



**Brighton & Hove  
City Council**

# **COUNCIL ADDENDUM**

**4.30PM, THURSDAY, 24 OCTOBER 2019**

**HOVE TOWN HALL, - COUNCIL CHAMBER**



## ADDENDUM

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**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 question has been received from a member of the public.

**1. QUESTION From: Nigel Furness**

Councillor Platts, our current Mayor, Councillor Alex Phillips, also holds office as a Member of the European Parliament and is now proposing to stand as a Prospective Parliamentary Candidate for Brighton Kemp Town. As these latter two categories involve publicly participating in politics, is this a conflict of interest?

**Councillor Platts, Leader of the Council will reply.**

**2. QUESTION From: Christopher Hawtree**

Would Councillor Robins please tell us when the use of the £121,000 per year (which was brought back to Libraries at February's Budget) will be discussed at a Committee, as promised by Councillor Knight in her Reply to my supplementary question several months ago?

**Councillor Robins, Chair of the Tourism, Equalities, Communities & Culture Committee will reply.**

**3. QUESTION From: Ollie Sykes**

February Budget Council allocated £190k in recurrent funding to the rebuilding of the council's Sustainability Team to help the council better address climate and wildlife emergencies as these concern our city, as well as other matters such as fuel poverty in our city. Can the Chair of ETS please provide an update on the implementation of that agreed allocation?

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

**4. QUESTION From: Daniel Harris**

The Valley Social Club has been a staple of the Whitehawk community for generations, starting as a shack and with the help of the local community who helped to fundraise we have the large community building which is standing today. In 2015 over 10 trustees resigned, leaving two and Conservative Councillor Mary Mears left. The building has been inaccessible to the local community. I support the council buying this asset. Can the council confirm the completion date and price paid for the Valley Social Club?

**Councillor Platts, Leader of the Council will reply.**

**5. QUESTION From: Irina Blossie**

EMF safety limit guidelines were set by The International Commission on Non-Ionizing Radiation Protection (ICNIRP) in 1998. However, because many health effects from radiation below the guidelines' levels were confirmed by scientists and doctors, many countries including France, Cyprus and Russia chose to significantly reduce these limits, especially in places where children were present: schools, playgrounds etc. Children and pregnant women are the most vulnerable. Shouldn't we be taking extreme care when proposing to increase the radiation levels even further with 5G and adopt a Precautionary Principle instead?

**Councillor Moonan, Chair of the Health & Wellbeing Board 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 spokesperson for the deputation be thanked for attending and its subject matter noted.

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

**(1) Deputation concerning Home to School Transport  
Spokesperson Pippa Hodge**

Supported by:

Rob Arbery

Adrian Carver

Sam Bayley

Rachel McDonald

Amanda Stockford

Maxine Pallister

Debby Norris

Jane Kemp

**Ward affected: All**

Councillor Allcock, Chair of the Children, Young People & Skills Committee will reply.

**(2) Deputation concerning PRIDE PVP  
Spokesperson Trevor Scoble**

Supported by:

Roger Ralfe

Teresa Scoble

Jamie Thomas

**Ward affected: All**

Councillor Robins, Chair of the Tourism, Equalities, Communities & Culture Committee will reply.

**(3) Deputation concerning Valley Gardens  
Spokesperson Serena Burt**

Supported by:  
John Healy  
Roger Rolfe  
Simon Thetford  
Denise Taylor  
David Sewell  
Diana Palmer  
Adrian Bristow  
Julia Basnett  
Andrew Peters  
Gary Farmer  
Daniel Nathan

**Ward affected: All**

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



**(1) Deputation concerning Home to School Transport or Students with Special Educational Needs & Disabilities (SEND)  
Spokesperson – Pippa Hodge**

Children as young as 4 or 5 years old, rely on this Service to take them safely to/from the setting named in their Education, Health & Care Plan (EHCP) in line with Statutory Duties\* (Appendix 2). Numbers are rising year on year. The previous 4-year Contractor Framework expired in August 2019.

Several years of Contractor consistency created effective links between Schools/Colleges, Parent Carers (& their CYP) and the local Brighton Contractors (Community Transport take many of the children using wheelchairs, some with profound and multiple learning disabilities). Whilst not without glitches, the long-standing system centred around acquired SEND/Autism training & awareness, plus familiarity with pupils individually, which built trust and delivered a reliable service. Crucially:

Each child was recognised as an individual with discreet Core Support Needs, eg living between 2 parents' homes, or being a child who regularly went to Respite (their Care package), or specialist clubs, to enhance Life Skills. This essential community cohesion was recognised as a fundamental factor in 'Whole Child' Wellness and Development, upholding Equalities and City CYP Key Principles.

Drivers and Escorts, supported by back offices, used their common sense and route knowledge to minimise the stress for children, ensure that they arrived on time and ready to learn, and to enable working parents to meet their obligations, or get other young children to school.

When possible, Drivers and Escorts remained with their cohort of children, building up trust and assisting that difficult transition between home/school/home which many youngsters with SEND, especially those with Autism &/or Sensory Processing Difficulties, typically find overwhelming.

In March 2019, a Dynamic Purchasing System/DPS (a bid-down system) to reduce Overspend was proposed by Edge Public Solutions (employed as Advisors in January 2019). A DPS approach had been discussed at Policy, Resource & Growth Committee (11/10/18\*). Meeting minutes (Conclusion 7.2) authorised a new framework, but not a DPS (since the simulated desktop exercise did not prove the anticipated savings to the Committee's satisfaction). Nevertheless, a DPS was approved, via Urgency Powers (March 2019) without passing back through PRG or CYP Committees. As a direct result of these changes the transport scheme is failing to safeguard our children (see para 1 in supporting info).

**We Request A Full Cross-Party Scrutiny Group So This Never Happens Again**

We ask Councillors from each Party to fulfil your Responsibilities and *personally conduct* a Beginning to End Scrutiny of events, in keeping with your stated civic duties as elected Councillors. We challenge the logic & validity of the Independent Review: this was again presented as a 'fait accompli'; 'Officers investigating Officers' cannot be 'independent' (every LA is facing Transport issues); Parent Carers do not want to speak with yet more Officers from another Authority when they struggle with their own; Officers will leave once their report is submitted, and there will be no accountability for changes or a safe framework legacy. You are our Councillors & Moral Guardians of Civic Services. Please, **put our City's Children above local Politics**. We must learn how this has gone so shockingly wrong. No more personal cost to our children's physical safety, mental wellbeing and education; or to families; no more 'wait and see if there are incidents'; no more financial cost of outsourcing to '3<sup>rd</sup> parties' from our City Budget. Councillors, we are beyond apologies, please Act.



## Supporting Information for Item 37 (1)

### Para 1

There has been a tsunami of Reported Incidents about Safeguarding Issues; vulnerable pupils with no Escort; pupil-pupil assaults; assaults on Escorts/Drivers; vehicles failing basic safety standards (below the “Blue Book”); DBS Certificates not checked, Personal Handling or Training (eg Epilepsy) not in place; Safety Sheets/Risk Assessments not provided to Contractors; distressed pupils self-harming on journeys of up to 90 minutes; waiting 30 minutes or more to get off once at school; children late/disruptive to class, lost planning/teaching time; students losing *significant* learning time while they try to recover from overcrowded stressful journeys, day after day, week after week. Transport/Edge have received *daily* calls and emails from Schools, Parents, Contractors and the PaCC, who have a 6-week Record\* of Complaints. Parents report being bullied into “take it or leave it” unsafe solutions amid their fear of losing jobs. Fragile family life/function is disrupted by the impact.

We are concerned that the 2016 Equalities Impact Assessment\* was not updated, allegedly not necessary as Eligibility & Process are unchanged. Recruiting Edge operationally (already paid £96,356.68 in just 3 months to date) and devolving responsibility for Equalities and operational decisions from Contractors back to Transport/Edge (meaning no adjustments that incur ‘cost’ may be made without their agreement) is a wholesale change with grave consequences for our most vulnerable young citizens. This falls shamefully below our City’s stated Aspirations & Values\*.

