



**Brighton & Hove
City Council**

**COUNCIL
ADDENDUM**

4.30PM, THURSDAY, 22 OCTOBER 2015

THE BRIGHTON CENTRE

ADDENDUM

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50 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION: 23 - 34

- (a) **Planning Reform.** *The original notice of motion included in the agenda papers listed Councillor G. Theobald rather than C. Theobald as the proposer and a revised copy is attached for clarity.*

- (a) **Planning Reform.** Amendment from the Green Group proposed by Councillor Mac Cafferty (copy attached).

- (b) **Christmas Parking and Roadworks Suspension.** Amendment from the Labour & Co-operative Group proposed by Councillor Mitchell (copy attached).

- (c)(i) **Future Council Funding.** Amendment from the Conservative Group proposed by Councillor Wealls (copy attached).

- (c)(ii) **Future Council Funding.** Amendment from the Green Group proposed by Councillor Sykes (copy attached).

- (d) **Individual electoral Registration (IER)** *The original notice of motion included in the agenda papers listed Councillors Barradell and Robins in the supporting list rather than Councillors Morgan and Yates and a revised copy is attached for clarity.*

Council	Agenda Item 34
22 October 2015	Brighton & Hove City Council

Subject:	Review of the Council's Constitution - October 2015		
Date of Meeting:	22 October 2015		
Report of:	Head of Legal & Democratic Services & Monitoring Officer		
Contact Officer:	Name:	Ross Keatley	Tel: 29-1064
	E-mail:	ross.keatley@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

Action Required of Council:	
To approve the recommendations of the Policy & Resources Committee:	
Recommendation:	
(1)	That the proposed changes to the Council's constitution set out in paragraphs 3.2 to 3.4 (Procedure for Dismissing Certain Statutory Officers), 3.5 to 3.6 (Appointment of Chief Executive to be on the recommendation of the Appointments and Remuneration Panel), 3.9 (terms of reference of the Health & Wellbeing Board), 3.12 (Sustainable Community Strategy), 3.13 (Policy & Resources Committee Terms of Reference) and 3.15 to 3.16 (Contract Standing Orders) be approved;
(2)	That the Acting Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by Policy & Resources Committee and Full Council respectively and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
(3)	That the changes come into force immediately following Council approval.

BRIGHTON & HOVE CITY COUNCIL
POLICY & RESOURCES COMMITTEE
4.00pm 15 OCTOBER 2015
AUDITORIUM - THE BRIGHTELM CENTRE
MINUTES

Present: Councillor Morgan (Chair), Hamilton (Deputy Chair), G Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bewick, Janio, Mitchell, A Norman, Sykes and Wealls

PART ONE

56 REVIEW OF THE COUNCIL'S CONSTITUTION - OCTOBER 2015

- 56.1 The Committee considered a report of the Monitoring Officer in relation to Review of the Council's Constitution – October 2015. The report proposed changes to the Council's Constitution for approval by the Committee and Council; the issues set out in the report had been reviewed by a cross-party Constitutional Working Group and Leaders Group.
- 56.2 In response to Councillor Janio it was confirmed that the appointment of a Deputy Chair of the Health & Wellbeing Board would allow that person to substitute as the Chair when necessary. It was also clarified that the authority would continue to produce a Sustainability Strategy, despite the withdrawal of the statutory requirement, as it was citywide and fed into the areas of the Corporate Plan.
- 56.3 The Chair then put the recommendations to the vote:
- 56.4 **RESOLVED:** That the Committee:
- (1) Approves the proposals set out at paragraphs 3.7 to 3.8 (Realignment of Finance & Resources Functions), 3.10 (Senior Information Risk Officer) and 3.11 (Assets of Community Value; and
 - (2) That the changes in paragraph (i1) above come into force immediately following approval by Policy & Resources Committee and, for matters requiring Council approval, following approval by Council.

RESOLVED TO RECOMMEND: That Council:

- (3) Approves the proposed changes to the Council's constitution set out in paragraphs 3.2 to 3.4 (Procedure for Dismissing Certain Statutory Officers), 3.5 to 3.6 (Appointment of Chief Executive to be on the recommendation of the Appointments and Remuneration Panel), 3.9 (terms of reference of the Health & Wellbeing Board), 3.12 (Sustainable Community Strategy), 3.13 (Policy & Resources Committee Terms of Reference) and 3.15 to 3.16 (Contract Standing Orders).
- (4) Authorise the Acting Chief Executive and Monitoring Officer to take all steps necessary or incidental to the implementation of the changes agreed by Policy & Resources Committee and Full Council respectively and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes.
- (5) That the changes come into force immediately following Council approval.

22 October 2015

Brighton & Hove City Council

Subject:	Appointment of the Chief Executive and Head of Paid Service		
Date of Meeting:	22 October 2015		
Report of:	Interim Executive Director Finance & Resources		
Contact Officer:	Name:	Sue Moorman	Tel: 293629
	Email:	Sue.moorman@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

NOTE: By reason of the special circumstances, and in accordance with section 100B(4)(b) of the 1972 Act, the Chair of the meeting has been consulted and is of the opinion that this item should be considered at the meeting as a matter of urgency for the following reason, that as the responsible body, the Council is being asked to ratify the recommendations of the Appointments Panel for the appointment of the Chief Executive and ensure there is no unnecessary delay to making a formal offer of employment.

