



**Brighton & Hove
City Council**

COUNCIL ADDENDUM 02

4.30PM, THURSDAY, 25 MARCH 2021

VIRTUAL

ADDENDUM

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WRITTEN QUESTIONS FROM COUNCILLORS

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

(1) Councillor Fishleigh:

How many tickets have been issued for fly tipping at Saltdean Oval's recycling point?

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

36 Fixed Penalty Notices have been issued at the Saltdean Oval recycling point from April 2020 to 16 March 2021.

(2) Councillor Fishleigh:

When will the people living in vans and the vehicles that are parked permanently at Black Rock, along Madeira Drive and East Brighton Park be moved on or given parking tickets?

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

Possession orders have been obtained in relation to Black Rock. Legal are preparing an application relating to Madeira Drive. However, the Court has imposed conditions on the possession order which does not allow us to enforce it while we are in lockdown. We will have to wait and see what the Government says in relation to the lifting of restrictions. Parking tickets were issued but this generated some very challenging behaviour from some of the van dwellers residing on Madeira Drive and it was not felt to be safe for officers to attend again unless accompanied by Police officers.

A possession order will also be sought to move the lived-in vehicles gathered at East Brighton Park; the order is likely to have the same condition that enforcement can only be taken once lockdown restrictions have been lifted.

Over the course of the lockdown people have been offered accommodation – no-one has taken up that offer - and there have been regular visits where health and welfare checks have been made.

All occupants of the vehicles have been told that they can be accommodated if they would like accommodation. There have been regular visits where health and welfare checks have been made and contact details provided should they have any welfare concerns.

(3) Councillor Appich - EU Citizens:

EU citizens legally resident in the UK are able to vote in the 2021 local elections in England. EU citizens currently retain their right to vote in local elections even though the UK has already left the EU, and do not required settled or pre settled status to be able to register to vote. Despite that, half of EU citizens resident in the UK are not registered to vote.

Given that we have two by-elections and the PCC elections in May, I'd like to know how we are encouraging EU citizens to register to vote.

I would also like an update on the numbers of EU citizens in the city who have applied for settled and pre settled status, how we are encouraging EU citizens to apply for settled status, and what assistance we are giving to people who are finding it difficult to apply or have difficulties in obtaining settled status.

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

EU Citizens – Registering to vote

The ERO undertook the annual canvass from July through to February. Correspondence was sent to all properties in the city, via post and/or email, confirming eligibility to vote – including that EU electors can register to vote. The ERO and RO's communications prior to the election will be encouraging all residents who are not registered to register. The BHCC website, paper registration forms sent by the ERO and gov.uk's Individual Electoral Registration Digital Service all confirm eligibility.

EU Settlement Scheme Support in Brighton & Hove

Migrant Help are continuing to provide advice in Brighton & Hove for vulnerable EU citizens who need help to register under the EU Settlement Scheme.

Migrant Help adviser Charlotte Cheeseman continues to provide remote advice and application support across East Sussex & Surrey. Contact details can be found on the council's Brexit in Brighton & Hove online pages.

Voices in Exile are working with rough sleepers in the city as part of the Everyone In scheme to ensure they are able to apply to the EUSS.

The council have developed a programme of support with Brighton Chamber for local businesses to assist them with the changes related to Brexit. An event has already taken place highlighting the requirements of the new immigration system and the next event in April 2021 will focus on the new system and the EUSS: <https://www.brightonchamber.co.uk/event/your-questions-answered-the-uks-new-immigration-system>

The council's adult social care team are working with immigration lawyers (Fragomen) to provide an advice session for care providers in the city on the EUSS and the requirements of the new immigration system.

The council are working with Seraphus immigration solicitors to provide free legal advice to EU citizens in the city through online surgeries and hopefully in some physical form in the future depending on COVID restrictions, which have impacted all EUSS support throughout the last year.

The council still awaits the Home Office guidance on what will constitute an allowable late application and is in contact with the Independent monitoring Authority for the Citizens' Rights Agreements (<https://ima-citizensrights.org.uk/>)

to highlight emerging challenges and barriers to applicants applying to the scheme as well as sharing best practice.