### **Appendix 1: \*Documents & Chronology of Meetings/Responses Regarding Home to School Transport Provision for Students with SEND**

#### **Brighton & Hove Corporate Plan & City Vision & Values 2015-2019 - [Corporate Plan](#)**

The city’s vision is the council’s vision “Brighton & Hove – the connected city. Creative, dynamic, inclusive and caring. A fantastic place to live, work and visit” (especially these Priorities: Increasing Equality; Active Citizenship; Children & Young People; Health & Wellbeing; Community Safety & Resilience)

#### **Equalities & Impact Assessment 2016** (CS37 first written 2015, available on request)

#### **Policy, Resources & Growth Committee** (Item 64 11<sup>th</sup> October 2018 Pages 489 – 500)

[https://present.brighton-hove.gov.uk/Published/C00000912/M00008107/\\$\\$ADocPackPublic.pdf](https://present.brighton-hove.gov.uk/Published/C00000912/M00008107/$$ADocPackPublic.pdf)

7.2 Conclusion: approved a new framework and advised against a DPS approach

January 2019

Edge commence work in advisory capacity

March 2019

Urgency Powers applied by Executive Director Families Children & Learning, Pinaki Ghoshal, according to Part 6.2 Part A 7(2) of the council’s Constitution, consultation with Chair of Children, Young People & Services Committee, and consent given to procure the Dynamic Purchasing System

#### **Parent Carer Consultation Groups** (25/26<sup>th</sup> June 2019)

<https://paccbrighton.org.uk/wp-content/uploads/2019/07/PaCCConnect-transport-minutes-June19.pdf>

Meetings held for all Parents and Carers to attend at Hill Park School and Downs View School.

Information regarding new system, core operating principles and Q&A

Attended by Richard Barker (Transport Manager) and Stuart Cooper (Edge Public Solutions)

#### **Policy, Resources & Growth Committee** (Item 16 11<sup>th</sup> July 2019 pages 255 – 260)

[https://present.brighton-hove.gov.uk/Published/C00000912/M00009322/\\$\\$ADocPackPublic.pdf](https://present.brighton-hove.gov.uk/Published/C00000912/M00009322/$$ADocPackPublic.pdf)

Use of Urgency Powers in Relation to Transport Services for Vulnerable Children and Adults

~~ 25<sup>th</sup> July Last Day of Summer Term ~~

#### **PaCC Emergency Position Statement** (3rd September 2019)

<https://paccbrighton.org.uk/wp-content/uploads/2019/09/Home-to-School-Transport-PaCC-Emergency-Position-Statement-final-3.9.19-4.pdf>

~~ School Term Commences 6<sup>th</sup> September 2019 ~~

#### **PaCC Document of Concerns on behalf of PaCC Families** (11<sup>th</sup> September 2019)

<https://paccbrighton.org.uk/wp-content/uploads/2019/09/HTST-Short-and-Long-term-issues-Action-Plan.pdf>

**Green Party Statement “Parents Need Reassurances This Will Not Happen Again”** (17<sup>th</sup> September 2019)  
<https://www.brightonhovegreens.org/2019/09/17/parents-need-assurances-this-will-not-happen-again-say-greens-on-home-to-school-transport-row/>

**Official Response from Pinaki Ghoshal** (11<sup>th</sup> October 2019) (may not reach other families)  
<https://paccbrighton.org.uk/wp-content/uploads/2019/10/Briefing-on-school-transport-for-PaCC-network-111019.pdf>

## Appendix 2

**contact** *For families  
with disabled children*

### Local authority duties in brief

All duties are set out the Home to school travel and transport for children of compulsory school age:  
Statutory guidance for local authorities 2014 issued by the Department for Education

Local authorities are required to arrange free, suitable, home to school transport for children of compulsory school age who are ‘eligible’, to their nearest suitable qualifying school (section 508B of the Education Act 1996).

This law says a child with SEN, a disability or mobility problems that would prevent them walking to their nearest suitable school must get free transport help regardless of distance. An assessment must be made on the child's individual needs. This is set out in set out in Schedule 35 Education Act 1996.

### Suitable school transport

The duty on the local authority is to make suitable 'travel arrangements' are defined in section 508B(4) Education Act 1996. The local authority has a duty to provide suitable transport that is "non-stressful". The courts have defined this as transport that enables a child "to reach school without undue stress, strain or difficulty such as would prevent him from benefiting from the education the school has to offer, [...] [and] to travel in safety and in reasonable comfort".

Statutory guidance recommends maximum journey times of 45 minutes for primary-aged children and 75 minutes for secondary.

### Staff training

Some parents report that staff on school transport are caring and a full part of their child's education team. In other cases, drivers and escorts may be unaware of children's difficulties and poorly trained to handle their behaviour. Guidance is clear that all staff should have up-to-date training, including

- An awareness of different types of disability including "hidden" disabilities
- An awareness of what might be discrimination.
- Skills to communicate with children with different disabilities and to manage behaviour.

Local authorities must also ensure that the necessary safeguarding checks are carried out.

Other relevant legislation Local authorities must comply with the Equality Act 2010 and the European Convention on Human Rights, which is incorporated into UK law by the Human Rights Act 1998, when exercising their home to school transport functions. The Act also places a legal obligation on the local authorities to comply with the public sector equality duty. This means they must consider how their home to school transport decisions and policies affect people with protected characteristics, and must have due regard to the need to: ‘advance equality of opportunity for disabled learners’ the transport policy must not have a: ‘significant negative impact on the ability of disabled students to access education’.

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**(2) Deputation concerning PRIDE PVP  
Spokesperson Trevor Scoble**

On the 19<sup>th</sup> April 2018 The Kingscliffe Society made a deputation to B&HCC about Health & Safety concerns over the Pride PVP annual event. We were directed to the Tourism Development & Culture Committee and thence to Safer Communities who were to produce a Review in the form of a questionnaire as a public condition. They issued their questionnaire on the day before they surveyed/walked the St James's PVP Area with us (TKS) together with the St James's LAT group. Therefore, none of our issues pointed out during the survey could be included in the B&HCC questionnaire. The results from the questionnaire formed more a Popularity Poll than the Review as promised (which was to cover all residents & business concerns) but were presented as a factual outcome dealing full with all the issues raised.

We have, therefore, continued to pursue our H&S concerns and requirements at Council meetings and by emails, but all to no avail.

In the Agreement the B&HCC made with the Pride organisation in 2014 various clauses were included to improve the management of this event, specifically;

- 3.15 *with the explicit intentions of creating a safer and welcoming event.*
- 3.16 *PVP format aimed at creating an event that achieves a better outcome/or attendees, businesses and local residents (our underlines)*
- 3.19 *Evaluation of the PVP by the Safety Advisory Group (including the councils emergency services) with regard to the event's objectives of delivering a safer and high-quality event was largely very positive. The evaluation process with local businesses and communities is ongoing at the time of report writing and any further information will be provided at meetings.*

We dispute whether these objectives have ever been fully achieved.

In regard to 3.15. As the PVP does not commence until 6 PM, many attendees arrive for the event already intoxicated or drug affected from the 'Party in the Park' where they have been indulging all afternoon.

In regard to 3.16. As the PVP has an overwhelming emphasis on over-loud music (up to 120 DPC inside homes) and the on-street alcohol consumption promoted by the demands of St James's abundant licensed premises. The wishes of residents & unlicensed traders are therefore given very low priority.

In regard to 3.19 During the last 2 years in St James St. Pride has estimated an attendance@ between 35,000 & 42,000 revellers in its narrow adjacent side streets, filled to overflowing with somewhat intoxicated revellers contained behind un-climbable barriers. With no public address system, emergency lighting, and escape signage and no pre-issued escape plan for residents or revellers to follow. The 2-meter-high non-climb barricades are erected from midday on the Friday until late night on the Sunday and for the last 2 years of PVP event and no pre or post PVP meetings have been organized so no relevant information is exchanged and acted upon.

It is recognised that the PVP is raising funds, one aspect of which is a social fund to reduce the effect it has on the wider community, but it is raised by imposing unreasonable distress and conditions on many local residents and non-licensed traders who are bearing the brunt of the true cost.

Any emergency is a tragedy waiting to happen.

With respect, we would ask the Council to withdraw the Pride PVP agreement and employ a Company that will comply with the Council's Requirements & those of Health and Safety.



## Supporting Information for Item 37 (2)

Which residents' concerns could reasonably be expected to be covered by a Review?

1. Concern, above all else, with the distress/displacement caused to residents (LGBT & Non-LGBT alike).
2. That there would be a continuity of officer/s contact with affected residents and groups.

Larissa Reed & Jo Player (the dedicated officers) seemed to take turns with what few contacts there were.

3. Prior to the Pride weekend residents would be issued with instructions/maps on how to safely exit the area in the event of an emergency.
4. On the Saturday morning of the Party officers would check with stewards, manning any unclimbable barriers, their instructions in the event of an emergency or sudden crush of revellers inside the area.
5. On the night of the Party (Saturday) once it was in full swing (say 10 pm) officers would be appointed to:
6. Check on sound levels in the noisiest streets containing Pubs or outside sound systems (decibel levels)
7. In these noisiest streets they would knock on doors to establish:
  - A. If residents were enduring the noise and B. The sound levels reached inside these private homes.
8. It would seek to establish how frequently homes appeared to be vacated in high noise areas.
9. Check whether public toilets were overflowing and whether/where there was evidence of street urination.
10. On the 2nd day of the Party at say 5 pm before the next round of loud music at 6 pm, check on homes that were non-responders on the 1<sup>st</sup> night to check whether residents had returned.
11. Establish any expenses returning residents had been put to in order to provide a safe place of refuge.
12. Repeat the checks on temporary toilets and street urination.