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the due to the appointments process for the post of Chief Executive, the Appointments Panel could only meet on the 19th and 20th October and its recommendation then included in the report for the Council meeting on the 22nd October.

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To seek Council's approval to the appointment of Mr Geoff Raw as Chief Executive and Head of Paid Service, following a selection process which took place over 19th and 20th October 2015.

2. RECOMMENDATIONS:

- 2.1 That Council appoints Mr. Geoff Raw as Chief Executive and Head of Paid Service.
- 2.2 That the salary for the post be set at £150,000 per annum.
- 2.3 That the appointment takes effect from 23rd October 2015.
- 2.4 That the Interim Executive Director of Finance and Resources, 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.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Under the Local Government and Housing Act 1989, the Council has a legal duty to appoint a “Head of Paid Service” which, in practical terms, is a role fulfilled by the Chief Executive. The appointment of the Chief Executive requires Full Council approval.
- 3.2 Following a national recruitment campaign, four candidates were invited to the selection process for the new Chief Executive, one candidate subsequently withdrew. The selection process was undertaken by the Appointments and Remuneration Panel, a cross-party group of 6 Members. An assessment day took place on 19th October, including a technical competency assessment and stakeholder sessions. The final selection panel interview was held on 20th October.
- 3.3 The unanimous recommendation of the Panel is that Mr Geoff Raw be appointed as Chief Executive and Head of Paid Service.
- 3.4. Mr Raw has worked for the Council since 2010 at Director level accountable for Environment, Development and Housing services. He took on the role of Acting Chief Executive, following Council’s approval on 16th July 2015.
- 3.5 It is recommended that the permanent appointment is effective from 23rd October 2015. The interim arrangements that are in place to cover Mr Raw’s substantive post of Executive Director, Environment, Development & Housing, should continue pending a formal recruitment process for the role, which will be undertaken by the Appointments and Remuneration panel.
- 3.6 Mr Raw has over 30 years experience in public service at both National and Local level and demonstrates a significant breadth of knowledge and experience. Most notably at the London Borough of Brent he was responsible for securing the planning agreement on Wembley Stadium and the regeneration master planning of the surrounding area, and when he was employed at the London Development Agency he led on the regeneration of the Royal Docks. He has particular expertise in major regeneration and sustainable development and his professional background is in Planning.
- 3.7 Since joining Brighton & Hove Council Mr Raw has led the work on the establishment of the Greater Brighton Economic Board and in securing successful City Deal status which has included £100m of government economic growth and innovative joint venture private sector investment in housing, retail, venue & tourism development. He has also been the Council’s lead on the Greater Brighton devolution prospectus, which offers exciting opportunities for the Region. Mr Raw is a local resident who has great pride in the City and the role the Council has in its continued growth and success. He is committed to positive partnerships both across the City and within the Region to maximise ambition for the area and its citizens.
- 3.8 Mr Raw brings to the role a wealth of experience across local government and public service which will be valuable in helping the Council fulfil its priorities and commitments over the following years recognising that we face a challenging financial environment in which to do it.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 All political groups were consulted through their representatives and the interview undertaken by a cross party group of Councillors. In addition, stakeholders representing local businesses, the community and voluntary sector had the opportunity to hear from the shortlisted candidates and give their comments.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 All political groups were consulted through their representatives and the interview undertaken by a cross party group of Councillors. In addition, stakeholders representing local businesses, the community and voluntary sector had the opportunity to hear from the shortlisted candidates and give their comments.

6. CONCLUSION

- 6.1 The appointment of the Chief Executive and Head of Paid of Service requires Council approval of the recommendation of the Appointments Panel of the Council, hence this report.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The proposed appointment can be funded from the existing salary budget. The Chief Executive's salary is set to ensure it is competitive when compared to roles of similar size and complexity elsewhere and with regard to the challenges, additional hours and working arrangements required to achieve the requirements of the role. The salary is on a single fixed salary point. Nationally negotiated cost of living awards are applied.

The current salary is £150,000. This reflects a ratio of 1:9.9 against the lowest paid council employee i.e. £150,000 to £15,144 (living wage rate for BHCC).

Finance Officer Consulted: Nigel Manvell

Date: 21/10/15

Legal Implications:

- 7.2 The Council has a duty to appoint a Head of Paid Service. Under the Local Authorities (Standing Orders) Regulations 2001, this has to be approved by the Full Council and cannot be delegated to a committee or a sub-committee of the Council. The Head of Paid Service, in addition to his statutory role, will undertake all the functions listed in the Council's constitution, including overall responsibility for the delivery and direction of Council services.

The contract of employment for the Chief Executive and Head of Paid Service will need to reflect the statutory procedures relating to the Heads of Paid Service, Monitoring Officer, and S151 Officers as set out in the Local Authorities (standing Orders) (Amendments) Regulations 2015.

