to act fairly.

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**Parallel plans**

- Domestic Violence Strategy
- Brighton & Hove’s ‘Inclusive Council Policy’
- Housing Strategy
- CPS ‘Delivering Simple, Speedy, Summary Justice’ policy document

<p><b>Performance Indicators</b></p> <ul style="list-style-type: none"> <li>• LI: Detection, prosecution and conviction rates for LGBT hate crimes</li> <li>• LI: Number of LGBT hate crimes where the victim has been a victim of an LGBT hate crime in the last 12 months</li> </ul>
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<b>Crimes and incidents against LGBT people Action Plan</b>
<b>Outcome Sought 1</b>
<b>Improve community engagement with LGBT groups, services and individuals, building trust and confidence through outreach with high risk groups, regular progress reports in LGBT media, online and at safety for a, LGBT events and meetings.</b>
Actions
1.1 Through existing staff and resources increase the number of positive contacts with groups and individuals with emphasis on those most at risk.
1.2 Report progress on work through LGBT media.
1.3 Report progress on work through PCST website.
1.4 Provide information to groups and individuals on who to report to and how to report using leaflets and publicity material.
1.5 Monitor and decrease fear of crime within the LGBT community.
<b>Outcome Sought 2</b>
<b>Build and sustain multi agency and inter sector LGBT led partnerships through the casework panel, community safety working group and the senior officers working group.</b>
Actions
2.1 Maintain bi monthly casework panel.
2.2 Maintain quarterly community safety working group.
2.3 Maintain quarterly senior officers working group.
<b>Outcome Sought 3</b>
<b>Understand and respond to the safety needs of marginalised and vulnerable groups within the LGBT population.</b>
Actions

**LGBT Hate Crimes and Incidents**

3.1 Targeted work with trans people
3.2 Targeted work with bi people
3.3 Targeted work with older people
3.4 Targeted work with people with HIV
3.5 Targeted work with people with disabilities and MH issues
3.6 Targeted work with BME people
3.7 Targeted work with homeless and insecurely housed people
3.8 Targeted work with users of public sex environments
<b>Outcome Sought 4</b>
<b>Develop counselling, group work, advice and support for LGBT hate crime survivors.</b>
<b>Actions</b>
4.1 Continue to respond to the support needs of LGBT hate crime victims
4.2 Work in partnership to improve criminal justice outcomes for those reporting
<b>Outcome Sought 5</b>
<b>Review, build on and mainstream learning from research and service data to ensure best practice.</b>
<b>Actions</b>
5.1 Consider the results of surveys and research and apply learning to practice locally
<b>Outcome Sought 6</b>
<b>Build capacity and joint working on LGBT community safety issues among LGBT groups and services.</b>
<b>Actions</b>
6.1 Work with LGBT groups and services to support them in engaging with and improving service delivery to increase LGBT community safety
<b>Outcome Sought 7</b>
<b>Mainstream LGBT community safety across all sectors in relation to LGBT hate crime where people live.</b>
<b>Actions</b>
7.1 Police, council and other safety services and initiatives prioritise preventing hate crime where people live
7.2 Safety service focus on measures to support victims in their home and not just offer to move them
7.3 Provide information to LGBT people about anti harassment legislation
7.4 Better early co ordination between services to intervene and offer support for them to stay in accommodation

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7.5 Housing providers to take better account of the safety needs of LGBT people when providing accommodation
<b>Outcome Sought 8</b>
<b>Increase opportunities for reporting through third party reporting using mainstream and LGBT services and venues.</b>
<b>Actions</b>
8.1 Continue to promote third party and anonymous reporting at LGBT venues and with LGBT services
8.2 Build capacity and awareness training with LGBT services
8.3 Develop central capacity for analysis
8.4 Improve signposting to investigation and victim care services
<b>Outcome Sought 9</b>
<b>Review policies and practices relating to (repeat) offenders.</b>
<b>Actions</b>
9.1 Develop programmes and practices to prevent offending and hate crime
9.2 Pilot LGBT restorative justice scheme
9.3 Use full extent of civil powers including ASBOs to deal with offenders
<b>Outcome Sought 10</b>
<b>Sustain the LGBT anti bullying partnership and development work.</b>
<b>Actions</b>
10.1 Actively involve CDRP partners in further developing the work of the LGBT anti bullying working group
10.2 Improve links and shared learning across LGBT bullying work involving YOT and AVU
<b>Outcome Sought 11</b>
<b>Sustain the LGBT domestic violence partnership and development work.</b>
<b>Actions</b>
11.1 Maintain and develop work with the DV Forum and other relevant partnerships to reduce LGBT DV
<b>Outcome Sought 12</b>
<b>Understand and respond to the needs of LGBT victims of sexual assault and exploitation.</b>
<b>Actions</b>
12.1 Work with THT and Mankind to facilitate new service support for victim/survivors.



## Disability Hate Crimes and Incidents

# D isability Motivated Crimes and Incidents

**Objectives: To prevent and reduce disability hate incidents and crimes.**

**To improve trust and confidence of disabled people, their carers and organisation supporting disabled people to increase reporting of incidents and accessing casework support.**

**Definition** – *Disability hate incident is defined as:*

*'Any incident which is perceived to be based upon prejudice towards or hatred of the victim because of their disability or so perceived by the victim or any other person.'*

The definition also includes incidents that occur through association with a disabled person, for example, family members or carers, and where an incident is perpetrated on someone presuming that they are disabled.

The **Disability Discrimination Act** says a disabled person is someone with 'a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities'.

Over the years academics and campaigners have developed a new way of thinking about disability known as the **Social Model**. A key concept of the Social Model is that society disables people by the way things are arranged. Organise things differently, and they are suddenly enabled – though the impairment hasn't changed. The Social model regards disability as

*'the loss of or limitation of opportunities to take part in the normal life of the community on an equal level with others due to physical or social barriers.'*<sup>3</sup>

In April 2005 the law was changed by section 146 of the Criminal Justice Act 2003. Section 146 imposed a duty upon courts to increase the sentence for any offence (for example, assault or criminal damage) aggravated by hostility based on the victim's disability (or presumed disability). For the purposes of Section 146 of the Criminal Justice Act 2003, disability is defined as 'any physical or mental impairment.'<sup>4</sup>

<sup>3</sup> Borsay, A. (2004) *Disability and Social Policy in Britain since 1750*. Basingstoke: Palgrave in *Developing Appropriate Strategies for Reducing Inequality in Brighton and Hove. Phase 1 Identifying the challenge* Oxford Consultants for Social Inclusion (OCSI) and EDuce Ltd.

<sup>4</sup> See also 'Policy for Prosecuting Cases of Disability Hate Crime' CPS 2007 for fuller explanation of Section 146 and when it might apply.

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Disabled people includes: people with physical and sensory disabilities, people with learning disabilities, those with mental illness and long term conditions.

### Why is this a priority?

Disabled people are four times more likely to be victims of crime when compared to the non-disabled people (British Council of Disabled People 2007).

National evidence suggests that disability hate crime is a serious issue. There is evidence to suggest that people with learning disabilities and / or with mental health conditions are at an increased risk and also experience higher levels of victimisation.

- 22% of disabled respondents had experienced harassment in public because of their impairment. This was an increase from 20% from the previous year (DRC 2002). Incidents of harassment were experienced more acutely by 15-34 year olds, with 33% having experienced harassment<sup>5</sup>.
- 9 in 10 people with learning difficulties had experienced bullying and harassment. 66% of people with learning difficulties had been bullied regularly, with 32% stating that bullying was taking place on a daily or weekly basis<sup>6</sup>.
- 71% of respondents with mental health issues reported being a victim in the last two years. Of these 62% reported name calling, 41% reported ongoing bullying, 22% reported physical assault, 17% had received hate mail and 13% had been spat at<sup>7</sup>.
- EHRC<sup>8</sup> research identified a number of 'hotspots' (where incidents occur): street, in and around home/ home based settings, institutional settings, places of education, work and on public transport.

An individual may be targeted not only by reason of their disability but also because of their other identities (for instance: ethnicity, faith, sexual orientation) or due to their age. Disabled people may therefore experience multiple discrimination or incidents due to an intersection / overlap of identities; for example, a disabled person may be targeted due to their age and ethnic background.

- Mind (2007) report also found that lesbian, gay, bisexual and trans respondents with mental health issues were more likely to be the victim of anti-social behaviour and crime.
- The prevalence of learning disabilities as well as mental health issues in minority ethnic populations is not well known. Hence, the extent of hate incidents due to disability is hidden.

Hate incidents can have a dramatic impact on people's daily lives, threaten their sense of well being, and increase fear of crime. Disabled people often experience hate incidents in the context of other abuse in the domestic or residential care settings. Very often incidents against disabled people are confused & conflated as due to 'their vulnerability' rather than owing to the prejudice of the perpetrator and therefore not appropriately identified or recorded. Hence, accurate data on prevalence of disability hate incident is not available.

<sup>5</sup> DRC. (2003) Attitudes and Awareness Survey.

<sup>6</sup> Ibid.

<sup>7</sup> Mind. (2007) Another Assault

<sup>8</sup> Equality and Human Rights Commission. (2009) Promoting the safety and security of disabled people.

## Disability Hate Crimes and Incidents

This lack of recognition also means that actions are not taken to address disabled people's needs and concerns and has significant impact on social inclusion, opportunities and freedom. The most damaging effect of hate incidents/ crimes is normalising ('it is part of everyday life') and institutionalising these prejudices, this in turn inhibits people from reporting and seeking support and redress.

**National direction:** Valuing People (2001) and Valuing People Now (2009) set out the cross government strategy for people with learning disabilities based on four key principles: **Rights, Independence, Choice and Inclusion**. Effective partnership working between the agencies and particularly the Learning Disability Partnership Board and the Crime and Disorder Reduction Partnership (CDRP) is key to delivering change. The CDRP should mainstream their response to hate incidents against people with learning disabilities within their overall response to hate incidents / crimes. Our work should result in improved outcomes in terms of social inclusion, empowerment (greater choice and control) and equality for people with learning disabilities, their families and their carers.

### The local picture

Tackling disability hate incident is a priority for the city within the context of the changing population profile. Although, estimates of disability in all its severity levels are difficult to obtain, we have some information about the proportion of people needing care as a result of disability from the Department of Work and Pensions.

Brighton and Hove has a higher proportion of Disability Living Allowance claimants than the region and England as a whole.

Disability Living Allowance is provided to people who need help with personal care or getting around. Nearly 12,000 people were claiming Disability Living Allowance across Brighton and Hove in February 2007. This represents 4.5% of the city's population, higher than the comparable rate for the region (3.2%) and England (4.3%) but slightly below other 'small cities' (5%)<sup>9</sup>.

In addition, there are 5,200 Attendance Allowance claimants in Brighton and Hove of whom 2,400 receive the higher rate for 24 hour care. Attendance Allowance is provided to people over the age of 65 who are so severely disabled, physically or mentally, that they need a great deal of help with personal care or supervision. In total, fewer than 20% of all people aged over 60 in Brighton and Hove receive disability related benefits<sup>10</sup>.

Learning Disability Partnership Board believes that we have approximately 6000 people with learning disabilities in the city of which only 702 were accessing services in September 2008<sup>11</sup>. Presently, around 400 people are identified as deaf by the Sussex Deaf Association, these figures are not exhaustive. A significant challenge facing all services in future is to obtain accurate details about the numbers of disabled people, which services they access, reaching all the disabled people and linking them into appropriate services.

Local consultation with disabled people and their organisations points to significant under reporting of disability hate incidents. This is also evident from the criminal justice agency monitoring schemes. The Sussex Police and the Crown Prosecution Services monitor disability hate crime, which is statistically very low in comparison to the levels of reported

<sup>9</sup> Developing Appropriate Strategies for Reducing Inequality in Brighton and Hove. Phase 1 Identifying the challenge Oxford Consultants for Social Inclusion (OCSI) and EDuce Ltd.

<sup>10</sup> Ibid.

<sup>11</sup> The learning disability commissioning strategy, Brighton & Hove 2009 – 2012.

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racist, religiously motivated, homophobic, transphobic and biphobic incidents/crimes. For the period of 2008- 2009, no disability hate crime reports were made in Brighton & Hove.

Comprehensive and improved data collection and monitoring of disability hate incidents and crimes will be key priorities and challenges.

**Current status of work**

This is a new area of work for the CDRP and both the strategy and the services are evolving. A high priority is to increase reporting and offer support to disabled people reporting incidents. Currently, Sussex Police are a partner within the Partnership Community Safety Team (PCST) and are committed to reporting disability hate incidents through a common hate incident report form to us. PCST have employed a caseworker to offer casework and advocacy services to those reporting disability hate incidents. The Crown Prosecution Services will share information about the numbers and outcomes of disability hate incidents and crimes with us. We are building evidence base and developing partnership responses.

<b>Main Partners</b>
Advocacy groups of disabled people
Adult Social Care
Learning Disability Partnership Board
Sussex Police
Partnership Community Safety Team
Primary Care Trust
Children and Young People’s Trust
Social housing providers
Crown Prosecution Service
Court services
Voluntary Organisations supporting disabled people

**Community engagement and trust and confidence**

We will continue to develop our community engagement processes and build stronger relationships with the disabled people, their carers and organisations supporting them to improve trust and confidence. We will be setting up a steering group, which will involve disabled people, their carers and organisations working with them to plan and deliver our work program.

**Where next?**

The CDRP will focus on increasing reporting of disability hate incidents and providing support to those reporting. We aim to prevent and reduce disability hate incidents through developing effective partnership responses that:

- increases the safety of disabled people and reduces harm,
- achieves successful outcomes in respect of those reporting incidents and the perpetrators,
- improves recording and monitoring of incidents, and
- reduces social tolerance of hate incidents against disabled people.
- pursues equality, empowerment and social inclusion for minority and disadvantaged groups in society.

We aim to develop an inclusive, responsive and flexible service to those reporting disability hate incidents.

## Disability Hate Crimes and Incidents

### Links to other priority areas

Nationally, the Department of Work and Pensions estimates that there are over 10 million disabled people, including those with limiting longstanding illnesses. 4.6 million are over the state pension age. We also know that levels of 'impairment' / disability increase with age. For instance, 33 % of the people aged 50 to 65 report long-term impairment / disability<sup>12</sup>.

We also know that many young disabled people live with and are cared for by their elderly family members and may either be reporting hate incidents for the disabled people or may themselves be targeted due to their association with a disabled person.

It is therefore imagined that our work in the field of disability hate incidents will increase our engagement with older people.

There are connected concerns and services with other areas of hate incidents, anti-social behaviour, children and young people, young offenders, safeguarding children and vulnerable adults, adult social care, housing, healthcare and mental health services.

### Implications for sustainability

Disability hate incidents adversely affect the health, wellbeing and quality of life of individuals and families, undermine community cohesion and increase fear of crime. Its economic cost is yet to be ascertained in terms of repairs to property, physical environment, health expenditure, loss of potential skilled/ human resources and policing cost.

#### Performance Indicators

- LI: Number of disability hate incidents reported
  - LI: Number of disability hate incidents reported from people with learning disabilities
- Number of agencies actively engaged in using the hate incident report form.
- Number of reporting centres
- LI: Number of police recorded disability hate crimes
- LI: The detection and conviction rate of disability hate crimes
- LI: Number of disability hate crimes where the victim has been a victim of a disability hate crime in the last 12 months

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<sup>12</sup> This information is obtained from the Office for Disability at <http://www.officefordisability.gov.uk/resources/background0101.asp> - website accessed on 02/01/09

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### Parallel plans

- Government's White paper: Valuing People (March 2001) & Valuing People Now (January 2009)
- No Secrets – Department of Health and Home office statutory Guidance (2000)
- Brighton & Hove Multi-agency Carers' Strategy 2006 - 2009
- National Strategy for Carers, 2008
- Anti-Bullying Strategy: Children & Young People's Trust and national guidance: 'Safe To Learn'.
- Inclusive Council Policy; and Reducing Inequalities Review
- Saving Lives, Reducing Harm. Protecting the Public. An Action Plan for Reducing Violence 2008–11.
- Disability Discrimination Act (1995, 2005) and Disability Equality Duty

Disability Hate Incidents and Crimes Action Plan
<b>Outcome Sought 1</b>
<b>Increased reporting of disability hate incidents and crimes from all disabled people, including people with learning disabilities, their carers and others by developing a range of options to make reporting accessible to all.</b>
Actions
1.1 Devise and mainstream a multi-agency form that all statutory, voluntary and community organisations can use to report disability hate incidents to the Partnership Community Safety Team.
1.2 Develop and distribute self-reporting packs widely to increase reporting of disability hate incidents.
1.3 Develop accessible and easy to read reporting form that people with learning disabilities can complete on their own or with support from carers / staff.
1.4 Develop web-based and on-line reporting facilities that suits the needs of disabled people.
1.5 Enhance facilities to report and access services by creating reporting centres in the statutory, community and voluntary sector with particular focus on organisations supporting disabled people and their carers.
1.6 Develop easy to read and accessible publicity material to inform people about reporting schemes, reporting centres, and support services. Target publicity and support to organisations working with disabled people and their carers.
1.7 Increase reporting from the marginalised and vulnerable groups within the disabled population through joint work with the Refugee Forum, Migrant Workers Steering Group and the Racial Harassment Forum. For instance, engage with and increase reporting from disabled people including people with learning disabilities from the refugee, asylum seeker, LGBT, Black and Minority Ethnic communities, disabled people with mental health issues and people with compound or multiple disabilities.
1.8 Translate the information and make it available widely. Make the information available at public places.
<b>Outcome Sought 2</b>
<b>Deliver improved responses, casework support and services to those reporting disability hate incident by working in partnership with key agencies.</b>
Actions

**Disability Hate Crimes and Incidents**

2.1 Deliver a consistent high quality casework service to those reporting incidents, regardless of where they choose to report and wherever they access support.
2.2 Prioritise work with repeat victims (people who have reported more than one incident in any 12 months period) to support and protect them from further victimisation.
2.3 Create multi-agency Casework Panel to improve the response to disability hate incidents and to support victims. Build up membership from organisations working with disabled people.
2.4 Routinely ask those reporting disability hate incidents for their feedback regarding services and respond accordingly to improve standard of services.
2.5 Ensure clients are aware of statutory sector complaint procedures; for instance, ensure that the Council, Police, NHS, CPS complaint procedures are accessible (available in easy read format) and learn from complaints made.
2.6 Deliver a rolling programme of training to key statutory, voluntary and community agencies including staff from day centres, supported housing, social care, health care and organisations working with disabled people and people with learning disabilities. The training programme will raise awareness and improve recognition of disability hate incidents, mainstream the use of reporting forms and clarify referral pathways, effective interventions, link organisations to casework panel and multi-agency working. We will seek to involve disabled people in training wherever possible.
2.7 Review, build on and mainstream learning from national and local research to ensure best practice.
2.8 Safeguarding Adults Procedure to incorporate hate crime practice guidance
<b>Outcome Sought 3</b>
<b>Effective monitoring systems to develop crime reduction strategies and improved accountability / reporting to the disabled people and their organisations.</b>
<b>Actions</b>
3.1 Design and maintain a city-wide centralised monitoring system of disability hate incidents. Through this data we will be able to build a better picture, identify how big the problem is, and what we need to do to tackle this problem.
3.2 Produce regular reports on levels, trends and patterns of disability hate incident and distribute them to the relevant forums including Learning Disability Partnership Board and make the report available on our website. This monitoring data will enable us to direct future preventative and development work.
3.3 Map and analyse hotspots for disability hate incidents to assist in problem solving and to assess the effectiveness of work undertaken.
<b>Outcome Sought 4</b>
<b>Prevent and deter offenders, bring offenders to justice wherever possible and reduce re-offending through improved rates of detection, prosecution and effective court outcomes</b>
<b>Actions</b>
4.1 To review policies and practices relating to the recording and referral of disability hate incidents within Sussex Police and the Crown Prosecution Service, identify gaps and develop plan to address them. Monitor police and other criminal justice agency records to ensure early identification and tagging of disability hate incidents.
4.2 Monitor and increase the number of disability hate crimes recorded and detected along with the number of arrests, cautions, prosecutions and convictions. Increase the number of successful prosecutions and reduce the number of discontinued cases.
4.3 Work towards developing early intervention programmes with young people in young people's settings.

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4.4 Develop a mechanism to identify and manage risk presented by offenders persistently targeting disabled people.
4.5 Develop and monitor tracking of criminal cases to check progress and provide feedback to the victims and communities.
4.6 Work with perpetrators and their families to address their prejudices against disabled people by effective interventions and referral to appropriate services.
<b>Outcome Sought 5</b>
<b>Increased public awareness and improved understanding of hate incidents against disabled people</b>
<b>Actions</b>
5.1 Develop a city wide awareness campaign relating to disability hate incidents. Promote greater understanding of hate incidents against people with learning disabilities in Brighton & Hove.
5.2 Develop easy to read information and posters targeting general public, also specifically targeting people with learning disabilities. Translate the information and make it available in different formats.
5.3 The Partnership Community Safety Team and statutory partners of the Crime and Disorder Reduction Partnership to regularly consult and engage with disabled people, their carers and organisations working with disabled people in developing priorities and services.
5.4 Address safety concerns of disabled people and raise awareness of risks, reporting mechanisms and support available.
5.5 Prioritise promotion of clear and consistent disabled friendly messages and raise awareness of disability hate incidents in young people's settings using a variety of young person friendly media and training.



# Domestic Violence

**Objective: To prevent and reduce domestic violence through an effective co-ordinated community response that reduces social tolerance of domestic violence, increases the safety of survivors, reduces the harm caused and brings offenders to justice.**

*Definition – ‘Domestic violence is physical, sexual and psychological violence that forms a pattern of coercive, controlling behaviour and takes place between adults who are current or former partners and/or their immediate family members.’*

*This includes rape, threats, intimidation, financial and emotional abuse, forced marriage, female genital mutilation and so-called “honour” killings, as well as elder abuse when committed within the family or by an intimate partner.*

*Whatever form it takes, domestic violence is rarely a one-off incident. More usually it's a pattern of abusive and controlling behaviour through which the abuser seeks power over their victim.*

## Why is this priority?

“Too often the crime of domestic violence is hidden away, but we are determined to bring it out into the open and address its root causes. (Home Office, 2008)”

Domestic violence is a cross-cutting issue which affects all communities regardless of age, gender, race, religion, sexuality, wealth and geography. It consists mainly of violence by men against women. Victims of domestic violence suffer on many levels - health, housing, education - and lose the freedom to live their lives how they want, and without fear.

There is a strong correlation between domestic violence, mental ill health, substance and alcohol misuse, repeat attendance at A & E, the case histories of offenders, those families needing intensive parenting support and child protection issues. Children and young people face increased risk of abuse, injury or death if they are exposed to domestic violence and it severely affects their health and well being, achievement and development.

The total cost to society is an estimated £23 billion a year in England and Wales. The estimated costs of services and lost economic output in Brighton and Hove (based on the national estimates) could be as high as £30 million per annum. The estimated cost of individual pain and suffering caused by domestic violence in the city is £88 million per annum.

## National direction

The Government’s Public Service Agreements (PSAs) for 2008-11 include commitments to prioritise action to tackle the most serious violent and sexual offences. Serious domestic and sexual violence are an explicit part of the Government’s top priority to tackle violent crime. Accordingly, the Violent Crime Action Plan in relation to domestic violence is to roll-out good practice developed as part of the co-ordinated community response in tackling domestic violence. Key actions to meet this objective are:

- > Increase early identification of – and intervention with – victims of domestic violence

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- > Build capacity to provide effective advice and support to victims
- > Improve the criminal justice response to domestic violence by increased reporting, arrests and offences brought to justice
- > Support victims through the Criminal Justice System and manage perpetrators to reduce risk, harm and incidence

The Home Office Violent Crime Action Plan 2008 seeks to:

- > Double the number of Specialist Domestic Violence Courts by 2011
- > Roll out Multi Agency Risk Assessment Conferences ensuring sustainable support is available for all DV victims by 2011
- > Roll-out Independent Domestic Violence Advisers (IDVAs) nationally
- > Develop a national action plan to so-called honour-based violence', including Female Genital Mutilation (FGM) and forced marriage
- > Continue funding of a matrix of help lines for domestic violence survivors

At the time of writing the governments 2009 action plan still has not been published.

### The local picture

Looking at DV crimes (not including non-crime incidents), there were 1246 crimes resulting in 315 charges in the year 2008/9. 69% of domestic violence prosecutions in 2008/09 had a successful outcome. This remains at a higher level than 2007/08 and but just below the 72% target. The number of successful prosecutions for DV in 2008/9 has increased from 177 in 2007/08 to 258 in 2008/09. There was one DV homicide in 2007/08, none in 2006/7 nor in 2008/9. The first 6 months of 2008/9 also showed a small decrease in DV crimes (-3.6%) compared with the same months in 2007/8.

In terms of specific services, 139 survivors who were identified as high risk were supported by the Independent Domestic Violence Advocacy Service (IDVA) 2008/9

Domestic Violence was identified as a principle 'underlying cause' in 31% of registrations on the Child Protection Register in 2008/9.

Based on national estimates that only 23% of domestic violence is reported to the police, we could expect that over 27,000 women locally could be experiencing domestic violence as could one in four LGBT residents - a further 8,000 people.

<b>Main Partners</b>
RISE
Other voluntary sector agencies
Sussex Police
Partnership Community Safety Team
Crown Prosecution Service
Courts service
Brighton & Sussex University Hospitals NHS Trust
Primary Care Trust
Housing services
Children and Young People's Trust
Domestic Violence Forum
Sussex Probation

### Current status of work

**Significant areas of development in the past year have been developed as part of the domestic violence action plan**

- > The Nationally Accredited Specialist Domestic Violence Court (SDVC) provides the opportunity for weekly 'clustering' of cases and improved case management and support for victims, witnesses and court and criminal justice processes.

## Domestic Violence

- > The Multi-Agency Risk Assessment Conferencing Panel has full co-operation of all statutory and specialist domestic violence services and is chaired by a senior police officer. The MARAC enables case planning within the context of assessed levels of risk and support needs
- > Increased capacity within the Anti-Victimisation Investigative Unit from an additional caseworker post
- > Independent Domestic Violence Advocates (IDVA) who support victims through the criminal justice system. We are close to achieving the numbers of IDVAs required from accreditation with one post focusing on the needs of Gay, Bisexual and Transgender victims
- > Brighton and Hove's perpetrator programme, '*Living Without Violence*,' (piloted in East Brighton) is now managed by the Partnership Community Safety Team. It is being assessed for RESPECT national accreditation. Results are due in September 2009
- > Rise; Increased funding from the City Council has enabled Rise to extend its work to schools and youth centres, develop an innovative community outreach project in Turner and Eastern Road and to roll out the *Safe As Houses* service model across the city and in neighbourhoods
- > Developed an LGBT Domestic Violence Work Plan based on the '*Count Me in Too*', Domestic Violence Analysis findings and an LGBT DV development worker will be employed
- > The rolling programme of training for health staff continues with active engagement in the MARAC. Agreement with made with PCT to integrate care pathways when dealing with survivors and perpetrators of domestic violence identifying alcohol misuse and substance abuse issues.
- > Housing Services; Housing has further developed their role within housing options with dedicated domestic violence officers ensuring effective referral processes of High Risk domestic violence victims. They have reviewed and will continue to run the 'Sanctuary Project' which seeks to protect women and children from perpetrators while enabling them to remain within their existing homes.

### Where next?

Led by the Senior Officer Strategy Group for Domestic Violence and supported by the DV Forum, the second year of the strategy will aim to sustain and further extend the capacity of existing initiatives and partnership work, including the good practice initiatives already established. Emphasis will include increased protection for survivors and the potential for increased rates of prosecution and conviction.

In addition there will be an increased focus on publicizing the unacceptability of domestic violence in order to encourage women and men to report and seek assistance and redress at an earlier stage. We will also seek to take further our existing partnership work with the Children and Young People's Trust and with health providers and are looking forward to the location of domestic violence specialists within Accident and Emergency and work on the development of an alcohol brief intervention services for people who are survivors and perpetrators of domestic violence.

### Links to other priority areas

There is a strong relationship between domestic violence and sexual violence in some contexts. The Senior Officer Strategy Group for Domestic Violence has supported the ongoing development of sexual violence services and continues to take the lead on actions to deal with sexual violence and abuse that occurs within domestic settings.

In dealing with domestic violence, there are also connected concerns and services with those for children and young people, young offenders, prevention of homelessness, health care and maternity services, alcohol/substance abuse programmes and mental health services.

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### Implications for sustainability

Preventing domestic violence is central to successfully meeting targets in relation to public and primary health, reducing crime and the fear of crime, reducing the harm caused by serious violent crime, bringing offenders to justice, safeguarding children and vulnerable adults, education and violence prevention, and promoting equality within diverse communities.

