



**Brighton & Hove
City Council**

COUNCIL ADDENDUM

4.30PM, THURSDAY, 9 OCTOBER 2008

COUNCIL CHAMBER, HOVE TOWN HALL

ADDENDUM

ITEM	Page
18. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.	1 - 2
19. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.	3 - 4
20. WRITTEN QUESTIONS FROM COUNCILLORS.	5 - 14
25. NOTICES OF MOTION.	15 - 32

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.

18(a) Mr. Nigel Furness

“Could Councillor Theobald please tell us how much revenue this authority received in the past year from the cans and other metals left out for recycling or put in communal recycling bins?”

Councillor Geoffrey Theobald, Cabinet Member for Environment will reply.

18(b) Mr. Christopher Hawtree

“Could Councillor Smith please tell us what steps he will be taking to commemorate Katherine Mansfield's crucial, 1910 residence in Rottingdean?”

Councillor David Smith, cabinet Member for Culture, Recreation & Tourism will reply.

18(c) Mr. J. Hoper

"Earlier this year the council spent considerable public funds in bunding the parkland in Stanmer Park, but has left various openings only protected by tree trunks. Illegal travellers have simply rolled these aside this summer thereby negating the purpose of bunding the park, and involving the council in considerable time and expenditure in evicting these groups and cleaning up afterwards. Will the council now install the 4-6 low-level metal barriers (estimated at £1500 each), regardless of which department's budget has to pay for them, to protect the parkland and save future eviction costs."

Councillor Geoffrey Theobald, Cabinet Member for Environment 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.

19(a) Mr. W Shaw (Spokesperson)

"I am here to represent the concerns of residents in Highdown Road. In the last decade the demographic of our area has changed radically. The success of local schools means that we have one of the highest concentrations of children in the city in our immediate area.

The installation of the pedestrian controlled lights at the junction of Dyke Road and the Old Shoreham Road was a necessary measure to protect the safety of students at BHASVIC College; however it has had the unfortunate effect of turning our street into a rat run during peak hours when traffic backs up on Dyke Road.

These peak hours coincide with the time when the streets are most likely to be full of children going to or returning from school. We're proud of being a neighbourhood in which the majority of children can walk to school. However our streets are unusually wide for Brighton, allowing irresponsible drivers to reach speeds well above the existing speed limit. It is only a matter of time before someone gets seriously hurt - or worse. You've already received a petition presented by Councillor Melanie Davis which demonstrates the depth of local concern. Please take urgent steps to lower the speed of traffic in our roads by lowering the local speed limit."

Councillor Geoffrey Theobald, Cabinet Member for Environment will reply.

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions listed on pages 17 – 19 of the agenda have been received from Councillors and will be taken as read along with the written answer detailed below. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion. One other supplementary question may be asked by any other Member of the Council which shall also be put and answered without discussion:

Note:

- (i) In relation to item 20(j), the number of hours Hove Centre is advertised as being open should read 26 and not 30.
- (ii) The Mayor has agreed that the question listed as Item 20(o) should be accepted for inclusion on the agenda as it had been submitted in accordance with procedural rules, but due to technical difficulties had not been received in time to be printed with the agenda papers.

20(a) Councillor Fryer

“There have been recent reports from many constituents about employees and sub-contractors of the council carrying out building works or clearing rubbish, for example from the beach, throwing things which could easily be recycled.

Can Councillor Theobald tell us what training and facilities currently exist to raise the council's employees and sub-contractors awareness of possibilities for recycling?”

Councillor Theobald, Cabinet Member for Environment, will reply.

“Contracts & tendering

Within the tender documents for all contracts the council encourages contractors to reduce all unnecessary waste, re-use and to recycle wherever possible.

For example, our new Gully & Soakaway contractor, Conway, empties the silt and water from gullies & soakaways and transfers the waste to a recycling plant. This separates this waste into oils and fuels, sand, 3 grades of gravel, metal, and clean silt. Excess water is cleaned and used to clean aggregates.

New facilities

The council's new in-house waste and recycling contract provides an excellent opportunity for the council to make significant improvements by:

- mainstreaming recycling collections to all buildings across the council;
- increasing the range and quantity of materials that can be recycled;
- supporting staff in their efforts to reduce the amount of waste being sent to landfill from council offices.
- Offering an improved recycling service to schools

Staff awareness and training

The council supports a successful Environment Champions programme with 120 members of staff who voluntarily champion sustainability – including recycling - in their work environments.

A new e-learning tool will be launched shortly providing all members of staff with the opportunity for improving their knowledge in all areas of Sustainability. Waste recycling and reduction features strongly.

A new Sustainability course specifically designed for managers will be delivered from September, showing managers how they can set up systems and practices to help reduce and recycle waste.”

20(b) Councillor Fryer

“Could the two members of the Arts Commission receiving a Special Responsibility Allowance undertake to give a regular report to the Council of extra duties incurred and carried out as a result of their special responsibilities together with a vision of how they see their role emerging?”

Reply from Councillors Older and Davis.

“The Brighton and Hove Arts Commission is an independent Cultural Partnership which was established by the City Council. The special responsibility allowance made available to Councillors Older and Davis is in recognition of the time allocated by them to the Arts Commission in addition to other council duties. This is to take part in Arts Commission meetings, working sub groups, to attend Arts Commission advocacy events and other meetings as requested by the Chairman. For example; to date, particular responsibilities allocated by the Chairman include asking Councillor Older to lead on the new constitutional arrangements as they relate to the Arts Commission and Councillor Davis to lead on the input for the Arts Commission on the Local Development Framework.