EU Settlement Scheme Communications

The council has undertaken a number of communication actions to raise awareness of the EU Settlement Scheme in the city, through advertising and messaging through council and partnership networks:

- Latest news story (23rd March 2021) on EU Settlement Scheme - **Only 100 days remain to apply to the EU Settlement Scheme**: <https://www.brighton-hove.gov.uk/news/2021/only-100-days-remain-apply-eu-settlement-scheme>
- A postcard raising awareness of the EUSS and encouraging EU citizens to apply to the scheme has been distributed to all households in the city. This initiative has been welcomed by EU citizens and heralded as an example of good practice. Positive feedback has been received from national campaign groups as well as a neighbouring local authorities who made contact to request permission to replicate the work.
- A video featuring Cllr Ebel, Chair of the Brexit Working Group, calling for EU citizens to apply to the EUSS has been widely shared on social media: <https://www.youtube.com/watch?v=-FUyfpRubo>
- EUSS adverts are being displayed on digital bus shelters citywide and posters have also been placed across the city.
- Editorial and adverts about the EUSS have featured in local, community magazines including:
 - Gscene
 - The Argus
 - The Scroll
 - The Brightonian
 - The Hovarian
 - The North Laine Runner
- The council's Brexit webpages provide information on the scheme including signposting to support as well as an aftercare section covering what EU citizens should do after they have applied to the scheme.
 - <https://www.brighton-hove.gov.uk/brexit-brighton-hove>
- Messaging on the EUSS will also be going to schools and nurseries in the city in the coming weeks.

Further communications are being planned as we get closer to the deadline on 30th June 2021 and potential resources to help EU citizens in the city access their online status – to assist with employment, housing and access to services – are being developed.

Brighton & Hove - EU Settlement Scheme Home Office Quarterly Statistics (February 2021)

The Home Office release quarterly statistics providing the number of applications to the scheme. In February 2021 the Home Office reported that 26,550 EU citizens from Brighton & Hove had applied to the scheme so far. Available statistics are outlined below and the next release from the Home Office is expected in May 2021.

Home Office EU Settlement Scheme Quarterly Statistics
Brighton & Hove

	28 th Aug 2018 – 30 th Sep 2019 (Released 7 th Nov 2019)	28 th Aug 2018 – 31 st Dec 2019 (Released 6 th Feb 2020)	28 th Aug 2018 – 31 st March 2020 (Released 14 th May 2020)	28 th Aug 2018 – 30 th June 2020 (Released 27 th Aug 2020)	28 th Aug 2018 – 30 th Sept 2020 (Released 26 th November 2020)	28 th Aug 2018 – 31 st Dec 2020 (Released 25 th Feb 2021)
Applications to the scheme	9750	14970	18690	20280	22140	26550
Granted Settled Status	4860	7550	9430	10380	11340	12690
Granted Pre-Settled Status	3140	5960	7640	8410	9550	11550
Other outcome*	70	120	220	280	440	570
Applications still in process	1680	1340	1410	1210	810	1740

Nationality

Austria	60	80	100	110	120	140
Belgium	90	120	150	160	180	230
Bulgaria	310	430	520	570	620	750
Croatia	30	30	60	60	70	100
Cyprus	50	100	140	150	170	240
Czech. Rep.	180	330	410	440	470	540
Denmark	60	90	110	140	140	190
Estonia	40	50	80	80	90	110
Finland	80	130	160	170	190	210
France	650	1020	1290	1380	1510	1830
Germany	520	730	890	960	1050	1270
Greece	460	710	880	950	1020	1320
Hungary	530	810	980	1060	1120	1310
Iceland	20	30	40	40	40	50
Ireland (Irish nationals not required to apply but can if they wish)	20	30	40	40	50	70
Italy	1720	2680	3280	3510	3800	4420
Latvia	180	270	320	340	360	400
Lichtenstein	0	0	0	0	0	0
Lithuania	310	430	530	580	610	71
Luxembourg	Between 1-9	10	20	20	20	30
Malta	20	30	30	40	40	60
Netherlands	220	300	380	420	460	550
Norway	50	80	110	110	130	180
Poland	1030	1540	1950	2110	2270	2660
Portugal	510	780	930	990	1060	1210
Romania	600	900	1140	1340	1580	1960
Slovakia	210	320	420	450	470	530
Slovenia	20	30	40	40	40	50
Spain	1190	1980	2480	2660	2910	3390
Sweden	250	370	460	490	550	700
Switzerland	40	90	120	130	140	190
Non - EAA	320	480	650	740	870	1170
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Switzerland	40	90	120	130	140	190
Non - EAA	320	480	650	740	870	1170

Age Group						
Under 18	660	1050	1320	1450	1630	2120
18 to 64	8840	13550	16890	18330	19970	23810
65+	240	360	480	510	540	610

*Other outcome refers to 'refused applications, withdrawn or void applications & invalid applications'.

