



**Brighton & Hove
City Council**

**COUNCIL
ADDENDUM 25.10.12**

4.30PM, THURSDAY, 25 OCTOBER 2012

COUNCIL CHAMBER, HOVE TOWN HALL

ADDENDUM

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- (i) Amendment from the Labour & Co-operative Group (copy attached).
- (ii) Amendment from the Green Group (copy attached).

WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed for questions submitted by a member of the public who either lives or works in the area of the authority at each ordinary meeting of the Council.

Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion.

The following 7 written questions have been received from members of the public.

(a) Ms R. Shepherd

"Given that this council states that it wants to provide cost effective services for all of Brighton and Hove residents and to be an attractive destination of choice for tourists and businesses I would like to know whose short-sighted decision it was to cancel in 2011 the creation of a much needed extension to the existing coach park in Madeira Drive which at the same time would have produced much needed revenue and when will this decision be reversed.

The recent parking survey and City Plan are ominously silent on coach parking facilities. Why?"

Councillor Davey, Chair of the Transport Committee, will reply.

(b) Mr Alex Green

"As Deputy Leader of the Council and apparent spokesperson for the Green administration - notwithstanding anyone's right to Freedom of Information - what protocols do you have in place to protect the confidentiality of individual cases that you and your colleagues deal with and, indeed, any sensitive business that you have been elected to manage and guard wisely?"

Councillor Mac Cafferty, Deputy Leader of the Council will reply.

(c) Ms Joseph

"Seventeen months into your term as the first Green administration, to what extent do you feel you have tackled, or begun to tackle, the priorities identified in your manifesto in a way that has included, engaged and benefited all the different people groups that comprise this city?"

Councillor Mac Cafferty, Deputy Leader of the Council will reply.

(d) Mr Bell

“As you have announced an underspend in this year’s council budget can you please inform us as to why for the sake of £60,000 the 52 bus service has been cut so that the elderly in Woodingdean can no longer get to the hospital, working council tax payers can no longer commute to the station and children going to BHASVIC, Cardinal Newman and Blatchington Mill schools are now put in danger by having to wait in the dark to catch three buses instead of the direct route they use to have on the original 52 bus route.”

Councillor Davey, Chair of the Transport Committee will reply.

(e) Mr Tilley

"It is requested that the Brighton and Hove public are allowed to take photos (silent, non flash) and video recordings on mobile devices during public Council meetings."

Councillor Kitcat, Leader of the Council will reply.

(f) Ms Simson

“St Josephs Primary School in Hollingdean is situated on a busy main bus route and every day parents, carers and their children take their lives in their hands when trying to cross outside the school. The school has contacted the Council on many occasions asking for a crossing to be situated outside the school and only last week was told the earliest this could happen was 2015.

For the safety of everyone at the school are you prepared to do to make it safe to cross either with a proper crossing or at very least a school crossing patrol?”

Councillor Davey, Chair of the Transport Committee will reply.

(g) Mr Pameley

“The curtailment of the 52 bus route and the changes to its timetable has seriously jeopardised our safety. Please give in detail your analysis of the risks factors and the dangers posed when allowing the changes to the running of the 52 bus. What considerations were there about linking with other bus service times (as these are not working), the locations for changing buses for children as young as 11 years of age in extended journey times, the geographical nature of Ovingdean, (its hills and exposed unlit downland road), and, the demographic make-up of the Ovingdean area?”

Councillor Davey, Chair of the Transport Committee will reply.

DEPUTATIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed at each ordinary meeting of the Council for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes following which one Member of the Council, nominated by the Mayor, may speak in response. It shall then be moved by the Mayor and voted on without discussion that the deputation be thanked for attending and its subject matter noted.

Notification of seven Deputations has been received. The spokesperson is entitled to speak for 5 minutes.

(A) DEPUTATION CONCERNING THE INADEQUACY OF COACH PARKING IN BRIGHTON AND HOVE.**(Spokesperson) Mr G. Cummings**

“We are here on behalf of the Roedean Residents Association to ask the council to rectify the current situation without further delay. Brighton and Hove prospers enormously from the tourist industry and the tourists who come here and many thousands arrive by coach, dozens of coaches each week. However B & H City Council only provide 42 coach parking spaces in the city to manage the ever growing demand over recent years so officials have been quietly directing coaches to park along totally unsuitable roads adjacent to and actually within residential neighbourhoods such as Roedean Road, The Cliff, Roedean Crescent and Roedean Way being major examples.

As well as being a visual eyesore the continual mass of unofficial coach parking in this and other areas is dangerous to the road users and pedestrians alike; neither Roedean Road nor Roedean Way have pavements. Of course with no facilities provided for the drivers they are forced to resort to urinating and even defecating behind their vehicles which is an all too regular sight for local residents. Furthermore the volume of coach parking encourages lorries to park here (there is no HGV provision either) and as a result the whole area resembles a motorway service station without the services and not the beautiful residential neighbourhood that it actually is and deserves to remain.

Surely coach travel should be regarded as “green” and with the Green party doing everything they can to discourage the use of cars proper provision for coaches and their drivers is essential. The current provision could lead to questions on health and safety since the drivers spend many hours with no suitable rest area, food or toilets. We understand there is reluctance on the part of some companies to go to Brighton with these non-existent facilities but if these were in place they would send many more thus increasing business for the city in many different ways.

It cannot be stressed too highly the dangers this unauthorised parking creates. There is no pavement down Roedean Road, only a narrow pedestrian way marked with a white line over which most cars travelling towards the A259 are forced to drive. Any pedestrian takes his life in his hands using this way when coaches are parked. Also crossing the road is fraught with danger since there is no visibility, the bus service is

disrupted because the drivers heading to Brighton rightly consider at certain times it too dangerous to drive on the wrong side of the road. Getting on and off the bus is a major problem with no visibility of oncoming traffic. There has been a serious accident recently entirely attributable to one of the car drivers being forced on to the wrong side of the road and it is only a matter of time before there is another possibly fatal accident. The council should be aware that it will carry huge responsibility for any accident related to coach parking other than in officially designated areas.