The record of their duties, along with other Arts Commission members, is contained in the minutes and records of the Arts Commission itself which are published on the Arts Commission website.”

20(c) Councillor Morgan

“Can Councillor Theobald, Brown or Mears confirm that this authority has submitted a response to the proposals in the Government’s Youth Crime Action Plan which came out in July for consultation and which is backed by significant new Government funding? Responses from local authorities and other interested parties were requested by 17 October, so if a response has been submitted, can details be given of what consultation was undertaken via the Community safety Forum, CYPT or other bodies in the city please?”

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

“The Youth Crime Action Plan was received from the Government during the Summer in late July. The council was not invited to respond to any formal consultation process although within the body of the Plan there were questions posed about the long term strategies proposed.

The Plan sets out a ‘Triple Track’ approach to reduce youth crime. Each Local Authority Area being required to put in place a comprehensive package of enforcement and punishment; non-negotiable support and challenge; and better and earlier prevention.

Some of the specific proposals in the Plan are already being delivered in Brighton & Hove as a result of our successful partnership working and the fact that both the CDRP and CYPT have already been awarded trailblazer or pathfinder status for various strands of the Plan. Examples of this are; the Challenge and Support grant which has been pooled by the CDRP and CYPT to enable a City wide growth in youth crime prevention teams as part of the Targeted Youth Support Strategy; and the Family Pathfinder which will work closely with the Family Intervention Project to deliver joined up services to our most needy and problematic families.

The Government have recently announced that they will make up to £700,000, over two years, available to the City to support the implementation of the Youth Crime Action Plan and we have been consulting across our Partnerships on our proposals which we will put to officials from the Youth Task Force in October. Discussions have taken place at –

- The Youth Justice Strategy Group
- The Crime and Reduction Partnership
- The Targeted Youth Support Development Group
- And at the Community Safety Forum on 6 October.”

20(d) Councillor Davis

“The Engineerium is a beautifully restored working Victorian pumping station and museum of mechanical antiquities which has been closed to the public for over two years. Could the Cabinet Member for Culture, Recreation & tourism tell us how he is facilitating the re-opening of this important building so residents and visitors can once again enjoy this important part of our city’s heritage.”

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

“The Engineerium in Hove is in private ownership and is currently closed. The information on their website states that ‘a period of intense planning’ has begun. It continues to state that it will reopen in the future, however no further information is available. I have written to the owners directly to ascertain a

timetable for the refurbishment works together with a projected reopening date for this valuable asset to the city. As soon as I receive a response I will inform Councillors.”

20(e) Councillor Mitchell

“In order to encourage participation in community activities such as the popular Baby Boogie sessions at the Jubilee Library, will Cllr Smith take whatever steps are necessary to remove the parking charge for babies buggies and ensure that the sessions are properly supported and promoted?”

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

“A small charge of £1 per buggy was introduced on 1 September to go towards maintaining the regular drop-in Baby Boogie sessions that are run in 11 of our libraries across the city.

For five years preceding this, we have been fortunate in attracting external funding for the Pre-School Music and Rhyme project of which Baby Boogie is an integral part, but we do now need to make some direct income to maintain this service.

Users of the service have suggested to us in the past that we should consider levying a charge to help keep the service going if grant funding was no longer available, and unfortunately we are now at the stage where this has become necessary.

The reason for charging £1 per buggy rather than per child was to keep the sessions as affordable as possible for families with more than one child under five.

The charge was approved by the Culture, Recreation & Tourism Committee last year, and it was agreed that this and other charges would be reviewed this year. We will take this opportunity to reconsider the methodology of charging to see if some other arrangement would be more appropriate.”

20(f) Councillor Mitchell

“If Councillor Theobald agrees with me that Brighton and Hove’s heritage seafront railings make an important contribution to the city’s visual identity, will he authorise the removal of the ivy that is completely covering Kemp Town’s promenade railings and is turning them into a hedge?”

Reply from Councillor Theobald, Cabinet Member for Environment.

“Thank you, Councillor Mitchell for the question on the seafront railings along the Kemp Town promenade.

I would agree that the ivy covering the railings does detract from the heritage of the area and a programme of grounds maintenance works will be undertaken to cut back the ivy on the actual railings.

A review will also be undertaken to consider the ongoing management of the issue due to steep slopes and the extensive growth that has taken place over many years."

20(g) Councillor Marsh

"If the Cabinet Member for Environment agrees that, during this time of international economic hardship, residents of Brighton and Hove should be given every opportunity to access and cheaply grow their own seasonal, fresh fruit and vegetables, can he tell me when the report requested by my Labour colleague over a year ago on the re-letting of abandoned allotment plots, a review of plot tenancy arrangements and opportunities for increasing the number of allotments will be produced?"

Reply from Councillor Theobald, Cabinet Member for Environment.

"I agree and we have been working very hard with the Brighton and Hove Allotment Federation to improve the service. Many of the improvements are in the day to day management of the service and we have identified allotment sites that were run down over the past 10 years or so that we can reopen. For example, we are about to re-open 30 new allotments on Whitehawk Hill, which had previously been abandoned, and we have taken over the management of 8 new additional plots in Ovingdean.