There was only one pre-Pride public meeting (in May 2018) which was poorly advertised and therefore poorly attended by members of the public. It was attended by Larissa Reed and raised many issues, including severely affected residents being paid expenses to leave the area for the duration of the Pride Weekend.

The next contact with the council was in October nearly 2 months after the Pride weekend in a meeting held by Jo Player. It was to present the contents of her/the Councils questionnaire into the PVP. Jo Player established that she did not attend Pride and Larissa Reed had also been away on holiday. The number and names of Council officers who had attended was not known at that time.

The Kingscliffe Society, and as far as we know, no other groups were invited to any internal meetings with the Council about the PVP.



**(3) Deputation concerning Valley Gardens  
Spokesperson Serena Burt**

I'm here today to briefly talk you through an alternative plan for Valley Gardens phase 3. This has been drawn up by leading architects, engineers and design professionals from our city - on behalf of us all.

The plan is based on the best elements of the Council's own original design options. We don't consider it definitive and so further input is invited and welcomed. Our current version removes most of the transport disbenefits from the current council scheme, provides a much better **cost** benefit ratio with significantly closer alignment to Transport for the South East's stated strategy. It would achieve a more positive outcome on almost every measure than the current official one - identified as offering 'low value for money' by the Local Enterprise Partnership Coast 2 Capital.

Our core proposition achieves the following:

- The creation of city-wide routes to the centre for cyclists and pedestrians complete with better access to attractive new green spaces increasing biodiversity.
- The creation of a dedicated two-way bus and taxi lane to link North Street to a contiguous public transport corridor at Marlborough Place and retaining the city centre's natural transport hub complete with the three iconic "deco" bus shelters.
- The creation of a 'mixed use' pedestrianised seafront gateway to explore the east of the city Instead of separating Kempdown from the centre with the current proposed scheme.
- The creation of a dedicated cycle hub at Pool Valley with a crossing to the seafront, safely clear of pedestrians at the front of the Pier as well as public transport and general traffic.
- Moving cycle lane away from the Steine gardens perimeter makes access better for the public realm and essential for use as event space.
- The creation of a remodelled roundabout to ensure the safest and most environmentally friendly free movement of general traffic - and removing the need to redevelop the junction at Duke's Mound.

Residents, businesses and public sector professionals across all sectors of the local economy have already offered valuable input. We genuinely believe that something close to this plan is one that the entire city can get behind.

We therefore respectfully ask Full Council to note our proposal and ask the ETS Committee to give full and proper consideration to this plan.



**Key**

- Footway - resin bound gravel
- Footway- modular paving
- Bi-directional, segregated cycle track
- Proposed parking bays - block paving
- Side road entry treatment / central median - block paving
- Tarmac carriageway
- Tarmac with buff finish
- Crossing
- Soft landscaping
- Proposed tree
- Existing tree
- New Kiosk

**N.T.S**

**Scale bar**

10m 20m 30m

**Valley Gardens Forum  
New Phase 3 Proposal  
10 October 2019**



**Our headline amendments are as follows:**

We propose maintaining the public transport route between Pavilion and war memorial which will be fed by a dedicated bus lane travelling south from VG Phase 2. We retain the city's only central bus hub which maintains easy transfer from one route to another. This should improve bus journey options and travel times and therefore increase adoption of shared and public transport over private vehicles.

We are concerned that, due to lack of connectivity, the proposed pedestrianised area in front of the Pavilion currently has no destination other than itself. The position of the cycle route to the north narrows the pavement here, countering the desire to walk through to VG phase 2. We believe that a much improved and stronger pedestrian crossing can be achieved through the Pavilion gardens themselves. This new path would cross from the North Gate on Church Street to a new gateway and a revived Palace Place. Such a route is optimally positioned to converge with pedestrian flow from North Street on to the corner of Castle Square, crossing into Steine Gardens.

We propose more substantial pedestrian crossings, with clearly defined diagonal crossing paths, to allow a free flow of pedestrians bridging West of Steine with East and into the gardens themselves. A new feature archway could be used as a townscape device to further celebrate the access to the East. To our mind this is a significant gesture which is aligned with strategic city-wide ambitions to connect the Kemp Town communities with enhancements to Madeira Drive, Blackrock and the Marina.

We have suggested an altered cycle path to connect VG phase 2 to the seafront. By prioritising an altered pedestrian route through the Pavilion gardens, this new cycle route will use less populated parts. The most significant pedestrian crossing of the cycle route is at the bottom of Castle Square, where pedestrians will also have clear crossing priority with the bus. Smaller crossings of the route will be necessary to access bus stops.

To accommodate the proposed cycle route we have suggested moving the current listed bus stops, rebuilding these to the east and extending the pavement in front of them to accommodate a greater number of bus passengers.

By retaining the north south bus connection in front of the Pavilion, the National Express can be relocated to the public space north of the Royal Albion hotel, to use this route. In turn, Pool Valley is revitalised as a public space with the opportunity to create the city's bike hub - with facilities for hire, maintenance, education and storage - which links to the seafront away from the roundabout and importantly avoiding head on conflict with the concentration of pedestrians around the pier frontage.

We propose a roundabout in front of the pier to ease the flow of cars out from Pavilion Parade, in the interest of improved air quality and visitor experience. The roundabout is shown in an altered location to previous iterations, so that a wider pedestrian crossing can be accommodated flowing from Steine Gardens to the pier frontage.

Accommodating the requirement for delivery access to the pier is also a key consideration here. The avoidance of cycle crossings and clear allocation of delivery bays is important to maintaining the safe flow of deliveries, as life blood to the pier operation.

<b>Subject:</b>	<b>To Halt the Rollout of 5G Technology - Petition for Debate</b>		
<b>Date of Meeting:</b>	<b>24 October 2019</b>		
<b>Report of:</b>	<b>Executive Lead Officer for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	Mark Wall	Tel: 01273 291006
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 The e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 2,240 signatures confirmed at the time of printing the report.

**2. RECOMMENDATIONS:**

- 2.1 That the petition is noted and referred to the Health & Wellbeing Board for consideration at its meeting on the 12<sup>th</sup> November 2019.

**3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:****3.1 The Petition****To Halt the Rollout of 5G Technology.**

Lead Petitioner – Gill Foote

Additional Information:

We the undersigned petition Brighton & Hove Council to halt the rollout of 5G technology in Brighton & Hove and invoke the Precautionary Principal adopted by the EU in 2005 which states: "When human activities may lead to morally unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm." We, the residents of Brighton & Hove, insist that our City Council invoke the Precautionary Principal regarding 5G technology and all associated infrastructure before deploying it in our city. We (the residents) now call for independent research and for the City Council to

prove to its constituents that 5G is SAFE and poses NO risk to human health, animals, wildlife, insects, birds and the ecosystem as a whole. Once 5G is deployed fully, it will expose people 24/7 to mandatory radiation without their informed consent, which constitutes a blatant breach of their Human Rights. WE DO NOT CONSENT UNTIL PROVEN SAFE

#### **4. PROCEDURE:**

4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
- (ii) The Mayor will then open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Committee Chair to respond to the petition and move a proposed response. The Mayor will then call on those councillors who have indicated a desire to speak in the matter, before calling on the relevant Committee Chair to respond to the debate;
- (iii) An amendment to the recommendation in paragraph 2.1 of the report or to add additional recommendations should be submitted by 10.00am on the day of the meeting; otherwise it will be subject to the Chair's discretion as to being appropriate. Any such amendment will need to be formally moved and seconded at the meeting;
- (iv) After the 15 minutes set aside for the debate, the Mayor will then formally put:
  - (a) Any amendments in the order in which they are moved, and
  - (b) The substantive recommendation(s) as amended (if amended).

**GREEN GROUP AMENDMENT**

**TO HALT THE ROLLOUT OF 5G TECHNOLOGY  
PETITION FOR DEBATE**

To add a second recommendation as shown below in ***bold italics***;

- 2.1 That the petition is noted and ~~referred to the Health & Wellbeing Board~~ ***a report on the issue*** provided for consideration at its meeting on the ~~12<sup>th</sup> November 2019.~~ ***the next available meeting of Health & Wellbeing Board***

Proposed by: Cllr Osborne

Seconded by: Cllr Powell

Recommendation if carried to read:

- 2.1 That the petition is noted and ~~referred to the Health & Wellbeing Board~~ ***a report on the issue*** provided for consideration at its meeting on the ~~12<sup>th</sup> November 2019.~~ ***the next available meeting of Health & Wellbeing Board.***





**WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions have been received from Councillors and will be taken as read along with the written answer as detailed below:

**(1) Councillor: Gibson**

The answer to the below question was initially deferred till after the budget and then answered partially without revealing the modelling of actual costs for the specific schemes, so please provide the full answer to include all the specific schemes referred to in the question below?