We urge the council to stop stone-walling this problem as they have been doing for years and act immediately to provide a 21st. century coach parking provision on a suitable site for our city.”

Mrs Rosemary Shepherd
Ms Kay O'Dwyer
Mr Malcolm Cramp

Mr Christopher Wilson
Dr Bernard Rocks

Councillor Ian Davey, Chair of the Transport Committee, will respond.

Supporting Information:

Looking eastwards down Roedean Rd (no footpath) and Note coach parked in Roedean Way (no footpath).



**(B) DEPUTATION CONCERNING GILL'S HOME AND GARDEN REGARDING
EXERCISE OF POWER BY ELECTED OFFICIALS.**

Spokesperson: Mr. Adam Campbell

Councillor Ian Davey, Chair of the Transport Committee, will respond.

(C) DEPUTATION CONCERNING HOME CARE CONTRACTS

Spokesperson: Cllr Summers on behalf of Lesley Beckman and Care Workers in general.

“There is an urgent need to give consideration to the impact of the new home care contracts introduced by the Council. These new contracts were designed to ensure that people receiving home care received more choice and control as the previous system was not suitable for the more flexible services that are required, which is why the council changed the way providers are paid.

Councillor Jarrett has stated that the council is not responsible for the way independent providers pay their staff and has no power to control them, but is keen to work with them to provide a minimum live-able wage of £7.19 per hour. This figure being less than a shop assistant can earn in this city. This shows how little Councillor Jarrett, and all those who support this figure, value both the care workers and those they serve across this city despite statements to the contrary. He also states that he is looking into ways to support the home care industry locally in terms of both recruiting and retaining home care workers, and trying to address the issue of rising fuel costs. Work is being undertaken to look at initiatives that can be implemented to help providers (not staff) with these costs.

The council is charging its clients a maximum of £21.50 per hour to run its in-house services, yet expects that outside agencies will provide the same high level of service for just £14.50 per hour. How does that work? However, nothing done properly is done cheaply and that is a trap the Green council has fallen into when changing the way providers are paid. The council no longer pays enhancements for weekends/anti-social hours and expects lone agency workers to visit service users up to 10pm, yet council workers visit in pairs. It no longer pays fuel allowance nor does it even make provision for it or for wasted time travelling between calls (which increases working hours) or depreciation of vehicles, nor does it pay enhancements to providers to ensure continuity of care. All this apparently gives service users more choice, control and flexibility - how?

You have all seen the effects that the new contracts have had on one small local agency within this city in the 3 months since the contracts have begun, and the costs that those care workers who remain are expected to swallow in order to continue working. 8 workers with between 4 and 7 years' experience have left and more may follow. This agency previously had an excellent staff retention record, and was rated in the care quality commissions report as a well-performing caring agency. The staff who have left have been replaced mainly by students who work in their spare time to fund their studies, and by the time they are experienced they will have left to pursue their dreams and so the cycle will continue.

At the last Adult Care & Health Committee meeting Councillor Jarrett confirmed that across the city, in the 3 months since the contracts began, 153 care workers have been recruited and 60 have left. How long the remaining 93 will stay remains to be seen. However, it was curious to note that the number of home care staff across the city has not, according to Councillor Jarrett, diminished. This then begs the question whether or not it has, in fact, been increased in order to meet the demands of an increasing number of people receiving home care! Much of this information, and

more, has been presented at the last 2 Adult Care & Health Committee meetings and is also supported, as you can see, by both Unison and Michelle Mitchell of Age UK.

This deputation requests that the council reconsiders the position it has placed care workers in, and seeks to address the imbalance caused with a report to the next "Adult Care & Health Committee meeting."

Councillor Rob Jarrett, Chair of the Adult Care & Health Committee, will respond.

Supporting Information:

Elderly care 'reduced to a production line of tasks'

COUNCILS are treating vulnerable pensioners as a mere 'production line' of tasks to be completed by hard-pressed carers, according to a report which lifts the lid on the horrendous state of home care for the elderly.

Many are left 'suffering' in loneliness because councils are commissioning ever shorter visits, the report says, revealing the practice of 'call cramming' - when care workers spend as little as 15 minutes at someone's home.

In one case, a carer was forced to

By **Daniel Martin**
Whitehall Correspondent

being expected to perform complicated tasks such as lifting people in and out of baths and changing urine bags.

Some 24 per cent said they had never received any training for dispensing medicines, while 41 per cent said they had not received training on clients' special medical needs such as dementia and stroke.

One worker said it was only a 'matter of time' before an accident happens, adding: 'You can't put time on human beings.'

Most care workers are employed by private companies which penalise workers for staying beyond the allotted time while more than half receive a shelf-stacker's wage of around £7 per hour and are not paid for the time it takes to travel between visits.

The poor pay and conditions mean many people don't stay in the job for long, leaving elderly people confused by constant changes in staff.

The Unison report comes after a survey by the UK Homecare Association found one in ten councils were imposing limits of 15 minutes on care visits.

Unison general secretary Dave Prentis said: 'This report sadly shines a light on the reality for many people who rely on homecare - a production line mentality which limits the ability of staff to carry out their duties, and puts the dignity of those receiving care second to meeting arbitrary targets.'

Michelle Mitchell, of Age UK, said: 'This report is deeply saddening as it shows a disturbing picture of services stripped to the very bone and care staff stretched to their limits.'

'In this situation, care is, we fear, in danger of being reduced to a tick box list of tasks to be completed as quickly as possible.'



leave a blind woman to eat a meal without assistance.