I think it is important that Members can assess this service and have the opportunity for making recommendations for further improvements. For this reason I have asked that Environment & Community Safety Overview & Scrutiny Committee take a look at the service and I hope you can be involved in that process.

I am surprised that you are not aware that I have asked Scrutiny to look into this."

20(h) Councillor Kennedy

"It is almost twelve months since this council passed a motion regarding tackling the blight of single-use plastic bags in the city. Can the administration's Sustainability Spokesperson advise me as to whether plastic bags have yet been eliminated from Brighton & Hove?"

Councillor Mrs Cobb, Deputy Leader of the City Council, will reply.

"Clearly in a city the size of Brighton & Hove, this is not something that is going to happen overnight – nor is it something we can do alone... but I can report substantial progress:

1. We are **phasing out plastic bags** in our own retail operations, and have launched a "[Bag for Life](#)" made from recycled plastic bags, the bag which costs £1.49, featuring the simple message "Clean City, Clean Sea". We have already sold about 700, and are selling up to a hundred a week, through the Library and Pavilion shops, the Visitor Information Centre and many of our other libraries.

2. We have also begun selling them into local shops, and this will increase as the result of a seminar for local retailers on packaging we are arranging with the support of professionals in the (eco-friendly) packaging industry.

3. We have done extensive research into the city's supermarkets practices – as they give out most of the free plastic bags - and most have responded to our challenge already, or begun to: the Co-op, for example, is moving to 5p corn-starch bags; Marks & Spencer is charging for bags too as part of its "remind, reward and require" approach; Asda stopped handing out free plastic bags first in Brighton thanks to our campaign and we continue to support local initiatives by campaigners and independent shops to reduce plastic bag use. All of this is clearly having a real impact. Anecdotally we hear, and you can see for yourself – far fewer plastic bags are being used in Brighton than elsewhere – already.

4. We have already substantially increased **our environmental education focus in schools** on plastic litter and the sea. In June and July we sponsored a Cool Seas Roadshow jointly with the Marine Conservation Society for 10 primary schools reaching an amazing **2,700 children** with messages about beach litter and introducing the marine environment to children in a hands-on, visual and dynamic way with a big focus on plastic bags and litter in the sea.

We also commissioned a local artist and a local film-maker to work with five more primary schools in a week's workshops using waste from the beach to make 3D stories about sea litter and plastic bags. The resulting animation work will be shown in a film launch in November, with an exhibition in Jubilee Library early next year.

We even sponsored an **Eco-Bags Panto at Benfield School** in Portslade that highlighted the problems of rubbish, especially plastic bags that end up in the sea."

20(i) Councillor Kennedy

"The introduction on 31 March 2008 of Part 6 of the Traffic Management Act 2004 allows local authorities outside London to issue Penalty Charge Notices (PCNs) to motorists who park alongside dropped kerbs or more than 50cm from the kerb in a Special Enforcement Area. Can the Cabinet Member for the Environment tell me if this council has any plans to apply these new powers in Brighton & Hove?"

Reply from Councillor Theobald, Cabinet Member for Environment.

"Whilst Part 6 of the Traffic Management Act 2004 allows local authorities outside London to issue Penalty Charge Notices for double parking and parking on dropped kerbs there is a requirement to indicate the ban with traffic signs and road markings on every street. Clearly this would be very expensive and time consuming for us to introduce citywide.

Through correspondence with David Lepper MP, the Assistant Director of Sustainable Transport has lobbied the Department for Transport to remove the requirement to sign and line the ban.

We recently received a response from the Minister of State for Transport advising that the Department is consulting local authorities on making a small change to the Regulations to clarify that these prohibitions can be enforced without traffic signs or road markings on every road. The consultation ends on 21 October."

20(j) Councillor Hamilton

"The booking office at Hove Town Hall for events staged at The Brighton Centre and The Hove Centre is advertised as being open 26 hours a week. In practice it hardly ever seems to be open. The cafe at the King Alfred Leisure Centre, relaunched with much publicity a few months ago, is now permanently closed. I have received complaints about both of these unsatisfactory situations. What plans does the Conservative Administration have to provide the public with a proper service at these two locations?"

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

"Box Office:

In recent months there have been staff shortages on a number of occasions caused by the long term sickness absence of key members of the Box Office team. Given the high volume level of business through the main Brighton Centre Box Office it has been necessary on these occasions to concentrate our resources to best effect. The venues currently have 87 concerts on sale (12 events are at Hove) plus 33 performances of Holiday on Ice, which together have a gross box office value of £3.9m. The Brighton Centre also has on sale 90 sessions of public skating. On those occasions when it is not possible to maintain a physical presence behind the box office counter in Hove Town Hall reception there is a red telephone adjacent to the counter for customers to contact the Brighton Centre Box Office direct. This enables customers to still purchase tickets for events at either venue without payment of a booking fee. There is always a staffed presence for on-the-day/night sales when there is an event on in the building. It is also worth noting that there has been a major change in the way in which our customers choose to purchase tickets. Ticketmaster now account for 73% of all box office sales (57% of which are online ticket purchasing) with Agents/Secondary Sales

accounting for a further 8%. Although still a valuable service, the venues' front of house box offices only account for 19% of ticket sales.

King Alfred Café:

With regards to the King Alfred café, the tenant who operated the café for many years terminated their agreement in April 2008 as they felt it was no longer financially viable.