*“Can the new homes schemes modelled (in answer to question 8 to full council on April 19th 2018) as estimates (using estimates of borrowing and build costs) be modelled inputting the actual build cost and the actual capital charges (or if this is not easy to establish using the weighted average capital charge on actual borrowing taken out since 2015) of the loans used to fund the schemes over a 60 year period to establish the projected surplus/deficit based on more accurate inputs?”*

**Reply from Councillor Williams, Chair of the Housing Committee**

The table below models each project updated using the current model and assumptions including actual costs and the average rate of borrowing during the period of 2.15%. Rental figures are based on the old LHA rates and previous Living Wage rates and are reduced by 1% over a 4-year period.

Scheme Name	Previous Subsidy / (Surplus)	Average Cost of borrowing 2.17%		Treasury Green Book 3.5%	
		60 Year Subsidy / (Surplus) LHA £'000	60 Year Subsidy / (Surplus) 37.5%LW £'000	60 Year Subsidy / (Surplus) LHA £'000	60 Year Subsidy / (Surplus) 37.5%LW £'000
Preston Road	76	(110)	40	30	140
Manor Place (South)	329	330	580	590	780
Manor Place (North)	107	(270)	(20)	(10)	180
Ardingly Street	286	(180)	70	70	260
Guinness Garage Sites	385	(400)	80	10	470
Kensington Street	570	(310)	790	810	1,170
Brooke Mead	2,125	(80)	1,500	1,650	2,820
Findon Road	1,302	(2,770)	430	330	2,710

Wellsbourne	512	(1,350)	(80)	140	1,090
Lynchet Close	(203)	(1,780)	(480)	(1,020)	(50)
<b>Total(surplus)/deficit</b>	<b>5,489</b>	<b>(6,920)</b>	<b>2,910</b>	<b>2,700</b>	<b>9,570</b>

The above table indicates that if the lower interest rate had been used when assessing the viability of these schemes, Wellsbourne (Hobby Place) and Lynchet Close may have been viable at 37.5% Living Wage Rents however, overall the schemes based on this rent level would be a net liability to the HRA and therefore a consistent approach is preferred to protect the HRA's financial position and long-term viability.

In evaluating the viability of schemes, using the rate of borrowing does not assess the long-term risk of building new homes for rent and ensure the future viability of the HRA. The borrowing undertaken was at a time when rates were unprecedentedly low and therefore it would not be prudent to assume these rates in viability modelling.

The current model uses the Treasury Green Book discount factor to establish the Net Present Value of schemes.

This allows for a consistent approach in modelling viability. Over a 60-year life of these assets, many of the variables are subject to political and economic forces. E.g., rents may be reduced over a prolonged period; management and maintenance costs increase above normal inflation or interest rates for actual borrowing may be higher than expected in the model.

Finance would be happy to discuss the findings further with Cllr Gibson

## (2) Councillor Gibson

In the light of the recently announced changes to PWLB rates please can you update the costs provided in answer to the following question asked to Policy & Resources committee in February 2019;

Please provide a table showing the annual repayment required of BHCC on a loan at current PWLB rates for 5, 10, 20, 25, 30,35, 40 and 50 million pounds? (showing repayment periods of 30,40, 50, and 60 years for each loan).

### Reply from Councillor Platts, Leader of the Council

The table below shows the annual financing costs of borrowing based on the Public Works Loan Board (PWLB) published rates on 17 October 2019. These costs are subject to the government's discount to local authorities. This is known as the 'certainty rate' which is 0.20% below the published maturity rate for standard new loans. These rates apply to maturity loans where the principal loan amount is repaid in one lump sum at the end of the loan period.

PWLB rates are updated and published twice daily on banking days and can fluctuate substantially over time primarily due to changes to the Gilts market and the Bank of England Base Rate, and therefore the information in the table is indicative only, i.e. different interest rates would result in different costs.

The annual cost is based on the council's Annuity Minimum Revenue Provision whereby the council sets aside repayments of the principle each year to meet the full loan repayment at the loan expiry date.

The parameters for the council's investment and borrowing are set within the Treasury and Prudential Indicators. The 2019/20 indicators were agreed at Budget Council on 28 February 2019 as part of the Budget Report.

	Period		
	30 years	40 years	50 Years
PWLB Certainty Rate	2.98%	2.88%	2.85%
Loan Amount	£'000	£'000	£'000
£5m	254	212	189
£10m	509	424	378
£20m	1,018	849	755
£25m	1,272	1,061	944
£30m	1,527	1,273	1,133
£35m	1,781	1,485	1,322
£40m	2,035	1,697	1,511
£50m	2,544	2,121	1,888

**(3) Councillor Clare**

How many complaints arose from events in Brunswick and Adelaide Ward so far this year?

**Reply from Councillor Yates, Deputy Chair (Finance) of the Policy & Resources Committee**

There have been no complaints recorded by the Corporate Customer Experience Team regarding events in the Brunswick and Adelaide Ward since March 2019. There may have been informal enquiries or first stage complaints or received by individual services relating to a variety of incidents in the ward, but these are not recorded centrally and there is no mechanism to provide you will reliable date. If you have concerns about specific events or incidents, you can raise them with the relevant service and officers would be happy to supply you with the information.

**(4) Councillor Nemeth – King Alfred**

Starting with Councillor Geoffrey Bowden, who proudly launched the King Alfred project whilst Chairing the Economic Development & Culture Committee, please provide a timeline of lead Members for the project since Councillor Bowden, finishing with whoever is leading now?

**Reply from Councillor Robins, Chair of the Tourism, Equalities, Communities & Culture Committee**

When the King Alfred project was re-established in 2012, it was overseen by a cross-party Project Board chaired by Cllr Bowden. He chaired the Board for almost 3 years, through to the May 2015 local elections, following which the role of chair was taken by Cllr Morgan, the then Leader of the Council, and I'm aware that this is the point at which Cllr Nemeth joined the Board.

As a result of revised governance arrangements, all Project Boards were disbanded in mid-2016. They were replaced by the Strategic Delivery Board, a cross-party Member Board chaired by the Leader of the Council. Cllr Morgan therefore provided the lead Member role between 2016 and 2018, at which point Cllr Yates took on the role as the new Leader of the Council, and since May 2019 the Strategic Delivery Board has been chaired by Cllr Platts.

The Strategic Delivery Board receives a written update on major projects at every meeting and, as one of the most significant projects, the King Alfred was the subject of many detailed updates and reports.

Updates on Major Projects form part of the regular business of the Tourism, Equalities, Communities & Culture Committee, and also its predecessor committee (TDC), again as a standing item, through which I am briefed ahead of such meetings. I also receive regular briefings from the Executive Director Economy, Environment & Culture and Ward Councillors are briefed at key stages of the process as required.

Moving forward, as agreed at last week's Policy & Resources Committee meeting, a new Project Board is to be created for the next King Alfred project.

**(5) Councillor Miller – Madeira Terraces**

When on current projections are all 147 arches likely to be restored by this failing Labour Administration? Would they prefer the Conservative group to take over and have work start on all of them within 24 months?

**Reply from Councillor Robins, Chair of the Tourism, Equalities, Communities & Culture Committee**

We will be bringing an update report to Tourism Equalities Communities & Culture Committee on 21.11.19. The Administration has a business case which can unlock funding for the first 30 arches and an update on this will be provided for committee. This will include a timeline for the appointment of a full design team, funded by the council, to further progress the design and option analysis for the structure.

**(6) Councillor Miller – Private Schools**

Does the Leader of the Council, and her colleague MP's, agree with the Labour Party that successful schools in our city, educating many local pupils, such as Brighton College, Roedean, Lancing College and St. Christopher's to name but

a few: should be closed down, and stripped of their assets? So as to increase the financial and land pressure on our local maintain, free and academy schools and ultimately lower standards and outcomes for all our city's young people?

### **Reply from Councillor Platts, Leader of the Council**

Across the city we have a well-established education partnership which has previously extended an invitation to a representative from the independent school sector. Some of our schools have been working in partnership directly with local independent schools and relationships have been positive.

I would encourage the Councillor to take another look at Labour Party national policy, as it makes no reference to closing down or asset-stripping independent schools, but rather to integrating them into the state sector.