Another case was cited in which someone was left with no help to get to the lavatory.

Public sector union Unison questioned more than 400 care workers, 79 per cent of whom said they frequently had to leave clients too soon because they had so many visits to complete in a day.

One worker said elderly people were 'suffering' because of the 15-minute slots, adding: 'Some of these people do not have any family and a care worker is the only person they see but you have to practically run in and out again.'

The survey also revealed how little training care workers receive before

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(D) DEPUTATION CONCERNING RESIDENTIAL SERVICE CLOSURES**Spokesperson: Mr. Jason Carlisle**

"I am writing to you with reference to the decision taken to close two residential services for adults with learning disabilities in Hove (with the option to close a third).

I am writing particularly to request that the report agreed at the Adult Care & Health Committee meeting on Monday 24th September be reviewed and the following points of concern addressed and if needs be a further report taken to the Committee to enable matters to be put right:

1. Capital spend information on the redevelopment of 20 Windlesham Road has not been provided to Members. What is the proposed cost of this redevelopment? How can committee members make informed decisions without proper full and correct financial information?
2. The financial information given about the annual cost to the council of running Ferndale Road was incorrect. It was claimed that annual spend on Ferndale Road was £300K; however £150K of that sum is provided by East Sussex County Council.
3. Due to this, the first report given to Members of the Committee in June was misleading. This means that if the decision had been taken then it would have been based on incorrect financial data.
4. The overall consultation process was unsound. Although timely consultation was given, the final document was published on Friday 14th September just 9 days before the Committee meeting. This document contained a significant change to the original consultation. Namely the following:
 - a. The options for councillors to choose from had been changed and renumbered without consultation of the focus group or parents and advocates. Specifically, in the original consultation, Option 1 referred to no change of service (which families and advocates favoured), but this was changed in the final document with just over a week to go, when Option 1 became the option to close Old Shoreham Road and New Church Road. This is both misleading and, I believe, procedurally incorrect.
 - b. This amended document was not advertised nor was it easy to find and was not a fair and proper reflection of the consultation previously undertaken.
5. The negative impact on the lives of those with a learning disability is incalculable financially and the likelihood of condemning individuals to heightened anxiety and negative self injuring behaviours as a result of this decision is not acceptable.
6. The decision making process at committee level was unfair and that on any other day when then standing committee member Stephanie Powell was in attendance and not on leave, the result of the vote would have been 6-4 in favour of the services remaining open. Instead Cllr Powell's replacement voted to the opposite

way and consequently the vote was split 5-5 giving Cllr Jarrett the casting vote as chair, leading to the decision to close.

It is therefore in the best interest of the vulnerable adults, whose homes are at stake that members of the council agree to a further report being presented to the committee based on full and correct information.”

Councillor Rob Jarrett, Chair of the Adult Care & Health Committee, will respond.

**(E) DEPUTATION CONCERNING PARKING CHARGES ON AND AROUND
THE LONDON ROAD AREA**

Spokesperson: Ms. Ann Townsend

“At the beginning of April this year the cost of parking on and around the London Road went up not only significantly, but, as it turns out, also prohibitively. This has had an absolutely disastrous effect on the local businesses, with some retailers experiencing as much as a 30% decrease in trade.

Every shop and outlet in the London Road area has the same story to tell. Overnight there was a dramatic drop in trade with customers, after expressing their disbelief, disgust and anger at the cost of the parking, then saying that they would not be returning. Time and again potential customers have been seen to park, look at the cost of parking on the meters, then just get in their cars and drive off.

Passing trade, always an important asset to retailers has as good as disappeared. Customers are now often seen to hop out of their cars to buy just a single item whilst the driver of the car drives around the block once or twice until the shopper returns to the drop off point; this is an unsatisfactory mode of shopping for both customer, trader and the environment.

Local traders will testify that nothing, not the redevelopment of the Open Market nor the recession has had such a devastating effect on their trade as this recent increase in parking charges. The £1 charge for the first hour in the London Road car park has had no positive effect in alleviating the problem. On the contrary, the exorbitant rates for subsequent hours, including the higher charges for weekend parking, has only contributed to the loss of trade. Traders have had to make staff redundant.

This situation is economically unsound. People are losing their jobs. Shop owners who have been trading in the area for many years are now losing their livelihoods. Customers are losing their preferred area of shopping and let's be honest, the London Road has long been a life-line for people on low incomes. Once the Open Market re-opens it will struggle to survive if it sits alone in a desolate, economic wasteland. This will turn into a lost opportunity. The traders of the open market have struggled for years for this rejuvenation, to bring it in line with modern, vibrant markets where local produce can be sold, alongside more colourful products, to local people. And what about the Mary Portas Funding? What is the point of investing this money if you can't even get the basics right and when it appears that the council is not committed to one of her fundamental recommendations - cheap easy parking. Get the cars parked up as quickly as possible and get the shoppers into the shops. Will this represent another lost opportunity? None of us want to see the Open Market become the 'Green' white elephant of Brighton, but unless something is done fast this is how it will be known.

This deputation is being made to demand that the parking charges be reviewed with the utmost urgency and returned long term to less than £1 an hour, a level commensurate with an economically depressed area, in a bid to encourage the return of shoppers and trade.

For the month of December, in the run-up to Christmas, we would like to see the well-advertised suspension of all parking charges, both on street and in the car park, in an attempt to boost trade and re-coup the serious losses that have been forced upon this retail area since April. For the sake of the London Road you must act now.”

Councillor Ian Davey, Chair of the Transport Committee, will respond.

(F) DEPUTATION CONCERNING THE No. 52 BUS SERVICE

Spokesperson: Mr. Steve Wedd

Please reinstate the No. 52 Bus Service on its original timings from the City Centre to Ovingdean and Woodingdean.