Equalities Implications:

- 7.3 The process for appointing a Chief Executive has been undertaken in line with a robust recruitment process in accordance with Council policies, which reflect equalities legislation and good practice. The appointments process was undertaken having regard to equalities principles and candidates' approach to equality and diversity was one of the criteria for selecting the successful candidate.

Sustainability and other significant implications:

- 7.4 There are no direct implications arising from this report.

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 written questions have been received from members of the public.

(a) Mr. N. Furness

“Regarding the loss of approximately 14 mature elm trees in the Westbourne area of Hove recently, as a result of the sheer irresponsibility of the proprietors of St. Christopher's School in storing elm logs infected with Dutch Elm Disease, for which no prosecution was pursued, could you please enlighten us, Councillor Mitchell, as to whether the aforementioned school has offered any recompense towards the removal and replacement of these trees?”

Councillor Mitchell, Chair of the Environment, Transport & Sustainability Committee will reply.

(b) Mr. C. Hawtree

“Would Cllr Morgan please tell us what plans he has to increase the art-gallery provision in Hove and Brighton so that we can match, and perhaps even eclipse, the splendid galleries which bring visitors to Chichester and Eastbourne, and indeed recently to the new Jerwood in Hastings?”

Councillor Morgan, Leader of the Council 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 one Deputation has been received. The spokesperson is entitled to speak for 5 minutes.

(a) Deputation concerning Support for a community café and storage space**(Spokesperson) – Ms. S. Betts**

Supported by:
Adam Buckingham
Imogen Richmond-Bishop
Jess Hooper
George Beard

<p>Council</p> <p>22 October 2015</p>	<p>Agenda Item 38 (a)</p> <p>Brighton & Hove City Council</p>
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Deputation: Support for a community café and storage space

We wish to urge the council to support us in our search for a premises for a community café and storage space. The Real Junk Food Project Brighton has been running for just under a year, in this time we have saved over 14 tonnes of edible food from landfill and fed thousands of people. We have served food to both MP's at the Houses of Parliament and to the most vulnerable members of our community. We have worked with and supported a number of organisations in our city, including but not limited to Justlife, Rise, Brighton Voices in Exile, Chomp, and the Brighton and Hove Food Partnership. We are however unable to expand further without our own full time café space and storage area.

- 1 - Malnutrition and child poverty: Malnutrition and child poverty are on the rise in the UK. In some areas of Brighton poverty affects 41.9% of under 18s, this not only has immediate consequences on the wellbeing of the individual, but also can have long term health effects. At our pop-up cafes we provide not only a nutritious meal, but also ingredients for people to take home.
- 2 - Social isolation: We help individuals who are suffering from social isolation, loneliness and other mental health issues, our community cafés are open to all and aim to provide a safe space for those who need it. We can also help individuals find support appropriate to their needs through our ties with numerous community groups and charities in our city.
- 3 - Unemployment – We rely on a core team of volunteers to help us run our café. We provide volunteers with valuable experience working in kitchens, in dealing with the public and we also are working on providing formal training for our core team therefore improving their chances of gaining employment. In the future once we are able to be open full time we will be aiming to provide employment opportunities to members of our community.
- 4 - Food Waste: Food waste in the household costs the average family £680 per annum, we aim to help people reduce this by holding workshops on menu planning and food budgeting. We also to aim to tackle food waste on a national level as well, it is for this reason that we have supporting Kerry McCarthy's food waste bill.
- 5 - Health issues and obesity : In 2010 obesity cost the NHS in Brighton and Hove £78.1 million, obesity can be linked to processed foods that are high in fats, sugars, and salt, we are working on providing healthy nutrition classes that will be both provided by our core team of volunteers and external practitioners. For this we have built close relationships with nutritionists, and in particular with the Brighton and Hove Food Partnership and Nutrition for Change and are just waiting for a full time premises to be able to run these.

Spokesperson – Ms. S. Betts

Supporting Information:

'We've been working in partnership with Real Junk Food in Brighton for about 6 months, their work is nothing short of incredible. The Real Junk Food team work tirelessly to produce healthy, creative and tasty meals for dozens of Justlife clients who gather every week for support and developmental activities. Our work with people who are close to the streets has been enhanced immensely by RJs reliability, generosity and professionalism in every encounter and we fully endorse any application which they make for further support.'

Gary Bishop, CEO, Justlife.

'We've partnered with Real Junk Food for our Chomp project. Chomp provides nutritional meals during the school holidays for kids that rely on free school meals during term time. Real Junk Food have been great at communicating what food they have collected and donate to Chomp - fresh produce that we can use in our meals or excess tinned goods that we can give to families that we know are struggling financially. Real Junk Food have also kindly invited Chomp families to dine complimentary at their cafe, which has been great for our families. One of our values is to reduce waste and use local food and Real Junk Food help us achieve this in an efficient way so we can focus on the families.'

Amy Goodwin, Chomp Manager

'I support The Real Junk Food Project Brighton because it redeems an injustice'.