### Parallel plans

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• The Equality Standard for Local Government, and the Brighton &amp; Hove gender, race and disability equality schemes</li> <li>• Housing and Homelessness Strategies</li> <li>• The Children and Young People’s Plan and the plans of the CYPT including those of the Local Safeguarding Children Board</li> <li>• Local Health Care Plans</li> <li>• Sussex Probation Business Plan</li> <li>• Corporate Plan</li> <li>• The Parenting Support Strategy</li> </ul> | <ul style="list-style-type: none"> <li>• Brighton &amp; Hove Employment Plan, the Inequality Review and Regeneration Strategies</li> <li>• Supporting People</li> <li>• UN Convention on the Elimination of All Forms of Discrimination against Women (local and national responsibilities)</li> <li>• Sussex Policing Plan</li> <li>• LGBT Community Safety Strategy</li> <li>• Local Adult Safeguarding Plan</li> </ul> |
|---|---|

### Performance Indicators

- **NI 32: Repeat incidents of domestic violence** (LAA top 35 indicator)
- NI 34: Domestic violence – murder
- LI: The detection, prosecution and conviction rate of domestic violence crimes

<b>Domestic Violence Action Plan</b>
<b>Outcome Sought 1</b>
<b>Developed and sustain specialist and city-wide outreach services for survivors and children</b>
Key Actions
1.1 Deliver local domestic violence services that meet the National Standards for Specialist Domestic Violence services
1.2 Sustain Rise and Housing Support Service and ensure it is accessible for survivors needing a place of safety in a crisis
1.3 Sustain and seek to expand Rise’s Domestic Violence Helpline to make it more accessible for survivors
1.4 Sustain and seek to expand Rise’s outreach and therapeutic services to provide citywide DV advocacy and support for survivors (adults and children)
<b>Outcome Sought 2</b>
<b>Sustainable city-wide Independent Domestic Violence Advocacy Service that is nationally accredited</b>
Key Actions
2.1 IDVA Service to seek to employ a minimum of 5 IDVAs that work to national standards

**Domestic Violence**

2.2 Police, health, CYPT, housing and other crisis response services to work with the IDVA Service to further develop systems for referring high-risk victims to the IDVA Service to maximise opportunities for reducing risk in a multi-agency context
2.3 Develop systems to enable effective individual and institutional advocacy by the IDVA service, with a focus on increasing safety of high-risk survivors in a multi-agency context
<b>Outcome Sought 3</b>
<b>Coordinated approach with development of good practice responses to deal with sexual violence and abuse in a domestic setting</b>
Key Actions
3.1 Senior Officer Strategy Group to support the actions within the Sexual Violence and Abuse Action Plan set out within this Strategy
3.2 Senior Officer Strategy Group to develop the actions set out within this domestic violence Action Plan in order that they also deliver protecting and dealing with sexual violence and abuse in a domestic setting
<b>Outcome Sought 4</b>
<b>Improved housing response to domestic violence and prevention of homelessness by domestic violence</b>
Key Actions
4.1 Continue to develop and expand the Sanctuary Scheme for survivors providing the option of staying safely in their homes if that is their choice
4.2 Continue to develop the specialist DV Housing Options role
4.3 Review housing assessments to ensure DV is routinely identified and flagged, and responded to, at an early stage
4.4 Develop, implement and monitor a domestic violence policy and operational guidance across housing services focussing on early intervention that enables routine enquiry, assessment and management of risk, and response and referral pathways to increase the safety of survivors (adults and children) and hold perpetrators to account
4.5 Through participation in the Multi-Agency Risk Assessment Conference, Housing Services to provide effective referral routes for high risk victims
4.6 Work to ensure that appropriate and safe housing (temporary and longer term) is available for all service users experiencing and reporting domestic violence which takes into account the safety needs of individual survivors
<b>Outcome Sought 5</b>
<b>Improved health service response to domestic violence focusing on early intervention and crisis response, risk reduction, safe and effective intervention and referral and prevention</b>
Key Actions
5.1 Sustain and develop the health-based independent domestic violence advocacy service across A&E, midwifery and out of hours GP services.
5.2 Develop, implement and monitor a domestic violence policy and operational guidance across health trusts that focuses on early intervention to enable routine enquiry, assessment and management of risk, and response and referral pathways to increase the safety of survivors (adults and children) and hold perpetrators to account
5.3 Deliver a rolling programme of domestic violence training for health staff covering DV awareness, impact on survivors, DV risk assessment and management, safe interventions, referral pathways, MARAC and multi-agency working
5.4 Identify ways to achieve an improved mental health services response to domestic violence (informed by findings from the DH/NIMHE Violence and Abuse Project outcomes)
5.5 Develop and promote cross-sectoral work between domestic violence, alcohol and substance abuse services
<b>Outcome Sought 6</b>

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<b>Develop further, the Children and Young People's Trust response focusing on early intervention and crisis response, risk reduction, safe and effective intervention and referral and prevention</b>
<b>Key Actions</b>
6.1 Support the provision of the specialist domestic violence service for children provided by Rise, in the refuge and across East/Central/West areas of the city
6.2 Integrate domestic violence into the work of all Children's Centres
6.3 Integrate domestic violence into the work of Connexions
6.4 Integrate domestic violence into the work on teenage pregnancy
6.5 Integrate domestic violence into the work on parenting including domestic violence guidance and screening procedures for parenting group providers and family intervention work
6.6 Develop support and prevention work aimed at young people experiencing domestic violence in their own relationships
6.7 Ensure effective CYPT representation and a system for referral of high risk cases to the MARAC, and ensure effective links with the Local Safeguarding Children Board
6.8 Ensure the implementation of the Common Assessment Framework effectively addresses domestic violence when assessing and responding to children's and adult's needs
6.9 Consider identifying a local forced marriage champion, disseminate good practice and incorporate implementation of national guidelines on forced marriage into wider work
6.10 Work with Rise to pilot a multi-agency community-based domestic violence group work for children exposed to domestic violence (based on the Canadian model, piloted in LB Sutton and being rolled out across local authorities)
<b>Outcome Sought 7</b>
<b>Provision of safe child contact facilities (supervised and supported) for families where there is domestic violence</b>
<b>Key Actions</b>
7.1 Implement and monitor locally the CAF/CASS national domestic violence policy, risk assessment and safety planning procedure in domestic violence cases
7.2 Conduct a domestic violence safety audit of local child contact facilities (both supported and supervised) and take action to maximise safety across all facilities
7.3 Improve family court outcomes in cases of domestic violence
7.4 Analyse and consider use of the nationally developed virtual contact centre
<b>Outcome Sought 8</b>
<b>Improved service provision for survivors from discriminated-against groups: women, Black and minority ethnic survivors, LGBT survivors, disabled survivors, survivors with insecure immigration status, older and young survivors, survivors with mental health problems, survivors with substance abuse problems</b>
<b>Actions</b>
8.1 Improve the capacity of domestic violence and other services to respond to LGBT needs, and of LGBT services and groups to respond to domestic violence issues.
8.2 Develop effective systems for signposting to services for LGBT survivors accompanied by support mechanisms that respond to the needs of LGBT people and relationships.
8.3 Review practices and if necessary, improve responses to and allocate resources for DV survivors without recourse to 'public funds' until their immigration status is secured
8.4 Consider undertaking research into the needs of Black and minority ethnic survivors of domestic violence and identifying appropriate action which will respond to their needs
8.5 Review arrangements for agencies to access an interpreter in cases of domestic violence and develop good practice guidance if necessary
<b>Outcome Sought 9</b>

**Domestic Violence**

<b>Effective Specialist Domestic Violence Courts Programme</b>
<b>Key Actions</b>
9.1 Ensure effective operational co-ordination of domestic violence cases through the Brighton SDVC in accordance with the national SDVC Programme guidance
9.2 Build on the effective referral system from the police to Rise and IDVA Service so that independent support and advocacy is offered as near to the time of reporting the incident as possible
9.3 Implement the pan-Sussex SDVC Protocol locally and monitor partner agencies' compliance with their roles and responsibilities as outlined in the protocol
9.4 Implement the pan-Sussex Information Sharing protocol across CDRP and partner agencies
9.5 Evaluate the implementation of the DV risk indicator checklist based on DASH across police, CYPT, Health and MARAC partner agencies
9.6 Reduce repeat victimisation in a multi-agency context through effective Multi-Agency Risk Assessment Conference (MARAC) system
9.7 Ensure family and civil court case progression and outcomes inform the SDVC case progression and vice versa so that victim safety is maximised at all stages of the proceedings
9.8 Deliver effective interventions through Probation and Community Perpetrator Programmes that work to national accreditation standards for perpetrator intervention and survivor safety work.
9.9 Review the national Violence Against Women Strategy for the CPS and implement locally
<b>Outcome Sought 10</b>
<b>Effective Interventions with domestic violence perpetrators and associated partner support within and outside the Justice System</b>
<b>Key Actions</b>
10.1 Increase reporting and arrest rates for domestic violence as a proportion of all incidents reported
10.2 Consider reviewing Sussex Police operational guidelines in response to domestic violence and embed ACPO Domestic Violence Guidance on responding to and investigating domestic violence incidents into local police responses to domestic violence
10.3 Ensure all frontline officers have easy access to cameras for effective evidence gathering
10.4 Train all local police officers in the national DV modular training package and deliver the training on a rolling programme thereafter
10.5 Develop, establish and evaluate MARAC operations ensuring the system prioritises the reduction of repeat victimisation amongst MARAC clients with a focus on risk/dangerousness rather than volume
10.6 Increase the number of recorded domestic violence prosecutions and the number of successful prosecutions; and reduce the number of discontinued domestic violence cases
10.7 Identify ways of effectively working with domestic violence perpetrators in the mental health system
10.8 Integrate domestic violence intervention into the work with drug and alcohol-related offending
10.9 Ensure the IDAP programme locally has sufficient capacity to meet need/demand and that associated women's safety work is equitably resourced and supported
10.10 Evaluate the effectiveness of the Integrated Domestic Abuse Programme in terms of managing risk, completions, behaviour change and increase in victim safety, and disseminate findings
10.11 Secure funding to sustain and further develop the Living Without Violence community perpetrator programme and associated partner support.
10.12 Seek to develop individual intervention with perpetrators who are unsuitable for group work programmes
10.13 Support the development of specialist parenting classes for domestic violence offenders
10.14 Seek to develop individual and group intervention with young people who are at risk of or becoming violent in the home and who have a history of living with domestic violence
10.15 Maximise opportunities for interventions with DV offenders to enable their use by courts (court orders, sentencing) and provide more effective sentencing outcomes
<b>Outcome Sought 11</b>
<b>Increased public awareness and understanding of domestic violence</b>
<b>Key Actions</b>

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11.1 Produce information for families, friends and employers to enable them to assist survivors, access help and provide more effective support
11.2 Produce information for families, friends and employers to enable them to challenge and not collude with perpetrators' abusive behaviour, and to encourage them to seek help and to stop the violence.
11.3 Develop a citywide DV public awareness campaign
11.4 Support the roll out of any national poster campaigns on DV, SV and violence against women in recognition of the connections between domestic violence and other types of violence including rape, forced marriage, harmful cultural practices, female genital mutilation, prostitution, elder abuse and trafficking
11.5 Develop systems to enable effective institutional advocacy which challenges agencies' response to DV with a focus on increasing safety of survivors
11.6 Regular presentations on DV and the work underway/gaps in the city at partnership Forums
<b>Outcome Sought 12</b>
<b>Developed and sustained domestic violence prevention work in schools and youth services</b>
Key Actions
12.1 Sustain and further develop work within schools and youth services to address domestic violence
12.2 Work with the Children and Young People's Trust and the pan-Sussex DV Forum to develop an integrated approach to DV prevention education across Sussex.
<b>Outcome Sought 13</b>
<b>Effective monitoring systems in all partnerships and compliance arrangements across agencies</b>
Actions
13.1 Standardise domestic violence protocols and guidance across agencies to encourage early intervention, assessment and management of risk and effective responses that challenge perpetrators and increase safety of survivors.
13.2 Monitor relevant funding streams locally regionally and nationally to take forward domestic violence work in the city
13.3 Establish mechanisms to monitor compliance with domestic violence policy and operational guidance including the completion of a risk assessment following each incident/re
13.4 Establish mechanisms to monitor implementation of the police CPS and BHCC DV Workplace Policies
13.5 Ensure DV data recorded and monitored is broken down for victim(s) and offender(s) by gender (male, female and trans) and relationship between parties, ethnicity, disability and sexuality (lesbian, gay, bisexual)
13.6 Ensure B&H DV Forum and associated working groups are resourced and supported
<b>Outcome Sought 14</b>
<b>Improved survivor consultation, service user involvement and community engagement</b>
Actions
14.1 Implement recommendations from 'Hear Our Voices'
14.2 Ensure local LGBT research, services and groups inform local and national DV work to ensure LGBT needs and experiences are reflected in the development of research, services, policy, training and other resources
<b>Outcome Sought 15</b>
<b>Implementation of a citywide domestic violence training strategy for statutory and voluntary sector agencies</b>
Key Actions
15.1 Develop a modular domestic violence training programme for both multi-agency and single agency delivery.
15.2 Monitor effectiveness and take-up of domestic violence training



## Sexual Assault, Sexual Exploitation, Prostitution and Trafficking

# Sexual Violence and Abuse

**Objective: To prevent sexual violence and abuse, improve acute and ongoing victim care and criminal justice responses**

*Definition - Central Government confirms the definition as:*

- *Sexual violence and abuse which occurs in a domestic setting (includes forced marriage, female genital mutilation and honour killings).*
- *Rape and sexual assault which occurs in a public place or non-domestic setting*
- *Sexual exploitation*
- *Prostitution and trafficking*
- *Childhood sexual abuse*

*The definition includes all of those affected by these crimes including women, men and children but also recognises the strong associations between sexual violence and gender-based violence which represent a significant cause and consequence of inequality for women. The relationship with domestic violence is clear. In 2004, the government's definition of domestic violence was extended to include acts perpetrated by extended family members which now includes honour crimes, female genital mutilation and forced marriage.*

### Why is this priority?

Crime and Disorder Reduction Partnerships have been advised that tackling sexual violence is a government priority as set out within the following:

- > Cutting Crime: A New Partnership 2008-11
- > Tackling Sexual Violence: Guidance for Local Partnerships, June 2006
- > Cross Government Action Plan on Sexual Violence and Abuse, April 2007
- > Saving Lives. Reducing Harm. Protecting the Public. Action Plan for Tackling Violence, 2008-11
- > Developing Domestic Violence Strategies: A Guide for Partnerships, 2004
- > Local Area and Public Service Agreements, including Reward Element Guidance
- > Gender Equality Duty, 2007

In summary, the government is seeking to prioritise those crimes which cause the most harm to individuals in society. In relation to sexual violence we are advised that CDRPs have a crucial role to play in the prevention of these serious crimes in providing services to victims and in bringing perpetrators to justice.

### Findings from the strategic assessment

Sexual violence and abuse have a devastating impact on victims, their families and friends and wider society. Its impact is likely to affect mental, physical and sexual health. The severity of the impact is reflected in the high cost to the victims and to society. Home Office research published in 2005 estimated that the total cost of sexual offences committed in England & Wales in 2003-04 was nearly £8.5 billion.

**Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

The government’s guidance confirms that sexual violence and abuse in adulthood are massively under-reported by both male and female victims. The 2001 British Crime Survey Inter-Personal Violence Model found that only 15% of rapes came to the attention of the police and that 40% of those who had suffered had told no-one about it. Over half had suffered sexual violence perpetrated by a current or former partner. National information confirms that 98% of offenders are male and 82% of victims are female. As expected, those percentages are consistently closely reflected in local data for Sussex for both rape and other serious sexual offences. Women have a greater fear of rape than any other crime.

Nationally, it is well recognised that conviction rates for sexual offences are too low, however it should also be recognised that they are at their highest level seen for 10 years.

Nationally and locally, there is a strong correlation between alcohol and sexual violence. Research indicates that in a significant proportion of rape and sexual assault cases, the victim consumed alcohol prior to the assault. There may be a number of reasons for this association, one of those being that women may be specifically targeted by perpetrators because they are drunk, more vulnerable as a result and less likely to remember details of the attack. The most common age group for victims is 20 years of age and under. Research also indicates that many perpetrators have drunk alcohol immediately prior to the incident or have ongoing alcohol misuse problems.

In Brighton & Hove, the local Strategic Assessment confirmed that there were 1297 serious sexual offence between April 2004 and March 2009 which is the highest number of offences pro rata to the population compared with other Authorities within Sussex. The Sussex Sexual Assault Referral Centre opened in September 2008 and between this date and June 2009 there have been 230 victims of serious sexual offence dealt with at the centre of which 95% of victims were women. 30% (of the 230 total referrals) of those were from Brighton & Hove.

Sex workers are amongst those groups who are a higher risk of being a victim of sexual violence and of being less likely to report incidents. Brighton & Hove does not have ‘on street’ prostitution activity. However, there are a significant number of prostitutes working from sex parlours and within an ‘indoor’ sex market. A local survey revealed that of those surveyed in the city, 57.5% of sex workers reported that they had experienced violence or abuse and, of those, only 12.5% had reported those incidents to the police.

Childhood sexual abuse and that experienced by young people is also included within the definition. The Local Safeguarding Children Board commissioned and received a report (2007) on the findings of a ‘Joint agency audit into the incidence, recording and outcomes of child sexual abuse investigations in Brighton & Hove’. Its purpose was to ensure that sufficient safeguards are in place to protect children and to ensure that joint working mandated by the Board is effective and efficient. The review looked at ways that child sexual abuse is reported and recorded, the care pathways that are followed and processes of investigation, case management and support. The recommendations which come from the review of 38 cases are helping to inform good practice changes within the health, social care and police sectors.

Research and a report undertaken by Barnardo’s (September 2007) and supported by the Children and

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| <p><b>Main Partners</b></p> <p>Sussex Police</p> <p>Force Rape and Serious Sexual Assault Steering Group</p> <p>Local Safeguarding Children Board</p> <p>‘Staying Safe’ Group &amp; Children and Young People’s Trust</p> <p>Adult Protection Board</p> <p>Women’s Services Strategic Network</p> <p>Women’s Centre: RISE: Survivors Network: Oasis</p> <p>Sex Workers Strategy Group</p> <p>Senior Officer Strategy Group for Domestic Violence</p> <p>Alcohol Strategy Group</p> <p>Domestic Violence Forum</p> <p>Sussex Criminal Justice Board</p> |
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## **Sexual Assault, Sexual Exploitation, Prostitution and Trafficking**

Young People's Trust has also assisted in providing important information. The 'Pan Sussex study of Young People at Risk of Sexual Exploitation and Trafficking' audited 33 case studies from Brighton & Hove (as well as 10 from East and West Sussex). The findings identify reasons and evidence of the underlying causes as to why and how young people are drawn into sexual activity, including the exchange of sexual acts for money, drugs, a bed for the night/accommodation and so on. There is a strong correlation with their living circumstances and their vulnerability to sexual exploitation and with alcohol and drug abuse. The recommendations for action include those to identify and reduce risks as well as interventions to protect young people. In addition the aim is to address the invisibility for sexual exploitation of young people.

### **Current status of work**

Brighton & Hove's CDRP has recognised the high priority that is being given to this work by government and that there compliance with gender equality duties is also required. The CDRP also recognises the cross-cutting nature of the work and that sexual violence can occur in a range of different contexts and circumstances. We plan therefore that actions to combat sexual violence are integrated within action plans and work programmes which are dealing with:

- > Domestic violence
- > Alcohol related violence
- > Violent crime
- > Prostitution & trafficking
- > Safeguarding children
- > Adult protection
- > Fear of crime
- > Gender equality duty
- > Public protection and the management of offenders

### **Where next?**

Brighton & Hove CDRP works within the Force wide Rape and Serious Sexual Assault Steering Group, participating in the development of the Sexual Assault Referral Centre as well as developing interventions which aim to prevent and reduce the risks to young people and adults. Our work will also be informed by the findings of research, the aims of which include identifying the factors that influence reporting and increase our understanding as to why attrition rates are so high. The research (carried out by Sussex and Glasgow Universities) is expected to report in July and October 2010.

In the meantime, we continue to develop local good practice responses for Brighton & Hove ensuring they are co-ordinated with Force wide developments. Developing local services to ensure women and men receive specialist support within Brighton & Hove is a high priority. We recognise that sexual violence is best tackled through a multi-agency approach therefore we are working in partnership recognising the expertise of both the independent and statutory sector agencies as well as supporting the role of specialist voluntary sector services. Implications for sustainability

Preventing sexual violence is also central to meeting targets in relation to public health in communities, the health and wellbeing of individuals and their families and safeguarding children and young people. Women are most likely to be victims of sexual violence and those who are most excluded are more likely to be at risk, therefore preventing and reducing its incidence, is central to the delivery of the Inclusive Council Policy and of the Gender Equality duties.

## Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11

### Parallel plans

- Sussex Police Rape, Sexual Violence and Serious Sexual Offences Strategy and findings of Strategic Assessments
- Brighton & Hove Alcohol Strategy
- Recommendations of 'Tipping The Iceberg' Study of Young People at risk of Sexual Exploitation and Trafficking (Barnardo's: Sept. 2007)
- Sex Workers Strategy
- Recommendations of report to Local Safeguarding Board on Inter-Agency Audit of Sexual Abuse Investigations in Brighton & Hove (March 2008)
- Domestic Violence Strategy
- Strategy and Action Plans of 'Staying Safe' Subgroup and Children and Young People's Trust
- Gender Equality Actions Plans

### Performance Indicators

- NI 26: Specialist support to victims of a serious sexual offence
- LI: Number of police recorded sexual assaults

## Sexual Violence, Abuse and Exploitation, Prostitution and Trafficking Action Plan

<b>Outcome Sought 1</b>
<b>Achieve an understanding of the nature and prevalence of sexual violence in Brighton &amp; Hove and of actions that will decrease attrition rates</b>
<p>Actions</p> <p>1.1 Continue to identify the nature and prevalence of sexual violence in Brighton &amp; Hove, recognising the wide variety of contexts in which it can take place and the different profiles and circumstances of victims and offenders. A summary report and baselines for the CDRP to be prepared based on the Strategic Assessments of Sussex Police and the findings of research (to be completed by Sussex and Glasgow Caledonian Universities in 2010).</p> <p>1.2 Each Strategy and Working Group to gather information about the nature and prevalence of sexual violence within the domain of their strategy,</p> <p>1.3 Consider the practicalities of establishing a multi-agency data capture system that includes information from local voluntary agencies as well as police, sexual health and other appropriate services.</p> <p>1.4. Introduce IT solutions which would enable extraction of information when a victim is 'Under the Influence'</p>
<b>Outcome Sought 2</b>
<b>Prevent sexual violence through increased awareness of its nature and prevalence in all contexts and of the practical measures that can be taken to reduce risks and opportunities</b>
<p>Actions</p> <p>2.1 Incorporate communications to potential victims about the association between excessive drinking and sexual violence within alcohol prevention publicity and education programmes which proposing safe drinking practices and appropriate personal safety precautions</p>

## Sexual Assault, Sexual Exploitation, Prostitution and Trafficking

2.2 Target information towards young women and students in particular, utilising 'student nights; and fresher week events
2.3 All Strategy Groups, including those which are addressing domestic violence, to incorporate information about sexual violence in their publicity
2.4 Incorporate preventative measures within the good practice initiatives which are led by the Licensing Strategy Group and Violent Crime & Alcohol Related Crime and Disorder Groups
<b>Outcome Sought 3</b>
<b>Increase reporting of sexual violence through improved public confidence in the criminal justice system and lower rate of attrition which is well publicised</b>
3.1 Support Sussex Police in the delivery of their Rape, Sexual Violence and Serious Sexual Offences Strategy which aims to improve the investigation, detection and prosecution of cases, identifying appropriate partnership and support action for the CDRP.
3.2 Raise awareness of the role of the police Sexual Offence Liaison Officers
3.3 Consider publicising the hand book: 'From Report to Court : a Handbook for Adult Survivors of Sexual Violence ' which meets the needs of victims and witnesses to a greater extent .
3.4 Target information towards those groups who are most at risk and/or least likely to report, recognising gender, religious and cultural factors
<b>Outcome Sought 4</b>
<b>Improved victim care and support services which also assist police investigations and prosecutions.</b>
4.1 Participate in the Sussex Police led, steering group which is taking forward the development of the Sexual Assault Referral Centre (in Crawley) working towards the establishment of effective arrangements for the care and support for victims in Brighton & Hove. This initiative also provides a link with NHS sexual health strategies and public health delivery plans
4.2 In partnership with the Third Sector organisations, support wherever possible, the provision of local crisis and immediate care provision as well as provision for sustained support and access to services
4.3 Consider the feasibility (develop a Business Case) of establishing Independent Sexual Violence Advisors who provide independent support, risk assessment and safety planning, link with the specialist DV Courts, support clients through statement taking, pre-court visits and trials and who can refer clients to health services and assist with housing and childcare arrangements
4.4 Consider identifying and meeting the training needs of those who may come in to contact with victims, including those who may deal with first disclosures (GPs, A&E providers, Health Visitors, Mental Health providers, youth workers, voluntary sector agencies, community groups and so on )
4.5 Identify appropriate actions which will ensure compliance with Gender Equality duties, particularly those which require the provision of appropriate services for victims of crimes where the majority of victims are women: In addition, consider how services for male victims of sexual crimes can be delivered in an accessible and appropriate environment.
<b>Outcome Sought 5</b>
<b>To support the work programme of the Sex Workers Steering Group which seeks to reduce risks and provide routes out of prostitution and related circumstances.</b>
Actions
5.1 Identify aims, outcomes and actions which are to be delivered by the Steering Group and which together further develop a strategic approach

**Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

5.2 Support the police led Operations which seek to identify and deal with trafficked women
5.3 Encourage the active and increased use of the 'Ugly Mugs' or 'Dodgy Punter' schemes and other national good practice initiatives which will increase safety of prostitutes, identify perpetrators and bring them to justice
5.4 Continue to target those most at risk, through maintaining relationships with individual sex workers and their increased access into drug and alcohol services and alternative housing and employment options
<b>Outcome Sought 6</b>
<b>Reduce fear, particularly by women, of rape and sexual assault</b>
Actions
6.1 All work aimed at improving public perceptions of levels of crime and disorder and to reduce fear of crime, to particularly address those crimes of serious sexual offences, sexual assault and rape and others which are of most concern to women
<b>Outcome Sought 7</b>
<b>Safeguard and build the resilience of children and young people to sexual assault and exploitation</b>
Actions
7.1 Continue the delivery of the five outcomes of the Every Child matters Outcomes and in particular, deliver the work programmes of the 'Staying Safe' and 'Be Healthy' work programme which are overseen by the Local Safeguarding Children Board . These programmes include actions to reduce the risks associated with unsupervised internet use by children and young people .
7.2 Education programmes within schools and those targeted towards young people which address alcohol and drug misuse, sex and relationship education, teenage pregnancy and other risks, to include awareness raising of the association with sexual violence and how those risks can be reduced through personal safety measures.
7.3 Implement the findings of the Joint Agency Audit into the Incidence, Recording and Outcomes of Child Sexual Abuse Investigations in Brighton & Hove
7.4 Identify appropriate and effective early interventions for young people who sexually abuse or are at risk of abusing and support the delivery of those interventions
7.5 Implement the findings of 'Tipping The Iceberg' – A Pan-Sussex Study of Young People at Risk of Sexual Exploitation and Trafficking
7.6 Support compliance as appropriate with 'Special Measures' in courts (compliance with 'Speaking Up for Justice' and Youth Justice and Criminal Evidence Act 1999) which offers enhanced protection for child witnesses
<b>Outcome Sought 8</b>
<b>Work towards the development of a holistic strategy for tackling rape and serious sexual offences and violence which accords to national good practice, builds on existing plans and expertise together with a structure which supports multi- agency delivery of an agreed work programme</b>
Actions
8.1 Establish and support a multi-agency Sexual Violence and Abuse Forum which receives reports from and co-ordinates actions being taken forward by the individual working groups that are identified within this Strategy

**Prolific and Priority Offenders**

# Prolific and Priority Offenders

**Objective: To reduce the nature and volume of crimes committed by prolific and other priority offenders and to prevent those most at risk of becoming the prolific offenders of the future from doing so**

## Why is this a priority?

Nationally, it is estimated that 50% of crime is committed by 10% of offenders; the most prolific 0.5% commit 10% of crimes. Reducing the numbers of juvenile and adult prolific offenders and their rate and seriousness of offending is a central government requirement and a priority for Brighton & Hove.

The nature of offences committed, are largely crimes which are regarded as 'acquisitive crimes' and include most frequently, burglary, vehicle crime and shoplifting, the proceeds from which fund illicit drug use. These crimes have a significant impact on actual and perceived levels of safety by individuals and communities (including businesses). Reductions from successful actions to both prevent and reduce high rates of offending by prolific offenders, not only bring about changes in the behaviour and drug misuse and improved life opportunities for individual perpetrators but also significant benefits to communities in Brighton & Hove.

For the period 2008-11, central government has included a national indicator on prolific offenders within the National Indicator Set on which all local authority areas are required to report. The PPO cohorts which are the focus of our PPO partnership work are decided locally, but the way in which it is measured is defined by central government, and the stringency of the target attached to this indicator is subject to negotiation with the government local office.

## Current status of work

The Prolific and Priority Offender (PPO) project in Brighton & Hove was established in 2005. Since its establishment the scheme has delivered a significant reduction in the rates of re-offending of those offenders in the cohort. In 2008-9 we achieved a 22.8% improvement change against a target of 27%, thus missing the agreed target by 12 offences. We have identified that changes in the reporting criteria, specifically the inclusion of the 'catch and convict' group in those counted, data collection, designation and PPO staffing levels, have all paid a contributory part to this outcome. We are confident that by implementing the actions identified here we shall be

### Main Partners

Steering Group of the Prolific Offenders  
Supervision Scheme

Sussex Police

Sussex Probation Area

Partnership Community Safety Team

Youth Offending Team

Crown Prosecution Service

Court and Prison Services

Drug and Alcohol Action Team

Primary Care Trust

Crime Reduction Initiatives

Housing Services

Business Crime Reduction Partnership

Sussex Criminal Justice Board

## Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11

back on track in sustaining this successful project, realising the steep drops in offending rates after joining the scheme.

The Brighton & Hove multi-agency PPO project which closely monitors and targets the offenders and which has achieved the good results described above, complies with national good practice in that it incorporates three elements of 'Prevent and Deter', 'Catch and Convict' and 'Rehabilitate and Resettle'. There is therefore a focus on:

- > Preventing young people from becoming offenders and deterring young people who are already within the criminal justice system from becoming prolific offenders
- > Ensuring effective and prompt investigation, charging and prosecution of adult offenders with a swift recall to prison should they re-offend
- > Assessing needs and offering as an alternative, engagement with services including drug treatment and health interventions, education, training and employment opportunities, assistance with housing and other opportunities.

### Where next?

#### 2009-10 intervening with the whole cohort

A greater level of partnership resource has and will continue to be directed at the highest risk PPOs in the Rehabilitate and Resettle strand of the PPO programme. We have demonstrated that we can be effective with this group and this performance needs to be sustained and enhanced through 2009-10. In the light of statistical evidence emerging towards the end of the last performance year demonstrating that a significant proportion of offences were committed by the 'Catch and Convict' group, a decision was made by the partnership to invest some reward monies in this group. A new Probation Service Officer post (funded by 'reward money') became operational in April 2009. This role has been designed specifically to target the C&C group and to manage transfer cases from the YOT by picking them up as early as possible.

The PPO scheme will continue to provide the most intensive management for those offenders who require a high level of intensity. However the PPO throughput should not be static as we should take a broad view of the whole local offending population. Once they respond positively, intensive interventions may be reduced. This means that more offenders will benefit from the PPO approach increasing the positive impact on crime and local re-offending rates. In this way, the intensity of intervention matches that need so that maximum benefit is derived. PPOs can be 'deselected' earlier with a less intensive coercive package of interventions being used.

#### Creation of a less intensive cohort - suggested target group

- > Those not arrested or subject to a Police Intelligence Report for a period of 6 months + no other concerning indicators e.g. Problematic drug misuse
- > Those PPOs sentenced to over 2 years in prison and who should accordingly be deselected - consider for re-selection 3 months prior to release
- > Deter Young Offenders (DYOs) who do not reach the threshold for selection as a PPO under local selection arrangements when approaching the age of 18.

### Links to other priority areas

Due to the prevalence of substance misuse among PPOs, this area of work is closely linked to that around acquisitive crime, illicit drugs, alcohol misuse and children and young people. The PPO scheme is the foundation for development into a fully 'Integrated Offender Management' approach to the management of those offenders who cause the most 'trouble' in the community. In Brighton and Hove our aim is to strengthen our partnerships and partnership working, by sharing resources



**Prolific and Priority Offenders**

to achieve key performance indicators in the LAA. This means that our current activities will need to be sustained and enhanced and that we will need also to be alert to new and emerging priorities of CDRPs and local criminal justice agencies.