What it does refer to is:

- removing the VAT exemption on private school fees and using this to fund free school meals for all primary school children.
- reversing swingeing Tory cuts to ensure our schools are properly resourced.
- reducing class sizes to less than 30 for all five-, six-, and seven- year-olds.
- tackling the teacher recruitment and retention crisis by ending the public-sector pay cap.
- putting £150 million back into supporting our children in schools by scrapping the Conservatives' nonsensical plans for schools to pay the apprenticeship levy.

On our local state sector provision, I'm proud that we are seeing improvements in standards of education across the city. Standards in the City including attainment at KS1, 2 and 4 are already higher than National Averages. The percentage of good or better schools in all phases are well above National Averages. In secondary 100% of schools are Good or better.

Whilst the Conservative Government tries to impose academisation on Moulsecomb Primary School, against the expressed will of 96% of parents and Councillors of all stripes in this very chamber, we know that under local authority direction the school has readily improved. The council now have a significant amount of evidence of improvement demonstrating the school should no longer be classed as inadequate. This includes improved attendance and outcome data at all key stages. Notes of visits from National Leaders of Education and experienced school partnership advisers comment on improvements in teaching and learning and behaviour for learning. We are confident our statement of action has meant that the school has improved to such a place that academisation would be pointless.

This Labour administration is supporting the children and teachers and standing with the parents and carers who voted overwhelmingly to keep their local primary school in local authority control, and the government must listen to them.

**(7) Councillor Fishleigh**

Is it possible for Cityclean to allocate two people to spend one day a week every week maintaining the area around Brighton train station so that this gateway into the city is more appealing to both residents and visitors with regular tasks to include painting over and scrubbing away graffiti, peeling off stickers and painting over the damage caused by them on lamp posts, repainting the black railings, weeding and tending plant beds?

**Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee**

Brighton Station and Queens Road has one street cleaner on a daily basis, Monday – Sunday starting at 5am until 1pm. They start at Brighton station and finish at the clock tower at the end of Queens Road. The responsibilities of the individual on duty are to sweep any litter and detritus and clear any weeds. We also have a Street Cleanser on an afternoon shift who will litter pick the above area.

We are removing all graffiti from council buildings and highway furniture. We have two operatives working on the removal of graffiti between Saltdean and Mile Oak. We need to treat offensive graffiti as a priority, so non offensive graffiti will be removed in due course.

We are currently working on a new graffiti removal approach where we implement zones for certain areas, at the moment we are working on zone 1 which is the North Street area, zone 2 begins at Queens Road which we will be working on in the near future. This also includes the removal of stickers.

We are also checking the seating area in front of the station, and the area is treated with a high-pressure jet washer regularly.

With regards to the flower beds, we keep them tidy; however please do let Cityclean know if there are any concerns on the standard of them.

Unfortunately, we have limited funding for highways maintenance and this is prioritised to ensuring that we are able to maintain the highway, leaving little funding for the routine painting of railings and lampposts.

As you may be aware, members of the community through the Tourism Alliance have been doing a good job in recent months of maintaining the area around the station, voluntarily planting flowers and replacing benches

Proposals for enhancing the area from the station to the seafront will be outlined in the Gateway to the Sea report which will be presented to ETS Committee in November.

We are also working with GTR to move the taxi rank to the back of the station next month which will reduce congestion, improve air quality and open up the front of the station making it a much nicer entrance to the city.

## **(8) Councillor Hugh-Jones**

On 1 October 2019, the Government opened the consultation on Future Homes Standard by 2025. The consultation ends on 10 January 2020. The government withdrew the Code for Sustainable Homes (CSH) in March 2015 following which this Council had to fight hard to incorporate the equivalent of CSH Level 4 into City Plan Part 1.

Unsurprisingly, more recently, in its report on energy efficiency, the Business, Energy and Industrial Strategy (BEIS) Committee also described it as “*nonsensical to be continuously making the problem worse by allowing new homes to be built that will also need to be retrofitted*”.

In relation to existing housing stock, the Committee on Climate Change noted in its 2019 report to Parliament that:

*Policies are not in place to deliver the Government's ambitions on energy efficiency ... Building standards are not sufficiently enforced ... Regulations for the private rented sector prioritise costs for landlords over running costs for renters. MHCLG must play its part, including minimum standards for social housing.*

Does this administration plan to respond to the consultation? If so, and in light of the climate emergency, will the Council explore, as a matter of urgency:

1. The adoption of the Scottish model of making zero interest or equity loans available to homeowners for energy efficiency improvements, or an equivalent model?
2. Better enforcement of energy efficiency standards including, in the private rented sector, lobbying for the removal of the £3500 cap on landlord's fuel efficiency improvements?

### **Reply from Councillor Williams, Chair of the Housing Committee Proposed response:**

The Housing Committee Work Plan 2019 – 2023 agreed at Housing Committee on 18 September includes the following priorities:

- Improving the quality of the private rented sector, including researching and reviewing an ethical loan scheme and developing the enforcement approach to private sector housing to reflect the full range of potential enforcement options available to improve and manage standards.
- Achieving carbon reductions and sustainability in housing, including addressing fuel poverty and developing a policy to set out how we will work collaboratively to ensure housing contributes to making the city carbon neutral by 2030.

The council is already supporting the Warmer Sussex project with Retrofitworks, to improve the energy efficiency of homes across Brighton & Hove and the wider Sussex area.

The council will explore energy efficiency loan options and private rented sector enforcement and lobbying opportunities through the reports we are committed to bringing forward to Housing Committee under the Workplan.

The council will be responding to the consultation. We will use opportunities as they arise to respond to consultation and lobby government on elements of the regulations that we see as restricting improvements to energy sufficiency standards in the private rented sector.

**(9) Councillor Gibson**

As of 1st of October 2019, please can you tell me, across Brighton and Hove how many:

- CPZ permits were issued?
- What the annual cost average charge per permit?
- How many addresses have each of 2, 3, 4, 5 permits issued?
- How many vehicles have permits for 2 zones?

**Reply from Councillor O'Quinn, Chair of the Licensing Committee**

**i) CPZ permits were issued?**

There are currently 40379 valid permits, of which 38843 are resident permits.

**ii) What the annual cost average charge per permit?**

The average cost of all current active permits is £136.06. This figure includes permits purchased for 3 months, so does not represent the annual cost per permit.

The annual costs of resident permits are as follows:

For zones A, C, E, F, G, H, J, M, N, O, Q, T, Y, Z; £130 annual (£180 if paid quarterly)

For Zones U and W; £100.00 annual (£120.00 if paid 6 monthly).

There is a 50% discount for low emission vehicles and a 25% increase for high emission vehicles.

A full list of fees and charges for all permit types are available in this pdf document.

<https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/Fees%20and%20Charges%202018%20-%202019.pdf>

**iii) How many addresses have each of 2, 3, 4, 5 permits issued?**

There are 22,708 addresses in the city with one permit, 4570 addresses with two permits, 927 addresses with three permits, 303 addresses with four permits and 136 addresses with five permits. There are a further 287 addresses with six or more permits, however these tend to be linked to large businesses, organisations, doctors' surgeries or hospitals.



**iv) How many vehicles have permits for 2 zones?**

We do not have any reports available that show how many vehicles have multiple permits issued to them.

**(10) Councillor Osborne - Students and noise complaints in Coldean**

What is the council doing to put pressure on the bus companies, the university and other stakeholders to address the issues caused by anti-social behaviour in Coldean coming from the Varley Halls?

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

Officers have had a meeting on site with representatives of Brighton & Hove buses, the University of Brighton, the students' union, Sussex Police and the local community to discuss the issues and options which could improve access to the halls.

Officers from the Community Safety team have also attended subsequent "round table" meetings and in response to recent reports have visited affected residents, met separately with the University and been in contact with the police and other residents and stakeholders including all the local councillors.

The bus company are currently unable to access the estate road because of the unsuitable camber of the estate road but this would require significant and expensive engineering measures to a private road which unfortunately the Council would be unable to fund because it has no obligation to do so and its spending priorities are focused on the public highway network.

Brighton and Hove Buses are currently unable to access the estate road because of the camber of the highway at the junction of the road. This would require significant and expensive engineering measures, mainly to the public highway. The University is currently commissioning work to assess what this would entail. While the Council is under no obligation to give permission or fund these works, we are keen to work together with all parties to try and find a solution. Discussions are also being had with Homes for Brighton and Hove to ensure that highway works done in connection to the recently approved development adjoining Varley Park contribute positively as much as possible to the resolution of these problems.

**(11) Councillor Osborne - Advertising- removing sugary/fatty foods and drinks**

Dame Sally Davies, Chief Medical Officer for England, recently announced that one of the best ways to tackle the obesity epidemic in children is to cut out advertising of unhealthy food and drink.

Does the council lease any land/property to advertising companies? Does the council have powers to restrict advertising in places which it doesn't own and does the council intend to use its authority as a licensing body to limit the advertising at events?