(4) Councillor Childs – Housing sites in Freshfield Road:

Given the dire housing shortage in our city, what action will the Administration take to unlock the 10 priority housing development sites in our city, and in particular the Freshfield Road Industrial Estate site, for new homes?

Reply from Councillor Hugh-Jones, Joint Chair of the Housing Committee

Providing additional affordable homes is a key priority in our Housing Committee Work Plan 2019-23. This includes achieving 800 additional council homes and 700 other additional affordable homes. Since April 2019, over 220 additional rented council homes have been provided across the city. The council is projected to deliver up to 199 additional homes in 2021/22. Homes for Brighton & Hove, the council’s partnership with Hyde, will deliver 346 homes at the first two sites, with work due to commence in Summer 2021. A total of 1,025 homes are projected to be delivered by partner Registered Providers between 2019 and 2023 (311 rent and 714 shared ownership).

With regard to unlocking priority housing development sites. Following the decision of Budget Council, we will be recruiting a project officer to work closely with colleagues across the council, Homes England, the industry and landowners on mechanisms to help deliver difficult housing sites.

With regard to Freshfield Road. City Plan Policy DA5 of the CPP1 identifies Freshfield industrial estate as part of the Eastern Road and Edward Street Development Area. The policy recognises that the Freshfield site is well occupied and only likely to come forward in the longer term.

While the council owns the freehold of the Freshfield Industrial Estate, it is let on a number of very long leases of 92 years and more. The council is unable to unilaterally terminate these interests.

There are only a few Industrial Estates in the City and a number of them are protected in the City Plan. The market has improved for industrial uses due to the increased demand and lack of space particularly over the pandemic where industrial warehousing/distribution space is at a premium. Given this council’s commitment to community wealth building and the change in retail habits, people’s ability to work from home and the housing crisis, we should be considering the potential for alternative uses for existing office space and retail units, including potentially as workshop space.

(5) Councillor Allcock – Use and cost of Agency Teaching Staff:

What were the costs of using agency teaching staff in the City's maintained and voluntary aided schools in comparison with directly employed teaching staff for financial years:

- 2018 to 2019
- 2019 to 2020
- 2020 to 2021

What agencies were used during these financial years?

Did the cost of using agencies vary, and if so what was the difference?

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

Schools are responsible for decisions in relation to the management of their budget and staff and how they resource this. The Council holds some data related to this as part of finance information that we receive but the Council does not hold detailed information as each individual school will have this and they do not provide detailed information to the Council. We will send the figures to Cllr Allcock but the headline figures for each financial year are:

2018/19 - direct supply £1.2m - agency staff £3.2m

2019/20 – direct supply £1.2m - agency staff £3.5m

2020/21 so far – direct supply £1m - agency staff £1.7m

The current financial year spend only covers 10 months as the year has not ended yet, but this will be substantially lower than previous years, likely due to the fact that schools have not been open as normal during the pandemic.

The Council does not hold information regarding the agencies used by schools or the unit costs of those agencies. Please note that the figures for agency spend also includes non-teaching agency staff as this is not separated out in financial information, we receive but it is likely the majority of spend will be agency teaching staff.

Regarding the Council's Plan commitment around reintroducing a LA support teacher service, work has been undertaken to scope out a high level range of options in relation to this commitment and the next stage will be to engage with teaching unions and headteachers including gauging interest from schools and researching the costs and usage of using agency supply teachers in schools to understand the implications and benefits of an in house service and what the costs would be of different options.

(6) Councillor Williams – No Recourse to Public Funds:

Why has Brighton & Hove City Council been tangled up in court battles with regard to 'no recourse to public funds' rough sleepers? Can you explain the

outcome of the recent court judgement and what Brighton & Hove City Council will be doing in the future for this vulnerable group?