**Implications for sustainability**

Because prolific offenders are responsible for a disproportionate amount of crime, they also have a significant effect on fear of crime and overall levels of crime. Preventing young people from entering the criminal justice system and concentrating resources on those young people and adults who are committing high numbers of crimes has the potential to divert them from offending, improve their life opportunities and enhance the quality of life for residents and visitors in the city.

**Parallel plans**

- Sussex Policing Plan
- Brighton & Hove Youth Justice Plan
- Sussex Criminal Justice Board Delivery Plan
- Sussex Probation Business Plan

**Performance Indicator**

- **NI 30: Re-offending rate of prolific and priority offenders** (LAA top 35 indicator)

Target: To reduce the number of proven offences committed in 2009-10 by the identified cohort of offenders by 21% from a baseline of 322 offences, ie. no more than 256 crimes (66 fewer offences) committed by the cohort.

**Priority and Prolific Offenders Action Plan**

**Outcome Sought 1**

**Procedures for managing identified all prolific and priority offenders are in place and refreshed in accordance with Ministry of Justice guidelines (PPO Maximising the Impact MOJ, 2009)**

**Actions**

1.1 Prolific and priority offenders to be monitored and tracked through the stages of liberty, voluntary rehabilitation, proactive targeting by the police, entry into the criminal justice system, supervision in the community, custody and enforcement proceedings. Their level of risk to the community also monitored.

1.2 Resources prioritised to enable the management and supervision schemes to be fully operational and effective, particularly in the provision of dedicated police and probation officers

1.3 PPOs cohort to be refreshed in accordance with MOJ guidelines ,which include removal of those serving 2+ years in custody and those who have been wholly compliant for six months.

**Outcome Sought 2**

**Young people are prevented from entering the criminal justice system**

**Actions**

**Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

2.1 Prioritised the delivery of a full range of protective and preventative programmes and interventions which reduce the risk factors experienced by young people (as set out in Children's Service Plan and the 'Every Child Matters' outcomes, the Children and Young People's Prevention Strategy and the 'Staying Safe' and 'Be Healthy' action plans).
2.2 Enable children and young people, in particular those who are at risk of developing offending behaviours, to benefit from early intervention initiatives, including Parenting Programmes, the Targeted Youth Service and the 'Challenge and Support' youth crime prevention work
2.3 Work in collaboration with the Police to establish and maintain an arrest referral system which effectively targets and diverts young people away from the criminal justice system by providing alternative appropriate sanctions.
<b>Outcome Sought 3</b>
<b>Young people who are in the criminal justice system and are persistent offenders, commit a reduced number of offences</b>
<b>Actions</b>
3.1 The YOT to identify the most high priority prolific offenders through the ASSET assessment tool, fully consider their circumstances within individual supervision and the YOT Management of Serious Harm Group, prioritise these young people for delivery of interventions and refer into the PPO management group, if necessary.
3.2 Identify interventions that will 'make a difference', highlight gaps in services and barriers which prevent young offenders accessing mainstream services. Maximise arrangements with schools, Connexions and the Learning and Skills Council.
3.3 Work in close co-operation with Sussex Probation Service to ensure that those offenders in the 'deter' strand aged 17+ have joint programmes of intervention which ensure that transfer between agencies is completed in a way that maintains compliance and reduces 'culture shock'.
3.4 Offer all offenders the opportunity of restorative justice interventions, as appropriate
3.5 Improve outcomes for targeted offenders in terms of accommodation, health, family support, education training and employment.
3.6 Ensure all (prolific) offenders have maximum opportunities to engage with/enter education, training and employment
<b>Outcome Sought 4</b>
<b>PPOs are prioritised through the criminal justice system and timeliness is improved</b>
<b>Actions</b>
4.1 The court service, police, Crown Prosecution Service, Youth Offending Team, probation and prison service to work in close partnership to achieve the above outcome.
4.2 Monitor numbers of PPOs who are charged and brought to justice against key indicators and: <ul style="list-style-type: none"> <li>• Reduce timescales from arrest to sentence</li> <li>• Reduce number of PPOs who are released without charge and the number of PPO cases that do not result in a conviction because the last trial was ineffective</li> </ul>
4.3 Review processes by which PPOs are monitored
<b>Outcome Sought 5</b>

**Prolific and Priority Offenders**

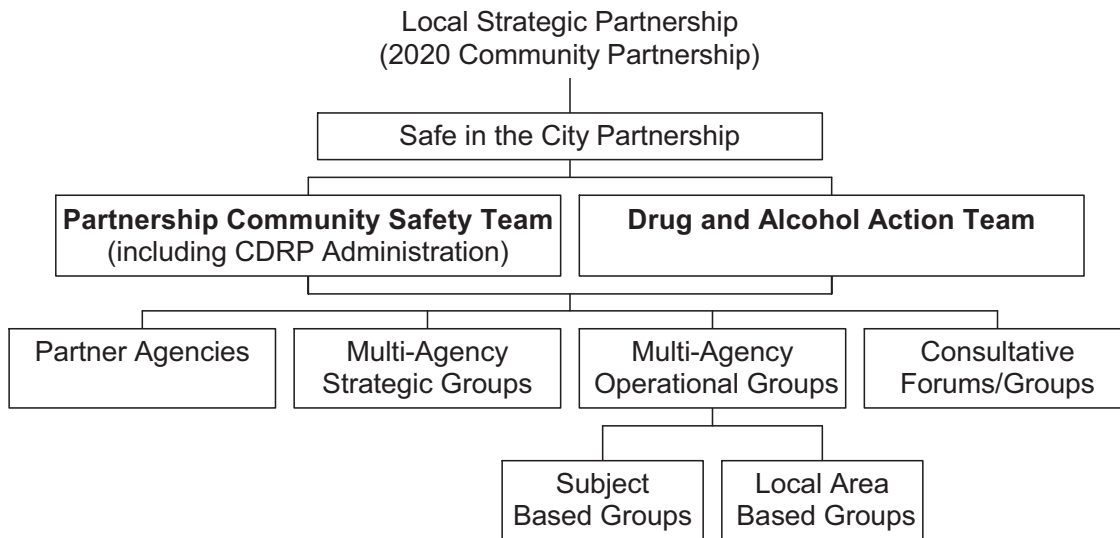
<b>Staff and processes are in place for the effective management of offenders in the 'catch and convict' strand</b>
5.1 Produce terms of reference for the involvement of PC/PCSOs with C&C strand
5.2 Establish links with Lewes Prison which support planned interventions with the 'catch and convict' group and identify support services available to this group
5.3 Scope the nature and delivery of 'offender compacts' and link to pathways for intervention e.g. accommodation, benefits, substance misuse services, alcohol services.
5.4 Establish links with Bronzefield Prison which support planned interventions with those female offenders in the 'catch and convict' group and identify support services available to this group which match their individual need and wherever possible for these services to be delivered by third sector women's groups.
<b>Outcome Sought 6</b>
<b>Improved status, engagement and personal circumstances of offenders in the areas of housing, health and education</b>
<b>Actions</b>
6.1 Continue to develop selection criteria that remain sensitive to local issues and changing crime patterns. Run selection matrix against a potential pool of new PPOs along with current cohort, selecting the most pressing cases as PPOs using consistent selection criteria. Where this creates capacity issues it is recommended that we review de-selection arrangements..
6.2 Engage with relevant statutory and third sector agency to ensure that offenders have priority access to local services which deliver housing, healthcare (mental/physical), drug and alcohol services, benefits/finances, education, training, employment and other provisions for PPOs – and their families.
6.3 Set outcomes and targets for each PPO within an agreed rehabilitation plan which includes actions to address the causes of their offending behaviour and their attitudes to offending behaviours as well as those which will help accommodation to be sustained.
6.4 Increase the number of PPOs who engage in and are retained in treatment.
6.5 Increase the number of PPOs in employment by the end of their intervention.

**Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11**

**About the Partnership**

The Crime and Disorder Act 1998 specifies that community safety strategies must be carried out through Crime and Disorder Reduction Partnerships (CDRPs). The statutory responsible authorities within CDRPs are: the police, police authorities, local authorities, fire and rescue authorities, and primary care trusts. However, the Brighton & Hove CDRP works very closely with many other partners from the statutory, community/voluntary and business sector. Local residents also play a key role.

**Crime and Disorder Reduction Partnership Organisational Structure**



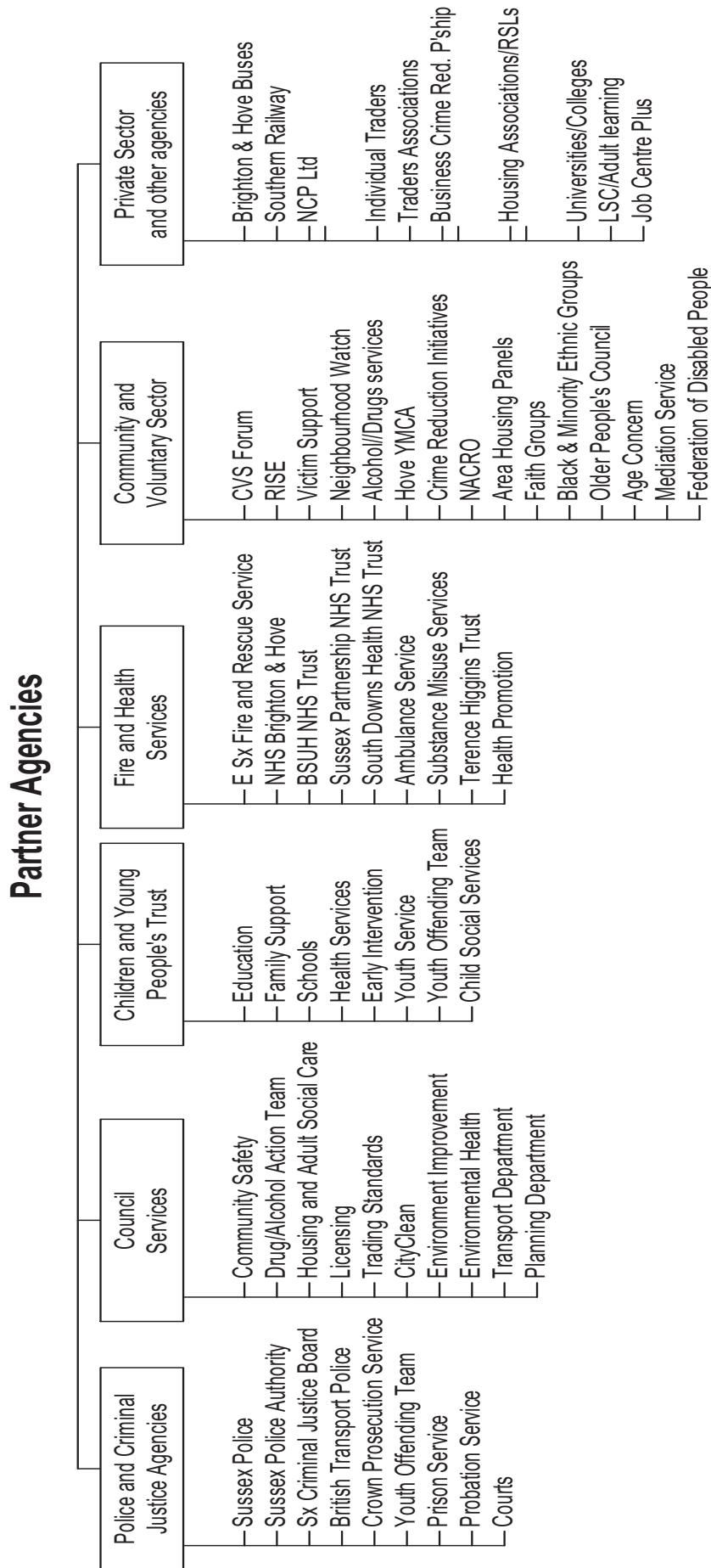
The diagram above provides a basic organisational chart showing the way in which the Brighton & Hove CDRP is structured. (A more detailed version of this chart and further information is available on our [website](#).)

The Safe in the City Partnership has overall responsibility for the work of the CDRP, while each priority area within the strategy is supported by multi-agency working groups made up of specialists in the relevant area. In some areas there are also dedicated staff to drive forward the work.

The CDRP links with the democratic process through the Community Safety Forum and the Environment and Community Safety Overview and Scrutiny Committee.

**About the Partnership**

The diagram below shows the different sectors of the city's structure with whom we work in partnership and lists the main partners involved.



There is a lot more detail about the Partnership and how it functions on our website at the following link: [http://www.safeinthe city.info/?q=about\\_us](http://www.safeinthe city.info/?q=about_us)

## Brighton & Hove Community Safety, Crime Reduction and Drugs Strategy 2008-11

### Abbreviations and Terminology

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- NI      National Indicator. There is a set of national performance indicators across all areas of business (known as the National Indicator Set) defined by the government which all local areas must measure and report on. A collection of up to 35 of these National Indicators and targets are chosen by negotiation between local areas and the area Government Office to reflect the local area's priorities. These are contained within the Local Area Agreement (LAA) 2008/9 – 2010/11 and are monitored closely. In this document National Indicators which are contained in the Brighton & Hove LAA are shown in **bold type**.
- LI      Local Indicator. Local Indicators have been defined locally and reflect priorities where a suitable equivalent is not available in the National Indicator Set.

<b>Subject:</b>	<b>Twelve Month Review of the Constitution</b>	
<b>Date of Meeting:</b>	<b>28 January 2010</b>	<b>Council</b>
	12 January 2010	Governance Committee
	14 January 2010	Cabinet
<b>Report of:</b>	<b>Director of Strategy &amp; Governance</b>	
<b>Contact Officer:</b>	<b>Name: Elizabeth Culbert</b>	<b>Tel: 29-1515</b>
	<b>E-mail: <a href="mailto:elizabeth.culbert@brighton-hove.gov.uk">elizabeth.culbert@brighton-hove.gov.uk</a></b>	
<b>Wards Affected:</b>	<b>All</b>	

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 On 7 July 2009 Governance Committee approved the methodology for a twelve month review of the Council's Constitution. This report presents the outcome of the consultation and makes proposals for amendments to the Constitution in response.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee notes recommendations 4, 6 and 12 in the report and agrees recommendations 3, 7 and 11;
- 2.2 That the Committee agrees to recommend to Cabinet the proposals set out at paragraph 1, 2,5, 9, 10 and 14 of the report (see appendix 2);
- 2.3 **That the Committee agrees to recommend to Full Council the proposals for amendments to the Constitution set out at paragraphs 8 and 13 of the report (see appendix 1); and**
- 2.4 **That the Committee recommends the Cabinet and Council to authorise the Head of Law to make the necessary amendments to the Constitution to reflect the above proposals once approved by the relevant body (see appendices 1 and 2).**

**3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:**

- 3.1 When the Council's new Constitution was approved by Full Council in May 2008 it was agreed to review how the arrangements were working, initially after six months and in more depth after the first year. The opportunity to examine the arrangements was considered important by Members in order to enable changes to be made, taking the experience of working under the new arrangements into account.

- 3.2 At the six month review stage a number of changes were approved, including:
- The extension of speaking rights and a seat at the table at Cabinet and Cabinet Member meetings to the Leader/Convenor of all opposition parties;
  - Clarifying the procedure for special meetings;
  - Adding Community Affairs and Inclusion as an item on the Cabinet agenda at least every 6 months;
  - Improvements and guidance regarding Notices of Motion, Member and public questions at Council meetings;
  - Changes to delegations and other technical amendments.
- 3.3 At the six month review stage Members also identified two in depth pieces of work which it was agreed should be taken forward as part of the twelve month review. These were a review of Overview and Scrutiny arrangements and a cross party working group to look at Member involvement in equalities issues. These have been progressed and are reported below.
- 3.4 The Governance Committee agreed the methodology for the twelve month review on 7 July 2009. The following steps have been taken to encourage the public, Members and officers to provide comments on the working of the Constitution at this 12 month stage and to provide suggestions as to how it could be improved:
- Two City News articles appeared in the July and September 2009 editions of the paper informing the public of the review and encouraging them to complete an online questionnaire;
  - The Citizens Panel were sent a hard copy of the questionnaire in September 2009;
  - All Members were sent an invitation to feed in their comments In September 2009. This was repeated in October 2009;
  - Questionnaires were also sent to officers (all first, second and third tier managers);
  - Partner organisations received a personal letter explaining that the review was taking place and seeking their views.

## **Summary of Responses and Recommendations**

### ***Public Responses***

- 3.5 There were 815 responses from members of the public who completed the Citizens Panel and online questionnaires. An analysis of the public responses is attached at Appendix 3, including the full text of the responses to open questions. Whilst a range of views were expressed it is possible to draw out the main themes:
- **Listening, consulting and responding to the public** – there were a number of comments that the Council does not listen to public views or involve the public adequately in decision making.
  - **Communication and publicity** – many of those who responded wished to see increased publicity about how to get involved in Council decision



making, including more publicity about what is being discussed at Council meetings and how to influence decisions.

- **The Leader and Cabinet system** – the public responses included comments that the current system is undemocratic and less representative than the old system. There were a number of comments that the Cabinet should not be single party. There were also a small number who suggested an Elected Mayor model would be preferable.
- **Accessing information** - a further theme that emerged was that it was felt that information should be made available to the public in a variety of ways rather than relying on people being able to access information online.
- **More local referenda** – there were a number of comments that more local referenda should be held on issues.
- **Improve efficiency** - respondents commented that decision making should be speeded up and bureaucracy reduced.
- **More public attendance at meetings** - public responses included comments that there should be greater public involvement in meetings and a wider cross section of the community should be involved

### ***Recommendations in relation to public responses***

- 3.6 The public responses which stated that public opinion is not heard or responded to, and that it is difficult to find out what is going on, reflect similar concerns that emerged through The Place survey. The Council has prioritised action to address these issues, including the steps set out below.
- 3.7 On 21 November the Council launched the “Get Involved” campaign. The campaign seeks to address directly the problems of members of the public not feeling connected to the Council by hosting a series of events and awareness raising campaigns to highlight the opportunities to “have your say” and how to access decision making.
- 3.8 An e-petitions facility was also launched on 21 November and has already attracted petitions from the public. The facility is a further step the Council is taking to increase direct access for the public to decision makers in the Council.
- 3.9 In relation to the ability of the public to engage with the Council at meetings, the proposals in relation to Full Council meetings at paragraph 3.27 below are intended to enable more people to attend Full Council meetings and to make them a focus for people to come, or watch, to understand the business of the Council.
- 3.10 **Recommendation 1. It is recommended that City News should include a clear explanation in the section on forthcoming meetings that states where the Forward Plan and meetings agendas can be obtained. A hard copy of the Forward Plan should be made available in the libraries and public offices. The Forward Plan is published monthly but updated more**

frequently so it should be made clear on the hard copy where the most up to date version can be found.

- 3.11 **Recommendation 2.** To make the Forward Plan itself a more helpful tool to understanding the business of the Council, there needs to be a stronger 12 month projection of decisions (as opposed to focusing on the next 2-3 months). It is recommended that the Cabinet Support Team proactively produce a 12 month programme of key decisions for inclusion in the Forward Plan.
- 3.12 **Recommendation 3.** It is recommended that Governance Committee should keep the above initiatives under review and instructs officers to report back to Committee on progress within six months of this report.

### ***Responses from Partners and other Organisations***

- 3.13 The list of Partners contacted is set out in full at Appendix Four, together with the text of the consultation letter. The issues raised and recommendations are set out below:

#### ***Older Peoples' Council***

- 3.14 The Older People's Council (OPC) stated that it valued the opportunities it has been given to represent the views of older people, in particular through:
- Regular meetings with the Council Leader;
  - Formal representation on a range of Committees and forums;
  - Invitations to contribute to strategies, scrutiny panels, the Care
  - Quality Commissioning Review of Adult Social Care and the Stakeholder Panel assessing candidates for an Adult Social Care post.
- 3.15 The OPC identified that the high level of activity means that it is struggling be involved as effectively as it would like with the current resources and requested a dialogue with the Council to consider an increase in financial and administrative support.
- 3.16 **Recommendation 4.** That the Committee notes that the Director of Adult Social Care and Housing will meet with the Chair of the OPC to discuss support arrangements.

#### ***Hollingbury Community Groups***

- 3.17 Hollingbury Community Groups responded to the consultation and explained that they feel that they have benefitted a great deal from the Cabinet arrangements, and that they feel that the processes have worked extremely well to deal positively with the many issues to arise in Hollingbury. They also commented that every area across the City would benefit from Community Development and that the Local Action Team in particular has benefitted the area. They urge the Council to make more use of Local Action Teams across the City to raise local participation, consultation and local involvement.
- 3.18 The issue of LATS was raised in a notice of motion at council on 30 April and subsequently considered by the Cabinet. The Cabinet member for Community

Affairs, Inclusion and Internal Relations referred to the information pack for LATs on how to engage with the wider structures which was being developed in addition to a guidance documents acknowledging and defining the role of LATs. A second event bringing together the chairs of all LATs to ensure their engagement and involvement was held since. Given the steps that have already been taken and recognising the main role of LATs, it is recommended as follows;

- 3.19 **Recommendation 5. That the Committee agrees that the Research and Consultation Team should include Local Action Teams, where appropriate, in all consultations relating to community safety/crime and disorder that affect a community for which a Local Action Team is in place.**

*Eco-logically*

- 3.20 Eco-logically environmental consultants also responded to the consultation. They expressed disappointment that there has been no improvement in their ability to interact and have a dialogue with the Council and in particular raised concerns about difficulties they had experienced in obtaining copies of consultation documents.
- 3.21 **Recommendation 6. That the Governance Committee notes that the Chair of Governance Committee has set up a meeting with Eco-logically to go through with them their concerns in person.**

#### ***Summary of responses from Officers***

- 3.22 Feedback from Officers has been collated from returned questionnaires and other comments received since the six month review.
- 3.23 The key issues that have been raised are:
- Overview and Scrutiny is improving and grasping real issues
  - The Audit Committee is starting to show its value
  - The uncertainty that no overall control brings is reduced
  - Monthly Cabinet meetings produce helpful cycles
  - There is not enough business on some Cabinet Member Meetings
  - There are too many Cabinet Member Meetings
  - There is a need to review Full Council working to make it more focused and relevant
  - Extend delegations for Cabinet Member for Central Services to include Customer Services to tie in with other Central Services delegations.

- 3.24 In addition officers have raised a number of technical amendments which are included as recommendations at the conclusion of this report.

#### ***Summary of responses from Members***

- 3.25 Individual Member responses raised the following issues:
- There are too many meetings – although some are shorter they are more frequent and can overlap or it is simply not possible to attend them due to the volume;

- A request for more clarity about the procedure and scope for Notices of Motions;
- The role of Political Assistant is not clear;
- Measures should be taken to ensure that scrutiny is non-political and the role of Head of Scrutiny should be on a higher grade and carry more weight than at present;
- Scrutiny does not provide an equal balance to the Executive and needs to be improved;
- There should be separate Scrutiny Committees for Community Safety & Culture, Enterprise & Tourism and Adult Social Care & Housing;
- There should be separate Scrutiny Committees for Environment and Community Safety;
- There should be more neighbourhood working/neighbourhood-based decision –making and Participatory Budgeting;
- The Forward Plan remains inaccessible and hard to follow;
- Questions at Council should be written and receive a written answer and not a verbal answer;
- Scrutiny Chairs and deputies should be proportional to proportion of political parties on the council;
- There should be odd numbers on scrutiny committees;
- There should be a specific responsibility for Cabinet to accept or dismiss scrutiny recommendations and explain their reason for doing so;
- There should be structures to ensure that Notices of Motion are followed through and not overturned or ignored at the relevant subsequent Cabinet or Scrutiny Committees;
- Members should be allowed to sign petitions ;
- Urgent decisions should not be exempt from call-in;
- The Council’s AGM should be held separately to the annual Mayor-making;
- There is no easy access to a forum for members of the public to raise equality issues. A CMM should be held for Community Affairs and Internal Relations or another structure established. Members have no information of what activities are taking place in this area;
- The issue of the party or parties of Official Opposition needs to be clarified so that, in the case of more than one party sharing the equal highest number of elected councillors, then the Leader/Convenor of each party will become the Joint Leaders of the Official Opposition;
- Pleased that all Members now have speaking rights;
- Scrutiny ad-hoc panels doing some very good work;
- Decisions can get made more quickly;
- There is greater inclusion of the community.

3.26 In addition to individual Member questionnaires, officers received some collective proposals from Groups which are summarised below:

- There should be a limit of 2 Notices of Motion per Group;
- The limit on the length of time the mover of the Notice of Motion or presenter of a report has to speak should be reduced from 10 minutes to 5 minutes and those speaking in support or otherwise should be limited to 3 minutes;
- Members’ questions should be directed to the right decision making forum and should be referred to CMM or Cabinet where the issue falls squarely within the decision making remit of one of those meetings;

- Members questions should be limited to 2 questions per Member per meeting;
- There should be a requirement that the executive response should be prepared and a decision made by Cabinet as to whether to accept the recommendations or not within 4 weeks of receiving the scrutiny report;
- Strategic and significant matters should be taken to CMMs. The CM for Community Affairs, Inclusion and Internal Relations should hold CMM's;
- Cabinet members should not be members of the Audit Committee;
- Pre-meets should not be held before Planning Committee;
- Given the growing workload of the scrutiny team, the number of the people in the team should be reviewed.

***Recommendations in relation to responses from Members and Officers***

**3.27 Full Council**

**Recommendation 7. The Committee requests a paper be brought to its meeting on 9th March 2010, specifically addressing proposals in relation to Full Council meetings.**

- 3.28 In relation to the proposal for a mechanism to ensure that Notices of Motions agreed at Council are acted on, this would not be possible to take forward as the Functions and Responsibilities Regulations 2000 create a split between executive and council functions. Where a Notice of Motion taken at Council relates to executive functions, Full Council has power only to recommend action to Cabinet or CMMs – the Council recommendation cannot bind the Executive.
- 3.29 In response to the proposal that the Council's AGM should be held separately to the annual Mayor making, the debate takes places at the time the Mayor Elect is decided which is in December and is already separate from the Council's AGM.
- 3.30 In respect of the role of Official Opposition, it is not proposed that the current arrangements are changed as it is appropriate to continue with the incumbent Official Opposition where there is a change mid year and review this annually at the Council's AGM.

***Overview and Scrutiny***

- 3.31 At the six month review of the Constitution, it was agreed that there should be a more in-depth review of Overview and Scrutiny arrangements. This has been done and was reported to Governance on 17 November 2009. The recommendations in that report included proposals to embed the quarterly tripartite meetings between the Chair of the Commission/Committee, the Cabinet Member and the relevant Director and for the Commission to produce a medium and long term work programme for the panels and select committees.
- 3.32 The Head of Overview and Scrutiny has also recently put in place new arrangements for working with officers in relation to scrutiny recommendations and these will be monitored to ensure that the required timetables are met.
- 3.33 A further mechanism to ensure timely responses to scrutiny reports has been agreed with the executive and is set out at recommendation 8 below. This

complies with the most recent legislative requirements in relation to Overview and Scrutiny arrangements.

- 3.34 **Recommendation 8. It is recommended that the Overview and Scrutiny and Cabinet Procedure Rules be amended to require an executive response to scrutiny reports to be published by the executive within 2 months of receiving the scrutiny report.**
- 3.35 It is not recommended at this stage to review the staffing arrangements for scrutiny in view of the new ways of working reported to the 17<sup>th</sup> November Governance Committee and the proposals above which will need time to bed in. The current arrangements in relation to the number of panels were agreed following consultation at the six month review stage and it is not proposed to separate further their remits.
- 3.36 In relation to the issue of chairing and numbers on Scrutiny Committees it is not proposed to change the arrangements. The Committees are intended to work collaboratively and on a non-political basis. All Chairs pre-meets have now become cross-party to reflect this aim. If the proportionality rules were to be applied to the Chairing of the Overview and Scrutiny Committees this would not result in a change to the political representation of the Chairs that would increase the number of opposition chairs in any event. The result would be the opposite.
- 3.37 In response to the request that urgent decisions should not be exempt from call-in, it is not proposed that the current arrangements should change as this provides an important mechanism to enable the Council to take decisions in cases of real urgency. There are safeguards in place to ensure that the mechanism is operated responsibly – reasons are required to be given in the report itself and an annual report to Full Council is required setting out the occasions when this power has been used. From the records it is clear that there is no evidence that this system is being abused.

### **Cabinet Member Meetings**

- 3.38 In relation to Cabinet Member Meetings, in recognition of the concerns raised by both officers and Members on this issue, it is recommended that Cabinet Members Meetings are streamlined. The business coming through the Central Services and Finance CMMs is low because many of the decisions that fall within these areas are taken at Cabinet. The Finance CMM itself does not have a decision making remit. Looking at this against the resource implications of running the meetings, it is recommended that these two CMMs no longer meet and that the matters that would have been taken to those meetings are taken to Cabinet.
- 3.39 **Recommendation 9. That Finance and Central Services matters that would have been taken to CMM are taken at Cabinet in place of separate CMMs for those areas.**
- 3.40 **Recommendation 10. That Cabinet will encourage ongoing CMMS to ensure that they make full use of the meeting by taking discussion papers and updates as well as decision making reports and will review the position in six months.**

### *Neighbourhood working*

- 3.41 **Recommendation 11. That the Committee notes the comments regarding neighbourhood working and requests that this issue be picked up at Governance Committee within the report on the Local Democracy, Economic Development and Construction Act 2009 at its March meeting.**

### *Cross party working group on equalities issues*

- 3.42 At the six month review stage Members agreed to set up a cross party working group to look at Members' involvement in equalities issues and for the outcome of that review to feed in to the 12 month review.
- 3.43 The cross party working group met on two occasions. A note setting out the issues and recommendations agreed by the group are attached in full at Appendix 5.
- 3.44 **Recommendation 12. That the Committee notes that an informal equalities group will be set up and Chaired by the Cabinet Member for Community Affairs, Inclusion and Internal Relations with equal representation from all parties and which will meet on a six weekly basis. The group will not be a decision making body but an informal meeting for Members with the aim of improving communication and engagement with elected members on equalities issues.**

### *Technical amendments*

- 3.45 Officers have provided feedback on a number of technical issues and proposals to amend and clarify aspects of the Constitution where, for example, legislation has changed and delegations need to be updated. These issues are set out below.
- 3.46 **Recommendation 13. That the Committee recommends to Full Council the following amendments:**

- **Amend Overview and Scrutiny provisions to comply with the requirements of the Local Government Public Involvement in Health Act 200 as set out at Appendix Four;**

Most of the amendments reflect existing scrutiny practices but are not specifically mentioned in our procedures. The main changes are: duty to give written reasons when a request for scrutiny is not agreed a 2 month deadline for responses (28 days in the case of crime and disorder) and limitation on the co-option of non-Councillors to the Crime & Disorder Overview & Scrutiny Committee. Appendix 6A summarises the relevant legislative provisions and Appendices 6B and 6C set out the full procedures as amended.