## **Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

The council has 3 licenses in situ on land/property with advertising company JC Decaux.

These produce minimal income for the council with limited restrictions on content. The restrictions relate to only displaying material that confirms with statute (including in particular the planning obscenity sexual and racial discrimination and health laws) and with the codes promulgated by the Advertising Standards Association (or any successor body) and which is not otherwise unlawful or offensive and immediately on demand to remove and replace any material displayed in breach of this sub-clause.

The council also owns 478 Bus shelters and 5 taxi shelters in the city (excluding Heritage style shelters, which are maintained by Cityclean and do not carry advertising).

Of these 223 are advertising shelters and the council grants a concession contract to Clear Channel UK to advertise on these shelters in return for an annual income and the cleaning and maintenance of the shelters. Contract management is undertaken by the Public Transport Team.

Our contract with Clear Channel prohibits certain kinds of advertising e.g. tobacco and gambling, and restricts others, e.g. advertisements directed towards children.

Advertisements for alcoholic drinks should not feature in promotions directed at people under 18. Advertising for alcoholic beverages or fast food takeaways should not be sited within 100 meters of any school or youth club, or NHS building, or public sector building/premises/facility/park/leisure centre primarily used by those under the age of 18 (or their guardian or carers).

In regard to the advertising boards next to the King Alfred Car park this arrangement with Clear Channel is managed by the Traffic Control Centre. They are currently reviewing this arrangement and will ensure your concerns will be considered taking into account the issues outlined with other advertisement contracts.

### **(12) Councillor West**

Electric cars offer an opportunity to reduce air pollution, though will not address road congestion and the danger faced by active and vulnerable road users. While it is hoped electric cars will be powered with renewable energy, the energy levels required to power large scale use of electric cars will need a huge investment in generation, transmission and charging infrastructure. When account is also taken of the high level of embodied energy needed to produce electric cars, what overall carbon saving can be achieved through switching from conventionally powered to electrically powered private vehicles? Given the Labour administration shares the Green goal of the city being carbon neutral by

2030, does the Labour administration accept that electric cars are not a panacea for carbon neutrality and that instead there needs to be a rapid and major shift from car use to active and sustainable travel modes in the city?

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

I think your first question about the total amount of energy consumed by all of the processes associated with the production and use of electric vehicles and their associated infrastructure is probably better asked of the Government.

Regarding your second question, I don't think that any political party would describe electric vehicles as a panacea to the global climate emergency that is now at the forefront of so many people's thoughts and actions, and which is now the driver for many policies and priorities.

However, electric vehicles can undoubtedly reduce harmful emissions from transport in local areas and communities; and for those people who can drive and can afford to switch, it is good that they have that choice and it is a sensible decision to make.

The city's fantastic bus services provide people with a great opportunity to travel over distance, and we aim to do more with them as part of our Quality Bus Partnership. More electric buses on routes crossing the city will make a significance difference in the city centre and the local neighbourhoods they connect.

We have eight train stations in the city – potentially untapped capacity for people in some parts of the city to get around more easily.

And the added benefits to people's health of walking and cycling must not be underestimated either, and that is why we are working on the development of a Local Cycling and Walking Infrastructure Plan, so that we can make those forms of transport the first choice for as many local journeys as possible.

As you are also aware the Council is developing its next Local Transport Plan where reducing carbon and improving air quality will be a significant consideration in its inception.

**(13) Councillor Mac Cafferty - Communal Bins**

Can you please tabulate:

- (1) the quantity of complaints about communal bin collections;
- (2) the quantity of complaints about the state of communal bins and;
- (3) the age of each communal bin,

on each street in Brunswick and Adelaide Ward for the past five years?

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

This information is not available as complaints have not been recorded in this way. There has been a recent change to how complaints are recorded and “issue with a communal bin” has been included.

The communal bin audit currently taking place is capturing a number of details for the bins, including their condition. This will help us determine whether any repair work is needed, or if a bin needs replacing.

**(14) Councillor Mac Cafferty – Pavement Parking**

Further to Scottish Parliament legislation and the Commons' Transport Committee recommendation to implement a ban on pavement parking in England, what will be done ahead of legislation in the meanwhile to enable our council to sign up to the Living Streets “Pavements for People” charter?

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

The Commons' Transport Select Committee has recommended in the short-term allowing councils outside London to enforce against ‘unnecessary obstruction’ to combat the worst incidents of pavement parking. Longer term it has recommended that central government should work towards introducing a complete pavement parking ban unless signed to allow pavement parking.

In advance of any pavement parking ban the council would need to carry out a survey of all streets in the city to decide in which streets pavement parking was to be allowed in the city. Consultation with residents in streets where pavement parking is widespread would also be necessary before a decision on whether the pavement parking ban would apply to that street.

So ahead of the legislation, enforcement officers currently issue warning notices to vehicles parked on the pavement where a Penalty Charge Notice cannot be issued to discourage pavement parking.

We look forward to hearing the government’s response to the Transport Select Committee’s recommendations and will be ready to carry out citywide surveys if a pavement parking ban is agreed.

**(15) Councillor Mac Cafferty – Licensing Complaints**

Can you please tabulate the quantity of complaints about licensed premises for each street in Brunswick and Adelaide Ward in the past five years?

**Reply from Councillor O'Quinn – Chair of the Licensing Committee**

Street Name	Count
Brunswick Street East	7
Church Road	6
First Avenue	1
Holland Road	5
Lower Market Street	1
Montpelier Place	1
Norfolk Place	3
Queens Place	3
Upper Market Street	1
Waterloo Street	8
Western Road	38

**Total**

74

**(16) Councillor Mac Cafferty – Anti-Social Behaviour Policy**

Can you please tabulate the quantity of anti-social behaviour incidents for each street in Brunswick and Adelaide Ward in the past five years?

**Reply from Councillor Childs – Lead Member for Community Safety**

The Community Safety Casework Team has only kept records by ward since 2018/2019.

During 2018/2019 the Community Safety Casework Team received **50** new reports of or enquiries regarding ASB in Brunswick and Adelaide ward. Some of these reports will lead to the Community Safety team opening a case and co-ordinating a multi-agency response to the problem, during which further reports of ASB may be received e.g. Norfolk Sq, Brunswick Sq, Waterloo St

During the first two quarters of 2019/2020 the Community Safety Casework Team received **10** new reports of or enquiries regarding ASB in Brunswick and Adelaide ward.

Street name	New reports of or enquiries regarding ASB
Adelaide Crescent	6
Bedford Place	1
Boundary Passage	1
Brunswick Place	2
Brunswick Rd	1

Brunswick Sq	10
Brunswick Street East	2
Cambridge Rd	4
Farman St	4
First Avenue	1
Holland Rd	2
Hove Lawns	4
Lansdowne St	3
Norfolk Sq	2
Palmeira Avenue	1
Palmeira Yard	1
Upper Market Street	3
Waterloo St	7
Western Rd	1
Wilbury Villas	2
York Rd	2

**(17) Councillor Mac Cafferty - Fixed Penalty Notices for Environmental Offences**

Can you please tabulate the quantity of fixed penalty notices for environmental offences of littering, graffiti, fly posting and fly tipping respectively for the last five years across the city?

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

<u>Littering</u>	<u>Graffiti</u>	<u>Fly Posting</u>	<u>Fly Tipping*</u>	<u>Total FPNs</u>
8382	27	75	1734	10,218

Statistics provide in the table above are from 01/03/2016 to 17/10/2019. We do not have data before this date

*\*Fly Tipping total includes both residential and commercial Fly Tipping.*

**(18) Councillor Hills**

Residents in my ward are keen to recycle as effectively as they can, but it can be difficult to access information about the whole range of what they can recycle and where. One comprehensive digital map that contains all public recycling points, as well as other non-council recycling services, would be really helpful. There are maps on the council website that show where specific materials/items can be collected, that is, cartons, electricals and textiles/clothes/shoes. But would great if all recycling points could be on one map, with pull down options so users can look up recycling facilities for specific items or materials. It is particularly difficult for residents to find out about non-council recycling options and it would be great if these could be included on the map too. Recycling services such as the Green Centre collect a wide number of materials but only

at specific locations on particular days, and it would really help residents if information on services such as this could be available in the same place as council information. It could help residents to locate supermarkets that collect plastic bags, and garden centres that take plant pots too. The A-Z on there at the moment is useful but the provision would be better if such a map were available too, as people generally respond better to information presented visually. I'm sure my residents would really appreciate this as many don't have cars and would prefer to recycle as locally as they can.

When do we expect a food waste collection service be available in the city?