- 1) Thank you for receiving this deputation. I represent Ovingdean bus users, and the Ovingdean Residents and Preservation Society.

Background

- 2) The Council reduced the subsidy it paid to Brighton & Hove Bus Company to run non commercial services. Consequently, Brighton & Hove Buses chose to withdraw its 52 (weekdays) and 57 (Sunday) services from Woodingdean and Ovingdean direct to the City centre. A reduced tender was let to Big Lemon (weekdays) and Compass (weekends). The timetable was changed, the school buses withdrawn completely, and passengers now have to change at the Marina to continue to the City by bus.
- 3) We know that money is tight at present, and that the Council has to find savings wherever it can. However, it appears that only Ovingdean has borne the full impact of those savings. All the other bus services proposed for subsidy cuts were saved.

Lost passengers, lost revenue, more car journeys

- a) Residents who gave up their private cars to choose to use the bus are now buying them back, because they cannot get to work on time.
- b) Parents who formerly entrusted children to the bus now drive them across the city.
- c) One parent told a public meeting last week about how she had chosen Cardinal Newman for her daughter, but regrets that choice, now the direct bus route has been removed.
- d) 152 school children from Cardinal Newman live in the four Deans. I don't know how many of those used the 52 service, but I witnessed many school services and they were always busy to full. BHASVIC is similarly affected – 36 students live on the route.
- e) A specialist cancer nurse can't get to work to open his 0900 clinic on time because the bus times don't suit.
- f) A man who offers his time as a volunteer at the Hove Town Hall CAB gets to his workplace 15 minutes late, which disorganises the remainder of his appointments.
- g) Those requiring medical services at RSCH can't get there by bus because the times don't suit and because of the compulsory change at the Marina.
- h) School children from Ovingdean attending schools in Rottingdean can no longer take the village bus to the coast and there change for Rottingdean. When the choice is '*miss the bus or miss school*', they miss the bus. Their parents don't buy a ticket either.

Councillor Ian Davey, Chair of the Transport Committee, will respond.

Supporting Information:

Timings matter

- 1) Before September, morning commute buses used to go at 0651, 0720, 0750, 0801, and 0820. The timings were good for those commuting to London, to school, to work in Brighton.
- 2) Now, the first early morning bus is 0738, then 0838. 0738 is no good for a London commuter taking the train (London Bridge by 0946), too early for Brighton commuters; and 0838 is too late for them. All now have to change at the Marina, or hope for space on a coastway bus.
- 3) Changing the timetable must have seemed such a simple matter, but it makes the route useless for passengers trying to get to work or school. Imposing a change at the Marina is not merely an inconvenience: it causes significant delay, in a place not unknown for bad weather, onto buses that don't go where people want them to go.
- 4) The two changes together act as a positive disincentive to passengers committed to bus travel to continue on public transport.

Detail matters - why the changes?

- 5) The Big Lemon told us that the change in timetable was forced upon it, due to having to connect with the Compass service 47 from Saltdean to the City Centre. We are told now by the Council that cross ticketing was part of the tender. Why did the City Council compel the BL 52 to meet (and only to meet) Compass 47 connexions? Without that enforced connexion, times could have been left as they had been for years – times that suit passengers.
- 6) School children and students used to be able to journey direct from the eastern villages of Woodingdean, Rottingdean, Ovingdean, and Saltdean to and from schools at Cardinal Newman and BHASVIC. Now they are obliged to change – onto coastway buses that are full, or buses that don't connect at the Marina, or then again at the Railway Station. The journey time has doubled.

Appearance matters

- 7) In a city so heavily reliant on tourism, uniformity of appearance is important. Red London buses, black taxis are worldwide symbols of London. In New York, you look out for a yellow cab. In the City of Brighton, the buses are mostly red and cream except when they are purple or bright yellow.
- 8) Route timetables in the village are printed on red and cream Brighton Hove letterhead, but the bus that comes is yellow. How do tourists or students at the College know that?
- 9) We know that the contract has been let. I am sure that revoking that contract will cost more than continuing it. Over the last six weeks, I have repeatedly asked 21 questions about the tendering process as it affected the 52 compared to other

routes. I regret that up to the point of drafting this deputation paper, I have had barely an acknowledgement, and no reply.

Ticket prices matter

10) Because the new operators don't accept the smartkey card, passengers have to buy driver tickets or make complicated arrangements yesterday. £3.50 from the website well ahead of time, £4.00 from shops, but £4.40 from the driver on the route.

Taxpayers matter

11) The following suburbs of Brighton have better services than Ovingdean -
a) Tunbridge Wells has twice as many buses as Ovingdean, Lewes 6 an hour, Uckfield – 2 buses an hour, Eastbourne 6 an hour mid-day, Steyning has three buses in both rush hours - even Ringmer has two buses an hour from Brighton.

What do we want?

12) Reversion to our old bus times. School buses back. A direct city centre service, just like Ringmer and Steyning.

13) Can you afford it? Yes. It's less than £100k. Stop improving existing cycle lanes in Lewes Road and give us back our direct buses on the original timings, please.

(G) DEPUTATION CONCERNING THE No. 52 BUS SERVICE

Spokesperson: MS. Anelica Tsapparelli

Travelling to and from Cardinal Newman School and the safety issues as a result of the changes to the 52 bus service.

Councillor Ian Davey, Chair of the Transport Committee, will respond.