- **Amend Licensing Committee referred functions to reflect the role of the executive in formulating the authority's statement of licensing policy under the Gambling Act 2005;**

- **Amend Contract Standing Orders to clarify procedures in accordance with the draft amended CSO's attached at Appendix 7;**  
An explanatory note is attached as appendix 7A.
- **Designate the holder of the post of Head of Overview and Scrutiny as 'Scrutiny Officer' for purposes of compliance with the Local Democracy and Public Involvement in Health Act. It is now a statutory requirement to have this role formally designated. The legislation requires that it should not be the Chief Executive, Monitoring Officer or s151 Officer and needs to be a person with day to day responsibility for the scrutiny service.**
- **Incorporate a sub-committee to Standards Committee to consider applications for dispensation.**

3.47 **Recommendation 14. That the Committee recommends to Cabinet the following amendments:**

- **Amend delegations for Director of Finance and Resources to include the power to determine applications for assistance under the Council's general indemnity (this was approved by Policy & Resources in 2005 but the delegations were not updated);**
- **Incorporate into the Constitution the current arrangements for appointing a substitute for CMMs. This will reflect the current arrangements whereby the Leader appoints a substitute and will not be a change in practice.**
- **Include Customer Services in the delegations for Central Services to tie in with the other Corporate functions already delegated to that portfolio.**

***Other Constitutional issues for information***

3.48 **Leadership and Civics' office**

The Council has been approached by the Lord Lieutenant to manage his office (which up until now has been run by East Sussex Council, with a financial contribution from ourselves and that Authority). The intention would be to create a "Leadership and Civics" office that would provide the executive support to the Chief Executive, the Leader and Deputy Leaders as current, but would also take on the new responsibilities for the Lord Lieutenancy.

3.49 **Leaders Group**

Established at the time of the first no overall control council, the Leaders Group has now run for many years as a forum for considering cross-council (and thus cross-party) issues predominately on matters relating to the constitution, civic life, elections, democracy, etc. It has also been, reasonably successfully, used on significant corporate issues (such as equal pay) to keep group leaders apprised of long term or complex matters. It is proposed that this approach should be retained but with care being taken of the role of the Governance Committee on the former and Member briefings, Overview & Scrutiny and formal Cabinet/Cabinet Member meetings on the latter.



#### **4. CONSULTATION**

- 4.1 As set out in the body of the report, there has been wide consultation with the public, partner organisations, Members and officers in relation to this review of the Constitution. The recommendations of the report have also been the subject of consultation with the Leaders Group.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### 5.1 Financial Implications:

There are no direct financial implications arising from the proposed amendments to the constitution outlined in the report.

*Finance Officer Consulted: Anne Silley*

*Date: 03/12/09*

##### Legal Implications:

- 5.2 Under the Local Authorities (Functions and Responsibilities) England Regulations 2000 (as amended), certain functions are reserved to Full Council for decision and others are reserved to the executive. For this reason, those recommendations in the report that require changes to the Constitution and relate to Council functions must be approved by Full Council and those that relate to Cabinet functions are required to be approved by Cabinet.

*Lawyer Consulted:*

*Elizabeth Culbert*

*Date: 16/01/09*

##### Equalities Implications:

- 5.3 Recommendation 12 in the report aims to ensure an increased focus and opportunity for Members to be engaged in equalities issues.

##### Sustainability Implications:

- 5.4 None.

##### Crime & Disorder Implications:

- 5.5 There are no Crime and Disorder implications arising from this report.

##### Risk and Opportunity Management Implications:

- 5.6 None.

##### Corporate / Citywide Implications:

- 5.7 The amendments to the Constitution are designed to ensure the continuous improvement of the Council's Governance arrangements.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Extract from the proceedings of the Cabinet meeting held on the 14<sup>th</sup> January 2010.
2. Extract from the proceedings of the Governance Committee meeting held on the 12<sup>th</sup> January 2010.
3. Public Consultation responses
4. List of Partners and copy letter
5. Note from Cross Party Equalities Group
6. Changes required to Overview and Scrutiny to comply with Local Government and Public Involvement in Health Act 2007
7. CSO changes (tracked)

### **Documents In Members' Rooms**

None

### **Background Documents:**

1. Local Authority Byelaws in England: A Discussion Paper (Office of Deputy Prime Minister, 2006)
2. Government Response to the Making and Enforcement of Byelaws (CLG, October 2009)

**DRAFT EXTRACT FROM THE PROCEEDINGS OF THE CABINET MEETING HELD  
ON THE 14 JANUARY 2010**

**CABINET**

**4.00PM 4 JANUARY 2010**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**DRAFT MINUTES**

**Present:** Councillors Mears (Chairman), Brown, Caulfield, Fallon-Khan, Kemble, K Norman, Simson, Smith and Young

**Also in attendance:** Councillors Hawkes (Opposition Spokesperson, Labour Group), Randall (Convenor, Green Group) and Watkins (Opposition Spokesperson, Liberal Democrat Group)

**Other Members present:** Councillors Bennett, Davis, Older and Oxley

**159 TWELVE MONTH REVIEW OF THE CONSTITUTION**

159.1 The Cabinet considered a report of the Director of Strategy & Governance concerning the outcome of the consultation on the twelve month review of the Constitution and proposals for amendments (for copy see minute book).

159.2 The Chairman welcomed Councillor Oxley, Chairman of the Governance Committee to the meeting.

159.3 Councillor Oxley explained that over 800 submissions had been received and that he had meet with two groups to discuss their specific concerns. He stated that the transition to the new model of governance had been complex and challenging and that the Council had aimed for openness and transparency and retained the best parts of the committee system where possible.

159.4 The Chairman reported that further clarity would be provided around the role of the Chief Finance Officer as a result of a request from a member of the public. She thanked Councillor Oxley for his commitment and advised of a minor amendment to the recommendation (see 159.6 (1)).

159.5 In response to a query from Councillor Watkins in relation to the Older People's Council (OPC), the Chairman explained that the Director of Adult Social Care & Housing would meet with the OPC to clarify their concerns and Members would be informed of the outcome.

159.6 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet accepted the following recommendations:

- (1) That the proposals set out in recommendations 1, 2, 5, 9, 10 and 14 of the report be agreed **to come into force immediately after annual Council.**



**CABINET**

**Agenda Item 159(b)**

Brighton & Hove City Council

**DRAFT EXTRACT FROM THE PROCEEDINGS OF THE GOVERNANCE COMMITTEE MEETING HELD ON THE 12 JANUARY 2010**

**GOVERNANCE COMMITTEE**

**4.00PM 12 JANUARY 2010**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**DRAFT MINUTES**

**Present:** Councillors Oxley (Chairman), Simpson (Deputy Chairman), Brown, Elgood, Fallon-Khan, Mears, Mitchell, Randall, Simson and Taylor

**65 TWELVE MONTH REVIEW OF THE CONSTITUTION**

- 65.1 The Committee considered a report of the Director of Strategy & Governance concerning the outcome of the consultation on the twelve month review of the Constitution and proposals for amendments (for copy see minute book).
- 65.2 The Head of Law explained the recommendations and that, if approved, the new arrangements would be implemented following the Annual Council meeting in May.
- 65.3 The Chairman advised that copies of the Forward Plan would be made available in the city's libraries. He also explained that he had met with 'Eco-logically' environmental consultants in relation to the comments they had submitted; they had now been fully briefed on the various methods for interacting with the Council.
- 65.4 Councillor Taylor reported that he was pleased to see a deadline for executive responses to scrutiny reviews, however, he would have liked to have seen the detailed responses from the political parties and community groups. He explained that, while, he had accepted a genuine error had been made in omitting the Green Group request to increase the number of council meetings, some of their other ideas had not been registered. He advised that the Green Group would be putting amendments forward at other meetings and would not be supporting the report.
- 65.5 The Chairman explained that he had specifically requested the inclusion of the detailed responses to the consultation, but that it was not felt necessary to assign the comments individual respondents.

- 65.6 The Head of Law advised that the non-inclusion of some ideas in the proposals in the report did not preclude their consideration elsewhere.
- 65.7 Councillor Simson stated that recommendation five within the report showed that the Council had made significant progress with community groups for Hollingbury Community Groups to put forward such strong views. She also highlighted the newly established Equalities Working Group, which together with the Equalities Coalition and City Inclusion Partnership made a firm base for tackling equalities issues across the council and the city. She was pleased to report that Brighton and Hove had become the first city in the country to sign up to a single Equality and Human Rights Charter.
- 65.8 Councillor Mitchell welcomed the proposals and was grateful for the inclusion of a number of ideas put forward by the Labour Group.
- 65.9 Councillor Elgood stated that he was pleased that issues in relation to the Forward Plan were being addresses and that he hoped Members would continue to be involved in taking the proposals forward. Although he welcomed the Equalities Working Group, Councillor Elgood explained that he still supported the need for a city wide forum as part of the Council's constitution. He added that the report did not discuss issues around neighbourhood forums and that there was a need for more neighbourhood decision-making.
- 65.10 The Chairman advised that the comments made in relation to neighbourhood working would be addressed in a separate report to be considered by the Committee in March.
- 65.11 In response to concerns from Councillor Simpson around a lack of opportunity for community involvement and a decrease in the amount of community development across the city, Councillor Simson contended that significant effort had been made to increase community involvement and development despite cuts to funding.
- 65.12 Councillor Mears stated that this was the second review of the constitution and that all councillors had been given the opportunity to respond. She hoped that Members were pleased that their views were being considered and taken forward.
- 65.13 Councillor Randall supported Councillor Elgood's views in relation to neighbourhood working; he contended that if the Council wished to involved people in their neighbourhoods they needed to be given responsibility and spending power.
- 65.14 **RESOLVED –**
- (1) That recommendations 4, 6 and 12 in the report be noted and recommendations 3, 7 and 11 be agreed.
  - (2) That the proposals set out at paragraph 1, 2, 5, 9, 10 and 14 of the report be recommended to Cabinet.



- (3) That the proposals for amendments to the Constitution set out at paragraphs 8 and 13 of the report be recommended to Full Council.
- (4) That the Head of Law be authorised to make the necessary amendments to the Constitution to reflect the above proposals once approved by the relevant body.








**How Effective Do You Think Brighton and Hove City Council's New Constitution Is? 12 MONTH REVIEW OF THE CONSTITUTION  
Results from Citizens' Panel and on-line questionnaire**



**Are you aware of the new Cabinet system which came into effect at Brighton and Hove City Council in May 2008?**

Answer Options	Response %	
Yes	43%	
No	57%	
<i>Number of people who answered question:</i>		<b>815</b>



**Do you feel you are able to have an input into decisions taken by the Council under the Leader and Cabinet system?**

Answer Options	Response %	
Yes	20%	
No	39%	
Don't know	42%	
<i>Number of people who answered question:</i>		<b>814</b>



**Have you tried to have an input into decisions taken by the Council under the Leader and Cabinet system?**

Answer Options	Response %	
Yes	6%	
No	94%	
<i>Number of people who answered question:</i>		<b>811</b>

**If yes, were you satisfied that your input was listened to and considered?**

Answer Options	Response %	
Yes	26%	
No	74%	
<i>Number of people who answered question:</i>		<b>42</b>

**Do you know how to find out where to take any issues related to the council and its business?**

Answer Options	Response %	
Yes	47%	
No	53%	
<i>Number of people who answered question:</i>		<b>798</b>

Have you heard of the Forward Plan?		
Answer Options	Response %	
Yes	18%	
No	82%	
<i>Number of people who answered question:</i>		<b>812</b>

If yes, have you looked at the Forward Plan?		
Answer Options	Response %	
Yes	18%	
No	82%	
<i>Number of people who answered question:</i>		<b>147</b>

If you have looked at the Forward Plan did you use it to:		
Answer Options	Response %	
Find out information about the major decisions likely to	74%	
To plan attendance at Council meetings	4%	
To get information on agendas and reports	35%	
Other	13%	
<i>Number of people who answered question:</i>		<b>23</b>

Did you know that some Council meetings are being webcast?		
Answer Options	Response %	
Yes	23%	
No	77%	
<i>Number of people who answered question:</i>		<b>813</b>

If yes, have you seen any of the Council meeting webcasts?		
Answer Options	Response %	
Yes	8%	
No	92%	
<i>Number of people who answered question:</i>		<b>189</b>

Are you likely to watch the Council meeting webcasts in the future?		
Answer Options	Response %	
Yes	23%	
No	43%	
Don't know	34%	
<i>Number of people who answered question:</i>		<b>807</b>

**Are there any changes you would like to see to the council's constitution / decision-making process?**

**Wider Consultation Before Decisions Made / Transparency of Decisions (14% of comments made for this question)**

From what I hear, and what I feel, people feel that whatever they do or say, they will not be heard, that in the long run, it will make no difference to decisions made in the council. Successive goals are so remote and so detached, and won't listen to the people - and this country is in a very sorry state. And this tarred brush extends, in people minds, down into local councils, so that it seems pointless to attempt to try and make changes. If I had said to you that putting trees in pots on Western Road was a waste and would only become giant waste bins? Would you have listened? Use whatever processes you like - the result will be the same.

Greater transparency - too many large numbers and not enough detail. The communal bins show us decision making is not transparent. Ad hoc changes have occurred without consultation. Example movement of bin from Victoria Place to Montpelier Street without any consultation?

**Greater transparency and neighbourhood consultation**

I feel when there are important decisions to be made ie the selling of council owned land to the National Trust and Stanmer Park House to a private owner, all consultation should be made to the people of Brighton and Hove. You don't sell off the family silver without full consultation with the family.

I visit the library every week, I teach in a local authority school, I travel by public transport and yet I have little or no knowledge of how the council operates. It doesn't feel as if the council and I ever cross paths.

I would approve that any change that gave improved voice to those Brighton residents who can meet the legal criteria to qualify them as a permanent resident. I very strongly disapproved and still strongly disapprove the union of Brighton with Hove.

I would like them to ask the residents of Brighton and Hove when it comes to spending money on the continuous road works! The money spent on that could surely be cut and be spent on the NHS and making more beds available.

I would like to feel councillors listen. I am very concerned at some of the recent planning decisions. I feel they need to take more notice of the business community and their own planners.

I would like to see an independent body eg. Council tax payers, checking some of the crack-pot ideas such as stupid cycle lanes in The Drive and stopping them before the money is wasted.

I, like many, am under the impression in general that on many occasions where the council has announced a period of consultation - for example on intended implementation of a CPZ in a particular area - it is paying lip service, whether intentionally or otherwise, to the public, where the decision or outcome is already pre-determined. A current example is that of the London Road area.

I'd like much more wide ranging local consultation taking place in neighbourhoods. I'd like the cabinet system to be abolished and replaced with a parliament-style open, and public, debating forum. I think all councillors should vote on all issues.

If possible to be more aware of the unity of the silent majority and to be less swayed by politically correct action. ie. Bicycle lanes on the Drive / Grand Avenue Hove.

Let the public have more of a say, and to take note and act on their behalf, instead of just doing what the council wants to do.

**Listen to the electorate**

Listening to residents and their opinions would be a start

Maybe more input from ordinary householders in the area. When a decision is being made information of where and when so possibly local people can voice their opinion.

My own experience is that the decisions taken cannot be altered even if they are admitted to be flawed. Despite an elaborate system, the council seem unwilling to listen to the public's views.

**Public opinion**

There is no commitment stated in the Constitution to take any heed of views or concerns stated by the public. As it stands, in this respect the Constitution describes a mere consultation process. A statement should be included to commit the Council to giving electors' opinions, views and expertise a tangible influence on decisions.

There is something inherently wrong with Brighton and Hove council, it works in isolation from the public and has cost this city jobs and prosperity because of bad decision making

There seems to be a distinct lack of involvement with the older people cohort. Surely such a large element of the population should have representation in cabinet.

To be more inclusive of those who are ready to work and are outspoken. Right now, everything appears to be too one-sided and as it were, hidden under a cloak.

Transparency on future strategic framework that relate to key performance indicators. Details of council members and other industrial relations/business interests.

Truth would be useful, not political correctness.

When there is poor questionaire/public response to a decision meeting, the council should repeat questionair/public response.

Widen the constitution to involve more people outside who deserve the right to voice their opinions.

Yes listen to the people

Yes, stop making knee-jerk decisions

Yes. Listening more to the wishes of the electorate.

Yes.....Less about Money and more about the people of Brighton and Hove.

#### **Communication & Publicity (14% of comments made for this question)**

Better advertised in simple language.

Better publicity.

Comments say there is no wide publications of the council constitution

Communications between the public and council officers regarding policy and problems should be officially logged and put on the record and used in the decision making process.

Communicate, communicate, communicate

Could the agenda of future meetings be advertised in the Argus ( in a readable fashion ) so if something that affects you is about to be discussed and decided individuals can get involved. We usually find out when the decision has already been made

Details of council meetings to be advised in local freebie paper The Leader.

Everyone has not got the means to contact websites, why can't things be published in your newsletter. They are not very accessible either.

I would like to know about it in the first place

Inform all residents through the Argus and e-methods (online)

Inform members of the public more regularly of what issues are being discussed which may affect residents and how they can play a role in them.

Information about how to access these processes/constitution

It would be good if circulars were sent from the council notifying us of meetings and ways to get involved.

More awareness

More information in local papers. eg The Argus, Leader and Kemptown Rag.

More openness

more PR so people understand how to get involved. A leaflet with examples of how to get involved and make changes in your community would go down well.

More publicity and encouragement for the public to participate. When I did raise an issue with my local councillor (about school catchment areas) she was supportive and cabinet committee listened/ but I had no idea what it would be like.

More publicity given so people know what they can do - easier for people to have input.

More publicity so it is easier to track what is going on and when.

More publicity to the recent changes may make people realise that they can be heard.

More simple format and widely publicised about how local people can get involved or influence decisions

More transparency.

Push it in the council newsletter

Rather than rely on the web site, an explanatory leaflet should be sent out to all households

Some idea of the subject under discussion. How votes were cast for and against.

The decision-making process should be more widely known to the general public.

Yes - to publicise the willingness to involve the community as much as possible

Yes, sending out e-mails to interested members of the public (who may have registered on the Council's website) about issues on the forward plan, would help inform the public - thus enabling them to be part of the debate.

**Too Much Power In Too Few Hands / Undemocratic (10% of comments made for this question)**

A democratic process introduced. At present, final decision making is held in the hands of too few individuals. The Leader of the Council holds too much power.

Because most councillors are removed from day to day decision making, the new constitution is a step back from local democracy for most residents. In an authority where no party has a majority, decision making is unreasonably party political.

Council's decision making process seems to be affected by your name ie. Tesco

Decisions should always be made collectively, never singly.

Given the emphasis is supposed to be on local democracy, I have felt for too long now that in reality it is getting less and less inclusive of residents and more that we are being dictated to by fewer and fewer decision makers.

Hold Q&A sessions =deputations etc= at separate times from decision making meetings. Do not let the planning committee make planning policy (SPF etc) as it will later have to implement them. This undermines the idea that it is a quasi judicial committee.

I am concerned that many of the decisions seem to be taken by or driven by officers. eg the continuous extension of the parking scheme towards the suburbs (Compton Road, Reigate Road), which now seems to be little more than a money raising exercise. Committees and committee chairs need to be seen to be exercising democratic control over officers. This seems to be particularly important when there is a 'hung' council. The council's newsletter could easily contain more information about how, and who by, contentious issues are raised and dealt with.

I am concerned that the cabinet system favours one group of councillors (ie one political party) and gives them an undemocratically justifiable influence on council activity.

I am unhappy with the centralisation of power under the new arrangements. Over the past 30 years, local government has progressively had more and more legal responsibilities and so many fewer powers such that local democracy has been extensively eroded. The centralisation of power under the 'constitution' - why glorify these new rules - is likely to be particularly pernicious from next year, when an already heavily weighted Tory administration will be returned in greater numbers and will then be under the influence of a central government dedicated to cutting and privatising local services. Look out for your jobs and pensions!!!!

I do not approve of the leader and cabinet method of governance as I think it is undemocratic.

I do not think that a minority should hold all the decision making power - the voting balance of the local population is not being taken into consideration in major decisions.

I don't think that there was anything fundamentally wrong with the committee system in place when the unitary authority was created. It encouraged councillors to be active and informed, and gave a range of opportunities for public input and scrutiny. I would like to see more decisions referred down to local community forums.

If the cabinet is chosen by the council leader and therefore will 'generally be single party', will decision making take into consideration as many varied views as having a whole and council voting? In other words will cabinet decision making become a bit 'closed shop'?

In what way is an unelected leader selecting unelected cabinet members democratic?

It seems that decisions are made quango style - I know for a fact that most policies are decided well before meeting stage, and transparency is not a key issue

New system seems to allow smaller number of people to take decisions or even just one person.

That councillors will listen to objections. Letters currently remain unanswered, not even the courtesy of an acknowledgement! This needs urgent attention. How does one object to the planned position of the i360 ferris wheel?

It would be helpful if the council representative making decision or meeting the public, ie. ratepayers, was a local person, someone who understands the feelings of a resident born and bred.

That there is one representative from another party on any committee.

The most important thing to me seems to be how the leader of the council is chosen. If you or someone from your party becomes the leader then that party seems to have almost all the power. This seems a bit unfair and unrepresentative to me. I would like to know more about the vote for a leader.

There is too much emphasis on politics, at the expense of both governance and enabling councillors of ability to be involved. It is a poor system for local government, bearing in mind the very limited number of councillors from whom cabinet can be resourced. Many of those in the present cabinet appear to lack requisite skills and experience.

To learn what Financial/Oblique interests and benefits are truly being used to influence various planning. eg. cycle paths.

Too much power resides in too few hands. Councillors period of office should be 2 years (maximum). There should be an external audit every year, to be carried out as a snap audit. Department budgets should be reviewed and approved by residents/council tax payers. Much more transparency required and well publicised.

**Introduce Committee System (6% of comments made for this question)**

A return to committee system

As I voted against this system in favour of a committee system, as did the city overall, it's reinstatement would be one thing.

Committee system - yes. Had a range of people to talk to at the various committees and it was much easier to hold the councillors to account for decisions. Cabinet system - 1 councillor is in charge and the scrutiny process is not sufficiently robust in how it polices councillors decisions.

I preferred the Committee system

In my Luddite view the old committee system was preferable and would like to see a reversion to that system.

It is anti-democratic to impose the leader/cabinet model - go back to the previous model.

On the whole I would prefer a system of full council committees. It seems to me it would result in more balanced policy decisions, reflecting more exactly the proportion of political parties and individuals (independents) on council.

Return to committee structure.

Return to committee system. We voted some years ago against an 'elected' mayor and leader as this is just another form. Too much power for one person in my view.

Return to committee system and time democracy with decisions made by more than the executive (cabinet)

Return to full committee style council

The previous committee system was more accountable, but was signed to be disproportionate given the modest sense of most council decisions. There is a tension between accountability and effectiveness. The old system was more effective at promoting debate and accountability..

Yes, despite government instructions councils should revert back to the old Democratic system. The new "imposed" cabinet system removes all opportunities of democratic debate and voting .It also allows the Cabinet to rule on whether the public is allowed to speak at meetings. I have had personal experience of this, which allows the ruling party to railroad their decisions through.

**Not Single Party Cabinet (6% of comments made for this question)**

A cross party selection of members of the cabinet

Ensure all party involvement in cabinet and engage them

Having read the new constitution outline attached, it does seem far less democratic: it shouldn't be possible for one party to make decisions in Cabinet without the other parties being represented or even informed.

I am not aware, what I want.

I would favour the composition of the cabinet to be proportionate to the party political composition of elected councillors. The present systems seem to me to give too much power to the leader who could appoint a cabinet quite unrepresentative of the political views of its electorate. You could say that I am in favour of proportional representation at local level and I do not think this is necessarily incompatible with our system in general elections.

I would like the cabinet to represent reflected votes (i.e. not constituted by one party only)

I would like to see proportional representation on members of the cabinet.

Is the cabinet system reflected of local political support? It is expected that cabinets will generally be single party.

It seems wrong that the Cabinet is expected as only containing the majority party.

Make the representation fairer across the Board at Cabinet level.

The Cabinet should be cross-party.

The Cabinet should be multi-party by default, preferably proportional.

The cabinet should not be a single party.

**Accessing Information (5% of comments made for this question)**

Are copies of meetings and decision making available to public via library?

Being non-computer literate makes it rather difficult to follow council meetings.

I am most concerned that the public are being expected to look at the council website for information, most people are much too busy to spend time checking the council website just in case there is anything that they might need to know. Such information should be easily open to the public. Local newspapers and radio are the most obvious method, but surprise surprise, they are all losing their voices because certain sections of the community assume everyone is tied to their computer, night and day.

I do not know enough about it to be able to comment properly. I am not computer literate enough to look at "webcasts". I do not know what these are. I have no speakers on my computer so if sound is involved, I cannot access it.

If no information is generated either by e-mail or newspapers then how are the public going to find info ??

More detailed information

Not everyone can afford the internet at home so are unable to watch meetings.

Not everyone has computers, so what do they do?

That residents are informed well in advance

To realise that not all of us have access to the internet, also some older and disabled people may not be able to visit council offices to view proposals.

**Local Referenda (3% of comments made for this question)**

1. More use of referenda. 2. Opening up of meetings to public input. 3. Recording of individual councillor votes

All meetings should be public unless to protect an individual elected to the council. All scrutiny committees should be chaired by the opposition parties. Key decisions should be reduced to £250,000 to preclude piecemeal cuts.

Consider using local referenda

More referenda - as in Switzerland where democracy is local and ongoing - not just election at intervals of several years.

Referendums

The introduction of referenda a major issue; eg. enforcement of traffic regulations.

**Less bureaucracy / Improve Efficiency (3% of comments made for this question)**

Less bureaucracy

Less paperwork. Less time-wasting. Greater consideration given to public opinion.

Less redtape, more awareness of the law!

Make it less bureaucratic

Speed things up. Everything is taking too long.

Speed up planning decision process especially concerning large projects. Falmer - i360 - Agonising over West Pier is ridiculous

Weakness in existing constitution arrangements creates slow decision-making. Improve efficient decision-making.

Involve Young People!

**Open Meetings To Public (2% of comments made for this question)**

More access to the public

More meetings should admit members of the public and questions or views of interested parties should be sought before any decision is made. Too many councillors do not reside in the built up areas, consequently they are not aware of the problems many of us encounter with regard to council services.

More members of the public invited to these meetings and able to have an opportunity to have a discussion if they feel they have something relevant to add.

More public involvement

Transparent accountability. Letting the public speak at meetings.

**Involve People External To Council (2% of comments made for this question)**

A wider mix of views to represent the political make up of the council. Too many decisions made by one political party is not democratic and does not represent the whole of the electorate

Do they actively involve young people in decision making about provision of services? As the mother of an older and younger teenage daughters I am conscious of meeting facilities between the ages of 14-18 are limited to drinking in parks and fields or very religious youth clubs.

Ensure a cross section of people and commission providers are present during the decision making process.

More local authority to community groups.

**Generally Positive (2% of comments made for this question)**

Having just read the information with the questionnaire I think the copnstitution seems reasonable. I didn't fully understand one point; the enhanced role of the Scrutiny committee. The new committee's chair is decided by a full council decision which will probably reflect the winning parties decision who would also dominate the cabinet. ie There isn't a strong role for the opposition once the budget has been set (if you follow the logic of the information)

I find the new Cabinet System far more efficient then the endless Committees and Sub-Committees because decisions were transferred from Committee to Committee and subsequently lost in the system.

It sounds more accessible than I realised, so not really.

No, I think there is now a very practical and logical approach to decision making.

The outline given is most interesting and appears to be quite democratic

**Elected Mayor (1% of comments made for this question)**

An elected and political mayor, e.g. New York style

I think I had more chance to influence decisions under the old committee system. The elected major system might give more drive to the cities development

I voted against cabinet responsibility/ decision making for several reasons. It strengthens party politics at local level, when we should have individual, ward, representation. It dilutes individual responsibility and accountability, allowing people to hide behind collectivism. I'd rather have a mayor who takes personal responsibility for creating a dynamic town

**Other (14% of comments made for this question)**

Abandon 'the whip'!

Appears to be set out in law and we must give the arrangements time to bed in and hopefully show all its advantages! Will be interesting to see if the leader appoints any non party for their expertise!

Do we need 54 councillors?

Elections every two years.

Fewer Councillors (around 30). Elected using a P.R. system.

I would like to see tenant participation just that not with so much influence over cabinet members - It appears that they have an overly-large say in policies throughout the city.

I would like to see the leader elected by the electorate, or at least as in Westminster the parties to declare who will be leader if they have a majority in Council elections.

I would like you to learn from experience in Canada when the PM had to challenge his cabinet to deliver savings in order to bring the country's finances into a better shape. The constitution is very admirable but high level and so I want to know you are going to be much more challenging to all areas to ensure we are getting value

In my experience, members of the public know more than Councillors. I was appalled at their ignorance of Planning and Building Regulations. All councillors should be required to have such expertise if they are on Planning committees etc..

It is a bit worrying that individual members of the Cabinet can make decisions without immediate consultation with other Cabinet Members. There needs to be more publicity about which councillor (or post) is responsible for which area so members of the public can address their concerns accordingly.

It's not the constitution or process, it's an attitude - if the response to the public was yes, or how can I help, or that an individual will take responsibility, there'd be an instant change.

Less control by government. More decision locally.



Make use of the councils staff and local knowledge instead of using experts at great cost and getting ideas which are not practical.

Many fewer councillors. Fewer necessary decisions. All to be taken by vote by whole council

More money put into SEN provision and inclusion.

My main 'issue' living where I do, is street smoking and noise related nuisance. In my opinion this is anti-social behaviour. The Police say it's no longer their remit and the Council do very little. This is a city wide problem and think a change of policy, ie: allow a smoking room/bar in some pubs. This really effects the quality of city centre life.

Only if they involved something directly in my area.. Or if they involved an issue that really concerned me.

Only those changes are vital to the efficient functioning of the council. Give the new system time to prove its value and to identify serious faults.

Probably quicker time frames, but no concrete examples to give at present.

Reduce the number of councillors to eight to twelve, but then expect those councillors to work full-time serving the council and its residents.

Sorry, after 10 years in this country (NHS) I lost all my trust in honesty and integrity of administration in the UK.

Stop the conference coming to Brighton so the small shops like mine lose money. I lose about £3000 for every time they come here and I still pay my rates. why? The only people who make money are the police and big hotels and the pubs. And no-one comes to Brighton.. Well, not a lot.

There is clearly no concept at the council that local people cannot afford the exorbitant council tax rates. I do not believe that we are being given value for money, I believe there is a huge amount of waste and I do not see why local people should be contributing to pension pots when they can't afford their own. We need far more transparency and a better breakdown in how our money is spent. I am also not convinced that the i360 was supported by regency ward members whose quality of life will be affected.

This question should be put to the council members themselves.

Try to enforce more discipline with problems kids on housing estates

We have enough councillors drawing a wage now. I would like to see a reduction in this number.