Reply from Councillor Hugh-Jones, Joint Chair of the Housing Committee

Many thanks to Cllr Williams for her question which is no doubt for the benefit of anyone who missed my chair's communications at March Housing Committee. NRPF refers to those who have had a no recourse to public funds condition imposed on their grant of limited leave to remain or enter the UK, or whom are failed asylum seekers. The NRPF condition does not, prior to 31 December 2020, apply those who are exercising an EU right to reside under the Immigration (European Economic Area) Regulations 2016 (as they do not need permission to enter or remain section (7(1) Immigration Act 1988)) or, post 31 December 2020 those that have a retained enforceable EU right through the EU Settlement Scheme.

There has been some discussion in the press recently of a case concerning a failed asylum seeker in Brighton who sought accommodation under the "Everyone In" scheme.

At the time the claim was initiated, the individual had not yet applied for accommodation via the Home Office, which in the view of the Council was where the primary statutory duty arose. The court accepted that argument at the first hearing, and he was eventually accommodated by the Home Office, where he remains.

The case then moved to be on a point of law which was in essence whether LAs had power to accommodate people with NRPF.

The Claimants were seeking a direction that we had acted unlawfully by not considering that power. The court chose not to make that declaration. The council's argument was this was all academic since he was by now accommodated and it had not acted unlawfully but had followed the express position of the government that the position on NRPF remained.

A letter from the government dated 22 September reminded us that "Local authorities must ensure that any support offered to non-UK nationals who are not eligible for homelessness assistance complies with legal restrictions (for example, the restrictions contained in Schedule 3 to the Nationality, Immigration and Asylum Act 2002)"

Many councils, including BHCC, called for suspension of these provisions for at least the duration of the pandemic but the government refused. This has been the root cause of problems locally and we continue to push government to reconsider their inhumane approach to those who are restricted by the national immigration and asylum act.

What the court has concluded is that where there is a danger to life and limb- and where other duties (such as that of the Home Office) cannot resolve it- then there is a fact-specific power to accommodate.

We would ideally like the MHCLG to now clarify that where LAs are exercising such a power it falls within the funding allocated for “Everyone In” accommodation but we certainly welcome the court judgment on the point that we have powers we can use where it is appropriate. This is the minimum we want to see government offer councils to ensure better protection for those in need.

In addition to very limited powers the council may have, following careful consideration of individual circumstances, it is recommended that individuals consider applying directly to the Home Office for relief and that the council signposts to other specialist dedicated sources of support. As you will be aware, Housing Committee have also recommended that council officers work with the local community and voluntary sector organisations to provide clear information for rough sleepers with NRPF who the Council cannot accommodate, including sources of support and assistance.

Beyond this case, Green Councillors have slammed ‘discriminatory,’ rule changes that could see migrants deported if they become homeless, saying new rules will harm and undermine vital homelessness prevention work in the city.

Changes to immigration rules means rough sleeping can now be considered a basis for refusal, or cancellation, of permission to remain in the UK.

Greens join many other political parties, homelessness and migrant support organisations in condemning the rule changes, affirming that work to help vulnerable rough sleepers in the city find secure accommodation will continue.

(7) Councillor Williams – Madeira Drive:

There is chaos on Madeira Drive. Pedestrians cannot socially distance due to ridiculously narrow paths and are forced to take their lives in their hands by just trying take a much-needed walk. What is being done about this?

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

Madeira Drive was initially closed between Dukes Mound and the Palace Pier Roundabout to facilitate walking and cycling for local residents during the very first lockdown. Although the closure was generally supported there were concerns from traders and blue badge holders as access was limited to changing places facilities and the beach, there were also safety concerns as some vehicles were authorised to access the route without requisite enforcement powers being available to the Police to enforce speeding, conflicts between cyclists and pedestrians or other traffic violations under the closure Traffic Order..

As on the 29th September, last year, approval was granted to commence detailed-design and the Traffic Regulation Order process to re-open Madeira Drive one-way eastbound, to improve Blue Badge access and parking capacity and to relocate the cycle track from the footway promenade onto the

carriageway, therefore safely segregating cyclists from pedestrians, to improve both cycle capacity and pedestrian provision.