Despite the redevelopment another operator was found on a trial basis but, unfortunately, after six months this operator has also found that it is not financially viable to run the café. Considerable effort was made by both the operator and leisure centre staff to make a success of this arrangement.

However, such a lack of viability is not restricted to the King Alfred and has affected other Leisure Centres, for example, the café at the Prince Regent Swimming Complex was converted to a fitness gym many years ago.

Vending machines are available at the King Alfred which provide a basic service of drinks and snacks.

When there is greater certainty on the future of the King Alfred, there will be the opportunity to review both the provision of food and beverage together with the use of the café area."

20(k) Councillor Oxley

"If the Cabinet Member for Finance will estimate the cost of disaggregating Brighton and Hove City Council, into two separate Councils and if she will state the figure?"

Reply from Councillor Young, Cabinet Member for Finance.

"Thank you Councillor for a very interesting question. As I am sure you will be aware the council has not undertaken any financial analysis associated with the splitting of the existing council. However, I can give you the reorganisation costs associated with creating the unitary council in the first place, which at today's prices would be about £15million. These costs were recovered over approximately three years from the savings generated by bringing the councils together. Creating two separate councils would not only lead to significant reorganisation costs but each council would cost more to run with duplication in the administration of services and a loss of economies of scale in the provision of most services. Financial analysis undertaken prior to the last reorganisation also showed that a separate Brighton Unitary Council and Hove Unitary Council would be financially unviable. Council taxpayers in both new councils would therefore be faced with higher council tax bills and poorer services."

20(l) Councillor Marsh

“Would the Cabinet member for Council confirm the pricing structure for hiring rooms/facilities in our Council owned leisure centres?”

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

“Thank you Councillor Marsh for your question on the pricing structure of facilities within the council leisure centres.

Due to the large range of activities and facilities that are available within the leisure centres, guides are produced detailing the scale of charges. I have arranged for officers to send you copies of this information for council owned leisure centres.”

20(m) Councillor Randall

“What is the effect of the credit crunch on the council's investments?”

Reply from Councillor Young, Cabinet Member for Finance.

“Like many organisations with substantial funds to invest the council is reviewing its investment policies all the time to reflect the rapidly changing market conditions. The Annual Investment Strategy for 2008/09 approved by Full Council earlier this year has provided a robust framework to minimise the impact of the turmoil in the financial markets.

- Firstly the ratings applied to each financial institution to assess credit worthiness ensure investment is made in only the highest quality names. Where institutions are rated downwards then these are either suspended or removed from the council's lending list.
- Secondly the investment parameters for each financial institution, such as the maximum amount invested in each institution and maximum period any investment in a particular institution can last, are regularly reviewed to ensure risk of loss through non repayment is minimised.

The financial crisis has meant short-term interest rates are higher than would normally be the case. These higher rates combined with better than expected council cash-flows has resulted in higher levels of projected investment income to the council of some £600,000 in the current financial year.”

20(n) Councillor Randall

“What is the effect of the credit crunch on the East Sussex Pension Fund investments?”

Reply from Councillor Young, Cabinet Member for Finance.

“The East Sussex Pension Fund is administered by East Sussex County Council. Investment decisions are made by the Pension Fund Investment Panel on which the council has two representatives.

The Panel is required to take a long-term view when setting investment policy and regularly reviews the mix of investments. Over the past few years the Panel has overseen a reduction in the proportion invested in equities and replaced this with cash and other fixed term investments.

The turmoil in markets has given rise to a reduction in the value of the Pension Fund from £1.7 billion to £1.6 billion over the six month period to 30 September 2008 but the Fund still remains in a strong position to meet both its short-term and long-term pension liabilities.

The reduction in the Fund’s value will not affect the council’s pension contributions to the Fund which were set in 2008/09 for three years. The next review will be carried out during 2011 and any changes to the council’s contribution rate will be made in 2011/12.”

20(o) Councillor Meadows

“Would the Cabinet Member agree that Wild Park should be as accessible as possible to residents in Moulsecoomb and Bevendean, especially those who are old, young and disabled?”

Reply from Councillor Theobald, Cabinet Member for Environment.

“Yes I do agree, but I am unsure whether your question relates to a specific difficulty of which I am unaware of.

I am pleased to say that we have planning permission for the Wild Park toilets and contractors are expected to start on site in November, with the facility opening in January, which will have a ramp installed. This means that not only will the toilet be accessible, but the ramp will also serve the café.”

NOTICE OF MOTION**CONSERVATIVE GROUP AMENDMENT****IMPACT OF SCHOOL COSTS ON FAMILIES**

“Every child in Britain has the right to a free, state education, yet for many families meeting the costs of school uniform, school trips and specialist equipment poses a real challenge that can contribute to debt and financial hardship.

This council seeks to play its part in ensuring that financial help and advice available to families in relation to the broader costs of attending school are effectively communicated and recognises that a child’s confidence and ability to learn can be affected by their not having the same opportunities as others due to an inability to pay.

This council notes that:

- In a 2007 survey of parents undertaken by the Schools Costs Coalition, 3/4 of parents of secondary school children and 2/3 of parents of primary school children found it difficult to meet the costs of school uniforms and school trips.
- There is a lack of knowledge about available financial assistance.
- There is widespread concern that the children of families unable to meet these costs are more likely to suffer bullying and to be disciplined as a result.
- That the Government’s new Admissions Code to be implemented in September 2008 does, for the first time, make clear the importance of limiting the cost of school uniform and school trips.