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

We are making improvements to help residents recycle more easily through the Increasingly Recycling Project within the Modernisation Programme. This includes:

- Improving the content on the website
- Improving the communal bin system to include colour coding and better signage
- Improving the quality and frequency of recycling communication sent to residents; this started over the summer and will pick up again over Christmas; (different communications are being prepared for different stakeholders)
- A programme of work with crews on how to manage contaminated waste receptacles
- Closer working with other council services in regular contact with residents
- Monthly attendance at the Green Centre to support their recycling initiatives

We are looking to bring an options paper to Environment, Transport & Sustainability Committee in 2020/21 regarding a food waste collection service. Introducing a food waste collection service will be costly to the Local Authority. The government is considering introducing mandatory food waste collection by 2023. The government has said that it will provide funding to assist Local Authorities to introduce this. However, in the interim we will continue to explore options to introduce a food waste collection service prior to 2023.

The options for a food waste collection need to be considered in the context of the wider work being completed on round restructures. The experience of other councils shows that the positive impact of a food waste collection service is maximised when kerbside refuse collections are moved to fortnightly and recycling collections moved to weekly. Food waste is then collected with recycling. These options will be explored during the engagement on round restructures.

The council can provide compost bins, wormeries and Jennys for recycling food waste at a reduced price. These can be purchased via the council's website.

The Brighton & Hove Food Partnership administer a community composting scheme for residents who do not have a garden but would like to compost their food waste. This scheme has been partly funded by the council and we are exploring options with B&H Food Partnership to extend the scheme further.



**ORAL QUESTIONS FROM COUNCILLORS**

A period of not more than 30 minutes is set aside for oral questions from Members, at the expiry of which, the Mayor will call a halt and proceed to the next item of business of the agenda. Any Member whose question then remains outstanding will be contacted to determine whether they wish to have a written answer provided or for their question to be carried over to the next meeting.

The following Members have indicated that they wish to put questions to the Leader, Chairs of Committees or Members of the Council that have been appointed to an outside body. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion:

**(1) Councillor Mac Cafferty**

*Subject matter:* PWLB Loans

Reply from Councillor Platts, Leader of the Council

**(2) Councillor Bell**

*Subject matter:* School Funding

Reply from Councillor Allcock, Chair of the Children, Young People & Skills Committee

**(3) Councillor Hugh-Jones**

*Subject matter:* Council's city-wide Public Toilet Cleansing and Maintenance Contract.

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

**(4) Councillor Barnett**

*Subject matter:* Filthy City

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

**(5) Councillor Fishleigh**

*Subject matter:* Traffic Flows at the Planned Aquarium Junction

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

**(6) Councillor Ebel**

*Subject matter:* Brexit

Reply from Councillor Platts, Leader of the Council

**(7) Councillor Mears**

*Subject matter:* Rough Sleepers

Reply from Councillor Brennan, Lead Member for Homelessness

- (8) Councillor Clare**  
*Subject matter:* Home to School Transport
- Reply from Councillor Allcock, Chair of the Children, Young People & Skills Committee
- (9) Councillor Nemeth**  
*Subject matter:* King Alfred
- Reply from Councillor Platts, Leader of the Council
- (10) Councillor Deane**  
*Subject matter:* Tell Us Once
- Reply from Councillor Yates, Deputy Chair (Finance) of the Policy & Resources Committee
- (11) Councillor Theobald**  
*Subject matter:* Pavements & Graffiti
- Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee
- (12) Councillor Shanks**  
*Subject matter:* Pavement Parking
- Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee
- (13) Councillor Osborne**  
*Subject matter:* Hollingdean Depot Fire
- Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee
- (14) Councillor Hills**  
*Subject matter:* Voluntary Payments to the Council
- Reply from Councillor Yates, Deputy Chair (Finance) of the Policy & Resources Committee
- (15) Councillor Rainey**  
*Subject matter:* What has Brighton and Hove achieved so far in our commitment to becoming plastic free and when can we expect to achieve Plastic Free Community status?
- Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee

**Council**

24 October 2019

**Agenda Item 44**

Brighton &amp; Hove City Council

<b>Subject:</b>	<b>Appointments &amp; Review of Political Balance 2019/20</b>		
<b>Date of Meeting:</b>	<b>24 October 2019</b>		
<b>Report of:</b>	<b>Chief Executive</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mark Wall</b>	<b>Tel:</b> 01273 291006
	<b>Email:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

Note: 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 information could not be provided until after the political groups had met during the week of the 21<sup>st</sup> October.

**1. PURPOSE OF REPORT AND POLICY CONTEXT:**

- 1.1 The Council is required at, or as soon as practicable to review the allocation of seats to political groups following notification of changes in the overall make-up of the council.
- 1.2 The purpose of this report is to update Members on various changes since the Annual Council meeting and to appoint to roles and to committees as necessary.

**2. RECOMMENDATIONS:**

- 2.1 That Councillor Allcock be appointed as the Deputy Leader of the Council;
- 2.2 That the Council confirms the appointments to those Committees and Boards affected by the changes between political groups as set out in appendix 1 to the report;
- 2.3 That it be noted the vacant places shown in appendix 1 will be notified by the respective Group Leaders;
- 2.4 That the following appointments be confirmed:
  - (a) Councillor Allcock as Chair of the Corporate Parenting Board;
  - (b) Councillor Evans as Chair of the Asset Management Board;
  - (c) Councillor Evans as Chair of the Procurement Advisory Board.
- 2.5 That Councillor Childs be designated as Lead Member for Community Safety and Planning Policy;

- 2.6 That having received confirmation from the Police Authority that as a result of reviewing its political balance, the Council's second representative, who is a co-optee on the Authority, should come from the Conservative Group, that Councillor Simson be confirmed as the council's representative in place of Councillor Deane.

### **3. CONTEXT / BACKGROUND INFORMATION**

- 3.1 The recent change of composition for the Conservative Group from 14 to 13 and the additional Independent Member on the council has resulted in the Conservative Group's overall seat allocation being reduced from 25 to 23. In maintaining the convention for an Independent Member to hold 1 seat, it is proposed that they take a seat on the Planning Committee. The remaining unallocated seat would be offered to the Administration as the largest Group. In this instance, it is proposed that the Labour Group would take a seat on the Health, Overview & Scrutiny Committee thereby bringing it in line with the political balance for a committee of 10.
- 3.2 The political composition of the Council is Labour (20 Members), Green (19 Members), Conservative (13 Members) with 2 Independent Members. Section 15(1) of the Local Government & Housing Act 1989 requires the Council to review the representation of the different political groups on committees and sub-committees:
- At, or as soon as practicable after, the Annual Meeting of the Council or,
  - Where notice is received of a change in the composition of political groups.
- 3.3 The Chief Executive is under a duty; whenever such a review takes place, to submit a report to the Council showing what allocation of seats would in his opinion best meet the requirements of Section 15 of the 1989 Act.
- 3.3 The Council's duty to determine the allocation of seats is prescribed by Section 15 of the Local Government & Housing Act 1989 (specifically sub-sections (3) to (5)). These do not impose any specific requirement on the Council to consult the political groups as to which committee seats should be allocated to which group – this only applies to the actual appointment of Members to particular seats once they are allocated to political groups.
- 3.4 It is clearly preferable if all Groups have an agreed position as to which committee allocations are to be adjusted, provided that the agreed position does not conflict with the Council's duty, which is "to make only such determinations as give effect, so far as reasonably practicable, to the principles specified in sub-section (5)."
- 3.4.1 In summary, these principles of determination ("principles"), are that:
- (a) All seats are not allocated to the same Group,
  - (b) The majority of the seats go to the Group (if any) which has an overall majority on the Council (i.e. more than 27 seats),
  - (c) Subject to the above two principles, that the number of seats on the total of all the committees/sub-committees allocated to each Group bears the same proportion to the proportion on the Full Council, and

- (d) Subject to (a) and (c), that the number of seats on each committee/sub-committee allocated to each Group bears the same proportion to the proportion on the Full Council.

#### Overall Political Group split on the Council

- 3.5 The political groups have the following seats on the Council:

<b><u>Party</u></b>	<b><u>Seats</u></b>	<b><u>Calculation</u></b>	<b><u>%</u></b>
Labour	20	20/54	37.03
Green	19	19/54	35.18
Conservative	13	13/54	24.07
Independent	1	1/54	1.85
Independent	1	1/54	1.85
<b>Total</b>	<b>54</b>		<b>99.98%</b>

#### Committee Sizes and Review of Committees

- 3.6 The total number of committee places used for the determination of the allocation of seats to the political groups remains at 96.
- 3.7 The proposed allocation of places on each of the committees affected as detailed in Appendix 1 to the report takes into account the principles referred to in paragraph 3.4.1.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The proposed revised committee allocations have been raised with the respective Group Leaders and are in keeping with the Regulations governing the political balance of committees.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The Leaders of the three political groups have been consulted on the proposed allocations.