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| Council | Agenda Item 31(a) |
| 25 October 2012 | Brighton & Hove City Council |

PETITION REPORT

GREEN GROUP AMENDMENT

NO TO DEVELOPMENT ON TOAD'S HOLE VALLEY

Amend recommendation 2.1 to delete the wording as struck through and instead to note the petition and add a further recommendation 2.2 as shown in bold italics:

RECOMMENDATIONS

- 2.1 That the petition is ~~referred to the Policy & Resources Committee for consideration~~ ***noted by Council.***
- 2.2 ***That Council notes the widespread support for making best use of the Toad's Hole Valley site including that from the City Sustainability Partnership, Brighton & Hove Economic Partnership and the Coast 2 Capital Local Economic Partnership.***

Proposed by: Cllr J. Kitcat

Seconded by: Cllr Mac Cafferty

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions listed on pages 51-54 of the agenda have been received from Councillors and will be taken as read along with the written answers listed below:

(a) Councillor A. Norman

“What is the cost of the Budget consultation work currently being carried out for the Council by the New Economics Foundation?”

Reply from Councillor Littman, Deputy Chair of the Policy & Resources Committee (Responsible for Finance).

“The Budget Update and Budget Progress 2013/14 report to Policy & Resources Committee on 12 July 2012 set out a wide range of Community Engagement and Consultation to help inform the setting of the 2013/14 budget. The overall budget for consultation approved by the committee was £15,000 to £20,000 including provision for a public consultation event.

“Subsequently, the New Economics Foundation (NEF) were engaged to facilitate an independently run public consultation event at the Jubilee Library on 26 September 2012. The results and full report from the consultation event will be reported to members. The cost of the engagement with NEF is £4,000 plus a maximum of £200 for expenses.”

(b) Councillor A. Norman

“The latest Audit Commission Annual Governance Report for Brighton & Hove City Council once again identifies serious weaknesses in the operation of the Council’s Human Resources Payroll System which creates a ‘risk of misstatement and fraud’. Can the Leader of the Council please tell us what steps are being taken to address these serious shortcomings and does he agree that the length of time it has taken to sort out these problems is simply unacceptable?”

Reply from Councillor J. Kitcat, Leader of the Council.

“The problems that have arisen from the previous administration’s procurement of the HR IT system are concerning, and have needed some work to fix.

“The Audit Commission Annual Governance Report for Brighton & Hove City Council covers the period 1 April 2011 to 31 March 2012. The control issues relate to the outcome of work by both the Audit Commission and Internal Audit.

“During the year, the Audit Committee was made aware of the control issues and progress to address, including resource constraints and issues with the iTrent HR System. These issues have been taken very seriously and action has been taken to

ensure that the recommendations made by both Internal Audit and the Audit Commission have been implemented. It should be noted that audits tests and further ones carried out by HR have not found any evidence of fraud.

“Internal Audit is working closely with HR Management to implement actions and improve controls. A further Internal Audit review will be carried out in January 2013 to provide assurance.

“Only one medium priority internal audit recommendation now remains outstanding, expected to be implemented by the end of October 2012. This relates to the testing of all exception reports.

“A number of control issues arose due to the complexity of the payroll operation. This is being addressed including the recent successful transition from weekly to monthly payrolls.

“To further reassure the Council, the Annual Governance Report informed the Audit & Standards Committee at its meeting in September 2012, that the District Auditor had carried out substantive testing of the payroll and concluded that there was no material impact on the council’s accounts or any evidence of fraud and that she was able to provide the council with an unqualified opinion on its 2011/12 financial statements.

“The most recent external audit checks continue to confirm very good progress is being made. I would like to take this opportunity to thank the staff from HR and the Programme Management Office who have worked so hard on delivering these improvements.”

(c) Councillor K. Norman

“Section 269 of the Public Health Act gives local authorities powers to control the use of movable dwellings and to license the use of land as a site for such a dwelling. If the land in question is to be used for more than 28 days in total in any calendar year, planning permission must be obtained. Furthermore, a site which is used for more than 42 days consecutively or 60 days in total in any consecutive 12 months must have a site licence. Can Cllr. West please confirm whether planning permission has ever been sought, or a site licence obtained, for the ‘tolerated’ traveller site at 19 Acres, given that it has been occupied for well over 28 days on 3 separate occasions in the last 18 months?”

Reply from Councillor West, Chair of the Environment & Sustainable Committee.

“Government guidance states that it is good practice to allow some toleration for short periods in locations where the encampment does not have significant adverse impact on the settled community and/or where health and welfare needs might make immediate eviction unreasonable.

“Travellers on unauthorised encampments are considered to be trespassers, so no licence or planning permission application is necessary. There have been two

occasions over the past 18 months when 19 acres have been occupied by an unauthorised traveller encampment for more than 28 days. On both occasions, after a short period of toleration in accordance with the government guidance, legal action was successfully taken to remove the travellers from the unauthorised encampment. To have applied for licences and planning permission would have been counterproductive and may have risked the possibility of an interest in land being created. “

(d) Councillor C. Theobald

“Nationally, £200 million of taxpayers’ money is lost due to fraud and error in the council tax benefit system. Localisation of council tax support will give councils a greater incentive to clamp down on fraud and error as they will get to keep all the savings made. Can the Administration’s Finance Spokesperson give an estimate of how much is currently lost through fraud and error in Brighton & Hove and what steps are being taken to cut down on that from next year?”

Reply from Councillor Littman, Deputy Chair of the Policy & Resources Committee (Responsible for Finance).

“In excess of £25m was paid out in Council Tax Benefit in 2011/12. Of this £83,508 was identified as overpaid due to local authority error or administrative delay and a further £59,949 as fraudulent overpayments.

“It is normal practice to recoup these overpayments by collecting them as unpaid council tax. The localisation of council tax and the associated reduction in government funding of over £2.5m for the replacement scheme for Council Tax Benefit will place additional pressures on the council.