The first stage of delivering these improvements took place in October last year and has seen the re-opening of Madeira Drive one-way to address access issues for traders and blue badge holder as well as some of the immediate safety and access concerns. The Council are currently implementing the second phase of the approved scheme. This second phase will provide a clearly dedicated two -way, accessible cycle facility on the southside of the carriageway with reallocated parking. In relocating the cycle route onto the carriageway more space will be allocated to pedestrians and localised pavement widening will provide better pedestrian facilities enhancing social distancing opportunities.

These improvements are currently in their construction phase with planned completion in May.

The scheme itself will be implemented under an Experimental Traffic Order which will be advertised on the Councils webpages and on the highway once the construction phase is complete this will allow a further 6 month consultation opportunity before the results are reported, along with recommendations, to the appropriate Environment Transport and Sustainability Committee.

Furthermore, the Madeira Drive improvement scheme links directly with the Dukes Mound Development scheme which proposes further pedestrian enhancements including a formal pedestrian crossing on Madeira Drive at the east of Dukes Mound and localised footway widening.

To support these changes to Madeira Drive a Traffic regulation Order will be advertised proposing a reduction in the speed limit from 30miles per hour to 20 miles per hour, along the entire route between Palace Pier roundabout to Black Rock.

(8) Councillor Williams – Housing Dispute:

The dispute with housing repair workers transferred over from the former Mears contract has been rumbling on for some time. Can this council confirm that the present Administration is not anti-union and explain why this dispute is taking so long to resolve?

Reply from Councillor Gibson, Joint Chair of the Housing Committee

My thanks once again to Cllr Williams for bringing this question for the benefit of those unable to attend March's Housing Committee and for stepping in for Cllr Platts to sit on the recent Policy & Resources Committee which signed off the agreement reached.

The dispute related to a pay dispute that GMB lodged with MEARS before the transfer. That dispute transferred to the council when the service came in-house. There were some complex issues to resolve, and throughout 2020 there were detailed and constructive discussions with GMB to reach an agreement that maintained fairness and equality in our pay arrangements and resolved the

dispute. Agreement was reached in January and an announcement made to that effect on the Council website on 26 January. Certain aspects of the harmonisation process then had to happen before the agreement could be signed off by Policy & Resources Committee – which, as you know, happened earlier this month.

We are now moving to implement the agreement, and to make an offer to all transferred staff to move onto council terms and conditions if they choose to do so. This process involves individual and collective consultation, but we are really pleased that all staff received offers of council terms and conditions by 19th March. We are currently carrying out extensive discussions with staff to ensure all questions are answered about council terms, ahead of 1st April when individuals will decide whether to accept the offer. As has been the case throughout, staff can choose to stay on their Mears terms and conditions if they feel these are more advantageous to them.

I am not sure what has prompted the enquiry about this administration being “anti-union”. I can absolutely confirm that this administration is not anti-union. Throughout the dispute, Cllr Gibson and I have sought to appreciate the union’s concerns and help break the deadlock. We were clear from the outset that we wanted to understand the history of the dispute, that emerged before our administration but also to listen to unions and work constructively to resolve it. We have had three or four in-person meetings (which, incidentally, is three or four more meetings than I have had with any member of my own family this last year) as well as a number of remote meetings with officers present and regular phone calls. Indeed, if there is any criticism to be made, it would probably come from officers who may feel we have been too “hands on”. Nevertheless, these meetings helped to highlight further issues and progress finding solutions. Far from being anti-union, we consider our unions to be a cornerstone of workers’ rights and many of our green group of councillors are members of unions or former employees in the trade union movement. Indeed it is Green Party policy to go far beyond mere support for trade unions: among many policies we advocate for that would give unions a greater role, we want to see every worker given the legal right to be represented by a trade union in dealings with their employer, no matter the sector; we want legislation that would mean all employers are legally obliged to recognise unions; we oppose and seek abolition of conditions and loopholes that unfairly restrict statutory union recognition. We also want to see the provision of education on the benefits of trade unions, in schools and in the community, so that people can learn of the benefits of unions. It is patently clear that the Conservative government has sought over many years to restrict the role of unions – moves we oppose.

More generally, we are committed to retrofitting the council’s own housing stock and encouraging homeowners and landlords in the city to do the same. This should create hundreds of new skilled jobs and potential new union members, so I look forward to continuing to work constructively with all unions over the coming years, and with our brilliant housing staff. Now the dispute is resolved we are looking forward to a more proactive engagement with unions to achieve our ambitious joint housing programme and expanding employment and apprenticeship opportunities.