Ben Szobody, One Church

'The Real Junk Food Project is ground-breaking and I am delighted to welcome it to Brighton and Hove. At a time of growing concern about the provenance of our food, about food waste and increased reliance on food banks, The Real Junk Food Project is asking all the right questions – and coming up with answers too. It seeks not just to address the symptoms of some of the problems with our food production system but goes back to the causes, in a bid to reconnect people with the pleasures and benefits of real food.'

Caroline Lucas MP

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions listed on pages 61 - 62 of the agenda have been received from Councillors and will be taken as read along with the written answers listed below:

(a) Councillor C. Theobald

“Will the Chair of the Environment, Transport & Sustainability Committee please tell me why the Black Lion Street public toilets have recently been closed and, if this is a temporary measure, when they will reopen? Have any other public toilets been similarly closed this year?”

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

As part of the budget for this financial year Council agreed to reduce the funding for public conveniences by £160,000 per year. The budget report set out that the savings would be realised through reduced opening times, reduced cleansing frequencies and some site closures.

An amendment was agreed at reconvened budget council to reduce the saving for Public Conveniences in 2015/16 only from £160,000 to £40,000.

To implement this decision made by full council the toilet in Black Lion Street was permanently closed on 1st July of this year. The reasons this site was selected for closure are that:

- Maintaining this facility cost £40,000 per year
- The site had low foot fall
- There are alternative facilities in close proximity
- The site suffered from higher levels of antisocial behavior during the hours that it was not attended.

Since its closure the service has received two complaints and only a handful of queries about its closure

In order to meet the in-year saving of £40,000 other changes that have been implemented include reducing levels of attendance at the toilets in Pavilion Gardens and removing the attendant in Norton Road toilets which are open at weekends.

(b) Councillor Miller

“Will the Chair of the Environment, Transport & Sustainability Committee please tell me when it is planned to reopen the historic Madeira Lift?”

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

The Madeira Lift is open from Easter to the end of September each year and is operated by the tenant of Concorde II on behalf of the council. In August this year the lift shaft and basement of Concorde II was flooded following a severe rainstorm. As a result, water got into the electrical system and the lift had to be taken out of service. Although the electrical system which directly services the lift was checked by an electrician and approved, the main supply which is owned by UK Power Networks was deemed to be non-compliant and therefore was shut down with immediate effect. This meant the lift could no longer operate as the electrical supply had been cut off. The council has now installed a new electrical supply so that the lift can operate independently. The lift will reopen to the public next season as scheduled on Good Friday 2016.

(c) Councillor G. Theobald

“Will the Chair of the Environment, Transport & Sustainability Committee confirm whether or not the Council will be making a submission to the Local Government Association’s review of Trading Standards services and, if so, will there be an opportunity for Members to input into this? The review has been initiated in response to a proposal by the Chartered Trading Standards Institute for the creation of large strategic trading standards authorities funded directly from central Government.”

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

We welcome the recognition of the significance and impact of the Trading Standards Service in protecting residents and in supporting businesses. This is a central priority for us in Brighton and Hove.

We are however concerned about the number of different reviews currently running in parallel. We believe that the reviews need to work together to reach a common understanding of the issues. That way they are more likely to deliver results which will be supported by both central and local government, and which will improve the impact of the service and hence the outcomes for local residents and businesses.

We recognise the picture of significant reductions in resources over recent years, outlined in recent work from Chartered Trading Standards Institute, and the increasing postcode lottery of service provision in some parts of the country. We don’t believe that provides any reason to consider alternative delivery models outside of local government.

We believe that it is vital that the Trading Standards Service remains part of local government. It makes a major contribution to delivering local priorities, in protecting residents and supporting local businesses. In doing so it achieves much more than it otherwise could by being part of the network of local government services.

Our own model, where we work closely with colleagues in East Sussex Trading Standards, by jointly authorising officers so that capacity and competency can be maintained, is one part of the solution to the current issues facing the service

nationally. This helps us to ensure we can continue to provide excellent services whilst also meeting the financial challenges that face us.

Devolution may well also have a part to play in helping to shape the future of the service. It provides an opportunity to address some of the weaknesses identified whilst retaining local accountability.

In addition, in order to help address variations in service delivery or the potential for enforcement gaps, we believe that Government should build upon existing commissioning approaches. It should use both National Trading Standards and the regional Trading Standards co-ordinating groups, to channel resources to tackle any particular issues of national concern. This has already proved successful in areas such as animal feed, and in relation to tobacco control, and has scope to be developed further into other key policy areas for central government.

Abbreviations sometimes used:

BRDO = Better regulation Delivery Office (part of DBIS)

BIS = Department of Business Innovation and Skills (DBIS normally).

(d) Councillor Sykes

“What form of sensitivity analysis was undertaken to determine whether the effect of changes to the city traffic network (inc. Lewes Road, Edward Street, Station Gateway) could materially undermine the traffic modelling that informed the Oct 14 Valley Gardens business case? Following from this, what will be the total likely revenue cost to BHCC, by financial year, of the 2015 project review, new traffic surveying in Oct 2015, fresh traffic modelling and project redesign?”