“The council has a zero tolerance policy to fraud. The Head of Audit and Business Risk is paying particular attention to minimising the risk of fraud in the Local Council Tax Support System and is working closely with the Revenues & Benefits service to devise a rigorous fraud prevention and detection programme to ensure we continue in our determined drive to pay support only to those who are entitled to it. This will include the use of data and intelligence, and existing and planned powers for the proactive investigation of fraud.”

(e) Councillor Bennett

“Residents are becoming increasingly concerned about the state of the tennis courts in Hove Park. Some work was carried out on the courts 2 or 3 years ago to improve drainage but this has not proved effective. Whenever there has been rain the courts flood and pools of water sit on them instead of draining away. This makes them dangerous to play on, but even worse is the fact that the courts become very slippery because they are never cleaned. Dirt carried in on shoes turns into mud after even a little light rain, and with poor drainage the mud is never washed away. Will the Chair of the Economic Development & Culture Committee please ensure that this situation is addressed as a matter of urgency before one of our residents has a serious accident as a result of the state of the courts?”

Reply from Councillor West, Chair of the Environment & Sustainability Committee.

“All flat surfaces are subject to problems with standing water in heavy rain. With Hove Park the problem is exacerbated by the large surface area and the fact that the surrounding park land is at a higher level than the courts. Because of this the courts have low level walls on three sides to prevent additional water ingress and this partly results in the water taking longer to drain. Drainage channels were installed two years ago which has helped the problem considerably. The water also drains away through the courts which are relatively porous.

“Property Services are investigating whether it is possible to form drainage points on the south side of the courts to enable water to be swept away to the ‘Astro’ courts which are on a lower level and – being porous - should provide greater drainage capability. If it can be shown that such action would not result in damage or flooding to the ‘Astro’ courts, then the work will be carried out.”

(f) Councillor Cobb

“Can Cllr. Davey confirm when the last structural survey was carried out on the Hove Town Hall Norton Road car park? I am concerned that the many leaking drain pipes are undermining the structural integrity of the cement blocks of which the car park is built.”

Reply from Councillor Davey, Chair of the Transport Committee.

“The last concrete defect inspection survey was carried out on 23rd November 2011, with the next annual inspection scheduled for the end of October/early November this year.

“Repairs to the highest priority defects identified were carried out over the first three weeks of July this year. This included repairs to the North stairwell, re-sealing of expansion joints and repairs to the deck coatings to the upper exposed levels.

“The drainage pipes were also cleaned through from the roof levels to the ground, and the emptying of the ground and basement interceptor chambers is scheduled for November.”

(g) Councillor Simson

“At the beginning of this year, the Green administration made the decision to divert £175K from the Community Development budget to Neighbourhood Councils. This was despite the fact even following extensive consultation showing that there was little or no appetite for it in the communities and meant that vital community development work in both Woodingdean and Hollingbury was completely cut causing detriment to both neighbourhoods.

Can Cllr Duncan please tell me whether:

- he still considers this was the right thing to do or has the administration made a mistake?
- this is producing value for money, as community development work does?
- he is considering diverting funds from other budgets causing those programmes to also suffer?"

Reply from Councillor Duncan, Chair of the Community Safety Forum Committee.

"In answer to your specific questions, I can confirm that I still do consider establishing the neighbourhood council pilots - which seek to put real power in the hands of communities in a way previous administrations of this council seemingly quite failed to understand, and in response to an enthusiastic response from community activists and groups from across the city, including, for example, the Deans Business Club in Woodingdean - the right thing to do.

Two pilots were launched in September, and they are already starting to produce tangible results. A VFM analysis will be carried out in due course, but I stress the programme is not about saving money but delivering real democracy to communities across the city.

Finally, the success of devolving power to local communities will, of course, depend on the ability to fund the programme. At this stage, it's not the diversion of funds that seems to be the issue but massive cuts to this and other councils - and continued financial uncertainty, being forced on this council through last minute announcements by the Government, and deals over local taxation arrangements being done by local members of both opposition parties."

Supplementary information

1500 residents responded to the consultation, 88% strongly agreed or tended to agree that they would like to have more influence over decisions and services affecting their area, of this 68% said that they would become involved in local governance. 30 expressions of interest were received to become pilot Neighbourhoods Governance areas, including one from Woodingdean, Deans Business Club.

The Community Development Commission 2012-14 provided an in-depth need assessment informing decision making, this refocused priorities on areas with the most need. The 175k continues to support the work of involving and engaging communities in local decision making and solutions.

The NG pilots were launched in September 2012 and will be monitored and evaluated quarterly alongside the commissioned community development work, with the first full report in January 2013. This will inform local and strategic decisions during and after the pilot. Monitoring and evaluation reports will identify outcomes achieved, key challenges and barriers to success and identify good practice that delivers sustainable results.

The Neighbourhood Governance approach in both pilots is being driven by existing residents groups who wish to have more power and responsibility, to create better neighbourhoods and local services. In Whitehawk these groups are merging to create one Neighbourhood Council and in Hollingdean and Stanmer a steering group is being developed that is made up of representatives from a range of groups and forums.

The Whitehawk Neighbourhood Council is planning an initial event in October which intends to stimulate discussions about budgets, allocations, funding priorities, and to open up new ways of achieving local priorities. They are also working on their own governance structures, looking to develop Participatory Budgeting with Health and Youth funding and develop a Neighbourhood Plan.

Subject: Extract from the Proceedings of the Policy & Resources Committee Meeting held on the 11 October 2011 – Appointment of Chief Executive and Head of Paid Service

Date of Meeting: 25 October 2012

Report of: Monitoring Officer

Contact Officer: Name: **Mark Wall** Tel: **29-1006**
E-mail: mark.wall@brighton-hove.gov.uk

Wards Affected: All

Action Required of Council:

To receive the item referred from the Policy & Resources Committee for approval:

Recommendation:

- (i) That the appointment of Penny Thompson, to be the Chief Executive and Head of Paid Service for the Council with effect from the 12th November 2012 be approved;
- (ii) That the appointment be on a salary of £150,000 per annum;
- (iii) That the Director of Adult Social care (in her capacity as the Director with interim responsibility for Human Resources) and after consultation with the Leader of the Council, be authorised to take all steps necessary or incidental to implementation of the appointment, including any detailed terms or administrative arrangements that may be outstanding.