This council therefore resolves to:

Give its support to the ‘Adding up’ campaign led by the Citizen’s Advice Bureau that highlights the range and impact of school costs on families and gives guidance to schools on how those costs can be mitigated.

Instruct the Chief Executive of Brighton & Hove City Council to write to the Secretary of State for Children, Schools and Families urging him to:

- ~~Accept the requests in Early Day Motion 1234 from John Battle MP that a statutory duty is placed on local authorities to provide uniform grants for families in receipt of maximum child tax credit.~~
- ~~For the Government to~~ **Consider** identifying a budget for the provision of standardised school uniform and school trip grants to Local Authorities.

COUNCIL MEETING

9 October 2008

Agenda Item 25(a)

Brighton & Hove City Council

- Consider making the school costs requirements of the new Admissions Code enforceable via the Schools Adjudicator who should have the power to investigate on behalf of parents.
- Calls on the Cabinet Member for Children & Young People to give consideration to bringing forward a report to an early meeting of the Children & Young People's Trust Board setting out the council's approach to working with schools to ensure that families are informed of support available, **and** how the LEA will achieve compliance with the new Admissions Code in relation to keeping school costs low. ~~and explores the provision of an appropriate sum within the 2009/2010 budget for the LEA to use as grant funding in this regard."~~

Proposed by: Cllr Vanessa Brown

Seconded by: Cllr Averil Older

NOTICE OF MOTION**GREEN GROUP AMENDMENT****IMPACT OF SCHOOL COSTS ON FAMILIES**

“Every child in Britain has the right to a free, state education, yet for many families meeting the costs of school uniform, school trips and specialist equipment poses a real challenge that can contribute to debt and financial hardship.

This council seeks to play its part in ensuring that financial help and advice available to families in relation to the broader costs of attending school are effectively communicated and recognises that a child’s confidence and ability to learn can be affected by their not having the same opportunities as others due to an inability to pay.

This council notes that:

- **Latest figures published by the Campaign to End Child Poverty a coalition of charities and campaign groups including Save the Children and the TUC show that 50 per cent of children in Brighton Kemptown, 39 per cent of children in Hove and 37 per cent of children are living in poverty.**
- In a 2007 survey of parents undertaken by the Schools Costs Coalition, 3/4 of parents of secondary school children and 2/3 of parents of primary school children found it difficult to meet the costs of school uniforms and school trips.
- There is a lack of knowledge about available financial assistance.
- There is widespread concern that the children of families unable to meet these costs are more likely to suffer bullying and to be disciplined as a result.
- That the Government’s new Admissions Code to be implemented in September 2008 does, for the first time, make clear the importance of limiting the cost of school uniform and school trips.

This council therefore resolves to:

Give its support to the ‘Adding up’ campaign led by the Citizen’s Advice Bureau that highlights the range and impact of school costs on families and gives guidance to schools on how those costs can be mitigated.

Instruct the Chief Executive of Brighton & Hove City Council to write to the Secretary of State for Children, Schools and Families urging him to:

- **Ensure the Government keeps its 1999 promise to half child poverty levels by 2010 and eradicates child poverty from the UK by 2020.**
- Accept the requests in Early Day Motion 1234 from John Battle MP that a statutory duty is placed on local authorities to provide uniform grants for families in receipt of maximum child tax credit.
- For the Government to identify a budget for the provision of standardised school uniform and school trip grants to Local Authorities.
- Consider making the school costs requirements of the new Admissions Code enforceable via the Schools Adjudicator who should have the power to investigate on behalf of parents.
- Calls on the Cabinet Member for Children & Young People to give consideration to bringing forward a report to an early meeting of the Children & Young People's Trust Board setting out the council's approach to working with schools to ensure that families are informed of support available, how the LEA will achieve compliance with the new Admissions Code in relation to keeping school costs low and explores the provision of an appropriate sum within the 2009/2010 budget for the LEA to use as grant funding in this regard."

Proposed by: Cllr Rachel Fryer

Seconded by: Cllr Ben Duncan

NOTICE OF MOTION**CONSERVATIVE GROUP AMENDMENT****Fair Tips for hotel and restaurant staff**

“A significant part of Brighton and Hove’s economy is dependent on the hospitality sector, with many hundreds of restaurants and hotels employing thousands of staff to serve their customers.

This council welcomes the tightening of legislation by the Labour Government, which will now prevent businesses from making up the minimum wage of their staff with money from tips or service charges. This was a result of the Fair Tips Charter Campaign by Unite the union, and while recognising there are honourable owners of hotels, restaurants, and other hospitality outlets who ensure that all gratuities are paid to their staff in addition to at least the minimum wage without deductions, acknowledges that this is not always the case.

This council is also aware that HM Revenue and Customs class service charges, cover charges, gratuities and tips as gratuities for national insurance contributions purposes, yet many hospitality establishments still treat these as extra payments to the proprietors and do not pass them on to their staff and often use them to pay for extras such as ‘customer walk outs’ and breakages.

This council **supports responsible businesses who** ~~urges all hospitality sector establishments in the city to sign up to continue to build on the steps taken by Government, alongside the Fair Tips Charter Campaign and to:~~

- Pay all employees at least the minimum wage with 100% of tips added on top as a bonus with no hidden charges.
- Reach agreement on how tips are shared with those staff directly.
- Make no deductions from tips to cover breakages, till shortages or customer walk-outs.
- Make all rules for the distribution of tips and service charges available in writing for staff and customers on request.