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

The independent review's concern relates not to the modelling that formed the basis of the Business Case, but to the further detailed analysis that was undertaken after submission of the Business Case to inform refinements to the Business Case scheme. (The Business Case scheme included new vehicle routes within Victoria Gardens; the current / refined scheme accommodates all vehicles within existing kerb-lines).

Due to errors discovered in the post-Business Case modelling, and the fact that modelling provided the rationale for refinements to the Business Case scheme, the independent review understandably recommends re-modelling the refined scheme. This process will either reassure that the current design proposal can accommodate vehicle demand, or identify where further refinements to the proposal are required prior to the project moving to the implementation stage.

Because the current scheme needs re-modelling, it is considered sensible to take the opportunity to update the traffic flows used in the model to reflect 2015 conditions, as recommended by the Independent Review. Since the original scheme was modelled, a number of significant changes to the surrounding network have been made, including Lewes Road, Vogue Gyratory, Edward Street and Brighton Station Gateway. Given sensitivity around the project, and

the shared desire to ensure the final scheme provides the best possible outcome for Valley Gardens into the future, updating traffic flow data used in the model will provide additional reassurance that the scheme's evidence base is as strong as it possibly can be.

Beyond Valley Gardens, the updated city centre transport model (which covers an area between Seven Dials, the seafront and Lewes Rd) can also be used to test impacts of future developments, spreading the value for money achieved by the current process.

In terms of cost, gathering updated traffic data will cost approximately £30,000. Updating the city-centre model with the new data, and testing the current Valley Gardens proposal will cost a similar sum. The review has cost £12,000. It is not possible to ascertain what if any additional design work may be required as a result of the updated modelling until that process has run its course. However, given the rationale for remodelling the scheme, and the importance of getting the proposal right before it is implemented, this design work can be viewed as necessary rather than optional. Overall for gathering traffic data and modelling for Valley Gardens it is anticipated to cost an additional £70-£80k.

It is however reasonable to assume that the extent of any additional (and so redesign) design cost will be modest, given that potential issues identified by the review are constrained to isolated locations within the wider scheme proposal, and technical design has been put on hold during the review process (to protect against undertaking abortive design work).

All costs will be funded from the project's capital budget, and so have no impact on revenue. All costs will relate to the current financial year.

It should also be noted that the original modelling that the review identifies as substandard cost less than £1,000. The re-modelling is much more expensive because it is much more detailed, and so provides a stronger evidence base for the scheme.

Subject:	Extract from the proceedings of the Policy & Resources Committee meeting held on the 15th October 2015 - Proposed Submission East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan		
Date of Meeting:	22 October 2015		
Report of:	Head of Legal & Democratic Services & Monitoring Officer		
Contact Officer:	Name:	Ross Keatley	Tel: 29-1064
	E-mail:	ross.keatley@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE***Action Required of Council:***

To approve the recommendations of the Policy & Resources Committee.

Recommendation:

- 1) That the responses to the consultation on the Consultation Draft Waste & Minerals Sites Plan (an extract of comments is included in Appendix 1, with a full schedule on the City Council's website, placed in the Members' Rooms, and in main libraries and Customer Service Centres) be noted;
- 2) That the publication of the Proposed Submission Waste & Minerals Sites Plan for statutory public consultation for an eight week period commencing on 28 October 2015 (along with supporting documents) be agreed;
- 3) That the document subsequently be submitted to the Secretary of State subject to no material changes being necessary, other than alterations for the purposes of clarification, improved accuracy of meaning or typographical corrections;
- 4) That the Head of City Planning & Development be authorised to agree any draft 'main modifications' to the Sites Plan necessary to make it sound and to authorise the publication of such draft modifications for public consultation, save that should any draft modification involve a major shift in the policy approach of the Sites Plan, the draft modification shall be referred by the Head of City Planning & Development to the Policy & Resources Committee for approval;
- 5) That it be noted that all modifications to the Sites Plan will be presented to the Policy & Resources Committee and Full Council in due course as part of the adoption process of the Plan; and

6) That the following background studies as supporting evidence for the Sites Plan (see Appendix 2 for a summary), be approved:

- Sustainability Appraisal;
- Habitats Regulations Assessment;
- Strategic Flood Risk Assessment;
- Site Selection and Methodology Document;
- Schedule of Suitable Industrial Estates;
- Detailed Site Assessment Document.

BRIGHTON & HOVE CITY COUNCIL

POLICY & RESOURCES COMMITTEE

4.00pm 15 OCTOBER 2015

AUDITORIUM - THE BRIGHTELM CENTRE

MINUTES

Present: Councillor Morgan (Chair), Hamilton (Deputy Chair), G Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bewick, Janio, Mitchell, A Norman, Sykes and Wealls

PART ONE

51 PROPOSED SUBMISSION EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS SITES PLAN

51.1 The Committee considered a report of the Acting Executive Director for Environment, Development & Housing in relation to the Proposed Submission East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan. The report sought approval for the publication of the Sites Plan along with supporting documents for an eight week period of consultation from 28 October 2015, subject to approval by East Sussex County Council and the South Downs National Park Authority, prior to submission to the Secretary of State for public examination. The report was recommended to Council for the final decision.