POLICY & RESOURCES COMMITTEE

**4.00 pm 11 OCTOBER 2012
COUNCIL CHAMBER, HOVE TOWN HALL**

DRAFT MINUTES

Present: Councillor J Kitcat (Chair) Councillors Littman (Deputy Chair), G Theobald (Opposition Spokesperson), Hamilton, Mitchell (Opposition Spokesperson), A Norman, Peltzer Dunn, Shanks, Wakefield and West.

PART ONE

68. RESOLVED:

- (1) That the Council be recommended to:
 - (i) Appoint Ms Penny Thompson as Chief Executive and Head of Paid Service;
 - (ii) Approve the salary for the post to be set at £150K per annum; and
 - (iii) Approve the appointment to be effective on 12th November 2012 subject to the transitional arrangements referred to in paragraph 3.5 of the report; and
- (2) That the Director of Adult Social care (in her capacity as the Director with interim responsibility for Human Resources) and after consultation with the Leader of the Council, be authorised to take all steps necessary or incidental to implementation of the appointment, including any detailed terms or administrative arrangements that may be outstanding.

LABUOR & CO-OPERATIVE GROUP AMENDMENT**OPTIONS FOR PROVIDING ADDITIONAL SCHOOL PLACES**

Insert an additional recommendation (2) as shown in bold italics below:

RECOMMENDATIONS

1. That Council agrees to the publication of the updated School Organisation Plan 2012 to 1016 and Consultation Document by end of October 2012; and
2. ***That in regard to resolution (8) of the Children & Young People Committee as detailed in the extract from the proceedings, officers be requested to consult on the provision of new schools in the city as part of its overall consultation process on additional school place provision.***

Proposed by Cllr Pissaridou

Seconded by Cllr Mitchell

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NOTICE OF MOTION

CONSERVATIVE GROUP

TRAVELLER ENCAMPMENTS ON SENSITIVE SITES IN BRIGHTON & HOVE

“This Council notes the powers contained in the Criminal Justice and Public Order Act 1994 that allow Sussex Police, in conjunction with Brighton & Hove City Council, to move unlawful encampments off public land in the city where they consider that (i) there is disruption to local community activity; (ii) damage has been caused to the land/property, e.g. forced entry; (iii) there is evidence of arrestable offences being committed by the trespassers; or (iv) there is proof that any of the trespassers have used threatening behaviour.

Council further notes that the recent Traveller Scrutiny Panel recommended that, as a matter of priority, the Council produce a plan for identifying and securing sensitive sites in the city.

Given the unprecedented scale of unauthorised encampments in the city in recent months, many of which have occurred on sensitive parkland sites, this Council:

- 1) Requests that the Environment & Sustainability Committee considers the adoption of a sensitive site protocol, in partnership with Sussex Police, as a matter of urgency and that any future incursions on sensitive sites be the subject of immediate eviction utilising the powers described above.
- 2) Believes that any areas not included on a sensitive sites list should not automatically become ‘tolerated’ sites for unauthorised camping.”

Proposed by: Cllr G. Theobald

Seconded by: Cllr Peltzer Dunn

Supported by: Cllrs Cobb, Brown, Bennett, C. Theobald, Cox, A. Norman, K. Norman, Wealls, Mears, Janio, Barnett, Simson, Wells, Hyde, Smith, and Pidgeon.

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NOTICE OF MOTION AMENDMENT

GREEN GROUP

TRAVELLER ENCAMPMENTS ON SENSITIVE SITES IN BRIGHTON & HOVE

Delete wording in paragraph three and recommendation 2 as struck through and insert the wording in paragraphs 2 and recommendation 1 as shown in bold italics below:

“This Council notes the powers contained in the Criminal Justice and Public Order Act 1994 that allow Sussex Police, in conjunction with Brighton & Hove City Council, to move unlawful encampments off public land in the city where they consider that (i) there is disruption to local community activity; (ii) damage has been caused to the land/property, e.g. forced entry; (iii) there is evidence of arrestable offences being committed by the trespassers; or (iv) there is proof that any of the trespassers have used threatening behaviour.

Council further notes that the recent Traveller Scrutiny Panel recommended that, as a matter of priority, the Council produce a plan for identifying and securing sensitive sites in the city. **Council also notes the Panel’s other findings, including recognition that a new permanent site would free up temporary pitches for visiting travellers. Once enough pitches are free, the Police may use their full powers to redirect traveller groups to the transit site – rather than move groups on endlessly round the city.**

Given the ~~unprecedented~~ scale of unauthorised encampments in the city in recent months, many of which have occurred on sensitive parkland sites, this Council:

- 1) Requests that the Environment & Sustainability Committee **to support ongoing work on** ~~considers the adoption of~~ a sensitive site protocol, in partnership with Sussex Police, as a matter of urgency and that any future incursions on sensitive sites be the subject of ~~immediate eviction~~ **the statutory health, welfare and community impact checks prior to any decision about proportionately** utilising the powers described above.
- 2) Believes that any areas not included on a sensitive sites list should not automatically become ‘tolerated’ sites for unauthorised camping.”

Proposed by: Cllr West

Seconded by: Cllr J Kitcat

Supported by: Cllrs Bowden, Buckley, Davey, Deane, Duncan, Follett, Hawtree, Jarrett, Jones, Kennedy, A Kitcat, J Kitcat, Littman, Mac Cafferty, Phillips, Powell, Rufus, Shanks, Sykes, Wakefield.