Website petitions

Yes - remove the Councillors who have now little influence and give us one per ward so we can see clearly what it is they do. [Name Removed] Ward have three who are not even civil enough most of the time to reply to emails. They cost us more than the a much needed policeman or the railing in of the end of the Park to reduce the issues with children at night.

Yes I expect to be listened to without prejudice. I do not expect to be ignored. I expected [name removed] to do his job, his failure contributed to [name removed] death. WHAT is he paid for? Fobbing us off???

Yes, get rid of the caravans on Lewes Road.

#### **Unable to comment / Don't Know (16% of comments made for this question)**

As this survey is the first I've heard of it, at this point in time I don't have any information on which to respond to this question.

Can't comment.

Difficult to comment as Local Government in the UK remains one of lifes' great puzzles!

Don't know enough about it.

Don't know enough.

Don't know.

Don't know. This seems a bit complicated.

Don't understand it

Have not read the Constitution yet.

Haven't had time to study enough enclosed with this form but will take more notice in the future.

I am not aware of the process to comment on changes

I am not informed enough

I am not sure why the change to Leader & Cabinet was needed and how it benefitted the general electorate

I do not know enough about our local council to comment.

I don't know

I don't know anything about it

I don't know enough about it to comment.

I don't know enough about these services.

I found the constitution notes a bit vague. For example, can the whole council reject the councils' recommendations?  
Can the Scrutiny committees insist on changes? What happens to their suggestions?

I would first like to know why the old sytem was changed for the current system of a leader and cabinet, What are the advantages of this system over the old system?

No not at present I haven't had any direct experience of it in action

Not if you're making the right decisions

Not on my present limited interest. After February 2010 I should be through with more than one day surgery treatments and able to read more.

Not really interested

Not really very interested in council activities.

Not sure

Not sure as I would need more information to understand better.

Not sure yet

Not that know of at present

Not with my present experience.

Too numerous to mention!

Unable to comment as I have no info about it and know nothing about it.

What is constitution? Who is in it? Although I always vote in elections for the choice of councillors I realise the main concern is to get the best but does this effect the constitution?

Yes, but it wouldn't be worth listing as they won't change!!

**Do you have any suggestions to improve the public interest and involvement in the decision-making process?**

**Suggestions on Media To Use and Where (30% of comments made for this question)**

A little leaflet about it saying what kind of things one could have an influence on...how to find out... how to go about what kinds of decisions the council is taking?

1) Get CityNews delivered in parts of city centre & elsewhere that don't receive it. 1b) make sure it is in libraries etc more consistently 2) Better publicity for consultations like the local planning framework / site briefs. 3) Sort out the refuse collections (hard for public to make representations)

A letter/email delivered to households.

A regular report/update in local newspaper. Same page, same day - perhaps in Saturday magazine. Decisions on next agenda etc..

Advertise the process in City News (instead of blowing your own trumpet). Make the input process clearly laid out.

Advertisement in the press or website where public are able to attend (this may already happen!)

Advertising what is going on through city news etc

Open access and notice in the Argus 1/52 before giving agenda and results of last weeks meeting.

Link should be put in accessible places like cafes where popular streets are where the majority of people gather. Also supermarkets.

As the council newspaper is not available to those of us living in the middle of the city, neither is the free Brighton Gazette delivered to addresses South of Western Road, perhaps a regular feature of council business and meetings could be published in the Argus.

Better promotion of the council webcasts.

Better use could be made of email, public notice boards and local papers

Broadcast issues more widely. It would, personally, be useful if I could be emailed about certain upcoming events (e.g. planning) and then respond with my comments electronically. It would be even better if I could manage my 'areas of interest' so I would only be emailed relevant material.

Church halls, GP Sugeries, Evening Argus, Leader, Post offices used to have notice boards.

Circulation of decision-making by letter (postal).

Clear notices rather than fast reports of past events in the monthly council newsletter would help. Lists of topics to be discussed, the agenda for meetings, if made public in advance for people who are attracted to the good newsletter but who do not necessarily go looking for info on the website, might bring more involvement. They would identify with issues affecting their own area or workplace and get in touch.

Community notice boards

Could something be published in a paper eg. the argus, I think that the majority of pensioners have no computer or computer knowledge.

Could you put some more information into City News, and Homing In. Maybe the Argus could include details. Send a grown up version of the playbus to parks with a range of council employees to introduce issues and developments. I live on a Council Estate and know that people need a lot of encouragement and bravery and belief in order to get involved.

Difficult because the people in charge of public information are all sold on the notion that everyone spends their time online or on blog sites, and the local press is closing down everywhere. Attractive free council newspapers might help (the present ones are not impressive and don't deal with issues in depth). Simple information in the press, radio and tv with details of the website so that people can get more information if they want to, might work. I think it is failing public duty to keep the population informed and to limit information to the website alone. The web site should be the second point of reference not the first. The public cannot be expected to act on proposed changes that they don't know might happen (and the council should not leaves themselves opento the accusation that they are to deliberately under disseminating information)

E-mail interested parties when web debates are due and more info regarding this agenda

Forward notice of key issues placed in The Argus

Forward plans, agendas and reports need to be more accessible to the general public, perhaps at Libraries or a newsletter similar to that the Police send out and City News.

How about a large tv screen in the main entrance of the town hall which constantly shows Council meetings? It may engage peoples interest and remind them that they can attend.

How about updates in free local papers e.g. the Leader or in the City News publications.

I found the old City magazine extremely helpful in knowing what issues were current and what plans were being formulated. Since it ceased publication there has been no alternative that I can find.

I get most information from City News. I think this is a great way to communicate with people. I also read the Argus but this is not a free service. I'm not a great user of the internet so I don't know what is available on here. For me personally, simple and informative ways, for example the City News, are great as they reach people on all levels.

I was not aware that the public could watch meetings on web cast and be involved - probably not everyone is aware - could some sort of letter be put in with everyone's council tax bills as to this, then everyone would be informed and have a choice to be involved or not. To be involved you need the necessary information.

Important announcements should be published and displayed in public places such as supermarkets, cinemas, etc Include such details prominently in the monthly City News, with details of how to get involved.

Keeping the public informed of the progress of any decision or project embarked on through the council website/newsletter

Local newsletters. Regional issues. General awareness of local matters. Most people are unaware of things until it meets issues in the press. ie. The Argus, which can be biased.

Mailshots.

Main decisions to be posted on all council notice boards, together with a statement of full council minutes.

Make it more public knowledge that people can be involved and how - local media, maildrops etc. Advertise the Forward Plan somewhere other than the internet etc.

Maybe allow people to sign up for topics of interest (online) and then email/text them when these are coming up for discussion - for viewers via webcast or in person.

Maybe drop leaflets through doors to make people aware that there is such a thing. I didn't know that there was such a thing as the Forward Plan and I'm sure that many others do not know either.

Maybe more info in local newspapers with enclosed info sheets? Local TV and Radio attend meetings live?

Minutes of meetings on the web site.

More articles in the Evening Argus to publish the Council events.

More info sent with the bills.

More information in the councils newspaper perhaps?

More information regarding future decision making meetings - maybe a calendar of events in Hove Factually or the Leader

More local press for those of us that don't have computers.

More publicity and continual publicity about what the public can do and how it can get involved through City Newsletter, the press and council web page

More specific reporting in The Argus

More use of new technology as opposed to newsletters that don't get read. Also a need to publicise such technology - i.e. webcasts! Could there be a forum where residents could post comments and questions?

Perhaps greater attention to such issues could be given in City News. I don't think there's been much coverage of the new Constitution and its significance to residents.

Possibly info in the free newspapers. Info leaflets on the buses, schools asked to send home leaflets to parents.

Posters in civic buildings.

Posters in shops, libraries, doctors surgeries and buses. Make titles of meetings and agendas understandable and less dry. Get people who have had an experience to feature/promote experiences in eg. local paper. More visibility of meetings/less formality.

Proactively send a summary of the forward plan to city households - people won't ask for it at the council if they don't know it exists.

Provide forums on the radio for question time sessions. Awareness of online consultations/surveys that can be accessed by the public. Articles in local press on decisions, impacts, results. Posters in key media locations announcing major topics and informing people how they can get involved. An integrated media and communication campaign using new media, rural marketing and above/below the line.

Publicise how people can get involved better. Redesign council website for clarity, and add forums.

Publicise meetings in advance via local media (inc Argus) outlining what, when meeting will take place, how public can provide input.

Publicise the existence of the Forward Plan, Use website/discussion forums/social networking tools to encourage participation. Make members use same tools so electorate can easily access them.

Putting the council magazine in more areas e.g. where Friday ad's are put - so that more people are aware of what is going on, what is planning to be done, and what has been done in the name of the people of Brighton and Hove. At the moment there is little awareness of what goes on in the council by the general public.

Raise the profile by ensuring that (on a regular basis) local newspapers, and especially local radio stations and television, publicise what is going on and how one can be involved.

Reports in the Leader or City News

Send out proposals to people - don't just expect people to browse your website speculatively

Simple online polls allowing those who pay community charge to vote and make comments

Take groups of school children into the meetings. Small introduction to process by a member of the council. Someone who can deliver a passionate plea for democracy in action.

The City News can include what is under discussion in the coming months with input welcome. Then detail of what was decided and why in next issue.

The decisions being planned should be published by the local press and Key Decisions should be publicised widely, perhaps by mailshot or local poster campaign.

The workings of the council are a mystery to me, and I had no idea of the change of governance to leader and cabinet system. I wonder whether there could be more publicity in the local papers, particularly the 'free' papers which come through the door. I will endeavour to look at the council website more regularly

To make people aware just like when people apply for planning/building rights. The council could have a list online - in local papers - posting letting people know - so that if they wanted, they could get involved.

Updates and news reviews in Argus, Leader and City News.

Use webcasting/cable channel for local council/committee meeting broadcasts. - let the greater public see their elected reps in action. Examine the council and its fibre network in Valenciennes, France for an account of local accountability.

Vastly more publicity! I'm a reasonably well-informed member of the community, but it hasn't truly occurred to me before that I have any real means of involvement in the decision-making process, so I haven't bothered. It's just been off my radar, and if that's how I am I'm sure that this must apply to many others. Lots more publicity needed - on websites, in City News, on posters at stations etc.

Webcasts sound good - more like this. Plus advertisements on billboards etc sharing how people can get involved.

Yes. Email me at the beginning of the week saying "This week, your Council will be deciding...[insert list]... Do you have any points to contribute to the discussion by email?"

City News could be used to a better advantage. Instead of all the self-complementary articles it could request council proceedings.

#### **More Inclusive / Consultation / Listen (21% of comments made for this question)**

Local referenda allowing the public to make the decision on a range of subjects

To be more inclusive. If you have any role for me to serve, I am always ready.

Ask the voters for their ideas on local issues. eg. do they want bicycle lanes outside their houses. This is done well with reference to parking restriction zones.

At the moment all the powerful lobby groups - business, gay rights, minority causes - mobilise their voice very well, and appropriately, economically weak groups are ignored. How is that going to change in mainstream politics ?

Demonstrate in practical terms that the man or woman in the street will make a difference. Make it all so much easier to access and understand, we are not all lucky to have had fantastic upbringing and good education/s.

I don't know how it would be done, but there should definitely be more public consultation over issues at a very local level, such as changes to traffic flows and planning.

I think the public should have to be involved in all decision making. For example, live jury service. One or two members of the public should be randomly picked to attend all meetings.

I would guess public interest is strongest around the issues which have a higher profile - e.g: Planning, Waste Management, Health, Transport. I don't believe the Council want more involvement from the public. I think they want to take their own decisions and 'tick the box' re: public involvement. The council forgets that their full time jobs are wrapped up in the decisions they make and the issues they deal with...for us (members of the public) we have busy lives and it's only when we realise things will impact on us in a major way that we are galvanised into taking action. If the council really want more involvement on big issues/decisions they should a) PROACTIVELY publicise future plans, etc (rather than put small adverts in the free press or put things up on their website and assume people will be looting at the site every day/week. b) Listen to the public views rather than cynically manipulate decision making processes (e.g. with the Hollingbury waste transfer site) to get the result they wanted in the first place. Are the council listening to the public on the London Road redevelopment? At the moment reports suggest NOT. The best way to get more future public involvement is to demonstrate to us that when we do get involved, our involvement is listened to. Basically it's about honesty.

Improvement to the consultation process to ensure genuine consultation and that the public are fully informed of significant decisions . A multi party review of this process.

In my experience public involvement is invited only selectively; E.g. asking local traders for input regarding trader parking prior to policy being implemented.

Listen to the public

Listen to the public

Listen to the public when we complain about something - like binvelopes - the stupidest rat infesting litter inducing invention ever - not to mention in a conservation area it makes the area look like a landfill site - plus children and old people have trouble walking down the streets when they were outside the house - It was such an unbelievably stupid plan and invention!

Listen to the rate-payers demands instead of making politically correct decisions that we do not want or need.

Listen to us! Nobody bothers to have involvement as we all know how wasted it will be.

Local tax payers (residents) to be given a referendum on any project that increases the density of population under the council jurisdiction. Further, all capital projects and decisions to be put before the residential community (ie rate payer) for their formal approval.

Maintain Xchange questionnaire and invite more residents to participate.

Many, or most, Councillors do not have any real expertise or experience in their respective fields of responsibilities. Without a sincere commitment to taking heed of the public, poor decisions will continue to be made (e.g. communal rubbish bins that cannot be opened using a foot bar, so now many people cannot operate some of them). The Council do not operate an effective Unwanted Events (UWE) check on the decision making process, which would help prevent execution of decisions that ultimately lead to unwanted outcomes. Without this type of process, the public will continue to view Councillors as incompetent for the most part. The UWE approach is used in industry quite effectively, but it is trained out to staff and used in the normal course of the decision making process. There is no reason a similar approach cannot be used by the Council.

More listening to peoples views

My feeling is (and I think it is widely shared) that consultation is a paper exercise only and that public involvement has no effect on decisions. That perception needs to change if public interest is to improve.

Only asking the opinion of the general public by a yearly questionnaire. Although it is good to have access to everything online not everyone has a computer! - especially not the elderly.

Opportunity for greater (and effective) input into decisions that affect local people. Recent meetings to 'consult' on parking in my area have seen either no BHCC representatives present, or attendance by those who are apparently unable either to answer questions or to report back to committee.

People that I speak to feel that they will not be listened to. Can the council have information days, not specific to sections of the community eg. older people, disabilities and bme? Use customer service weeks to actually go out and ask or ask people if council can contact them for news by phone. Stop/Limit how many groups individuals can be on - too few people have too much say and this can be intimidating for others to join in.

Proactive engagement of interested groups re differing elements of work/business - evidence and views to inform overall decision making process.

Public consultation. Telling people what is happening. Making senior council officers available and accountable. Please don't just provide a webcast: that is totally and woefully inadequate and inappropriate. Ultimately it is our council but now it is run like a private corporation. Not good.

Public interest would be improved if their views are actually listened to and taken into account. I feel my views would be ignored if they did not fit in with the Local Councils political views

Really listen to worries, take on board the upsets, do not favour any particular group of people.

Referendums

Reflect the balance of votes better in decision making.

Resident involvement in Planning and Implementation

Return to the local forums, piloted

Sadly, much of my extensive experience in public involvement has shown that most of it pays only lip-service to people real needs and preferences. Current through the CEF, LINK and the PCT and Scrutiny Panels have yet to demonstrate their outcomes; and though it seems likely these structures will produce better dissemination of information (which is important), it is already clear that many decision-making processes will remain out of bounds to the people with the most interest in them, let alone subject to influence.

Consultation on parking seems to ensure agreement from those who do not express as opinion and is effectively introduced by default but as an officer led activity (as I do not live in the area to which parking control are being extended). Until some notice is taken of the public situations, then cynicism about decision making will remain. I don't have particular issues with the new constitution but will the decision making process actually change to provide amore democratic process?

Take heed of the needs of the majority not just pressure groups and minorities. Every person is equal and should be treated so.

The front line will often know best if they are informed as to what has to happen. So if you say that we must achieve for example £10m savings the front line needs detailed consultation as to how that should be achieved. The fact of the saving should not be debated at that level but all stake holders need information about the realities and stark choices so we do not put off change or pick easy targets

The public should be assured that their input will be taken in to account. This is not the case at present. The complaints procedure should be open, results published and available on request/website. The continued cover-up is not acceptable. Why ask whether we want street bins when you have no intention of taking any notice of our negative response..

To actually consider public interest

To actually take the public views into account instead of just pretending to.

To have free phone numbers. Then all the public can take part. Not just a few with the internet. This would be fair to all.

Try listening to your rate payers.

Try to involve young people more widely - have a big conference for Young People who then discuss all issues that are in the councils plan. eg. 16-18yrs, 18-25yrs. Don't just look for reps, as many people as possible need to be engaged and not alienated.

We could go to public place eg library or town hall to vote for decisions online.

Yes ask local people to make decisions, not councillors who have no idea about living in that exact area.

Yes ask us. This Survey is a good media.

Yes involve the public much more .

Yes No Maybe boxes won't give you answers. It's all too black and white. The format looks ok, but you are not listening! The public will only become interested if they can see their needs and desires met. I refer to Q7. I shall attempt to look at one of your meeting webcasts.

Not announce major decisions in the summer when people are away. Make it easier for people to make comments. I have tried and it is hard to find things out.

I do not feel that my views are taken into consideration. I email the council about issues but have not yet had one response in three years. Change that and it would be a start.

Interact with residents on exactly what is going on. The Starbucks CAFE on St. James Street fiasco and delay in & lack of decision-making makes the council look like a fat lazy pig that makes money for doing nothing but delay to keep their jobs. Makes me sick to see the mess of planning permission on local retailers in relation to big high street names being given approval more. Shame on the council!

Local community fora/parliaments would give people an opportunity to engage with local matters and develop their own expertise and skills. In my view ordinary ward councillors have been deskilled by changes in local government and are no longer a channel for scrutiny and influence.

#### **Better Information / More Publicity - GENERAL (19% of comments made for this question)**

1. Council website to be clearer. 2. Council new-sheet to be published regularly, with clarity of decisions about to be made.

A chance to gain more information and content about decisions in an accessible way - articles/web/leaflets etc.

A summary of elements in the Forward Plan - to be published in print in advance of discussion and decision.

Better publicity would help.

Being as I didn't even know who is on the council or that you could see or visit some council meetings, they need to do more informing the people of Brighton & Hove

Better advertising of this new constitution. I knew that meetings were being webcast when I read the leaflet that came with this questionnaire. This was also the first time I was aware of this constitution and the role it takes in making decisions that involve the sending of the budget.

Better info on when meetings are being held and agendas

Better information to the public re issues being discussed and how to get involved.

Better publicity

By using other media outlets.

Clear communications about what goes on in council

Comunication

Greater publicity of forthcoming decisions to be made. Using a mixture of media.

I remember being informed of a council meeting by Unison once and attended. I use the library and notice display there sometimes. I don't have regular access to the internet but do look at the council website when I'm in the library sometimes. I have met councillors through the Trustee Board at my work and at community meetings sometimes.

I think that informing the general public of the Brighton and Hove new governance system would be a good idea. I do not recall receiving any literature informing me of the changes in decision making bodies within the council; To my mind, before the general public can have opportunities to be involved in the decision making process of the council understanding the new council governance structure is an essential prerequisite. The new governance structure seems overly complicated to me and having read the accompanying literature it is not clear how important decisions are made within the council - which body is ultimately responsible?

I would like to be informed as to how to get involved

If possible, find another way of bringing agendas and forward plans to public notice. I doubt that many people will make the regular visits to council offices to obtain this information. For those that use the internet, perhaps set up an email link to individuals who want to receive this information regularly. Where will paper information be available? Which office?

Improve awareness to general public of webcasts and committee/cabinet decisions - more use of media, radio/TV/press locally

Increased awareness of the process and topics/issues being discussed and decided upon

Invitations to selected random groups of residents to attend a particular committee meeting.

Invite any interested members of the public to either come to meetings, or be given an agenda of the meeting and add their written/email comments.

It is difficult to get the interest of the general public unless they have a specific issue. Make the most of occasions when people do get in touch with comments, complaints etc. Keep using a wide range of media - web, local papers etc.

Make all information more easily available and in jargon free language. Don't rely so heavily on websites to say you have consulted. Most people don't know what consultations are available and many people do not see the web as a tool for gathering local information. Reach out to communities instead. Community development workers and voluntary sector forums can tell you how.

Make more widely known the public access to meetings/committees, how to access a webcast, too.

Make sure that information is displayed clearly and people are given clear instructions how to get involved

Make the public more aware that they can have their say by making announcements in local press and media in general.

More information distributed.

More information on how to be involved.

More information! Didn't know about any of this.

More public awareness needed regarding this. I had no idea about it until I read the enclosed info.

More publicity

More publicity about the agendas being discussed with real time and dates being provided so that public can opt in to watch/attend discussions, and have more of an understanding of the issues across the city.

More publicity needed about how to get involved

More publicity to council meeting and their agenda and decisions

More publicity to upcoming meetings on key local issues

More visibility to the public, better marketing strategy, keeping contemporary in branding.

Publicise meetings more, especially if any issues that are relevant to a particular area are about to be discussed. Inform people how to contribute and make sure local councillors can act as advocates or spokespeople for the public incase someone is unable to, or unwilling to attend a meeting.

Publish more

Publish precis in the Leader

Publish some actions/'core' examples illustrating how and what public involvement made a difference to an issue.

Tell people about webcasts

Tell the public how to find out what is going on!

"www" is not accessible to all, and is not familiar to many. The volume of information available can be overwhelming.

Is there a means of communicating simply to the majority on significant issues?

Yes more information needed to individual households.

You really do need to tell the residents of Brighton & Hove of these changes. I'm sure you have tried, but I don't personally feel you have succeeded.

Pro-actively informing the public using e-mail etc, would improve public involvement as we will be made aware of the issues coming up, when the debate will be and how we can get involved. We can then choose whether we want to take part in the decision making process.

**More Face-to-Face (7% of comments made for this question)**



Bigger open meetings on a regular basis (perhaps one or two issues at a time) so that people get the chance to have their say in public and get to hear opposing views. Getting people to discuss issues openly could actually find a compromise and bring some issues down to a more manageable level.

A face to talk to.

Better connection between Councillors and public, ie some effort put into canvassing local opinion.

Canvassing at local shops maybe, or door to door, B+H, by email and local community groups.

Chance to get to know/meet council members

Councillors need to be more proactive in meeting their constituents, soliciting views of their electorate rather than taking the party line

Councillors to be available to discuss residents' concerns on a daily basis with the support of staff.

Get the council as a whole on a given evening at the town hall and get them to answer questions,suggestions etc, for a timed meeting

Holding public Q&A Sessions

I think that councillor visits to schools to explain may be a way to reach families. Perhaps there could be school visits to the council members too!

Lead Councillors on particular issues to hold some sort of consultation/promotion to the Public. This could be done by having an Open Afternoon where ideas/plans are put forward and members of the public would have a chance to question councillors directly.

Local councillors should drop door-to-door contact information, and get a higher profile in the different areas of their ward.

More public meetings. Better publicity for councillor surgeries. Better info about council, we don't get a newsletter.

Stop changing ward boundaries - destroys continuity.

More publicity about projected changes to Brighton and Hove. The possibility to meet councillors for a meeting to discuss plans and changes that affect you or your lifestyle. That comments or objections are listened to sympathetically (not defensively or dismissively). Committee members should remember the rate payer cover their generous salaries.

More workshops with the public

Neighbourhood/area meetings jointly held with Police etc.

Greater council visibility in public spaces.

### **More Transparency (3% of comments made for this question)**

Communications between the public and council officers regarding policy and problems should be officially logged and put on the record and used in the decision making process.

I would like to see a review of the process whereby surveys such as the composition of parking permits are carried through on a majority vote regardless of how few people take part. The creeping privatisation of parking across the town being done without sound and accurate consultation.

Introduce a system to prove that ideas or schemes are worthwhile and not just a gimmick to please a vocal minority. ie. prove you are spending our money wisely.

Often it seems that decisions are made following very complicated and untransparent consultations. To be informed about consultation is a fulltime job. Often in my experience, it is often felt that decisions had been made via handshake, and influence from the public was ignored.

Yes a statement as to what member proposes what policy and how they vote

1. Far more transparency and a much more detailed breakdown in how our money is being spent including pensions and consultancy. 2. Detailed note about decisions affecting a local community including meetings between developers and council staff, 3. The new constitution is entirely undemocratic - I could not believe what I was reading. This should be scrapped and a representative decision making process reinstated. Truly disgraceful.

**Decision Making Process (3% of comments made for this question)**

A door-to-door information and consultation process. More transparency at Cabinet level. More all party involvement in key decisions.

Broader cross-party involvement in the cabinet.

Discussions are already made by Cabinet and Politicians own interests. So called consultations for example with staff, are just lip service and have no influence on the decision. Proper consultation would have to take place well before cabinet decisions not afterwards

Ensure that members of all parties participate directly in the decision making process, rather than in this detached manner. Scrutiny is totally ineffectual in terms of holding cabinet member to account for their decisions. Many councillor appears out of their depth in planning etc. and the executive is too powerful. Publicise ways that organisations ignored by councillors can obtain answers/address on behalf of their constituents. Encouraging people of ability across party boundaries to be involved strengthens democratic involvement in the process.

I think all councillors should be allowed an equal share in the decision making process and decisions taken out of the hands of a tiny group (the leader and cabinet)

More input into final decisions from all other parties.

I believe that too many decisions are being made by council officials and not our elected councillors. This is most obvious in the way planning issues are dealt with and more importantly the speed in which travellers are moved on.

Reduce involvement and increase accountability of special interest groups - who usually manipulate the system to gain advantage. eg. The King Alfred Planning Issue

**Give more feedback / Keep Informed (3% of comments made for this question)**

Rarely got any feedback about what decision was made. There should be improved information around major projects that flagship the city. What on earth is happening with 2 Preston Barracks: Still no homes/jobs or use after years. Information please.

By demonstrating the public's input into decision making, I think it would encourage more people to engage. For example - I know that the council distributed forms for the citizens of Brighton to complete about the changes in the drinking allowed on the beach (years ago - please excuse old example!) but despite my completion, at length, I had no response/mechanism of even knowing if my opinion had been noted. Other than the passing of the bill to which I had so vehemently opposed.

Ensure that the public are made aware of any decisions Cabinet members make. Document only really talks about meetings and does not reflect other decision making rates.

Full reports on the council websites of council meetings. Use minutes available early of full council meetings and cabinet meetings.

Higher quality reporting in council circulars more detailed writing. Make clearer any evidence that public opinion has been taken into consideration with decision making process

Hold open days (unless already happening). Emphasise/demonstrate how public involvement has affected decision making: case studies. n.b. Asking respondents to read the Constitution before answering completely changes/skews answers. Useful if you are testing its communication, but not if you want a true picture of awareness levels.

**Simpler Language / Less Bureaucracy (2% of comments made for this question)**

First, to try and inform the public that they can have involvement. Try to cut through the inevitable 'meeting speak'.

Easier language/less jargon/ Although the public can theoretically get involved with an overview and scrutiny committee, the language and sheer amount of paperwork are a massive disincentive

Less dull and bureaucratic! Good meetings arrangement - less waffling and political one-upmanship would promote public interest

Tell us in simple terms how things work and how we can get involved, have a voice, influence things - better communication and publicity about what is going on

**Other - Political (3% of comments made for this question)**

Devolve more powers from Westminster, particularly on planning issue. Local income tax.

Give Guy Fawkes a second chance? The general public have largely been demoralised by a succession of unaccountable and treasonous national governments whose only real agenda is to look after the interests of corporations and their shareholders at the expense of all else. With the implementation of The Lisbon Treaty, we have lost our sovereignty and are now a satellite state of a Totalitarian run European Union. As a consequence, our local councils are on a similar footing as were those of French towns under occupation in the early 1940's. Fascism is still depicted by the media in mid 20th century terms, when in truth it is much more sophisticated today, wearing a suit and tie (or even an open necked hemp shirt) instead of jackboots. Governance offering an illusion of 'choice' while implementing increasing amounts of regulation and control over peoples lives is not acceptable and urgently needs to be addressed. In this current state of affairs the question of "involvement in the decision making process" is academic, don't you think!? No, in short I have no suggestions other than to "be real", wake up to what's going on and give consideration to the bigger picture; what can be done at a local level to reinstate some semblance of true Democracy at national level, without which local democracy (which this survey suggests exists) is nothing more than a sham. Remember, remember the 5th November.

Give us one councillor per ward who then gets a clear overview of what is happening and we do not get the inane politicking this ward has had with three different political groups represented. Nothing seems to get done in this situation unless you bypass them and go to the officers.

Since reading how our current Labour councillors wandered borders and hijacked the democratic process associated with the introduction of the lottery system for school place allocations, I have lost both confidence and interest in the whole process.

The public will continue to show little interest or be involved in the decision making process whilst the party political system operates, change to independent councillors who can be judged by their performance and be voted out if they fail to come up to expectations.

A separate department, appointed by opposition, to monitor cabinet committee adherence to democratic principles which should come from a written code of proactive inclusion measures. The council should increase representation by adding proportional representation to the first past the post system still hanging on. This would have no statutory basis but around moral foundation.

**Other - Miscellaneous (8% of comments made for this question)**

Costs and incomes should be published

Don't call your documents things like 'Forward Plan'. It's a 'Plan'. How many plans are 'Backward Plans'?

Don't try too hard.

For my money I do believe the general public interest will always be low. It is only when the extra ordinary come along interest is aroused, like for instance, 15% increase in Council Tax.

I think we should be able to slice and dice expenditure to see where our money is being spent. An online web application of download to Excel would be even cheaper. More progressive councils would I believe offer an application, but I can appreciate there would be a cost.

I think when I have contacted my MP on issues that I feel are important, for example the rise in Newsagents getting liquor licenses in Kemp Town. I was disappointed that I didn't get anything other than a list of By-Laws sent to me explaining the licencing process. What I wanted was the human element, their opinion, what my MP was going to do about my worries and how this would be communicated back to the council.

I'm not a Politician and not arrogant enough to make suggestions to long serving Councillors how to do their jobs. Less technology.

Modernise. Stop living with the status quo, and accept change is necessary to bring this city into the 21st Century. Participative budgetting.

The decision to allow virtually 24 hour drinking in the town centre was a very serious mistake. Because the Saturday night policing draws officers away from the suburbs there is virtually open license for burglars at the weekends, just when our drug-users are seeking funds for their habits. The central pubs and clubs are too concentrated and attract dangerously large groups of hooligans.

To take into consideration that many people work and are very busy and it would help to make public involvement simpler and easier - I remember receiving a document regarding busy consultation on airport expansion and the questions were so detailed and convoluted it would take hours to fill out properly. Most public enquiries on planning decisions (ie the royal alex) are held during the week day - people who work cannot usually access these.

True clarity in planning process and the various direct or indirect influences, influencing or indeed controlling the whole procedure.