51.2 In response to Councillor Mac Cafferty it was explained by Officers that they were confident there was sufficient allocation in the plan across the wider area, and there flexibility had been built in to allow for sites that had had contamination in the past. It

was also clarified that whilst there had been a reduction in sites the amount of waste in the area was stable and actually reducing slightly.

51.3 In response to Councillor Janio it was clarified that Hangleton Bottom did not fall within the Area of Outstanding Natural Beauty, and the range of development potentials would be measured against the sensitivity of the site.

51.4 The Chair then put the recommendations to the vote.

51.5 **RESOLVED TO RECOMMEND:** That the Committee recommend that Council:

- 1) Note the responses to the consultation on the Consultation Draft Waste & Minerals Sites Plan (an extract of comments is included in Appendix 1, with a full schedule on the City Council's website, placed in the Members' Rooms, and in main libraries and Customer Service Centres);
- 2) Agree and publish the Proposed Submission Waste & Minerals Sites Plan for statutory public consultation for an eight week period commencing on 28 October 2015 (along with supporting documents);
- 3) Subsequently submit the document to the Secretary of State subject to no material changes being necessary, other than alterations for the purposes of clarification, improved accuracy of meaning or typographical corrections;
- 4) Authorise the Head of City Planning & Development to agree any draft 'main modifications' to the Sites Plan necessary to make it sound and to authorise the publication of such draft modifications for public consultation, save that should any draft modification involve a major shift in the policy approach of the Sites Plan, the draft modification shall be referred by the Head of City Planning & Development to the Policy and Resources Committee for approval;
- 5) Note that all modifications to the Sites Plan will be presented to the Policy and Resources Committee and Full Council in due course as part of the adoption process of the Plan;
- 6) Approve the following background studies as supporting evidence for the Sites Plan (see Appendix 2 for a summary):
 - Sustainability Appraisal;
 - Habitats Regulations Assessment;
 - Strategic Flood Risk Assessment;
 - Site Selection and Methodology Document;
 - Schedule of Suitable Industrial Estates;
 - Detailed Site Assessment Document.

Council

22 October 2015

Agenda Item 44

Brighton & Hove City Council

Subject: Extract from the proceedings of the Environment, Transport & Sustainability Committee held on the 13th October 2015 – Short-term Lets (Party Houses) Scrutiny Panel Report

Date of Meeting: 22 October 2015

Report of: Head of Law and Monitoring Officer

Contact Officer: Name: **John Peel** Tel: **01273 291058**
e-mail: john.peel@brighton-hove.gov.uk

Wards Affected: All

Action Required of the Council:

To receive the item for Information and to note the Environment, Transport & Sustainability's response to the Panel's recommendations:

Recommendation:

That Council note the report.

BRIGHTON & HOVE CITY COUNCIL**ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE****4.00pm 13 OCTOBER 2015****PORTSLADE TOWN HALL****MINUTES**

Present: Councillors Mitchell (Chair), Barradell (Deputy Chair), Janio (Opposition Spokesperson), West (Group Spokesperson), Atkinson, Greenbaum, Miller, Nemeth, Robins and G. Theobald.

PART ONE**35 SHORT-TERM HOLIDAY LETS (PARTY HOUSES) SCRUTINY PANEL REPORT**

35.1 **RESOLVED:** That the officer response on Short-term Holiday Lets as detailed in appendix 1 to the report be endorsed.

Council	Agenda Item 50 (a)
22 October 2015	Brighton & Hove City Council

NOTICE OF MOTION

CONSERVATIVE GROUP

PLANNING REFORM

“This Council recognises that the ongoing problems in providing an efficient and effective planning service risk damaging relations with residents, businesses and potential investors in the city. This Council therefore, requests that the Policy & Resources Committee establishes a fundamental review of how the service is provided, looking at all potential options for its future management.”

Proposed by: Councillor C. Theobald Seconded by: Councillor Wealls

Supported by: Councillors Simson, Peltzer Dunn, Brown, A. Norman, K. Norman, Taylor, Cobb, C. Theobald, Mears, Lewry, Bell, Nemeth, Janio, Barnett, Bennett, Miller and Wares.

Supporting information:

The Development Management Update sent to all councillors on 22nd July this year by the Planning and Building Control Applications Manager outlined some emergency measures being introduced which severely restrict the service to be provided to its customers – Brighton & Hove’s residents and businesses from both within and outside the city. These included scrapping both face to face appointments and giving residents and businesses pre-application advice. We believe that these measures, whilst clearly well-intentioned, are symptomatic of some fundamental problems within the planning service. These problems have been apparent for the last few years and can only be addressed properly by carrying out a fundamental review of the service. The review should learn from other councils that operate alternative service delivery models for their planning function. A key part of the Council’s review should include the advice of Planning Minister, Brandon Lewis MP, who recently told the Communities and Local Government Select Committee that councils could do “a lot more” to cut costs and increase efficiency in planning. He said: “Both economically and in terms of dealing with good planning, I think local authorities can go a lot further with shared management and the shared delivery of planning [departments], and potentially using the private sector as well.” Mr Lewis also said there was “work to do” to get every council to view planning as an “absolutely vital part of the local authority” which drives economic growth and increases income.