(9) Councillor Moonan – Vaccination Uptake:

What has been the percentage vaccination uptake rate for the top 4 government priority groups in Brighton & Hove specifically, for the last three months? Why has there been a delay in meeting the 90% target rate for the over 80 age group? What percentage rates of Black and minority ethnic groups have accessed vaccinations across Brighton & Hove as a whole and at ward level, and how does this compare to national averages?

Reply from Councillor Shanks, Chair of the Health & Wellbeing Board

Across the Sussex COVID-19 vaccination programme, significant progress has been made since the programme launched in December, and thanks to the hard work of vaccination teams across all services thousands of people within our communities have been vaccinated. We achieved the first milestone in February to offer the vaccination to everyone in the first four priority groups, and we are on track to have now offered the vaccination to everyone in the nine JCVI priority groups by mid-April in line with the Government target.

In Brighton and Hove, more than 113,500 vaccinations have been delivered to residents in the city to date, including 109,000 first dose vaccinations. In the priority group of those age 80 and above, more than 87.9% of the population have now received their first dose, and appointments are starting to take place for second doses.

In terms of the uptake across the first four priority groups, there is publicly available data updated weekly by NHS England setting out the percentage uptake and the ethnicity of those vaccinated. The release of reportable data is controlled by the NHS. It is anticipated that the Council will provide some of the uptake data at Medium Super Output Area level on the Covid local statistics website. Across all four cohorts, the uptake within the public priority groups is higher than 80%. This data now brings those aged 80 and over together with health and social care workforce as a combined figure for cohort 2, and as a result demonstrates the need for continued focus across all partners to further uptake amongst care staff. Specific actions being taken here include direct contact with care homes and individual staff members to address concerns on a 121 basis.

We recognise from the data that there are some communities in Brighton and Hove where uptake could be higher, and this links to areas of deprivation and BAME communities. Targeted outreach work is taking place in the city to address hesitancy and challenge barriers such as transport and access. A roving service, with a team in an ambulance, is visiting communities and a bus is expected to go live this month. These models are working directly with communities to provide supportive environments for those eligible to receive their vaccination and since they launched at the end of last week, we are already seeing positive engagement and an increase in vaccinations. The NHS and Brighton & Hove City Council is also working together on a focused communication campaign to promote the vaccination programme, increase uptake and provide a range of materials tailored for communities across the city.

(10) Councillor Janio

Has a Safety Audit been completed for the Temporary Cycle Lanes on the Old Shoreham Road?

- a. If a Safety Audit has been completed, are the published plans for work along the Old Shoreham Road designed to reverse any negative findings within the report?
- b. If a Safety Audit has not been completed – why not?

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

Yes, I can confirm that a Road Safety Audit was undertaken, however it didn't identify any major concerns, although it did include a few recommendations to improve safety along the cycle route such as improved signage which has been carried out, there are also longer term improvements that will be considered should phase 2 of the Scheme go ahead.

(11) Councillor Janio

Has a 'Sustainability' report been completed for the Temporary Cycle Lanes on the Old Shoreham Road and, given the increase in traffic congestion at the junctions, why have portable pollution monitors not been placed along the Old Shoreham Road to detect any increase in emissions, which are certain to increase to even higher levels than those reported now, as we move out of lockdown?

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

There was no specific requirement for a sustainability report for the temporary cycle lanes and therefore no air quality data is currently available, however officers are arranging permanent monitoring areas along the Old Shoreham Road and will be put in place in the near future. We want to provide residents safe areas where they can choose safe and sustainable transport to help improve safety and air quality. We have evidence that this works from many transport schemes nationwide. by creating a safe, sustainable alternative to the car, while this can create an initial increase in traffic, in the medium to long term it creates safer and cleaner streets. As people find that alternatives to the car like walking and cycling improves health, improves fitness, improves air quality, improve the safety of our streets and our city.

(12) Councillor Janio

Does any government 'Emergency Covid Guidance' exist that allows for Sustainability Assessments to be either not completed or ignored whilst designing and implementing local transport schemes?

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

We are not aware of Sustainability Assessment guidance contained within current Emergency Covid Guidance. However, it is worth noting that the Active Travel measures that have been implemented are by their very nature an attempt to provide more sustainable travel choices and improve our streets long term.