When you receive complaints do something about them - your council staff are so off-putting and resistant when suggestions about change are made, why should anyone imagine you are capable of responding? The council is slow, self congratulatory, in denial and offers any number of excuses before taking action.

When decisions are made, the council should be 100% correct in what they are saying i.e. the banning of dog walkers in School Playing Fields which I, as a dog owner, totally agree. There should be total public involvement over the problem of cyclists who think they can ride on footpaths, pavements and verges and not adhering to the laws of the land regarding cyclists. There should be a dedicated line for people to report incidents caused by cyclists. It is a useless exercise reporting to police.

When is the Mickey Mouse Council going to do things long term, ie 24/7. Bikes on pavements and down on seafront. Hostel in Regency Square, close it down. Why should our rates money pay for it, it costs £300 a week for one room. It's not fair. It's money could go to people who need it not them. I know its a hard thing to say, but you don't live around here and you could have them come and live near you? I don't think so.

Why can't the Police and Environment Department actively work together to resolve some of these issues. It's a total 'Cop out' in my opinion and a major contributor to stress in modern living in this country.

Yes you are perceived to be arrogant and not caring about the needs of the local community, especially when it comes to parking schemes and traffic management.

Yes. Change the staff at the Social Services to people who listen, are not ignorant about the care of the elderly, and are family orientated, compassionate people, and are able to report accurately what is said to them, and who have decent moral standards - especially regarding truth, justice and humanity.

**Unable to comment / Don't Know (2% of comments made for this question)**

Would help if I could have answered Yes to at least some of the questions

I am not sure, as don't know much about how the cabinet-system works.

Know nothing about it

Not sure what aspect you are talking about.



**Strategy & Governance**  
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Dear Partner

### **The Council's New Constitution: 12 month review**

I am writing to seek your views on the new constitution the Council has recently adopted.

On 15 May last year, the City Council moved to a new constitutional system, in which most decisions are taken by a Leader and a Cabinet of members appointed by him/her. Although the basic structure of the constitution is laid down in statute, the Council has considerable latitude around its day to day operation, including member portfolios, times of meetings, procedures etc.

At the time of the change, we made a commitment to review the operation of the constitution six and twelve months after its implementation. The six-month review was an opportunity to check that the implementation had gone smoothly, and to make any minor changes that the operation of the constitution had shown to be desirable, these included:

- The extension of speaking rights and a seat at the table at Cabinet and Cabinet Member meetings to the Leader/Convenor of all opposition parties
- Clarifying the procedure for special meetings
- Adding Community Affairs and Inclusion as an item on the Cabinet agenda at least every 6 months
- Improvements and guidance regarding Notices of Motion, Member and public questions at Council meetings

Thank you, if you contributed to the six-month review.

We are now at the twelve-month review stage, and I would be interested to hear any views you may have on how the new constitution is working and the changes that have been made as a result of the six-month review; and what impact, positive or negative, they have made on how your organisation and those it represents interact with the Council. We would also welcome any suggestions you might have on how the Council's constitution could be improved.



**Director of Strategy & Governance: Alex Bailey**  
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Telephone: (01273) 291295  
Printed on recycled, chlorine-free paper

If you would like to comment, please respond to this letter, or email [consultation@brighton-hove.gov.uk](mailto:consultation@brighton-hove.gov.uk) by 30 September 2009.

The views of all respondents will be considered by the Governance Committee on 17<sup>th</sup> November 2009. They will make recommendations to the Cabinet and Council as to how the constitution might be amended.

Yours faithfully



Anthony Zacharzewski  
Acting Director of Strategy & Governance

**List of Partners contacted**

Members of the Local Strategic Partnership  
Brighton & Hove Chamber of Commerce  
Brighton & Hove Federation of Disabled People  
Black Minority Ethnic and Community Partnership  
Spectrum  
Interfaith Contact Group  
Brighton & Hove City PCT  
Brighton & Hove Arts Commission  
The Older People's Council  
The Youth Council  
Rottingdean Parish Council  
The Community Inclusion partnership  
The Community and Voluntary Sector Forum  
Age Concern  
The Women's Centre  
Eco-Logically  
All neighbourhood forums via their community development worker





### **Recommendations from the Cross Party Equalities Working Group**

At Council on 30<sup>th</sup> April 2009 amendments to the new constitution were approved, following a six month review. As part of the discussion it was agreed that *“an all party working group be set up to examine how a better focus can be given to the involvement of community groups and their representatives within the council’s service delivery and to allow for issues relating to this to be easily raised and addressed, and for the recommendations from this group to be fed directly into the consultation on the 12 month review.”*

In accordance with the above, a Cross Party Equalities Group was established and met on two occasions to consider the Council’s focus on equalities issues and to make recommendations for Governance Committee to consider as part of the 12 month review of the Constitution. The working group considered as part of its discussions written material produced by the Equalities and Inclusion Team and oral presentations.

The key issues raised by members on the Cross Party Working group were:-

1. There may be excellent equalities work being undertaken but members had no way of judging this as they received little information.
2. There was a view expressed that there was not adequate focus on equalities issues from the Council’s perspective and that members did not have sufficient opportunities to input into the equalities work that was being undertaken;
3. The lack of a formal structure within which elected members could consider and challenge equalities progress was raised and the view was expressed that a Cabinet Member Meeting for Equalities and Inclusion would assist with this;
4. An alternative considered was an “Equalities Commission” – also to address the perceived lack of a forum where elected members could bring equalities issues;
5. It was recognised that the City Inclusion Partnership (CIP) met quarterly and included representatives from statutory partners and the community and voluntary sector. It was felt that this was a valuable forum and that some of the practice shared by partners within that group was excellent. However, members felt that CIP did not replace the need for a clearer route for all

members of the Council to raise equalities issues and learn about and challenge the Council's activity in this area. It was noted that there are 4 elected members represented on CIP and the view was expressed that this forum alone was not adequate to connect with all 54 members of the Council.

6. It was also recognised that, following the six month review of the Council's Constitution, an agreement was reached whereby at least twice per year an equalities report would be taken to Cabinet with details of performance and developments. Whilst it was acknowledged that Cabinet was technically the right place for such a discussion due to the coverage of all services, some members of the cross party working group felt that the reality of a heavy agenda and some really difficult issues to address meant that a genuine and in depth debate on equalities would not take place.
7. By way of example of the problems that members perceived with communication around equalities issues, members of the working group cited that they were not aware of the work going on around the "Get Involved" project nor of the work undertaken on Equality Impact Assessments.
8. The role of Overview and Scrutiny was discussed by the working group and the specific report of the August 2009 Older People and Community Safety Overview and Scrutiny Panel was considered. The Cabinet Member for Equalities and Inclusion felt that this was an excellent example of the kind of in depth focus that Overview and Scrutiny could bring to important equalities issues and that this detailed look at issue specific matters complemented the performance and development focus that Cabinet would have at its (at least) twice yearly reviews.
9. Again there was concern raised by some members of the working group that the size of agenda for Overview and Scrutiny meant that their capacity to take a regular look at equalities issues was limited.
10. In recognition of the amount of existing work on equalities that is being undertaken by the Council and that much of this is at an early stage and of the concerns raised that there is not good enough communication about this or enough opportunity to engage with it, the working group unanimously made the following recommendations:-
  - An informal equalities working group with equal representation from all parties and Chaired by the Cabinet

Member for Community Affairs, Inclusion and Internal Relations, should meet on a 6 weekly basis;

- At the working group, an overview of the equalities work that is ongoing should be brought and discussed. Ideas around improved communication for elected members would be specifically addressed. For example, the group would assist to plan an open meeting for members on Equality Impact Assessments and would input into what issues should be addressed in the reports on equalities that go to Cabinet. The meeting will also be an opportunity for the Cabinet Member for Equalities and Inclusion to communicate new initiatives or developments and to hear feedback from members on behalf of their groups on equalities issues;
- The group would not be a decision making body but an informal meeting with the aim of improving communication and engagement with elected members on equalities issues.



**Proposed changes to constitution to comply with  
Part 5, chapter 2 of LGPIH Act 2007 – Overview & Scrutiny Committees**

Sections 119-124 the LGPIH Act 2007 came into force on 1 April 2009, resulting in amendments to part 2 of the Local Government Act 2000

Section 126 of the LGPIH Act came into force on 30 April 2009, resulting in amendments to section 19 of the Police & Justice Act 2006

<b>Amendments to Local Govt Act 2000 and Police &amp; Justice Act 2006</b>	<b>Constitutional amendment required</b>
Section 21A(1) LGA 2000 Section 19(3)(b) PJA 2006	Amend part 6.1, para 13.2 of Scrutiny Procedure Rules (SPR), so that any Member may refer any local government or crime and disorder matter to the relevant O & S Committee (Councillor “Call for Action”) – this makes it explicit that a Member does not have to be Member of an Overview and Scrutiny Committee to raise an issue for scrutiny.
Section 21A(6)(b) Section 19(6)(b)	Insert new clause to part 6.1, para 15 SPR, giving the relevant O & S Committee power to have regard to member representations as to why it should exercise its powers to make a report or recommendation
Section 21A(7)-(8) Section 19(7)	Insert new clause at part 6.1, para 13 SPR, requiring the relevant O&S Committee to notify the Member with reasons if the Committee does not exercise its powers in relation to the matter raised by the Member.
Section 22A and Regulation 10 of The Local Authorities (Overview and Scrutiny Committees) (England) Regulations 2009  <i>NB: regulations in force 12.8.09</i>	Insert new provision after Part 6.2, para 3 SPR, confirming O & S Committees may require certain LAA related information from partners organisations.
Section 21B  Regulation 15 of The Local Authorities (Overview and	Amend part 6.1, paras 15.1-15.3 SPR, to set out a deadline for a response by the Executive to a Scrutiny report.  Also at paras 15.1-15.3 SPR to make provision to enable the exemption of

<p>Scrutiny Committees) (England) Regulations 2009</p>	<p>confidential or relevant exempt information from documents published by the executive comprising their response to a scrutiny report or recommendation</p>
<p>Section 19(2)and (8)</p>	<p>Add new clauses to part 6.1, para 15 SPR, as regards the Crime and Disorder Committee making its reports or recommendations available to specified persons</p>
<p>Section 21C</p>	<p>Add new clauses to part 6.1, para 15 SPR, giving any O &amp; S committee power, where the committee has made a report or recommendation under s21B relating to a local improvement target for which a partner authority is responsible, to require that partner to have regard to the report or recommendation</p>
<p>Section 19(8B)</p>	<p>Add new clause to Part 6.1, para 15, as regards the notice to be given by the Crime and Disorder Committee to the authority, person or body to whom it provides a report or recommendation</p>
<p>Section 21D</p>	<p>Add new clauses to part 6.1, para 15 SPR, setting out the prohibition and restrictions on the publication of O &amp; S reports or recommendations (and in providing copies to a member of the local authority or a relevant partner authority) containing confidential or exempt information</p>

**Proposed changes to the constitution resulting from  
The Crime and Disorder (Overview & Scrutiny) Regulations 2009 – SI  
2009/942**

These regulations came into force on 30 April 2009

<b>Regulation No.</b>	<b>Constitutional amendment required</b>
3 – co-opting of additional members	Add new clause to part 6.1, para 7, enabling co optees on the Crime and Disorder Committee
4 – frequency of meetings	Add new clause to part 6.1, para 9, requiring the Crime and Disorder Committee to meet at least once per year
6 – attendance at committee meetings	Add new clause to part 6.2, para 4, enabling the CDC to require attendance at a meeting of the CDC by officers or employees of a responsible authorities and partners
7 – responses to CDC reports	To be received by the CDC within 28 days or as soon as reasonably possible thereafter





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**PART 6.1 OVERVIEW AND SCRUTINY TERMS OF REFERENCE AND PROCEDURE RULES**

**1. The number and arrangements for Overview and Scrutiny Committees**

- 1.1 The Council will appoint the Overview and Scrutiny Commission and five further Overview and Scrutiny Committees as set out in Article 6. The Overview and Scrutiny Commission will co-ordinate the Overview and Scrutiny function and work programme. The Commission will approve the appointment of Sub-Committees to carry out in depth reviews (Select Committees). Short, sharply focussed scrutiny reviews (Ad Hoc Panels) may be carried out by each Committee at its own instigation.

**2. Terms of Reference of Committees**

**2.1 Overview and Scrutiny Commission – Resources and Corporate Performance**

- 2.1.1 To co-ordinate the work of the Overview and Scrutiny Committees as set out under “Functions” below.

- 2.1.2 To review and scrutinise all matters, Executive decisions and service provision relating to the specific functions of Leader of the Council as set out under Part 4.2 of the constitution.

- 2.1.3 To review and scrutinise all matters, Executive decisions and service provision relating to the Finance function, including

- Council’s annual budget; and
- the Council’s performance in relation to overall budgetary management.

- 2.1.4 To review and scrutinise all matters, Executive decisions and service provision relating to Central Services, in particular;-

- to review and scrutinise the delivery and performance of the Council’s support services including:

- Finance
- Property
- ICT
- Customer Services
- Corporate Procurement
- Legal Services
- Democratic Services
- Policy

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- Communications
  - Human Resources
  - Improvement & Organisational Development
- to review and scrutinise the establishment of joint working with other authorities, including the effectiveness of any shared services arrangements
  - Overview and Scrutiny of council wide performance monitoring, relationships with Auditors and Regulators, Comprehensive Performance Assessment, Local Area Agreement etc.
- 2.1.5 To review and scrutinise all matters, Executive decisions and service provision relating to Community Affairs, Equalities and Inclusion and sustainability.
- 2.1.6 To review and scrutinise any other Council function not otherwise addressed by any other Overview and Scrutiny Committee.
- 2.1.7 To scrutinise the effectiveness of the arrangements for partnership working including the local strategic partnership and the Local Public Service Boards and the Council's contribution to them and specifically in relation to the Local Area Agreement.
- 2.1.8 To scrutinise the effectiveness of the Council's representation in regional/sub regional and national forums.
- 2.1.9 To review and scrutinise all matters relating to corporate policy and methodology for public consultation and involvement undertaken by the Council.
- 2.1.10 To review and scrutinise the Council's corporate communications strategy.
- 2.2 Culture, Tourism and Enterprise Overview and Scrutiny Committee**
- 2.2.1 To perform the Overview and Scrutiny function in relation to all matters, Executive decisions and service provision connecting to Enterprise and Employment and in particular:-
- Major Projects
  - Economic Regeneration
  - Culture, Arts and Heritage
  - Tourism & Marketing
  - Libraries and Museums
  - Events
  - Leisure, Sports and Recreation

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**2.3 Environment and Community Safety Overview and Scrutiny Committee**

2.3.1 To perform the Overview and Scrutiny function in relation to all matters, Executive decisions and service provision connecting to the Environment function and in particular:-

- Community Safety (including discharging the functions and responsibilities of the statutory Crime and Disorder Committee to the extent required to comply with section 19 of the Police and Justice Act 2006 and regulations made under section 20; and to do so with regard to any protocol agreed by Full Council as to the working arrangements between the Community Safety Forum and the Crime and Disorder Committee)
- Parks and Green Spaces
- Travellers and Gypsies
- Highways Management
- Traffic Management and Transport
- Parking
- Waste
- Conservation & Design
- Coast Protection
- Seafront
- Environmental Health
- Building Control
- Trading Standards
- Planning and Licensing

**2.4 Adult Social Care and Housing Overview and Scrutiny Committee**

2.4.1 To perform the Overview and Scrutiny function in relation to all matters, Executive decisions and service provision connecting to the Adult Social Care elements of the Adult Social Care and Health function and in particular:-

- Adult Social Services

2.4.2 To perform the Overview and Scrutiny function in relation to all matters, Executive decisions and service provision connecting to the Housing function and in particular:-

- The Council's housing strategy
- Homelessness and the allocation of housing
- Private sector housing, including taking action to remedy overcrowding, disrepair, unfitness and statutory nuisances; to promote fire safety in private sector housing and the Council's functions in relation to houses in multiple occupation Tenancy relations and the provision of housing advice

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- Housing loans and grants
- Housing Landlord Functions
- Supporting People

**2.5 Children and Young People Scrutiny Committee**

2.5.1 To perform the Overview and Scrutiny function in relation to all matters, Executive decisions and service provision connecting to the Children and Young People Cabinet function and in particular:-

- the provision, planning and management of children's social services in Brighton & Hove
- the provision, planning and management of education in Brighton & Hove
- the health of the authority's children and young people, including contribution to the development of policy and service to improve health and reduce health inequalities, all in accordance with the principles of section 7 of the Health & Social Care Act 2001, but provided that matters relating to general health strategies and services not specifically for children and young people shall be the function of the Council's Health Overview & Scrutiny Committee
- the development of integrated children's services under the Children and Young People's Trust
- all of the functions of the Council as an education authority under the Education Acts, School Standards and Framework Act 1998 and all other relevant legislation in force from time to time
- the development of the Council's Children and Young People's Plan

**2.6 Health Overview and Scrutiny Committee**

2.6.1 To perform the Overview and Scrutiny function in relation to all matters, Executive decisions and service provision connecting to the Health elements of the Adult Social Care and Health function and in particular:-

- To scrutinise matters relating to the health of the Authority's population and contribute to the development of policy and service to improve health and reduce health inequalities
- To undertake all the statutory functions of the scrutiny committee in accordance with Section 7 and Regulations under that section, of the Health and Social Care Act 2001, relating to reviewing and scrutinising health service matters
- To review and scrutinise the impact of the Authority's own services and of

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key partnerships on the health of its population

- To encourage the Council as a whole and its executive committees and sub-committees and through the Overview and Scrutiny Organisation Committee to take into account the implications of their policies and activities on health and health inequalities
- To make reports and recommendations to the National Health Service, the Council, the executive committees and sub-committees and the Overview and Scrutiny Organisation Committee, and to other relevant bodies and individuals
- To monitor and review the outcomes of its recommendations
- In all of the above, to liaise with other bodies that represent patients' views in order to seek and take account of the views of the local populations

[Note:- As mentioned under the Terms of Reference above, the Children and Young People's Overview & Scrutiny Committee discharges on behalf of the Council the Overview and Scrutiny functions in relation to the health of the authority's children and young people, but matters relating to general health strategies and services not specifically for children and young people are the function of the Health Overview & Scrutiny Committee.]

**3. Functions of Committees**

**3.1 The Overview and Scrutiny Commission will:-**

- a) Approve an annual overview and scrutiny work programme, to ensure that there is efficient use of the Committees' time and that the potential for duplication of effort is minimised;
- b) Where matters fall within the remit of more than one Overview and Scrutiny Committee, determine arrangements for dealing with a particular issue;
- c) Have the power (as do all other Overview and Scrutiny Committees) to call-in and review Executive decisions, or key decisions made by an officer with delegated authority from the Executive, as set out in the procedures in these Rules, particularly on issues that fall between the responsibilities of the separate panels;
- d) Receive requests from Councillors and suggestions from officers of the council and co-optees for particular topics to be scrutinised and determine the appropriate action;
- e) Undertake initial explorations on requests/proposals for Select Committee reviews and recommend appropriate action;

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- f) Receive proposals for the appointment of task-orientated, time limited Overview and Scrutiny Select Committees to review in-depth, investigate and report on a particular topic;
- g) Co-ordinate training and development arrangements for Overview and Scrutiny Committee members and co-optees;
- h) Identify good practice in relation to the overview and scrutiny role and develop common practices for all Committees that reflect good practice;
- i) Co-ordinate the production of an annual report to Council on the activity of the Overview and Scrutiny function;
- j) Have responsibility for the development and co-ordination of the overview and scrutiny of partnerships and external bodies;
- k) Establish and maintain constructive working relationships with the Executive whilst being mindful of the respective wishes of each;
- l) Help ensure positive working relationships with partnerships and external bodies;
- m) Monitor and review the outcomes of its recommendations.

**3.2 Overview and Scrutiny Committees (and the Commission in respect of its specific work area) will;-**

- (i) Be aware of the 'forward plan', the forward work programme and other anticipated decisions of the Cabinet/Cabinet Committees and council services;
- (ii) Develop focused programmes of work and identify the most appropriate means of progressing such work;
- (iii) Scrutinise and make recommendations to the Cabinet/Cabinet Committees/Cabinet Member decisions and any relevant Council Committees in relation to issues arising from its work programme;
- (iv) Monitor the decisions taken by or on behalf of the Cabinet and the activities of service areas;
- (v) Receive requests from Councillors and suggestions from officers of the council and co-optees for particular topics to be scrutinised;
- (vi) Propose to the Overview and Scrutiny Commission Select Committee reviews, Terms of Reference and Membership with a proposed scrutiny

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brief and resource requirement (see Select Committee Reviews at 4 below);

- (vii) Establish Ad Hoc review Panels reviews (see Ad Hoc Panels at 5 below);
- (vii) Exercise the right to “call-in” and review decisions taken by or on behalf of the Executive as set out in the procedures in the Overview & Scrutiny Rules;
- (v) Have an overview of the practice and policy of the relevant service areas;
- (vi) Identify areas of service practice and implementation or of policy that cause concern to members of the public and councillors and identify what action should be taken;
- (vii) Receive internal and external inspection reports on the services and challenge the action plans drawn up in response to problems that have been identified; monitor progress in implementing the action plans;
- (viii) Ensure that the communities of Brighton & Hove and specific users of services are able to be involved in and inform the work of the Committees;
- (ix) Promote the work of the Committees, including through the local media;
- (x) Monitor and review the outcomes of its recommendations.

**3.3 Member representations**

In considering whether or not to review or scrutinise decisions or actions, or to make reports or recommendations, an overview and scrutiny committees may have regard to any representations made by a Member who has referred a particular matter to it as to why it would be appropriate for the committee to take any such measures in relation to that matter

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**4. Select Committee reviews**

4.1 The Overview and Scrutiny Commission will consider and where it considers appropriate approve the appointment of task-orientated, time-limited scrutiny Sub-Committees (Select Committees) to review in depth, investigate and report on particular topics related to the functions of the Council or issues of public concern, with such membership, terms of reference and duration as it considers appropriate having regard to the recommendations of the initiating Committee.

4.2 In considering whether or not any matter should be agreed for a Select Committee Review, the Commission will have regard to:

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- The importance of the matter raised and the extent to which it relates to the achievement of the Council's strategic priorities, the implementation of its policies or other key issues affecting the well being of the City or its communities;
  - Whether there is evidence that the decision-making rules in Article 13 of the constitution have been breached; that the agreed consultation processes have not been followed; or that a decision or action proposed or taken is not in accordance with a policy agreed by the Council;
  - The potential benefits of a review especially in terms of possible improvements to future procedures and/or the quality of Council services;
  - What other avenues may be available to deal with the issue and the extent to which the Councillor or body submitting the request has already tried to resolve the issue through these channels (e.g. a letter to the relevant Executive Member, the complaints procedure, enquiry to the Chief Executive or Chief Officer, Council question etc.);
  - The proposed scrutiny approach (a brief synopsis) and resources required, resources available and the need to ensure that the Overview and Scrutiny process as a whole is not overloaded by requests.
- 4.3 Select Committees will have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will apply.
- 4.4 Membership of the Select Committees will be nominated by the Overview and Scrutiny Committee proposing the in-depth review, taking into account the expertise and experience of available Members, and that no Member may be involved in scrutinising a decision in which he/she has been involved.
- 4.5 When a Member requests for a matter to be scrutinised, that Member should not normally be appointed as a Member of the Select Committee scrutinising the issue. This would not preclude the Member from giving evidence as a lay or an expert witness.
- 4.6 There shall be no provision for substitute Members to attend meetings of Select Committee reviews.
- 4.7 The Overview and Scrutiny Commission shall ensure that the number of Select Committee reviews which are in existence at any one time does not exceed the capacity of the Member and officer resources available to support their work.
- 5. Ad Hoc Overview and Scrutiny Panels**
- 5.1 Each Overview and Scrutiny Committee may appoint Ad Hoc Panels to carry out short, sharply focused pieces of scrutiny work. These may be on issues specific to the Committee but not large enough to warrant a full blown Select Committee approach. As a guide, the work of these Panels should be capable of



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being conducted within 3 meetings or less.

- 5.2 Ad hoc Overview and Scrutiny Panels will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply, but they will normally be established on a cross-party basis.
- 5.3 Membership of the Ad Hoc Panels will be agreed by the Overview and Scrutiny Committee appointing it, taking into account the expertise and experience of available Members, and that no Member may be involved in scrutinising a decision in which he/she has been involved.
- 5.4 When a Member requests for a matter to be scrutinised, that Member should not normally be appointed as a Member of the ad hoc panel scrutinising the issue. This would not preclude the Member from giving evidence as a lay or an expert witness.
- 5.5 There shall be no provision for substitute Members to attend meetings of Ad Hoc Panels.
- 5.6 Each Overview and Scrutiny Committee shall ensure that the number of Ad Hoc Panels which it appoints does not exceed the capacity of the Member and Officer resources available to support their work.

**6. Membership of Overview and Scrutiny**

- 6.1 Any Councillor, except a member of the Cabinet, may be a member of the Overview and Scrutiny Commission, Committees, Select Committees or Ad Hoc Panels.
- 6.2 No Member, however, may be involved in scrutinising a decision in which he/she has been directly involved.
- 6.3 The membership of the Overview and Scrutiny Committees will reflect the political composition of the Council.

**7. Co-optees**

- 7.1 The Overview and Scrutiny Committees may agree the appointment of non voting co-optees for each Select Committee review or Ad Hoc Panel.

**7A Co-opting of additional members to Crime and Disorder Committee**

- 7A.1 This paragraph applies to the Environment and Community Safety Overview and Scrutiny Committee when discharging the functions of the Crime and Disorder Committee**

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- 7A.2 The Crime and Disorder Committee may co-opt additional members to serve on the committee subject to paragraphs 7A.3 to 7A.6.
- 7A.3 A person co-opted to serve on the Crime and Disorder Committee shall not be entitled to vote on any particular matter, unless the Committee so determines.
- 7A.4 A co-opted person's membership may be limited to the exercise of the Committee's powers in relation to a particular matter or type of matter.
- 7A.5 The Crime and Disorder Committee shall only co-opt a person to serve on the Committee who—  
(a) is an employee, officer or member of a responsible authority or of a co-operating person or body (as defined in section 5 of the Crime and Disorder Act 1998); and  
(b) is not a member of the executive of the committee's local authority (or authorities).
- 7A.6 The membership of a person co-opted to serve on the Crime and Disorder Committee may be withdrawn at any time by the Committee.

**8. Education representatives**

8.1 The Children and Young People's Overview and Scrutiny Committee and any Select Committee relating to education matters shall include in its membership the following voting representatives in accordance with the provisions of the Local Government Act 2000:

- (a) 1 Church of England diocese representative;
- (b) 1 Roman Catholic diocese representative; and
- © 2 parent governor representatives.

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8.2 The above-mentioned representatives shall have voting rights only in connection with matters relating to education functions and if the Committee or Panel deals with other matters, those representatives shall not vote on those other matters, though they may stay in the meeting and speak.

**9. Meetings of the Overview and Scrutiny Committees**

9.1 Regular meetings of the Commission and Overview and Scrutiny Committees will be programmed throughout the year. In addition, an extraordinary meeting may be called by the Chair or the Chief Executive at any time if they consider it necessary or desirable.

9.2 For the purpose of discharging its functions as Crime and Disorder Committee, the Environment and Community Safety Overview and Scrutiny Committee shall meet to review or scrutinise decisions made, or other action taken, in

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connection with the discharge by the responsible authorities of their crime and disorder functions as the Committee considers appropriate, but no less than once in every twelve month period.

- 9.3 The Select Committees and Ad Hoc Panels will be time limited and will meet as required to fulfil the task allocated to them.

**10. Quorum**

The quorum for overview and scrutiny meetings shall be as set out for committees and sub-committees in the Council Procedure Rules in Part 3 of this Constitution.

**11. Chairmen of Overview and Scrutiny Committees/Panels**

- 11.1 The Council will appoint the Chairmen of Overview and Scrutiny Committees.
- 11.2 The Overview and Scrutiny Commission will appoint the Chairmen of Select Committees, having regard to the recommendations of the initiating Committee. These Chairmen may be from the membership of the Overview and Scrutiny Committees or other Members of the Council with the necessary expertise.
- 11.3 Each Overview and Scrutiny Committee will appoint the Chairmen of Ad Hoc Panels that it sets up.
- 11.4 If the Council or relevant Scrutiny Committee fail to appoint a Chairman, the Committee, Select Committee or Ad Hoc Panel will make the appointment at its first meeting.

**12. Work programme**

- 12.1 The Overview and Scrutiny Commission will be responsible for setting its own objectives and work programme
- 12.2 The Overview and Scrutiny Committees (subject to the co-ordination and monitoring of the Overview and Scrutiny Commission) shall be responsible for setting their own work programme to overview and scrutinise the work of the Executive, relevant Council Committees and services and the effectiveness of relevant partnerships or other bodies.

**13. Agenda items**

- 13.1 Agenda items shall be set by the Committee identifying issues which they wish to consider, for example through reviewing the Executive's forward work programme of items for consideration or through their overview of service

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issues and performance, or through calling in particular Executive decisions.

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13.2 Any Member may notify the Head of Scrutiny that s/he wishes an item relevant to its functions to be included on the agenda for the next available meeting. On receipt of such a request the Head of Scrutiny will ensure that it is included on the next available agenda of the relevant Committee. The Committee shall then determine whether it wishes to pursue the item suggested by the Member and in what manner. If appropriate, they will consider whether it should be referred to the Overview & Scrutiny Commission with a proposal for a Select Committee Review.

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~~13.3 If an overview and scrutiny committee decides not to pursue an item suggested by a Member, it must notify the Member of its decision and the reasons for it.~~

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13.4 The Overview and Scrutiny Committees shall also respond, as soon as their work programme permits, to requests from the Council and if it considers it appropriate, the Cabinet/Cabinet Committees, to review particular areas of Council activity.

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**14. Policy review and development**

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14.1 The Overview and Scrutiny Committees have a function to scrutinise policy outcomes and advise on policy development within their remit. They are key mechanisms for enabling Councillors to represent the views of their constituents and other organisations to the Executive and Council and hence to ensure that these views are taken into account in policy development.

14.2 The Executive is responsible for the development and implementation of policy. The Executive will seek the assistance of Overview and Scrutiny, as appropriate, in the development of policy, especially in relation to the budget and policy framework. The minimum role of Overview and Scrutiny in relation to the development of the Council's budget and policy framework is set out in Rules 2 (b) and 7 of the Budget and Policy Framework Procedure Rules and in Rule 14.1 above.

14.3 In relation to the development of the Council's approach to other matters not forming part of its Policy and Budget Framework, Overview and Scrutiny may make proposals to the Executive for developments in so far as they relate to matters within their terms of reference.

14.4 If there are concerns about the implementation or subsequent outcomes of an agreed policy the Overview and Scrutiny Committees may appoint Ad Hoc Panels or propose Select Committees to hold enquiries and investigate the available options to recommend changes/improvements to the policy to make it more effective.