Council	Agenda Item 50 (a)
22 October 2015	Brighton & Hove City Council

NOTICE OF MOTION

PLANNING REFORM

GREEN GROUP AMENDMENT

To delete text as struck through in paragraph 1 and insert the wording, as shown in bold italics.

~~“This Council recognises that the ongoing problems in providing an efficient and effective planning service risk damaging relations with residents, businesses and potential investors in the city. This Council therefore, requests that the Policy & Resources Committee establishes a fundamental review of how the service is provided, looking at all potential options for its future management.”~~ ***Chief Executive convenes an urgent roundtable discussion with senior planning staff, the Executive Director for Environment, Development and Housing and union representatives to report back to the next meeting of the Policy & Resources Committee with an action plan and clear timetable for the improved delivery of planning service functions.”***

Proposed by: Councillor Mac Cafferty Seconded by: Councillor Littman

Revised Motion:

“This Council recognises that the ongoing problems in providing an efficient and effective planning service risk damaging relations with residents, businesses and potential investors in the city. This Council therefore, requests that the Chief Executive convenes an urgent roundtable discussion with senior planning staff, the Executive Director for Environment, Development and Housing and union representatives to report back to the next meeting of the Policy and Resources Committee with an action plan and clear timetable for the improved delivery of planning service functions.”

Supporting information:

The Development Management Update sent to all councillors on 22nd July this year by the Planning and Building Control Applications Manager outlined some emergency measures being introduced which severely restrict the service to be provided to its customers – Brighton & Hove’s residents and businesses from both within and outside the city. These included scrapping both face to face appointments and giving residents and businesses pre-application advice. We believe that these measures, whilst clearly well-intentioned, are symptomatic of some fundamental

problems within the planning service. These problems have been apparent for the last few years and can only be addressed properly by carrying out a fundamental review of the service. The review should learn from other councils that operate alternative service delivery models for their planning function. A key part of the Council's review should include the advice of Planning Minister, Brandon Lewis MP, who recently told the Communities and Local Government Select Committee that councils could do "a lot more" to cut costs and increase efficiency in planning. He said: "Both economically and in terms of dealing with good planning, I think local authorities can go a lot further with shared management and the shared delivery of planning [departments], and potentially using the private sector as well." Mr Lewis also said there was "work to do" to get every council to view planning as an "absolutely vital part of the local authority" which drives economic growth and increases income.

NOTICE OF MOTION
CHRISTMAS PARKING AND ROADWORKS SUSPENSION

LABOUR & CO-OPERATIVE GROUP AMENDMENT

To insert a new paragraph No.2 as shown below in bold italics;

“This Council resolves to:

1. Request that officers bring a report to the appropriate Committee which, if agreed, would introduce free parking at Norton Road, London Road, Regency Square, High Street and Trafalgar Street car parks on Small Business Saturday (5th December) and the 3 Sundays before Christmas (6th, 13th and 20th December);
2. ***That officers also present the option of offering free parking for Small Business Saturday (5th December) only, with associated financial implications;***
3. Request that the Acting Chief Executive seeks the suspension of all non-urgent roadworks in the city centre during December.”

Proposed by: Councillor Mitchell

Seconded by: Councillor Allen

Revised Motion:

“This Council resolves to:

1. Request that officers bring a report to the appropriate Committee which, if agreed, would introduce free parking at Norton Road, London Road, Regency Square, High Street and Trafalgar Street car parks on Small Business Saturday (5th December) and the 3 Sundays before Christmas (6th, 13th and 20th December);
2. That officers also present the option of offering free parking for Small Business Saturday (5th December) only, with associated financial implications;
3. Request that the Acting Chief Executive seeks the suspension of all non-urgent roadworks in the city centre during December.”

Council	Agenda Item 50 (c)(i)
22 October 2015	Brighton & Hove City Council

NOTICE OF MOTION

FUTURE COUNCIL FUNDING

CONSERVATIVE GROUP AMENDMENT

To insert the following “without urgent reform,” at the end of the second paragraph as shown below in bold italics.

“This council notes the announcement by the Chancellor on 5th October that the revenue grant for Brighton and Hove will be withdrawn altogether, and that in 2020 the council will be able to retain all of the business rates paid within the city.

This council notes the projected budget gap of £102 million by 2019, calculated from the projected fall in revenue grant and increase in service pressures, putting the continued delivery of essential services at risk ***without urgent reform.***

This council requests the Acting Chief Executive to write to the Chancellor and Secretary of State for Communities and Local Government in support of the representations being made by the Local Government Association, asking for clarity on the proposals and to bring forward the business rate changes before the removal of revenue grant funding.”

Proposed by: Councillor Wealls

Seconded by: Councillor G. Theobald

Revised Motion:

“This council notes the announcement by the Chancellor on 5th October that the revenue grant for Brighton and Hove will be withdrawn altogether, and that in 2020 the council will be able to retain all of the business rates paid within the city.

This council notes the projected budget gap of £102 million by 2019, calculated from the projected fall in revenue grant and increase in service pressures, putting the continued delivery of essential services at risk without urgent reform.