#### **6. CONCLUSION**

- 6.1 Having taken into consideration the number of committees and seats available for the distribution of places between the three Groups represented on the Council, the allocations proposed are considered to be the most appropriate.

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

### Financial Implications:

- 7.1 All associated costs for the payment of Members Allowances relating to the changes outlined in the above report, are expected to be met within the existing Members' allowances budget (£0.939m in 19/20).

*Finance Officer Consulted: Peter Francis Date: 14/10/2019*

### Legal Implications:

- 7.2 The proposals in this report comply with Section 15(1) of the Local Government & Housing Act 1989, which sets out the duty and principles regarding the allocation of seats to political groups.

*Lawyer Consulted: Abraham Ghebre-Ghiorghis Date: 14/10/2019*

### Equalities Implications:

- 7.3 The regulations provide for the distribution of seats amongst the political groups on an equitable basis.

### Sustainability Implications:

- 7.4 There are no sustainability issues arising from the report.

### Risk and Opportunity Management Implications:

- 7.5 The allocation of seats across the various parties is required by statute and the failure to comply with the requirements could place the council at risk and subject to review from the Secretary of State.

### Corporate / Citywide Implications:

- 7.6 The appointments process needs to be completed to enable the various decision-making bodies to have their memberships confirmed so that meetings can then be called in accordance with regulations. The failure to appoint to the bodies would prevent decisions from being taken and therefore could result in the authority failing to undertake its duties and responsibilities.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

Appendix 1 Committee, Board and Working Group seat allocations;

### **Documents in Members' Rooms**

None

### **Background Documents**

None

**MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES FORUMS and PANELS  
2019/2020**

Appendix 1

**REGULATORY COMMITTEES:**

**HEALTH OVERVIEW & SCRUTINY COMMITTEE (10)**

<b>Labour Group</b>	<b>Green Group</b>	<b>Conservative Group</b>
Cllr Evans	Cllr <b>Deane (Chair)</b>	Cllr McNair
Cllr Grimshaw	Cllr Druitt	Cllr Barnett
Cllr O'Quinn	Cllr Hills	
Cllr TBC	Cllr Powell	

**PLANNING COMMITTEE (10)**

<b>Labour Group</b>	<b>Green Group</b>	<b>Conservative Group</b>	<b>Independent</b>
Cllr <b>Hill (Chair)</b>	Cllr Littman (Opp Spokes)	Cllr Theobald (Spokes)	Cllr Fishleigh
Cllr Childs (Deputy Chair)	Cllr Mac Cafferty	Cllr Mears	Cllr Janio
Cllr Yates	Cllr Shanks	Cllr Miller	

**ASSET MANAGEMNT BOARD (5)**

<b>Labour Group</b>	<b>Green Group</b>	<b>Conservative Group</b>
Cllr <b>Evans (Chair)</b>	Cllr Gibson (Opp Spokes)	Cllr Mears
Cllr Knight	Cllr West	

**PROCUREMENT ADVISORY BOARD (5)**

<b>Labour Group</b>	<b>Green Group</b>	<b>Conservative Group</b>
Cllr <b>Evans (Chair)</b>	Cllr Osborne (Opp Spokes)	Cllr TBC
Cllr Pissaridou	Cllr Druitt	

**Working Groups & Panels**

	<b>Cross Party KPI Development Group</b>	1 Labour	Cllr	Moonan (Chair)
		1 Green	Cllr	Hugh-Jones
		1 Conservative	Cllr	TBC



**GREEN GROUP AMENDMENT**

**NOTICE OF MOTION  
HOUSING BENEFIT**

That the motion be amended to insert a new recommendation (1) as shown in ***bold italics***.

This council resolves to:

- (1) ***Request the Policy & Resources Committee to take into account the need to reduce the burden on the poorest households in the city by making the council tax reduction scheme more generous and/or increasing funds available for discretionary support as part of this year's budget process, thereby easing pressure on low-income households facing high housing costs; and***
- (2) Ask the Chief Executive to write to the Secretary of State for Communities;
  - Expressing the council's concern about local people being priced out of private sector housing at a time where there is insufficient social housing available; and
  - Demanding that Housing Benefit levels are increased to an appropriate level.

Proposed by: Cllr Gibson

Seconded by: Cllr Hugh-Jones

**Recommendation if carried to read:**

This council resolves to:

- (1) Request the Policy & Resources Committee to take into account the need to reduce the burden on the poorest households in the city by making the council tax reduction scheme more generous and/or increasing funds available for discretionary support as part of this year's budget process, thereby easing pressure on low-income households facing high housing costs; and
- (2) Ask the Chief Executive to write to the Secretary of State for Communities;
  - Expressing the council's concern about local people being priced out of private sector housing at a time where there is insufficient social housing available; and
  - Demanding that Housing Benefit levels are increased to an appropriate level.



**GREEN GROUP AMENDMENT****NOTICE OF MOTION  
HOME TO SCHOOL TRANSPORT – POLICY PANEL**

That the following amendments to be included as shown below with text struck out and insertions in ***bold italics***:

This council resolves to ask the Children, Families & Skills Committee to: -

1. Urgently establish a cross-party Member led policy panel consisting of six Members, two from each political party, ***and chaired by a member of the opposition. It would have the*** with a remit to, inter alia, review ~~the appointment of consultants, the process of contracting operators,~~ ***and discuss solutions to resolving the current negative*** the impact on schools, families, children and young people and generally the implementation of the home to school transport service; and ***oversee any results of the external investigation proposed by the Administration.***
2. ~~Suspend the third-party review being organised by the Administration until such times that the Member policy panel has issued its report.~~

Proposed by: Cllr Clare

Seconded by: Cllr Hugh-Jones

**Recommendation if carried to read:**

This council resolves to ask the Children, Families & Skills Committee to: -

1. Urgently establish a cross-party Member led policy panel consisting of six Members, two from each political party, and chaired by a member of the opposition. It would have the remit to, inter alia, review and discuss solutions to resolving the current negative impact on schools, families, children and young people and generally the implementation of the home to school transport service; and oversee any results of the external investigation proposed by the Administration.
2. ~~Suspend the third-party review being organised by the Administration until such times that the Member policy panel has issued its report.~~



## LABOUR GROUP AMENDMENT

NOTICE OF MOTION  
GREEN NEW DEAL

That the motion be amended to delete the word 'encourage' as struck through and insert the words shown in ***bold italic***.

This council resolves to declare:

- support for a 'Green New Deal,' as a policy framework that seeks to address climate change in ways that also: boost jobs, address poverty and inequality, and restructure our economic system;

This Council asks:

- For the Chief Executive to write to the Secretary of State ***and the Chancellor*** seeking their support for a Green New Deal ***and requesting an allocation of funding and resources to implement this locally***
- ***For the Chief Executive to write to the Shadow Secretary of State and Shadow Chancellor, expressing our support for a Green New Deal.***

This Council further requests that Policy & Resources committee commission a report detailing how, alongside existing work: [1]

- poverty, inequality and accessibility can be addressed through the council's plan to become net carbon neutral ('net zero') by 2030;
- the council can work with partners (e.g.: Greater Brighton Economic Board, Chamber of Commerce) ***and specifically through the Local Enterprise Partnership, Coast2Capital, with particular reference to the Local Industrial Strategy and regional collaboration*** to encourage ***lobby government for a stimulus package for low-carbon, 'green' jobs and decarbonisation projects***; [2]
- the council can demonstrate good practice as a major employer by developing net-zero initiatives and employment opportunities;
- council can optimise the green credentials of council-owned buildings and public transport.

Proposed by: Cllr Platts

Seconded by: Cllr Yates

**Recommendation if carried to read:**

This council resolves to declare:

- support for a 'Green New Deal,' as a policy framework that seeks to address climate change in ways that also: boost jobs, address poverty and inequality, and restructure our economic system;

This Council asks:

- For the Chief Executive to write to the Secretary of State and the Chancellor seeking their support for a Green New Deal and requesting an allocation of funding and resources to implement this locally
- For the Chief Executive to write to the Shadow Secretary of State and Shadow Chancellor, expressing our support for a Green New Deal.

This Council further requests that Policy & Resources committee commission a report detailing how, alongside existing work: [1]

- poverty, inequality and accessibility can be addressed through the council's plan to become net carbon neutral ('net zero') by 2030;
- the council can work with partners (e.g.: Greater Brighton Economic Board, Chamber of Commerce) and specifically through the Local Enterprise Partnership, Coast2Capital, with particular reference to the Local Industrial Strategy and regional collaboration to lobby government for a stimulus package for low-carbon, 'green' jobs and decarbonisation projects; [2]
- the council can demonstrate good practice as a major employer by developing net-zero initiatives and employment opportunities;
- council can optimise the green credentials of council-owned buildings and public transport.