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- 15. Publication and submission of reports from Overview and Scrutiny** Deleted: S
- 15.1 Once it has formed recommendations on any matter, an overview and scrutiny committee will prepare a formal report, which it may publish. Deleted: O  
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- ~~15.2 Where the committee decides to publish its report, paragraph 15A applies~~
- ~~15.3 The overview and scrutiny committee shall submit the report to the Chief Executive for consideration by the relevant Cabinet Member or Cabinet meeting, or to the Council as appropriate (eg if the recommendation would require a departure from or a change to the agreed budget and policy framework).~~ Formatted: Default, No bullets or numbering  
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- 15.4 The report will include a statement of the corporate, financial and legal implications of any recommendations. If an overview and scrutiny committee cannot agree on one single final report then up to one minority report may be prepared and submitted for consideration by the Executive Member or Cabinet meeting with the majority report. Deleted: 2  
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- 15.5 Where the report relates to an item referred to an overview and scrutiny committee by a Member, as provided for under paragraph 13.2, the committee must provide the Member with a copy of the report and any recommendations.
- 15.6 The Executive Member or Cabinet, or Council if appropriate, shall – Deleted: 3  
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Deleted: consider the report within six weeks of it being submitted to the Chief Executive or at its next scheduled meeting, whichever is the later, and shall prepare a response to the findings including any action proposed.
- 15.7 Where an overview and scrutiny report has been considered by the Executive, the report, together with the Executive response, shall be reported to full Council for information. Formatted: Indent: Left: 0 cm, Hanging: 1.27 cm  
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- 15A Publication of reports, recommendations and responses: confidential and exempt information**
- 15A.1 This paragraph applies to –  
(a) the publication of any document comprising

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- (i) the publication of any report or recommendations of an overview and scrutiny committee; or
- (ii) the response of the Executive or Full Council to any such report or recommendation; and
- (b) the provision of such a document to –
  - (i) a Member or
  - (ii) a relevant partner authority (as defined in section 104 of the Local Government and Public Involvement in Health Act 2007)

15A.2 The overview and scrutiny committee, Executive or Full Council, in publishing the document or providing a copy to a relevant partner authority, must exclude any confidential information and may exclude any relevant exempt information (as defined in section 21D of the Local Government Act 2000)

15A.3 In providing a copy of the report to a Member, the committee, Executive or Full Council may exclude any confidential information or relevant exempt information.

15A.4 Where information is excluded under 15A.2 or 15A.3, the committee, Full Council or Executive, in publishing or providing a copy of the report –

- (a) may replace so much of the document as discloses the information with a summary which does not disclose that information, and
- (b) must do so if, in consequence of excluding the information, the report published or copy provided would be misleading or not reasonably comprehensible.

**15B Distribution of reports by the Environment & Community Safety Overview and Scrutiny Committee when exercising the functions of the Crime and Disorder Committee**

15B.1 Where the Crime and Disorder Committee makes a report or recommendations to the council with respect to the discharge by the responsible authorities\* of their crime and disorder functions, it shall provide a copy to –

- (a) each of the responsible authorities, and
- (b) each of the persons with whom, and bodies with which, the responsible authorities have a duty to co-operate under section 5(2) of the Crime and Disorder Act 1998

\* [‘Responsible authorities’ are defined under section 5 of the Crime and Disorder Act 1998]

15B.2 Where the Crime and Disorder Committee makes a report or recommendation to the council with respect to any local crime and disorder matter referred to it by a Member, it must –

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- (a) provide a copy of the report or recommendations to that Member, and
- (b) provide a copy of the report or recommendations to such of –
  - (i) the responsible authorities, and
  - (ii) the co-operating persons and bodies
 as it thinks appropriate

**16. Call-in**

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- 16.1 Call-in is a process by which Overview and Scrutiny Committees can recommend that a decision made (in connection with executive functions) but not yet implemented be reconsidered by the body which made the decision, or recommend that the full Council consider whether that body should reconsider the decision. Call-in does not provide for the Overview and Scrutiny Committee or the full Council to substitute its own decision, but merely to refer the matter back to the decision-maker. A decision maker can only be asked to reconsider any particular decision once.
- 16.2 Call-in should only be used in exceptional circumstances – for example where Members have evidence that a decision was not taken in accordance with Article 13 of the constitution ('Decision making'). Day to day management and operational decisions taken by officers may not be called-in.
- 16.3 Any decision made by the Cabinet, a Cabinet Member, or a key decision made by an officer under delegated powers from the Executive shall be published by means of a notice at the main offices of the Council and where possible by electronic means, normally within 2 working days of being made. All Members of Overview and Scrutiny will be sent, if possible by electronic means, copies of all such decision notices at the time of publication.
- 16.4 Any decision made by the Cabinet, a Cabinet Member, or a key decision made by an officer under delegated powers from the Executive may be called in up to five working days from the date of the meeting at which the decision was taken.
- 16.5 During this period, any Member of Overview and Scrutiny or any 6 Members of the Council may request that a decision be called-in for Scrutiny by the relevant Overview and Scrutiny Committee. Such a request shall be made in writing to the Chief Executive and shall include the reason(s) for the request and any alternative decision proposed. The Chief Executive may refuse to accept a request which in his/her opinion is frivolous, vexatious or defamatory, or where no reason is given.
- 16.6 If the Chief Executive accepts the request he/she shall call-in the decision. This shall have the effect of suspending the decision coming in force and the Chief Executive shall inform the decision maker e.g. Cabinet, Executive Member, Executive Committee or officer and the relevant Chief Officer(s) of the call-in. The Chief Executive shall then call a meeting of the relevant Overview and

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Scrutiny Committee as appropriate to scrutinise the decision, where possible after consultation with the relevant Chairman, and in any case within 7 working days of accepting the call-in request, unless a meeting of the appropriate Committee is already scheduled to take place within this period.

- 16.7 In deciding whether or not to refer a decision back, the relevant Overview and Scrutiny Committee shall have regard to the criteria for Scrutiny reviews set out at paragraph 4.2 of these rules. In addition it may take into account:
- any further information which may have become available since the decision was made
  - the implications of any delay; and
  - whether reconsideration is likely to result in a different decision.
- 16.8 If, having scrutinised the decision, the relevant Overview and Scrutiny Committee is still concerned about it, then it may refer it back to the decision making body for reconsideration, setting out in writing the nature of its concerns. If it considers the decision is contrary to the policy framework or budget agreed by the Council, the matter may be referred to the full Council to determine whether or not it should be referred back to the decision making body in accordance with the Budget and Policy Framework Procedure Rules at Part 4 of this constitution.
- 16.9 If the relevant Overview and Scrutiny Committee does not meet within 7 working days of the Chief Executive accepting a call-in request, or does meet but does not refer the matter back to the decision making body or to the Council, the decision shall take effect on the date of the Overview and Scrutiny meeting, or the expiry of the period of 7 working days from the call-in request being accepted, whichever is the earlier.
- 16.10 If the decision is referred back to the decision making body, that body shall then reconsider, either at its next programmed meeting or at a special meeting called for the purpose, whether to amend the decision or not before reaching a final decision and implementing it.
- 16.11 If the relevant Overview and Scrutiny Committee refers the matter to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, the Council will refer any decision to which it objects back to the decision making body, together with the Council's views on the decision. In this case the decision making body shall consider, either at its next programmed meeting or at a special meeting convened for the purpose, whether to amend the decision or not before reaching a final decision and implementing it.
- 16.12 If the Council does not meet within two weeks of the matter being referred to



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it, or if it does meet but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of that two week period, whichever is the earlier.

- 16.13 If a key decision is to be taken by an officer under the scheme of delegation, all Members and Overview and Scrutiny Committees will have the same rights to information and to use the procedures set out above for the call-in of those decisions.

**17. Call-in and urgency**

- 17.1 The call-in procedure set out above shall not apply where the decision being taken by the Cabinet, a Cabinet Member, or a key decision made by an officer under delegated powers from the Executive is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public shall state if in the opinion of the decision making body the decision is an urgent one and subject to the agreement of the Chief Executive, or in his/her absence the officer acting for him, such a decision shall not be subject to call-in. The Chief Executive or the Officer acting on his/her behalf shall consult the leaders of the Political Groups before agreeing to the exemption. Any decision to which the call-in process does not apply for reasons of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

- 17.2 The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted (via the Governance Committee) to Council with proposals for review if necessary.

**18. Call In and Joint Committees**

- 18.1 The principle of call in applies to decisions made by Joint Committees on which the Council is represented. The detailed arrangements relating to call in of Joint Committee decisions shall be agreed between the constituent authorities and included in the Constitution of the Joint Committee.

**19. Matters excluded from Scrutiny**

- 19.1 Overview and Scrutiny Committees should not normally scrutinise individual decisions made in respect of development control, licensing, registration, consents and other permissions. In particular they are not an alternative to normal appeals procedures. However, they may make reports and recommendations on such functions as part of wider Scrutiny reviews.

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- 19.2 The Scrutiny process is not appropriate for issues involving individual complaints or cases, or for which a separate process already exists e.g. personnel/disciplinary matters, ethical matters or allegations of fraud.

**Item 159 Appendix 4C**

**PART 6.2 OVERVIEW & SCRUTINY WAYS OF WORKING**

**1. Introduction**

- 1.1 It is expected that Overview and Scrutiny Committees will determine ways to operate that best suit their agendas whilst being consistent with the overall overview and scrutiny approaches. To this end they will wish to review the paperwork, style, venues and other practical arrangements for their meetings. In some cases it will be appropriate to adopt a more informal approach than for Executive decisions.

**2. Code of Practice for Scrutiny Reviews**

- 2.1 Overview and Scrutiny Committees will adopt a cross-party approach and attempt to reach a consensus where possible on their findings.
- 2.2 Where an Overview and Scrutiny Committee conducts an investigation or review, it may ask people to attend to give evidence at meetings which are to be conducted in accordance with the following principles:
- (a) the investigation should be conducted fairly and all Members of the Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
  - (b) as far as possible the process should be a positive experience for all concerned. Questioning should not be adversarial and those assisting the Committee by giving evidence should be treated with respect and courtesy;
  - (c) witnesses may be provided with a briefing note on the format and conduct of the meeting;
  - (d) the investigation should be conducted so as to maximise the efficiency of the investigation or analysis. This may include providing outline questions and details of any documents required to witnesses in advance.
  - (e) notwithstanding the provisions of the Access to Information Rules, witnesses may if they wish give their evidence privately or in writing.
  - (f) at the end of questioning witnesses should be invited to revisit any points raised or make any general comments. They should also be provided with a copy of any report to which their evidence has contributed.

**3. Members and officers giving account**

- 3.1 An Overview and Scrutiny Committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the Scrutiny role, it may require any Member and/or any senior officer to attend before it to explain in relation to matters within their remit:

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- (a) any particular decision or series of decisions;
- (b) the extent to which the actions taken implement Council policy; and/or
- (c) their performance;

and it is the duty of those persons to attend if so required.

- 3.2 The provision at 3.1 above shall apply only to a Member or to a senior officer to whom powers are specifically delegated in the Council's Scheme of Delegation to Officers at part 7 of this constitution.
- 3.3 Any Member or officer who is required to attend before an Overview and Scrutiny Committee shall be given reasonable notice of the date of their attendance. Where, in exceptional circumstances, the Member or officer is unable to attend on the required date, then the Overview and Scrutiny Committee shall after consultation with the Member or officer arrange an alternative date for attendance.
- 3.4 Where an officer appears before an Overview and Scrutiny Committee to answer questions, their evidence should as far as possible be confined to questions of fact and explanation relating to policies and decisions. Officers may explain what the policies are, the justification and objectives of those policies as the decision makers see them, the extent to which those objectives may have been met, and how administrative factors may have affected both the choice of policy measures and the manner of their implementation. Officers may be asked to explain and justify advice they have given to Members prior to decisions being taken.
- 3.5 As far as possible officers should avoid being drawn into discussion of the merits of alternative policies where this is politically contentious. Any comment by officers on the Council's policies and decision makers' actions should always be consistent with the requirement for officers to be politically impartial.

**3A Provision of information by partner authorities**

3A.1 An overview and scrutiny committee may make a written request to a relevant partner authority (as defined in section 104 of the Local Government and Public Involvement in Health Act 2007) for such information as that committee may reasonably require in order to discharge its functions, being information which relates to a local improvement target relevant to that partner and which is specified in a local area agreement of the council.

**3B Duties of certain partner authorities**

3B.1 Where an overview and scrutiny committee (other than the Crime and

**Item 159 Appendix 4C**

Disorder Committee – as to which, see 3B.2) makes a report or recommendations to the Executive or Full Council with respect to a local improvement target which relates to a relevant partner authority, and is specified in the council’s local area agreement, the committee may by notice in writing to the relevant partner authority require them to have regard to the report or recommendation in exercising their functions

- 3B.2 Where, under Part 6.1, paragraphs 15 or 15B, the Crime and Disorder Committee makes a report or recommendation, or provides a copy of it, it must notify the authority, body or person to whom the report or recommendation is made, or to whom the copy is provided, that the authority, body or person must
- =
  - (i) consider the report or recommendations;
  - (ii) respond to the committee indicating what (if any) action it proposes to take;
  - and
  - (iii) have regard to the report or recommendation in exercising its functions

**4. Attendance by others**

- 4.1 An Overview and Scrutiny Committee may invite people other than Members or officers of the Authority to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and representatives from other parts of the public sector. Attendance by such persons is optional.

4.2 In discharging its functions as Crime and Disorder Committee, the Environment and Community Safety Overview and Scrutiny Committee may require the attendance before it of an officer or employee of a responsible authority or of a co-operating person or body\* in order to answer questions, on condition that reasonable notice of the intended date of attendance is given to that person.

\* Such authority, person or body as defined in section 5 of the Crime and Disorder Act 1998

**5. Public involvement/transparency of the process**

- 5.1 Overview and Scrutiny Committees meet in public in accordance with the Access to Information Rules in Part 8 of this constitution. They will seek to foster consultation and involvement by local communities and where appropriate will consider when beginning a review how best the public and stakeholders can be invited to contribute - for example as service users, witnesses, expert advisers, local community representatives or co-opted members.

**6. Liaison with Executive Members**

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- 6.1 The Overview and Scrutiny function is able to work independently of the Executive. However, this does not mean that the relationship should be adversarial. Rather Overview and Scrutiny should act as a ‘critical friend’ and work with the Cabinet Members in pursuit of the Council’s aims and to ensure the effective operation and planning of its business.

**7. Declaration of interests**

- 7.1 Although not making decisions about services, members of Overview and Scrutiny Committees must ensure that declarations are made to avoid any inference being drawn of potential conflicts of interest or lack of propriety in the Scrutiny process. They must be seen to be approaching Scrutiny with an open mind. A Councillor should not take part in Scrutiny of a decision where they have led or taken a prominent role in a campaign or pressure group in relation to that decision.

**8. The party whip**

- 8.1 When considering any matter in the following categories:

- (a) any matter referred to the Overview and Scrutiny Committee;
- (b) the review of any decision; or
- (c) the performance of any Executive Committee

in respect of which a Member of an Overview and Scrutiny Committee is subject to a party whip, the Member must declare the existence of the whip, and the nature of it, before the commencement of the Committee’s deliberations on the matter. The declaration and the detail of the whipping arrangements shall be recorded in the minutes.

[Note: In the above provision the phrase ‘a party whip’ means any instruction given by or on behalf of a political group to any Councillor who is a Member of that group as to how that Councillor shall speak or vote on any matter before the Council or any Committee or Sub-Committee or Cabinet meeting, or the application of or threat to apply any sanction by the group in respect of that Councillor should he/she speak or vote in any particular manner.]

**9. Rights of Overview and Scrutiny Committee Members to documents**

- 9.1 In addition to their rights as Councillors, members of Overview and Scrutiny Committees have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Part 8 of this Constitution.

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9.2 Nothing in this section prevents more detailed liaison between the Executive and the Overview and Scrutiny Committees. Indeed this liaison is encouraged to enable members of Scrutiny Committees to develop an effective overview of services, developments, and issues for consideration.

9.3 Overview and Scrutiny Members will also be informed of key decisions made by Officers under delegated authority from the Executive.

**10. Matters within the remit of more than one Overview and Scrutiny Committee**

10.1 Where a matter for consideration by Overview and Scrutiny falls within the remit of one or more Overview and Scrutiny Committee, the decision as to the best approach to take will be resolved by the Overview and Scrutiny Commission.

10.2 Once decided, it may be appropriate to draw on the knowledge and expertise of all Committees affected by the issue and to report the outcomes to all such Committees.





## PART 8.3 CONTRACT STANDING ORDERS

### General

#### Contract Standing Order I: Interpretation

1.1 In these Contract Standing Orders, the following terms have the following meanings:

“Approved List” a list drawn up for corporate use under CSO 6

“Budget Holder” a Council Employee who is accountable for a defined budget, and is responsible for committing expenditure against that budget in accordance with the Council’s Financial Standing Orders and Regulations.

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“Chief Officer” a chief officer as defined in Article 10 of the Council's Constitution including any officer who is a member of the Council's Management Team.

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“Contract Consultant” any person not being an employee of the Council who is acting for the Council in relation to a Contract or proposed Contract

“Contract” any agreement for (i) the supply of goods, services, or the execution of works to or for the Council including the use of consultants (ii) but excluding the use of external solicitors and Counsel instructed by the Head of Law (The sale of land is specifically excluded from this definition of "Contract")

"Contract Officer" a Council Employee nominated to deal with Contracts in accordance with CSO 3.1

“Contractor” the party or potential party to a Contract

"Council" Brighton & Hove City Council

“Council Employee” any person employed on a permanent, temporary or agency arrangement by the Council

“CSO”/ "CSOs" Contract Standing Order/ Contract Standing Orders

"EU" European Union

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<p>“EU Public Procurement Directives”</p>	<p>EU Directive 2004/18/EC This directive consolidates all previous directives relating to public works, supplies (goods) and service contracts and any Directives and Regulations by which it is applied, extended, amended, consolidated or replaced and any re-enactment thereof</p>	<p><b>Formatted:</b> English (U.K.) <b>Deleted:</b> [ <b>Deleted:</b> ]</p>
<p>“EU thresholds”</p>	<p>EC and Government Procurement Agreement thresholds for advertisement of goods, works and services contracts as advised by the Government (as of 1 January 2010 at £156,442 for goods and services contracts and £3,927,260 for works contracts)</p>	<p><b>Deleted:</b> currently, January 2008, <b>Deleted:</b> 139,893 <b>Formatted:</b> Font: Bold <b>Deleted:</b> <b>Formatted:</b> Font: Gill Sans, 12 pt <b>Deleted:</b> 3,497.313</p>
<p>"Framework Arrangements"</p>	<p>Zero value contracts for goods, services or works under which terms, conditions, quality standards and prices are agreed in accordance with EU Public Procurement Directives</p>	<p><b>Deleted:</b> . Single Contract Lists,</p>
<p>“Lists”</p>	<p>Framework Arrangements and Approved Lists</p>	<p><b>Deleted:</b> . Single Contract Lists,</p>
<p>“Most Economically Advantageous Tender”</p>	<p>A process of determining the best bid using weighted criteria. See CSO 13</p>	
<p>"OJEU"</p>	<p>Official Journal of the European Union</p>	
<p>“Procurement Guidance”</p>	<p>Corporate Procurement’s Codes of Practice (including the Procurement Toolkit), model contracts and other guidance which supplements these CSOs</p>	<p><b>Deleted:</b> .</p>
<p>“UK Regulations”</p>	<p>Public Contracts Regulations 2006 (SI 5/2006) as amended</p>	<p><b>Deleted:</b> ¶</p>
<p>“works” “supplies” &amp; “services”</p>	<p>as defined in the EU Public Procurement Directives (“supplies” are also referred to as “goods” in these CSOs)</p>	<p><b>Deleted:</b> Single Contract List . a list drawn up for the use of a Council department under CSO 7¶</p>
<p>1.2</p>	<p>The Chief Executive, after consultation with the Monitoring Officer and the Chief Finance Officer may change the thresholds in Contract Standing Orders annually (or as appropriate) to take account of changes in the retail price index and other factors so that the effectiveness and impact of the thresholds is maintained.</p>	<p><b>Deleted:</b> .</p> <p><b>Deleted:</b> ¶ “goods” “supplies” as defined in the EU Public Procurement Directives.</p> <p><b>Deleted:</b> ¶ &lt;#&gt;The price element of any evaluation will consider 'lowest price' in the case of contracts where the Council pays the Contractor and 'highest price' in the case of Contracts where the Contractor pays the Council.¶ ¶</p> <p><b>Formatted:</b> Bullets and Numbering</p>

## Contract Standing Order 2: Compliance with Contract Standing Orders and Legislation

2.1 The Head of Law in consultation with the Procurement Strategy Manager shall compile and maintain CSOs and advise on their implementation and interpretation.

2.2 Every Contract made by the Council or on its behalf shall comply with the EC Treaty, the EU Public Directives and all relevant EU and domestic legislation, CSOs, and the Council's Financial Regulations. EU and UK legislation will always override the provisions of these CSOs.

2.3 Contractors, Contractor's employees, subcontractors and agents utilised by the Council shall **be required to**, at all times, comply with the requirements of the Health & Safety at Work Act 1974, all secondary legislation made under that Act and all other Acts, Regulations, Orders or Rules relating to Health & Safety. **All contracts shall reflect these requirements and reference** to the Council's Health & Safety Code of Practice should be made in this regard.

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2.4 The Corporate Procurement Strategy and Procurement Guidance held and disseminated by the Procurement Strategy Manager, shall supplement these CSOs, but these CSOs will always take precedence over the provisions of such Procurement Guidance.

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2.5 It shall be a condition of any Contract between the Council and anyone who is not a Council Employee, but who is authorised to carry out any of the Council's **contracts functions**, that they comply with CSOs, and the Financial Regulations of the Council as if they were Council Employees.

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## Contract Standing Order 3: Scheme of Delegation/Authorisation

3.1 Each Chief Officer has unrestricted delegated power to agree to the Council entering into Contracts up to the sum of £500,000. Above this sum and before inviting expressions of interest from potential bidders Council Employee must seek approval from the relevant **Cabinet Member**, committee or **other** executive decision-making body. All Budget Holders (in relation to expenditure within their allocated budgets) as well as Assistant Directors and Contract Officers authorised by the Chief Officer may agree to the Council entering into Contracts up to £250,000. Each Chief Officer shall draw up and maintain a scheme of authorisation for use within his/her department, which shall include one or more named Assistant Director, Budget Holder and Contract Officer and shall be copied to the Head of Law and the Procurement Strategy Manager.

## Contract Standing Order 4: Declarations of Interests

- 4.1 At the beginning of any Contract process the following persons shall declare any interest, as defined in the Code of Conduct for Employees set out in the Council's Constitution, which may affect the Contract process: -
- (a) all Council Employees
  - (b) Contractors
  - (c) Contract Consultants
  - (d) any other person involved in the contract process
- 4.2 Chief Officers shall ensure that all Council Employees within the categories set out in CSO 4.1 and all Contract Consultants and Contractors appointed by them make written declarations of interest on their appointment and as required on any change in circumstances. Interests of Council Employees will be reviewed annually, either at the end or beginning of the financial year. The Chief Officer shall either certify interests as acceptable or take any necessary action in respect of potential conflicts of interest. Council Employees who declare a conflict of interest will take no part in the relevant contracting process.
- 4.3 Chief Officers shall keep completed Council Employee declarations on the register of staff declarations indicating the names and grades of those declaring an interest and the nature of their interest.
- 4.4 Chief Officers shall keep completed Contract Consultants' and Contractors' declarations of interest and relevant Council Employees' declarations affecting the Contract on the contract file.
- 4.5 If a Council Employee within the categories set out in CSO 4.1 knows that a Contract in which he/she has a pecuniary interest is before the Council, and is not the subject of an existing declaration, he/she must immediately give written notice of his/her interest to the relevant Chief Officer and take no part in the contract process.

## Contract Standing Order 5: Public Notices

- 5.1 Where, by virtue of these CSOs or by some other authority, public notices or advertisements are required they shall be placed in at least one relevant local publication and on the Council website ten days or more before expressions of interest are required by the Council. Where the estimated total value of the Contract exceeds £100,000, the notice or advertisement shall be placed in at least one newspaper or journal circulating among such persons or bodies who undertake such Contracts. The requirement to give notice in a local newspaper may be dispensed with if the relevant Chief Officer certifies that there are insufficient Contractors in the locality.
- 5.2 All Contracts whose value exceeds the relevant threshold of the EU Public Procurement Directives shall also be advertised in OJEU.

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**Approved Lists, Framework Arrangements and Single Contract Lists**

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**Contract Standing Order 6: Approved Lists**

6.1 The Assistant Director, Property and Design may compile and maintain Approved Lists of Contractors for works and works related service Contracts (construction related Contracts), each of which is below the relevant EU threshold. The Procurement Strategy Manager may compile Approved Lists for Contractors for the supply of goods and other services as appropriate.

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6.2 Approved Lists;

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(a) shall be established by advertised competition (subject to CSO 6.3) and where possible formalised by Framework Agreements;

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(b) shall contain the names and addresses of all Contractors who meet the Approved List criteria.

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(c) shall indicate the nature and value of Contracts for which the Contractors listed may be used. The value may not exceed the relevant EU threshold.

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(d) where maintained internally by the council shall be reviewed in full at least every three years in addition to a review of the use of external providers of such lists.

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6.3 ConstructionLine and standing lists of providers maintained by other public sector bodies compiled following responses to a public advertisement shall be deemed to be Approved Lists for the purpose of these CSOs.

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6.4 In addition Chief Officers with the assistance of the Procurement Strategy Manager may set up Framework Arrangements in line with EU Public Procurement Directives with one or more suppliers of particular types of goods or services.

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6.5 The criteria for admission to and suspension and exclusion from internally maintained Approved Lists shall be specified in writing by: -

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(a) the Procurement Strategy Manager, for goods and services

(b) the Assistant Director, Property and Design for works and works related services

6.6 Any Contractor may, by giving written notice to the Council withdraw from any Approved List.

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6.7 Where there is no Approved List or Framework Arrangement, Chief Officers shall use an approved tender procedure in accordance with Procurement Guidance.

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**Preliminary**

**Contract Standing Order 7**

No longer used.

**Contract Standing Order 8: Contract Value and Aggregation**

8.1 Council Employees shall estimate and record the total value of a proposed Contract net of VAT.

8.2 Contracts must not be artificially separated so as to circumvent the application of any CSO or of the EU Public Procurement Directives or UK Regulations.

8.3 The total value of Contracts for works, services or supply of goods are estimated to be the same as the total consideration to be payable over the term of the Contract by the Council to the Contractor. Where the Contract period is indefinite or uncertain then the estimated total value is calculated by assuming a four-year term.

**Requirement to Obtain Tenders**

**Contract Standing Order 9: Tendering Procedures**

9.1 Where procurement of goods, services or works is required and the estimated total value of the Contract is in excess of the relevant EU threshold, EU public procurement procedures will be followed as set out in the UK Regulations and these shall prevail over tendering procedures set out in these CSOs. For most goods, services and works Contracts the restricted, open, or competitive dialogue procedure will be used. For Private Finance Initiative, Public Private Partnership and similar procurement arrangements introduced by the Government, where the total Contract value is in excess of the relevant EU threshold, the restricted or competitive dialogue procedure will be used.

9.2 The Council may procure goods, services or works to any value in collaboration with other local authorities or other public or voluntary sector bodies. Where the Council is the lead buyer within the consortium of the goods, works or services contracted for, these CSOs shall apply. Where the Council is not the lead buyer, procurement procedures shall follow the spirit of these CSOs, be in accordance with EU Public Procurement Directives and UK Regulations, and approved by the relevant Chief Officer on the advice of either the Procurement Strategy Manager or the Assistant Director, Property and Design.

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**Contract Standing Order 7:**  
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7.1 A single Contract List should normally be based upon responses to public or website advertisement, except where the cost of such advertisement is not cost effective with regard to the total value of the Contract.¶  
¶  
7.2 Criteria for the inclusion of a Contractor on a Single Contract List shall be drawn up in advance of any public advertisement, and suitability of Contractors for inclusion on that Single Contract List shall be decided in accordance with those criteria. ¶  
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7.3 Unlike Approved Lists and Framework Arrangements a Single Contract List may only be used once.¶  
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**Deleted:** <#>When using the open tender procedure, public notice of at least ten days notice shall be given. This notice shall state the nature and purpose of the Contract and give instructions on availability of specific tender documents or questionnaires. It shall also state relevant delivery information.¶  
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### Contract Standing Order 10: Contracts Not Exceeding £25,000

- 10.1 Where the appropriate Chief Officer estimates the total Contract value for goods, services or works is unlikely to exceed £25,000 (in the case of Consultants is unlikely to exceed £10,000) and there are suitable Framework Arrangements available, those Framework Arrangements shall be used. Where no Framework Arrangements are available competitive quotations in writing on the basis of Most Economically Advantageous Tender should be sought, or a commercial negotiation with one preferred Contractor may take place. In the latter case the Chief Officer shall certify that Procurement Guidance has been followed and that the Council shall receive value for money.
- 10.2 Contracts with an estimated total value not exceeding £25,000 shall be evidenced in writing in simple cases by the receipt of written quotations from Contractors or by sending orders to Contractors under Framework Arrangements. In the case of consultants (whatever the value) and in all other cases formal written Contracts shall be completed.
- 10.3 Although the tendering procedures for Contracts not exceeding a total value of £25,000 are less formal than for Contracts of greater amounts, Chief Officers should at all times bear in mind the need to seek value for money and be able to demonstrate that they have obtained it.

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### Contract Standing Order 11: Contracts Exceeding £25,000 and Not Exceeding £75,000

- 11.1 Where the appropriate Chief Officer estimates the total Contract value is likely to be greater than £25,000 (in the case of Consultants greater than £10,000) and not exceeding £75,000 and one or other of the Lists is available then at least four competitive tenders in writing shall be sought from Contractors on the relevant List.
- 11.2 In the absence of Lists being available an approved tender procedure shall be used in accordance with Procurement Guidance.
- 11.3 In either case, if less than four suitably qualified tenders are available, the Contract Officer must consult with the Procurement Strategy Manager.
- 11.4 Where criteria additional to price are to be used in evaluation, these must be set out in the invitation to tender. At least two bona fide tenders must be received and the Most Economically Advantageous Tender accepted.
- 11.5 If only one compliant tender is received, the Contract Officer must consult with the Procurement Strategy Manager and provide evidence to show that the Council can obtain value for money.
- 11.6 Contracts with an estimated total value greater than £25,000 and not exceeding £75,000 shall be evidenced in writing in simple cases by the receipt of a written quotation and the delivery of an official order form, in the case of

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consultants and in all other cases by the completion of a formal written Contract.

**Contract Standing Order 12: Contracts Exceeding £75,000**

12.1 Where the appropriate Chief Officer estimates that the total value of a Contract is likely to exceed £75,000 and one or other of the Lists is available, then at least five tenders will be sought from Contractors on the relevant List.