This council requests the Acting Chief Executive to write to the Chancellor and Secretary of State for Communities and Local Government in support of the representations being made by the Local Government Association, asking for clarity on the proposals and to bring forward the business rate changes before the removal of revenue grant funding.”

Council	Agenda Item 50 (c)(ii)
22 October 2015	Brighton & Hove City Council

NOTICE OF MOTION

FUTURE COUNCIL FUNDING

GREEN GROUP AMENDMENT

To delete text as struck through in paragraph 3 and to insert the wording, as shown in bold italics in paragraphs 2 and 3 and insert an additional paragraph 4 incorporating the wording struck out in paragraph 3.

“This council notes the announcement by the Chancellor on 5th October that the revenue grant for Brighton and Hove will be withdrawn altogether, and that in 2020 the council will be able to retain all of the business rates paid within the city.

This council ***deplores the removal of revenue grant by central government, and*** notes the projected budget gap of £102 million by 2019, calculated from the projected fall in revenue grant and increase in service pressures, putting the continued delivery of essential services at risk. ***This council notes that the retention of all business rates is estimated to meet approximately only half of that budget shortfall.***

This council requests that the Acting Chief Executive write to the Chancellor and Secretary of State for Communities and Local Government ~~in support of the representations being made by the Local Government Association, asking for clarity on the proposals and to bring forward the business rate changes before the removal of revenue grant funding~~ ***to highlight the requirement to allocate funding based on need and not just on commercial /industrial potential, and the consequences to services the city can provide in the future if this is not done. Furthermore to request that the changes to business rates retention pre-empt the removal of the revenue grant such that*** ~~asking that the proposals to allow councils to retain all of the business rates paid in their authority areas are brought forward and implemented before the removal of revenue grant funding.~~

This council also requests the Acting Chief Executive to write in support of the representations being made by the Local Government Association to bring forward the business rate changes.”

Proposed by: Councillor Sykes

Seconded by: Councillor Druitt

Revised motion:

“This council notes the announcement by the Chancellor on 5th October that the revenue grant for Brighton and Hove will be withdrawn altogether, and that in 2020 the council will be able to retain all of the business rates paid within the city.

This council deplores the removal of revenue grant by central government, and notes

the projected budget gap of £102 million by 2019, calculated from the projected fall in revenue grant and increase in service pressures, putting the continued delivery of essential services at risk. This council notes that the retention of all business rates is estimated to meet approximately only half of that budget shortfall.

This council requests that the Acting Chief Executive write to the Chancellor and Secretary of State for Communities and Local Government to highlight the requirement to allocate funding based on need and not just on commercial /industrial potential, and the consequences to services the city can provide in the future if this is not done. Furthermore to request that the changes to business rates retention pre-empt the removal of the revenue grant such that proposals to allow councils to retain all of the business rates paid in their authority areas are brought forward and implemented before the removal of revenue grant funding.

This council also requests the Acting Chief Executive to write in support of the representations being made by the Local Government Association to bring forward the business rate changes.”

Supporting information:

http://www.local.gov.uk/web/guest/media-releases/-/journal_content/56/10180/7516083/NEWS

Council	Agenda Item 50 (d)
22 October 2015	Brighton & Hove City Council

NOTICE OF MOTION

LABOUR AND CO-OPERATIVE GROUP

INDIVIDUAL ELECTORAL REGISTRATION

“This Council notes the worrying fact that the numbers of people registering to vote in the city was reduced by 7% after Individual Electoral Registration (IER) was first introduced. This Council appreciates the work officers undertook prior to the general election in helping to bring voter numbers back up to pre IER levels.

This council is, though, deeply concerned that the government propose to end the transition period of registering voters to full IER in December.

This Council therefore calls upon the acting Chief Executive Officer to write to the Government to express concern about the withdrawing of the transition phase of IER and to express concern that the premise that next year’s boundary review will be held on could be seriously flawed.

We also want to encourage officers and members to continue to do all they can to ensure that Brighton and Hove residents are not disenfranchised.”

Proposed by: Councillor Barradell Seconded by: Councillor Robins

Supported by: Councillors Mitchell, Hamilton, Bewick, Chapman, Moonan, Daniel, Penn, Allen, Marsh, Meadows, Yates, Atkinson, Horan, Gilbey, Barford, Morris, Morgan, Inkipin-Leissner, Hill, O’Quinn and Cattell.

Supporting information:

As we have no general or local election next year, many people in this city may not be motivated to register, given the transient nature of the city’s housing and the large number of students living in our city. We are deeply concerned that this will mean that the true number of people eligible to vote in Brighton and Hove will not be used to democratically look at where new parliamentary boundaries are drawn in the Electoral Boundary Review, due to start next Spring. This means that Brighton and Hove residents will probably be under-represented at the next general election.

Various information is available on line if you are not familiar with Individual Electoral Registration and the work of the Boundary Commission.

<https://www.gov.uk/government/collections/individual-electoral-registration>
<http://boundarycommissionforengland.independent.gov.uk/general-information-what-we-do-and-how-we-do-it/>