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| Council | Agenda Item 42(e) |
| 25 October 2012 | Brighton & Hove City Council |

NOTICE OF MOTION

LABOUR & CO-OPERATIVE GROUP AMENDMENT

FUEL POVERTY

To insert additional wording into the first recommendation at paragraph seven after the word 'Coalition' as shown in bold italics below:

"This Council notes with concern the impacts of the energy bill crisis faced by this country, with millions of people struggling to adequately heat their homes.

1 in 4 households in the UK are now in fuel poverty, meaning they need to spend more than 10% of their income on keeping their homes warm. The problem is likely to get worse with 1 in 3 households nationally projected to be in fuel poverty by 2016.

In Brighton and Hove nearly 16,000 households were calculated by DECC to be in fuel poverty in 2010. On the basis of the proportion of households in fuel poverty, our city is in the worst-performing 10% of Local Authorities in the South East including London.

Cold homes are damaging the health of vulnerable members of society, including children, older people and people with disabilities. Diseases such as asthma are made worse, and people are more likely to have strokes and heart attacks. Illnesses caused by cold homes cost the NHS nearly one billion pounds each year. Over the past five years, there have been on average 26,000 'Excess Winter Deaths' in the UK; a far higher proportion of our population than in countries with a colder climate such as Norway and Sweden.

The main reasons for fuel poverty are that gas, oil and coal prices are high and rising, and that the UK's homes are some of the most energy inefficient in Europe. Bringing the homes of the fuel poor up to the energy efficiency standards of homes built today would reduce their fuel bills by an average of 52%, taking the majority out of fuel poverty.

This Council welcomes the forthcoming Green Deal and ECO initiatives but considers them inadequate responses in the face of the urgency and scale of the fuel poverty crisis.

Further to the above, this Council:

- Asks Policy & Resources Committee to consider signing the Local Authority Fuel Poverty Commitment promoted by the End Fuel Poverty Coalition(1); **and that Brighton & Hove City Council joins with other**

councils who are actively promoting co-operative energy switching schemes and to promote the benefits to this to local residents;

- Calls on Secretary of State Ed Davey to recommit to the target that no household should be living in fuel poverty by November 2016;
- Calls on HM Treasury to use the funds raised from carbon taxes (the Emissions Trading Scheme (ETS) and the Carbon Floor Price) to invest in a national programme to improve the heating and insulation standards of low income and fuel-poor households.”

Proposed by: Cllr Morgan

Seconded by: Councillor Pissaridou

(1) Text available here: <http://bit.ly/QFeVZG>

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NOTICE OF MOTION

CONSERVATIVE GROUP AMENDMENT

FUEL POVERTY

Delete wording in paragraph six as struck through and insert additional wording in paragraph 6 and a new paragraph 6 as shown in bold italics below:

“This Council notes with concern the impacts of the energy bill crisis faced by this country, with millions of people struggling to adequately heat their homes.

1 in 4 households in the UK are now in fuel poverty, meaning they need to spend more than 10% of their income on keeping their homes warm. The problem is likely to get worse with 1 in 3 households nationally projected to be in fuel poverty by 2016.

In Brighton and Hove nearly 16,000 households were calculated by DECC to be in fuel poverty in 2010. On the basis of the proportion of households in fuel poverty, our city is in the worst-performing 10% of Local Authorities in the South East including London.

Cold homes are damaging the health of vulnerable members of society, including children, older people and people with disabilities. Diseases such as asthma are made worse, and people are more likely to have strokes and heart attacks. Illnesses caused by cold homes cost the NHS nearly one billion pounds each year. Over the past five years, there have been on average 26,000 ‘Excess Winter Deaths’ in the UK; a far higher proportion of our population than in countries with a colder climate such as Norway and Sweden.

The main reasons for fuel poverty are that gas, oil and coal prices are high and rising, and that the UK’s homes are some of the most energy inefficient in Europe. Bringing the homes of the fuel poor up to the energy efficiency standards of homes built today would reduce their fuel bills by an average of 52%, taking the majority out of fuel poverty.

This Council welcomes the forthcoming Green Deal and ECO initiatives ~~but considers them inadequate responses in the face of the urgency and scale of the fuel poverty crisis.~~ **and other measures taken by the Government to help tackle fuel poverty such as feed in tariffs, the Warm Homes Discount, boosting cold weather payments and, most recently, the new Energy Bill which will force energy companies to put customers on the lowest cost tariff. This Council also recognises that more needs to be done to break up the dominance of the Big Six energy suppliers and, therefore, looks forward to further measures that have been announced by the regulator – OFGEM – to increase competition in the energy sector through ‘Mandatory Auctions’ which will force the Big Six**

suppliers to sell 25% of their power, thus enabling new suppliers to enter the market.

Further, this Council regrets that whilst the current Leader of Her Majesty's Loyal Opposition, held the position of Secretary of State for Energy and Climate Change between October 2008 and May 2010, he failed to ensure that the reductions in wholesale energy prices at the time were passed onto consumers - whilst wholesale costs fell by 27%, consumer bills only came down by 9% and the average profit per bill for the energy companies increased by over 300%.

Further to the above, this Council:

- Asks Policy & Resources Committee to consider signing the Local Authority Fuel Poverty Commitment promoted by the End Fuel Poverty Coalition; (1)
- Calls on Secretary of State Ed Davey to recommit to the target that no household should be living in fuel poverty by November 2016;
- Calls on HM Treasury to use the funds raised from carbon taxes (the Emissions Trading Scheme (ETS) and the Carbon Floor Price) to invest in a national programme to improve the heating and insulation standards of low income and fuel-poor households.

Proposed by: Cllr Geoffrey Theobald

Seconded by: Cllr Garry Peltzer Dunn