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12.2 In the absence of Lists being available an approved tender procedure shall be used in accordance with Procurement Guidance and, where applicable, in accordance with the EU Public Procurement Directives and UK Regulations and at least five tenders must be sought.

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12.3 If less than five suitably qualified tenders are available, the Contract Officer must consult with the Procurement Strategy Manager.

12.4 Where criteria additional to price are to be used in evaluation, these must be set out in the invitation to tender.

12.5 At least two compliant tenders must be received and the Most Economically Advantageous Tender must be accepted. Notwithstanding CSO 12.7, if only one compliant tender is received, the Contract Officer must consult with the Procurement Strategy Manager and provide evidence to show that the Council can obtain value for money.

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12.6 In the case of Contracts with an estimated total value over £75,000 the Contract shall be in a form approved by the Head of Law and shall be given under the Common Seal of the Council.

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12.7 Where the estimated total value of the Contract is such that the Council is required by law to comply with the EU Public Procurement Directives the requirements thereof shall be complied with and the tender procedures set out in these CSOs shall be deemed to be satisfied by such compliance.

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12.8 Decisions relating to the Contract process for Contracts exceeding the thresholds for the EU Public Procurement Directives shall be made by Chief Officers in consultation with either:

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(a) the Procurement Strategy Manager, for goods and services Contracts; or

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(b) the Assistant Director, Property and Design for works Contracts.

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12.9 Social care Contracts must be procured in accordance with the EU Public Procurement Directives and UK Regulations, but are otherwise exempt from CSOs 10-12 save for the requirement to demonstrate obtaining value for money.

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## Tendering Process

### Contract Standing Order 13: Delivery Opening and Evaluation of Tenders

- 13.1 All tenders for any Contract estimated to be under a total of £75,000 in value shall be returned to the Chief Officer inviting the tender (or his/her nominee), or as otherwise indicated in CSOs, in envelopes which shall bear no mark to identify the sender. The Chief Officer shall be responsible for ensuring that a record of all such tenders received is kept.
- 13.2 For Contracts with an estimated total value exceeding £75,000 all tenders shall be returned as appropriate to the Assistant Director, Property and Design or the Procurement Strategy Manager in envelopes, which shall bear no mark to identify the sender and shall be opened by him/her at the same time in the presence of a Council Employee designated by the relevant Chief Officer. The Assistant Director, Property and Design and the Procurement Strategy Manager shall each maintain a record of all such tenders received by him/her.
- 13.3 All tenders shall be opened at the same time, as soon as is reasonably practicable after the closing date, normally on the closing date. On receipt, all tender envelopes shall be endorsed with the time and date of receipt and kept secure until the time specified for tender opening. Any tender received after the specified time shall not be considered for evaluation and shall be returned promptly to the tenderer. A late tender may be opened to ascertain the name of the tenderer but no details of the tender shall be disclosed.
- 13.4 Evaluation criteria and weightings for each criterion for both the pre-qualification and the invitation to tender stages shall be determined in advance and included in the invitation to tender. Price shall always be included as a criterion, but will be used as the sole criterion only where the Chief Officer or the Council Employee preparing the Contract for him/her considers this to be appropriate. Determination of criteria at all stages should be undertaken in accordance with Procurement Guidance.

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### Contract Standing Order 14: Contracts Registers

14. An electronic register of all renewable Contracts above a total value of £25,000 (and all contracts over £75,000) in value, shall be kept centrally and maintained by each Contract Officer using the Intranet or similar. Such register shall specify for each Contract the Contract number, the name of the Contractor, a summary of the works to be executed or the goods and services supplied and the Contract duration and value or estimated value. The register shall be open for inspection by any Member of the Council.

### Contract Standing Order 15: Prevention of Corruption

- 15.1 A Council Employee must not invite or accept any gift or reward in respect of the award or performance of any Contract. It will be for the Council Employee to prove that anything received was not received corruptly. High standards of conduct are obligatory and corrupt behaviour will lead to dismissal.
- 15.2 The contract process shall ensure that the Council will operate strict separation of duties by ensuring that two authorised Council Employees are involved in the ordering, receiving and payment process. Except for low value orders with a value below £250, there must be a separation of duties between the person authorising an order and the person checking a written invoice or requisitioning the goods or services.
- 15.3 The following clause, or an equivalent clause in standard forms of contract or other wording as approved by the Head of Law, must be put in every written Council Contract:

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*“The Council may terminate this Contract and recover all its loss if the Contractor, its employees or anyone acting on the Contractor’s behalf do any of the following things:*

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- (a) offer, give or agree to give to anyone any inducement or reward in respect of this or any other Council Contract (even if the Contractor does not know what has been done); or
- (b) commit an offence under the Prevention of Corruption Acts 1889 to 1916 or Section 117(2) of the Local Government Act 1972; or
- (c) commit any fraud in connection with this or any other Council Contract whether alone or in conjunction with Council Members or Employees.

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*Any clause limiting the Contractor’s liability shall not apply to this clause.”*

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**Contract Standing Order 16: Contract Variation**

16.1 Funding must be identified before any variation is approved in accordance with the Council’s Financial Regulations. See Financial Regulation D.2.2.17.

16.2 Prior approval must be obtained from the appropriate Chief Officer after consultation with the relevant Cabinet Member, if the proposed variation would together with all other variations to the Contract:

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- (a) extend the Contract value or period by 50% or more; *and / or*,
- (b) mean the works, services or goods to be added to or deleted from the Contract are substantially different in scope.

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16.3 Extensions to Contracts exceeding the relevant EU Threshold shall not be permitted unless indicated in the original OJEU notice. For Contracts below the relevant EU Threshold at original award, extensions to such Contracts shall not be permitted if the revised value then exceeds the relevant EU Threshold.

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### Contract Standing Order 17: Contract Award

17.1 No Contract may be awarded unless the expenditure involved has been included in approved estimates or on capital or revenue accounts, or has been otherwise approved by, or on behalf, of the Council. The Chief Officer shall ensure that evidence of authority to spend, and the budget code to be used, is recorded on the Contract file.

17.2 Each Contract shall be awarded in accordance with evaluation criteria that have been adopted for the Contract. (See CSO 13.4 relating to evaluation.)

### Contract Standing Order 18: Waivers of Contract Standing Orders

18.1 Special procedural exemptions or waivers may from time to time be given by the Cabinet to particular classes of Contracts in line with the Council's procurement strategy, as specified in Cabinet reports.

18.2 Subject to CSO 18.6, in relation to Contracts estimated to not exceed a total value of £75,000, a Chief Officer may waive the requirements of any CSO, as long as

- (a) the Procurement Strategy Manager is notified as soon as possible.
- (b) the Chief Officer certifies in writing to the Procurement Strategy Manager the CSO being waived and the reasons for doing so.

18.3 Subject to CSO 18.6, in relation to Contracts estimated to exceed a total value of £75,000, a Chief Officer may, after consultation with the relevant Cabinet Member and the Procurement Strategy Manager, waive the requirements of CSOs as long as:

- (a) the waiver report (the Report) is compiled after consulting with the Procurement Strategy Manager;
- (b) the Report is issued setting out the CSO being waived and the reasons for the waiver;
- (c) the Report includes legal and financial comments and highlights, as necessary, any future commitment (whether of a financial character or not) which the Contract may entail; and

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- (d) the Report justifies the method of Contractor selection so that value for money and compliance with EU and domestic law can be demonstrated.

18.4 If an emergency has been declared under the Council’s emergency planning or business continuity procedures and it is not possible or practicable for a Council Employee who would normally exercise the powers of waiver under CSO 18.2 and CSO 18.3 to do so, the powers may be exercised by (i) the Council Employee who is designated to be in charge, under those procedures or (ii) any Council Employee appointed by him / her to act on his / her behalf. Further, if it is not possible or practicable for that Council Employee, before exercising the powers under CSO 18.3, to consult the relevant Cabinet Member or the Procurement Strategy Manager or to issue the necessary Report, the Council Employee may exercise the powers without doing so but shall take such steps as appear appropriate at the time to keep the relevant Executive Member and the Procurement Strategy Manager informed and shall issue the Report as soon as is reasonably practicable.

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18.5 A report for information giving a digest of all waivers under CSO 18.2, 18.3 and 18.4 shall be made by the Procurement Strategy Manager covering the previous financial year annually to Cabinet.

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18.6 For the avoidance of doubt, no waivers may be made so as to alter the full application of CSO 4 (Declarations of Interest), CSO 14 (Contract Registers), CSO 15 (prevention of corruption) CSO 16.3 (Contract Variation), CSO 17 (Contracts Awards), CSO 19 (Risk Management), or to CSO 20 (Negotiation standards) or if such waiver would result in a breach of EU or domestic law.

18.7 A register of all waivers will be maintained by Property and Design and kept available for inspection by the public with reasonable notice during working hours.

### Contract Standing Order 19: Risk Management

- 19.1 A database of procurement clauses that minimise unnecessary Contract risk shall be kept and maintained by the Procurement Strategy Manager.
- 19.2 Contracts with a total value exceeding the thresholds for the EU Public Procurement Directives shall not be let without reference to this database.

### Contract Standing Order 20: Negotiation

20.1 Procurement of goods, services and works shall normally be through the competitive tendering process set out in these CSOs. Under these CSOs negotiation with one Contractor is normally only permissible for very low value Contracts as set out in CSO 10 or when using the EU Competitive Dialogue Procedure under CSO 9. Where negotiation is undertaken this shall be conducted having regard to the Negotiation Code of Practice.

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## Explanation of proposed amendments to CSOs

### **Definitions:**

**EC** – This definition has been removed as the reference to EU in the context of procurement is sufficient.

**EU Thresholds** – These have recently been increased and are effective as of 1 January 2010. They are relevant as above those thresholds, contracts become subject to the EU Procurement Directive and UK Public Contracts Regulations 2006 (as amended) which contain strict rules regarding how contracts should be tendered.

**Procurement Guidance** – This definition has been extended to incorporate the more recent addition to Corporate Procurement's guidance documentation, the Procurement Toolkit.

**Single Contract Lists** - This definition has been removed from definitions (and CSO 7 removed completely) as it was our view that the process and definition of single contract lists described a standard procurement process, so did not need its own definition and section.

**CSO 2.3** – The amendment to this clause confirms that the obligation for health and safety should be extended to include our contractors.

**CSO 3.1** – The amendment to this clause reflects the change to a Cabinet system of governance.

**CSO 6.2 & 6.3** - ConstructionLine is a public private partnership between the Department of Business Innovation & Skills (formerly BERR) and Capita Business Services established 11 years ago. As a national online database, it is the UK's largest register for pre-qualified contractors and consultants. Its aim is to improve efficiencies for buyers and suppliers in the construction industry, specifically by reducing the duplication of work and administration relating to the process of pre-qualifying suppliers for construction contracts. Over 8,000 buyers from 1,900 organisations throughout the UK already use the database to source pre-qualified suppliers in the construction sector. They range from public sector bodies such as the NHS, local authorities, police and universities, to private sector businesses such as major contractors, small construction firms and consultants. The OGC Common Minimum Standards and the Local Government Task Force also recommend using ConstructionLine as part of the pre-qualification and tendering process.

ConstructionLine will replace our existing approved lists meaning that we no longer need to continually check each contractor's compliance with our minimum standards – i.e. health and safety compliance (assessed through the CHAS scheme), financial turnover (to assess the value of work we can safely procure from each company), references (to assess the continuing quality of work) and insurance compliance. ConstructionLine continuously monitor these criteria and carry out an annual assessment. In addition

ConstructionLine carry out credit checks on each company providing an early warning of financial problems plus membership of other accreditation schemes such as SafeGas (formerly CORGI) and NICEIC, etc.

The list is open to any contractor or consultant (an annual fee is payable based on the size of the company) subject to them fulfilling the minimum criteria which are similar and compatible with our current standards – H&S, financial checks and references.

ConstructionLine will be used by Property & Design to source pre-qualified contractors for traditionally tendered works across the council up to the OJEU thresholds in much the same way as presently in accordance with CSOs. The value of work procured in this way has diminished over recent years with the introduction of framework and partnership working and this has reduced the cost-effectiveness of our current in-house lists which are difficult to maintain comprising over 500 companies (and growing) for a decreasing amount of work being procured.

We will initially set up our own suppliers list within the full database based on our existing lists. This will be open to any company wishing to work with the council who will be invited to apply direct to ConstructionLine.

Our aim is to support local contractors and consultants wherever we can for all works and particularly for works under £75,000 where we will produce tender lists comprising suppliers with a local postcode – either BN or the surrounding adjoining postcodes of PO, TN and RH. This will cover the majority of projects as approximately 70% of projects procured through our approved lists in the last 12 months were for works of less than £75,000. For projects in excess of this or where insufficient suppliers are available the full database will be used however, as local companies already represent around 50% of our approved lists, local suppliers will not be disadvantaged by this. ConstructionLine will also allow us to source pre-qualified specialist companies where we don't currently have a list. The ConstructionLine database will generate a random list of companies who meet the criteria we enter (i.e. location of work, type of work, value of work, specific needs, no. of companies required for our CSOs, etc..) which will form the tender list for each project.

Local contractors should benefit from the council using ConstructionLine as once they are registered on it, they could be selected for work by other customers of ConstructionLine (primarily the public sector) so should see a benefit from not having to continually apply for similar work.

The operation of the revised procedures will be monitored and any modifications necessary to protect local businesses implemented subject to compliance with the law and achievement of value for money.

**CSO 7** – As stated above, this CSO has been removed as it described a standard procurement process which is covered by other CSOs.



**CSO 9.1** – The amendment to this clause clarifies that where an EU public procurement process has been followed, that process takes precedence over the internal rules set out in the CSOs.

**CSO 11 & 12** - Currently, under CSOs, if a compliant tender procedure is followed which results in either less than four / five companies being invited to tender, and / or only one compliant tender being received, a waiver of these CSOs would have to be sought. It is our view that waivers of CSOs should only be used where the rules cannot be complied with for some other reason, not where the market fails to respond to a proper process.

However, the occasions on which limited numbers are invited to tender, or return a tender, should be properly checked as there remains a risk to the council obtaining value for money if there is no effective competition. Therefore, the changes to the clauses 11.2, 11.3, 12.2 and 12.5 reflect the need to consult with the Corporate Procurement, rather than seek a waiver, in order to ensure that in these cases the procedure requires an element of safeguarding prior to contract award.

**CSO 12.9** - This clause may be subject to change once clarification on the current ASC guidance is obtained.

**CSO 13.4** – The previous drafting of this clause could have led to confusion over the two stages of a 'standard' procurement process: selection and evaluation. At each stage, there are defined criteria which should be used. The amendments to this clause were made in an effort to clarify this point, and to avoid confusion over the stages.



**NOTICE OF MOTION****LABOUR GROUP****SUPPORT FAIRTRADE IN THE CITY**

“In 2009 the Fairtrade Foundation celebrates its 15<sup>th</sup> Anniversary as Brighton celebrates being the UK’s first Fairtrade town over 13 years ago.

Seven in 10 households purchase Fairtrade goods, including an extra 1.3 million more households in 2008, helping Fairtrade sales reach an estimated £700m in 2008, a 43% increase on the previous year. There are over 460 producer organisations selling to the UK and 746 to the global Fairtrade system, representing more than 1.5 million farmers and workers.

Over 4,500 products have been licensed to carry the Fairtrade Mark including;

*coffee, tea, herbal teas, chocolate, cocoa, sugar, bananas, grapes, pineapples, mangoes, avocados, apples, pears, plums, grapefruit, lemons, oranges, satsumas, clementines, mandarins, lychees, coconuts, dried fruit, juices, smoothies, biscuits, cakes & snacks, honey, jams & preserves, chutney & sauces, rice, quinoa, herbs & spices, seeds, nuts & nut oil, wines, beers, rum, confectionary, muesli, cereal bars, yoghurt, ice-cream, flowers, sports balls and cotton products including clothing, homeware, cloth toys, cotton wool, olive oil and beauty products.*

In June this year, the Fairtrade Foundation announced the first cosmetic products to carry the Fairtrade Mark in the UK.

Businesses in Brighton and Hove will be stocking these products . 57 new Fairtrade products will contain one or more Fairtrade certified ingredient such as cocoa butter, shea nut butter, sugar or brazil nut oil, benefiting disadvantaged producers from countries in Africa, Asia and Latin America.

This Council recognises that introducing Fairtrade labelling to cosmetic products will increase the overall number of Fairtrade products in UK shops and the volumes of ingredients which producers are able to sell under Fairtrade terms, which in turn increases the benefits back to farmers.

(1) This Council calls upon the Cabinet to consider the Council’s responsibility as a guiding force in local businesses to encourage the use of Fairtrade products in business and also to the City’s residents through the following;

- Reaffirming its commitment to Fairtrade and ensuring that the City will continue to be classified as a ‘Fairtrade City.’

- Being a leading example to the City and where appropriate, ensuring that only Fairtrade products are served and sold on Council premises, such as fruit, fruit juices, soaps, jams, teas and coffees.
  - Publicising its Fairtrade policy and practice via City News and the Council's website.
- (2) That the Chief Executive write to the Managers of Boots (North Road) and Neil's Yard as local businesses that have chosen to stock the new Fairtrade products, welcoming their decision to stock more Fairtrade products locally; and
- (3) That the Chief Executive writes to the Secretary of State for International Development, renewing this City's commitment to Fairtrade and welcoming the almost £2 million dedicated to Fairtrade Foundation since 1997 out of £12 million to fair and ethical trade initiatives and the £400 million for Aid for Trade which helps developing countries build their trade capacity."

Proposed by: Cllr Gill Mitchell

Seconded by: Cllr Melanie Davis

Supported by: Cllrs Anne Meadows, Mo Marsh, Juliet McCaffery, Les Hamilton, Bob Carden, Christine Simpson, Jeane Lepper, Warren Morgan, Craig Turton and Pat Hawkes.

**NOTICE OF MOTION****LABOUR GROUP****SUPPORT CONSIDERATION OF A NEW CO-OPERATIVE TRUST PRIMARY SCHOOL FOR HOVE.**

“Co-operative Trust Schools are becoming an increasingly popular way of raising school standards through developing partnerships, helping to engage the local community and strengthening the curriculum through the shared co-operative values of self help, self responsibility, democracy, equity and community solidarity. They can help raise aspirations and standards, ensure that parents have more choice of good local schools and have a greater say in the running of their schools through better democratic participation.

There are now 240 Co-op Trust schools operating in the UK with five Primary Schools in Doncaster being included within the Trust Schools Programme in October 2009, supported by Government funding to become established. The Trust School model is flexible, allowing schools and their governing bodies to build a Trust that meets their specific needs.

This council therefore calls on the Cabinet Member for Children and Young People to:

- (1) Recognise that the Co-operative Trust School model incorporates values and principals that would benefit children, parents and communities in the city;
- (2) Commits to giving serious consideration to the establishment of a Co-operative Primary School when seeking to provide a new Primary School in Hove; and
- (3) Considers how the Co-operative Trust School Programme could generally enhance cross-sector educational provision in Brighton and Hove, particularly in respect of poorly performing schools.

Proposed by: Cllr Melanie Davis

Seconded by: Cllr Pat Hawkes

Supported by: Cllrs Gill Mitchell, Anne Meadows, Mo Marsh, Juliet McCaffery, Les Hamilton, Bob Carden, Christine Simpson, Jeane Lepper, Warren Morgan, Craig Turton.



**NOTICE OF MOTION****GREEN GROUP****HIGH PAY COMMISSION**

“This council recognises that the pay gap between high earners and those on low incomes is unfair, unsustainable and damaging to social cohesion.

It also recognises that inflated bonus payments and other rewards in the City of London and elsewhere in the private sector fuelled the risk-taking that brought down the world economy and triggered the recession.

Furthermore, it believes the unfair and unjustifiable gap between high and low earners is not restricted to the private sector and that pay differentials in local government and other public services are unacceptable and should also be addressed.

It therefore:

- (1) Calls on the Cabinet to sign up to the national High Pay Commission campaign\*
- (2) Requests the Chief Executive to write to Alistair Darling, Chancellor of the Exchequer, and Lord Mandelson, Secretary of State for Business, Enterprise and Regulatory Reform, urging them to:
  - Take decisive action on excessive pay by establishing a High Pay Commission, set up on the lines of the Low Pay Commission, to deliver a fairer, more stable and sustainable economy for the future.
  - Instruct the High Pay Commission to launch a wide-ranging review of pay and consider proposals to restrict excessive remuneration, such as maximum wage ratios and bonus taxation, to provide a fair society and a sustainable economy.
  - Take the moral lead by setting reasonable pay structures in our public bodies and for public procurement contracts.
- (3) Calls on the city’s three MPs to urge the Government to establish a High Pay Commission

Proposed by: Cllr Bill Randall

Seconded by: Cllr Jason Kitcat

Supported by: Cllrs Ben Duncan, Ian Davey, Rachel Fryer, Amy Kennedy, Sven Rufus, Paul Steedman, Keith Taylor, Vicky Wakefield-Jarrett, Alex Phillips, Pete West and Georgia Wrighton.

\*Politicians, academics, writers, journalists, economists, bloggers, campaigners and trade unionists have all offered their backing for a High Pay Commission to come up with sensible measures to tackle excessive pay and to deliver a fairer, stable and sustainable economy for the future. The campaign is organised by Compass, a political pressure group that campaigns with progressive politicians of all parties.



**NOTICE OF MOTION****GREENGROUP****PROTECTING NEIGHBOURHOOD POLICING SERVICES IN BRIGHTON AND HOVE**

“Both crime and, crucially, fear of crime, are falling in Brighton and Hove.

This is, in large part, due to the model of neighbourhood policing that has been adopted by Sussex Police, and, in particular, the engagement of both PCSOs and police officers with community groups and LATs across the city. Since 2007 the number of PCSOs and police officers patrolling the city has risen, despite Sussex Police receiving one of the lowest levels of Government financial support of any force in the UK.

But Sussex’s Chief Constable – and members of Sussex Police Authority – have warned that the force faces a dramatic cash shortfall: perhaps as much as £35 million over the next five years.

This Council believes:

1. That residents of the city want to see more, not less, community-led policing in their neighbourhoods;
2. That the Government should find a small proportion of the sums identified for bailing out the banks to fund an increase in the budget allocated to Sussex Police in 2010/11 and coming years;
3. That any cuts Sussex Police are forced to make should not lead to any reduction in the numbers of staff and officers employed to serve the city of Brighton and Hove – or the partnership work with this council, LATs or any other community groups.

This Council therefore resolves:

1. To ask the Chief Executive to write to the city’s three MPs urging them to put pressure on Government to ensure additional funds are available to Sussex Police to ring-fence neighbourhood policing in Brighton and Hove;
2. To ask the Chief Executive to write to the Chief Constable of Sussex, Martin Richards QPM, and the Chairman of Sussex Police Authority, Laurie Bush, asking them to ensure there are no cuts to the numbers of police staff or officers delivering neighbourhood policing in Brighton and Hove; and
3. To place on record its thanks to Sussex Police for all the force’s efforts to improve community safety in the city, especially the force’s decision to open a

new public-facing police station in Hollingdean last year, and the way police staff and officers have engaged with partnership work, both with this Council and the network of LATS representing neighbourhoods across the city.

Proposed by: Cllr Ben Duncan

Seconded by: Cllr Keith Taylor

Supported by: Cllrs Bill Randall, Ian Davey, Amy Kennedy, Jason Kitcat, Sven Rufus, Alex Phillips, Paul Steedman, Vicky Wakefield-Jarrett, Pete West and Georgia Wrighton.

**NOTICE OF MOTION****GREENGROUP****RESPONSIBLE LICENSING**

“This council notes that:

Nationally there are over 200,000 hospital admissions related to alcohol each year, of which 20,000 are under the age of 18.

Brighton & Hove has a serious problem with excessive alcohol consumption in people of all ages, with over 2,000 hospital admissions per year related to alcohol.

According to Sussex Police, five children a week, on average, are hospitalised in Brighton and Hove owing to alcohol abuse - a staggering ten times higher than the national average.

Brighton & Hove PCT has recognised and is targeting the need to reduce hospital related admissions due to alcohol consumption.

In the published 2008 report of Brighton and Hove's Director of public Health Dr Tom Scanlon reported that the negative health impacts of alcohol use by children and young people are worsening in the city.

Furthermore, organisations such as Alcohol Concern have found that the average amount of pocket money young people receive would enable them to buy 57 units of alcohol per week.

The recent scrutiny 'Reducing Alcohol related harm to children and young people' recognised the correlation between a lower price of alcohol and off-sales purchasing with higher rates of alcohol consumption.

70 per cent of all alcohol supplied in the UK is sold by supermarkets where most alcohol is the cheapest.

A great deal of anti-social behaviour is associated with people drinking on the street, i.e. drinking alcohol purchased from off-licenses rather than pubs and clubs where the alcohol is consumed on-site.

Deliberately selling alcohol at a loss, known as 'loss leaders' encourages people to purchase alcohol in off-licenses where it is virtually impossible for the licensee to have any control over its consumption.

Earlier this year a Sussex Police and Sussex Police Authority issued a joint statement calling for a ban on volume-related alcohol discounts in pubs and called for '2 for 1' deals to be scrapped in favour of lowering drinks prices across the board.

The statement, a response to the Government's consultation of revisions to its Code of Conduct for Alcohol Retailers, also called for a ban on 'loss leaders' - the practise of alcohol being sold for less than it costs retailers - especially in supermarkets.

Therefore this Council requests the Chief Executive to write to Gerry Sutcliffe, the Minister for Alcohol Licensing, calling for a ban of the practice of

- a) selling alcohol at a cost which is lower than the cost price for the licensee;  
and
- b) drinks promotions such as '2 for 1' and 'Happy Hour' which encourage people to consume more alcohol and at a faster rate than they would otherwise have done

Furthermore it calls on the Licensing Committee to draw up a list of 'best practice' which takes into account the recommendations of the 'Reducing Alcohol related harm to children and young people' scrutiny and looks into ways of publicly recognising and rewarding responsible licensees who follow best practice, in a similar way to its successful 'Scores-on-the-Doors' scheme."

Proposed by: Cllr Rachel Fryer

Seconded by: Cllr Pete West

Supported by: Cllrs Ben Duncan, Ian Davey, Amy Kennedy, Jason Kitcat, Sven Rufus, Paul Steedman, Keith Taylor, Vicky Wakefield-Jarrett and Georgia Wrighton.

**NOTICE OF MOTION****CONSERVATIVE GROUP****VAN DWELLERS IN BRIGHTON & HOVE**

“This Council notes with concern the growing problem of “van dwellers” on the City’s roads. The only other cities in the U.K. with similar levels of lived in vehicles are Bristol and Blackpool.

This Council does not support “van dwelling” (which is different from gypsies or travellers) as an appropriate or acceptable lifestyle choice for the following reasons:

- It is unlawful to live in a vehicle on a public highway (which is intended for the purposes of passing and re-passing) and on either occupied or unoccupied land without the owners’ consent;
- There are serious health and safety concerns for adjacent residents;
- There are serious health and safety concerns for the van dwellers themselves, particularly where children are involved.

Furthermore, this Council notes that van dwellers do not generally meet the legal definition of gypsies and travellers and in the main, have expressed a desire to remain in Brighton & Hove. Unlike gypsies and travellers, local authorities have no specific duties towards van dwellers.

This Council considers that the legal measures available to deal with the problem of van dwellers are both cumbersome and inadequate:

- Section 77 of the Criminal Justice and Public Order Act 1994 enables the Council to move vehicles on from a particular piece of highway but there is nothing to stop those vehicles moving onto the adjacent road immediately afterwards;
- Obtaining an injunction against specified van dwellers is both time consuming and expensive and is possible only when the identity of the occupier is known;
- There are no enforcement powers under current planning legislation that enable the Council to take action.

This Council further notes with regret that the Government still considers that current powers are adequate for local authorities to deal with this problem and that van dwelling will not be amongst the subjects considered suitable for new local flexibility

around making local byelaws under Part 6 of the Local Government and Public Involvement in Health Act 2007.

Therefore, this Council resolves:

1. To ask the Chief Executive to write to the Secretary of State for Communities and Local Government asking him to recognise the unique nature of the van dwelling problem in Brighton & Hove and requesting that Councils be given the power to introduce specific local byelaws to properly address it; and
2. To ask the Council's representative on the Sussex Police Authority to examine, with his fellow members, ways in which van dwelling could be more effectively policed in Brighton & Hove and to report back to the Cabinet as a matter of urgency."

Proposed by: Cllr Mary Mears

Seconded by: Cllr Geoffrey Theobald

Supported by: Cllrs Trevor Alford, Dawn Barnett, Vanessa Brown, Maria Caulfield, Denise Cobb, Pat Drake, Ayas Fallon-Khan, Steve Harmer-Strange, Lynda Hyde, Tony Janio, Ted Kemble, Ken Norman, Averil Older, Brian Oxley, Brian Pidgeon, Dee Simson, David Smart, David Smith, Carol Theobald, Geoffrey Wells and Jan Young.

**NOTICE OF MOTION****GREENGROUP****SUSSEX UNIVERSITY: CUTS TO JOBS AND SERVICES**

“Nearly 50 years after it was established, the University of Sussex is a leading teaching and research institution. In the 2009 Times Higher Education University World Rankings, Sussex was ranked in the top five per cent of all universities worldwide.

University of Sussex staff and students play an integral role in Brighton and Hove, contributing to the city’s economy, culture and vibrant atmosphere. The entire student community makes up roughly ten per cent of the population and brings in around £250 million to the regional economy annually.

**This council notes:**

The University of Sussex has revealed plans to cut spending by £5 million during the next academic year, achieved through job losses, course closures and department restructuring.

Proposed changes include:

- a reduction of 24 posts in Life sciences, 13 posts in Informatics, 5 posts in English, 3 in History, Art History and Philosophy and 62 posts in Professional support services including 5.5 Student Advice posts
- closing Unisex, a tripartite project involving the Universities of Sussex and Brighton and the local NHS Primary Care Trust, that provides support and advice for students concerning sexual health, HIV & Aids, Drugs and Alcohol.
- potentially closing the campus crèche and nursery, which is used by more than 80 staff and 20 students

**This council believes:**

- The proposed plans will have a negative impact on staff and students alike.
- In the longer term the cuts could reduce the critical role the university plays in supporting and helping to develop the city’s economy and prosperity
- Reducing student support services is a particularly damaging option.

**Therefore, this council**

Instructs the Chief Executive to write to the Vice Chancellor of the University of Sussex informing him of our concern and asking him and his colleagues to reconsider the proposals.”

Proposed by: Cllr Bill Randall

Seconded by: Cllr Amy Kennedy

Supported by: Cllrs Ben Duncan, Ian Davey, Jason Kitcat, Sven Rufus, Paul Steedman, Keith Taylor, Vicky Wakefield-Jarrett, Rachel Fryer, Pete West, Alex Phillips and Georgia Wrighton.