However, this Council notes that it is not local councils, but the Government’s HM Revenue & Customs department who are responsible for policing the minimum wage and national insurance contributions, and, therefore, resolves to write to them requesting information on the actions being taken to ensure that the national minimum wage is enforced fairly and effectively in Brighton & Hove.

Proposed by: Cllr Brian Oxley

Seconded by: Cllr Lynda Hyde

NOTICE OF MOTION**GREEN GROUP AMENDMENT****Fair Tips for hotel and restaurant staff**

“A significant part of Brighton and Hove’s economy is dependent on the hospitality sector, with many hundreds of restaurants and hotels employing thousands of staff to serve their customers.

This council welcomes the tightening of legislation by the Labour Government, which will now prevent businesses from making up the minimum wage of their staff with money from tips or service charges. This was a result of the Fair Tips Charter Campaign by Unite the union, and while recognising there are honourable owners of hotels, restaurants, and other hospitality outlets who ensure that all gratuities are paid to their staff in addition to at least the minimum wage without deductions, acknowledges that this is not always the case.

This Council recognises that the national minimum wage has made an enormous difference to millions of the lowest paid workers in the country, but at its current rate of £5.72 an hour it is effectively a poverty wage in this city.

This council is also aware that HM Revenue and Customs class service charges, cover charges, gratuities and tips as gratuities for national insurance contributions purposes, yet many hospitality establishments still treat these as extra payments to the proprietors and do not pass them on to their staff and often use them to pay for extras such as ‘customer walk outs’ and breakages.

This council urges all hospitality sector establishments in the city to sign up to continue to build on the steps taken by Government, alongside the Fair Tips Charter Campaign and to:

- Pay all employees at least ~~the minimum wage~~ **a living wage of least £7 an hour** with 100% of tips added on top as a bonus with no hidden charges.
- Reach agreement on how tips are shared with those staff directly.
- Make no deductions from tips to cover breakages, till shortages or customer walk-outs.
- Make all rules for the distribution of tips and service charges available in writing for staff and customers on request.”

Proposed by: Cllr Ben Duncan

Seconded by: Cllr Sven Rufus

NOTICE OF MOTION**CONSERVATIVE GROUP AMENEDMENT****Sexual violence**

“This council welcomes the proposed strategy to combat sexual violence and abuse in the public domain as well as the domestic domain as set out in the Community Safety Strategy proposed for 2008 – 2011 and recommends increasing the support provided to victims. Reduction in the level of sexual violence is now a performance indicator for the first time.

The government’s guidance confirms that sexual violence and abuse in adulthood are massively under-reported by both male and female victims. This council notes that 98% of offenders are male and 82% of victims are female.

Women suffer from rape in much greater numbers than men. Women have a greater fear of rape than any other crime. Moreover the conviction rate is only 6%.

57.5% of sex workers reported that they had experienced violence or abuse and, of those, only 12.5% had reported those incidents to the police.

Research indicates a strong correlation between alcohol and sexual violence and that perpetrators and victims of assault are likely to have consumed alcohol.

This Council notes that the most successful method of tackling sexual violence is through multi-agency working as local authorities are reliant on the police to catch and prosecute those who commit sexual violence.

This Council notes that the Crime and Disorder Reduction Partnership are producing a holistic strategy to tackle sexual violence due to be published by January 2009.

This council proposes that the Cabinet Member for Community Affairs, Inclusion & Internal Relations gives consideration to ensuring that:

- Strategies to reduce sexual violence and violence against women be given as high a priority as domestic violence in all council policies such as the Licensing Act, the Sex Workers Strategy, Gender Equality Action Plans, and HR Policies.
- The correlation between alcohol consumption and sexual violence be recognised when drawing up safety strategies, for the “night time” economy (such as ~~limiting~~ **closely monitoring and reviewing** the number of premises selling alcohol, and **lobbying the Government to give local authorities greater control of the licensing of establishments** offering sexual stimulation)
- Provide appropriate and effective support to the victims, such as crisis centres and counseling recognising the majority are victims are women.

COUNCIL MEETING	Agenda Item 25(c)
9 October 2008	Brighton & Hove City Council

- **When recommendations are produced by the Crime and Disorder Reduction Partnership they are used to inform the council's approach to the provision of** appropriate financial support to those third sector organizations who have the experience to provide appropriate support.”

Proposed by: Cllr Dee Simson

Seconded by: Cllr Mary Mears

NOTICE OF MOTION**CONSERVATIVE GROUP AMENDMENT****Renewable Energy Tariff**

“This council notes:

- that the UK produces less than 2% of its total energy from Renewable Energy sources and is at the bottom the European Renewable Energy ‘league table’.
- that countries in the European Union that have adopted a fixed term Renewable Energy Tariff such as Germany, Italy and Spain have seen a substantial rise in the percentage of their energy from renewable sources.
- that by establishing a framework and requirement for local renewable energy generation Brighton & Hove will make a significant contribution to carbon dioxide reduction and enjoy greater protection from cost instability. **Such uncertainty over future energy costs makes it extremely difficult for both public and private sector organisations in our City to forward plan.** ~~Just this month the city’s schools have been warned to prepare for energy price rises of up to 80% over the next year.~~

Therefore this council:

- Supports the amendment to the Energy Bill currently before Parliament that calls on Government to establish a Renewable Energy Tariff within 12 months for the generation of local renewable heat, renewable power and renewable gas.
- **Notes that the amendment – the ‘new clause 4’ – is supported by the front benches of both the Conservative and Liberal Democrat parties in the House of Commons but not by the Labour Government.**
- Requests the Chief Executive to write to the ~~Energy Minister Malcolm Wicks MP~~ **new Secretary of State for Energy and Climate Change, Ed Miliband MP**, calling on the UK Government to act with urgency and to ensure the adoption of a Tariff for local energy under the current Energy Bill which has been delayed over the summer, and to copy his letter to appropriate lobbying bodies.

Proposed by: Cllr Brian Oxley

Seconded by: Cllr Denise Cobb

NOTICE OF MOTION**CONSERVATIVE / LIBERAL DEMOCRAT GROUPS AMENDMENT****Review of Gurkha Rights**

In November, residents of Brighton & Hove will once again mark the dedication and commitment of those who have served in and supported this country's armed forces.

This Council:

Welcomes the opening in Reading of the first UK office of the United British-Gurkha Ex-Servicemen's Association.

Recognises that Gurkhas have played an active front line part in the British Army's activities in times of war and peace for nearly 200 years. In this period approximately 300,000 have fought alongside United Kingdom soldiers, with 45,000 of them being either killed or wounded.

Acknowledges that the Government announced in September 2004 a change in immigration rules that allowed Gurkhas who had served in the British Army to settle in the United Kingdom with their families.

Notes with concern however that this offer has only been extended to cover those Gurkhas who had served at least four years and been discharged after 1st July 1997.

Welcomes the High Court's decision acknowledge the "moral debt of honour" to the Gurkhas and overturn the Government's unlawful denial of full immigration rights to the Gurkhas.

Notes the Government's agreement to review all Gurkha immigration cases by the end of the year.

Expresses concern that the Home Secretary has made no commitment ending the discrimination of Grukhas and may still deny Gurkhas the right to remain in the UK despite the landmark High Court ruling.

Wishes to highlight that the Government has made no announcement on giving Gurkhas a fair deal on their pensions and they are still denied proper remuneration for their sacrifice and long years of service.

In view of this, this Council instructs the Chief Executive to write to the Prime Minister, ~~the Rt Hon Gordon Brown MP~~, **the Home Secretary**, and the Secretary of State for Defence, ~~the Rt Hon Des Browne MP~~ asking them to:

1. ~~review~~ **accept the High Court ruling and change** the immigration rules for ex Ghurkha soldiers and their families,
2. consider their rights of citizenship and voting,
3. **offer Gurkhas** a fair deal on their pensions.

Proposed: Cllr Steve Harmer-Strange Seconded: Cllr Paul Elgood

NOTICE OF MOTION**LABOUR GROUP AMENDMENT****Review of Gurkha Rights**

In November, residents of Brighton & Hove will once again mark the dedication and commitment of those who have served in and supported this country's armed forces.

This Council:

Welcomes the opening in Reading of the first UK office of the United British-Gurkha Ex-Servicemen's Association.

Recognises that Gurkhas have played an active front line part in the British Army's activities in times of war and peace for nearly 200 years. In this period approximately 300,000 have fought alongside United Kingdom soldiers, with 45,000 of them being either killed or wounded.

Acknowledges that the Government announced in September 2004 a change in immigration rules that allowed Gurkhas who had served in the British Army to settle in the United Kingdom with their families.

Notes with concern however that this offer has only been extended to cover those Gurkhas who had served at least four years and been discharged after 1st July 1997.

~~In view of this, this Council instructs the Chief Executive to write to the Prime Minister, the Rt Hon Gordon Brown MP, and the Secretary of State for Defence, the Rt Hon Des Browne MP asking them to:~~

- ~~4. review the immigration rules for ex-Gurkha soldiers and their families,~~
- ~~5. consider their rights of citizenship and voting,~~
- ~~6. consider a fair deal on their pensions.~~

Welcomes the recent landmark legal ruling that overturns the 2004 decision and allows former Gurkha servicemen to settle in Britain.

Requests that the council's Chief Executive write to the Prime Minister, the Right Hon Gordon Brown MP and the Secretary of State for Defence, the Right Hon John Hutton MP, seeking clarification of their voting and pension rights.

Proposed by: Cllr Mo Marsh

Seconded by: Cllr Gill Mitchell

NOTICE OF MOTION**CONSERVATIVE GROUP AMENDMENT****The development of 'green industries' in Brighton and Hove**

This council notes:

- (1) The critical importance of an expansion of 'green' industries as part of the move to a low-carbon economy in the UK.
- (2) The large-scale 'green collar' employment opportunities offered by any expansion.
- (3) The publication in September of the Government's new industry strategy, *Manufacturing: new challenges, new opportunities*, which promises almost £150 million of medium term support for UK manufacturing to develop skills and to target the opportunities created by the move toward a low carbon economy.
- (4) The conclusion in the *Brighton and Hove City Employment and Skills* plan 2008/2011 that 16,000 additional jobs must be created in the city during the next ten years, if we are to get close to reaching the national aspiration of an employment rate of 80 per cent.
- (5) The success of our city in embracing new ideas and new technologies to build and sustain a thriving creative industries sector.

The council therefore:

Requests the executive to consider the potential for supporting and encouraging the development of 'green industries' in Brighton and Hove in the context of the city's new *Business Retention and Inwards Investment Study*, which will be published shortly.

Instructs the Chief Executive to write to SEEDA to request funding to further promote growth of the 'green economy' in Brighton and Hove.

Proposed by: Cllr Brian Oxley

Seconded: Cllr Ted Kemble

NOTICE OF MOTION**LABOUR GROUP AMENDMENT****The development of 'green industries' in Brighton and Hove**

This council notes:

- (1) The critical importance of an expansion of 'green' industries as part of the move to a low-carbon economy in the UK.
- (2) The large-scale 'green collar' employment opportunities offered by any expansion.
- (3) The publication in September of the Government's new industry strategy, *Manufacturing: new challenges, new opportunities*, which promises almost £150 million of medium term support for UK manufacturing to develop skills and to target the opportunities created by the move toward a low carbon economy.
- (4) The conclusion in the *Brighton and Hove City Employment and Skills* plan 2008/2011 that 16,000 additional jobs must be created in the city during the next ten years, if we are to get close to reaching the national aspiration of an employment rate of 80 per cent.
- (5) The success of our city in embracing new ideas and new technologies to build and sustain a thriving creative industries sector.
- (6) The recent announcement by the Committee on Climate Change that a cut in carbon emissions of 80% by 2050 is achievable and the statement by the Prime minister on 23rd September that this would create at least one million extra jobs.**

The council therefore:

Requests the executive to consider the potential for supporting and encouraging the development of 'green industries' in Brighton and Hove in the context of the city's new *Business Retention and Inwards Investment Study*, which will be published shortly.

Proposed by: Cllr Craig Turton

Seconded by: Cllr Gill Mitchell

NOTICE OF MOTION**LABOUR GROUP AMENDMENT****Notice of Motion - Sustainable Communities Act**

That this Council

(i) notes that local authorities and their communities know best how to improve local areas and solve local problems and so should determine how to promote thriving communities; and so

(ii) supports the bottom up process in the Sustainable Communities Act designed to allow local authorities and their communities to drive the help and assistance that central government gives to promote thriving, sustainable communities;

(iv) notes that the Act became law in October 2007 with full cross party support and that this was a result of 5 year campaign run by a coalition of over 90 national citizens organisations called Local Works;

(iv) notes that the Act gives local authorities the power to

- make proposals to government on the action and help government must take or give to promote sustainable communities in that local authority's area, and
- argue for a transfer of public money spent in that local authority's area and it's related function from central to local control;

(v) notes that the Act defines the sustainability of local communities broadly, that definition having the 4 aspects of

- the improvement of the local economy,
- protection of the environment,
- promotion of social inclusion, and
- participation in civic and political activity;

(vi) notes that the Local Works coalition, that campaigned for 5 years to see the Act become law, give a number of reasons for why a local authority should choose to use the Act, those reasons being

1. Assistance from government - ~~Community decline is happening everywhere and local authorities are not able to prevent it on their own.~~

~~They need government help.~~ **Local authorities and their partner organisations need government help to continue to improve and sustain the vitality of neighbourhoods.** This Act gives government a legal duty 'to assist local authorities in promoting the sustainability of local communities'. So by 'opting in' local authorities are, in fact, signing up to receive that 'assistance'.

2. Power to determine that assistance - The Act also gives local authorities (and their representative body, the Local Government Association) real power to determine the nature of the assistance that they receive from government, as explained more fully in our campaign broadsheet on implementing the Act (contact us for free copies).

3. Strength in numbers - By opting in, local authorities can act in unison to put in proposals to government supported by their colleagues elsewhere. Joint suggestions by many authorities will make it even harder for the government to refuse to act on suggestions made by local authorities.

4. Transferring functions and monies from central to local control - The Act also enables local authorities - and thus local authorities acting together - to request the transfer of functions from government or government agencies to themselves. Because decisions on these requests must be made by the LGA and the Secretary of State trying to reach agreement (i.e. in co-operation), this can be used to regain from central government control of many powers and spending that affect local areas.

5. Access to Central Spending Accounts Information - The requirement in the Act for the government to 'open the books' will mean that local authorities will know just how much extra money they can access if they push for a transfer of functions.

6. Democratic citizen involvement - All politicians (and many local authority officers) talk a lot about lack of public involvement in democracy. The recent Power report showed that the more people think that their involvement matters, the more they are likely to get involved. The very 'hassle' required by this Act (reaching agreement with – not consulting – citizens' panels) empowers citizens. Local authorities may well consider that this is a way of increasing citizen involvement; and

Furthermore, this council,

Praises the work of all those residents and community leaders currently involved in improving their communities, acknowledges their many achievements in charging them for the better and commits to continuing support.

COUNCIL MEETING

9 October 2008

Agenda Item 25(k)

Brighton & Hove City Council

Notes that this council could have a ‘gate-keeping’ role in relation to the receipt of projects put forward from individuals, community groups and larger organisations and requests that:

- **The executive consider the regular publication of the projects proposed, detailing those taken forward and those that are not.**
- **Where projects are not taken forward, a clear explanation is given as to how the aims of the project could be met under existing legislation and service delivery.**

(vii) resolves:

- when invited to by central government, to consider using the Act by preparing and submitting proposals on how central government can help; and
- to request the Chief Executive to write to local MPs and the Local Works campaign, informing them of this decision.

Proposed by: Cllr Gill Mitchell

Seconded by: Cllr Warren Morgan