(13) Councillor Janio

To be certain that the proposed permanent cycle lanes on the Old Shoreham Road will not lead to even greater increases in gaseous and Carbon emissions, have officers suggested to councillors within the administration that a monitoring plan of the currently configured temporary cycle lanes should be considered, once lockdown has ended, before the temporary scheme is made permanent?

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

No current plans exist to make the temporary scheme permanent and will need to undergo further consultation if plans and funding emerge. The cycle lanes along Old Shoreham Road were put in place as emergency works as part of providing additional active travel capacity during the Covid-19 lockdown, however we will have more time to assess the impact of any further measures. We have just finished consultation with thousands of residents across the city, for which officers are currently assessing the feedback for and monitoring plans will be in place for any further alterations. Officers will put their findings together which will be presented to ETS Committee and put to a vote. However, as I say, any permanent plans for these improvements would need further consultation and not be part of this process.

Following a great deal of interest in transport data for the Old Shoreham Road, I would like to clarify the situation from the council.

The council has in place permanent cycle counters on the Old Shoreham Road, these are located at Avondale Road (Site 974), The Upper Drive (site 975) and Aldrington Avenue (site 976). Site 976 was put in place in September 2020, the other two sites have been in place for a number of years. The data for all of these sites is available publicly and can be found on our website by searching 'traffic counts' to navigate to the traffic count webpage and then clicking on the Google Map link.

Following a recent Freedom of Information (FOI) request, we provided the enquirer with the data the council holds for these permanent cycle counters in this area. This is the standard procedure for requests. Due to IT issues with obtaining and analysing the data from the data provider, this data took longer than expected to obtain and the response was unfortunately late.

The council also occasionally collects temporary cycle count data for scheme-specific purposes, this is not collated centrally or published in the same way as

the permanent count data. The Department for Transport (DfT) also carry out traffic counts nationally, these are published on their website. For the Old Shoreham Road, DfT had carried out a temporary (7-day) traffic count near Lullington Avenue in June 2016. The council had also carried out a temporary (7-day) traffic count at Lullington Avenue in July 2020. These datasets were not originally provided with the FOI response however we have since apologised and sent this data to the enquirer. The data from these datasets has been used to show levels of cycling along Old Shoreham Road – from 339 cyclists per day on average in June 2016 to 545 cyclists per day on average in July 2020 – a 61% increase in cycling levels. This data has been used in council documents including the Tranche 2 bid for the Emergency Active Travel Fund (EATF) in August 2020, and the September 2020 report for the Environment, Transport and Sustainability (ETS) committee alongside a range of other data.

Regarding the Tranche 2 EATF bid, the figures from the temporary cycle counts were used. While some key information was included in the bid (number of cyclists per day in 2020 compared to 2016), some of the specific details of the cycle counts (specific dates, duration and specific location of counts on the Old Shoreham Road) were omitted. This was an unintentional oversight and it was therefore entirely appropriate for us to go back to DfT with these clarifications, which we have now done.

All of the data mentioned has been accurate and we have in no way intentionally withheld or manipulated data.

Now that we have successfully received funding from DfT for the Active Travel Fund, we are developing further plans for comprehensive monitoring of schemes in future, which will be funded by DfT.

(14) Councillor Wilkinson

Cycle Hangars

Are there any plans to install cycle hangers across the city and if so how many cycle hangars will be installed/are estimated to be installed across the city in 2021/22, 2022/23 and 2023/24 and could you explain what the methodology is of choosing locations for those cycle hangars?

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

At Budget Council a £500k capital allocation was provisioned for providing circa 100 Bike Hangars across the City, alongside a £20k revenue allocation to develop a Business Case and methodology for the proposed rollout and potential future capital and revenue implications for providing these facilities. Further details relating to rollout and locations will be identified following allocation of a project officer and completion of the Business Case.

(15) Councillor Wilkinson

Funding for Green Spaces and Growing Projects

I am keen to ensure that areas in my Central Hove ward get proper funding for green spaces and growing projects that benefit the whole community. Can you provide details of planned investment, including the use of section 106 monies, in any green spaces and projects in my ward in the coming year?

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

Cityparks provides maintenance to public areas across the city as evenly as possible. In the Central Hove Ward this includes Hove Lawns and the grass verge on Grand Avenue.

An officer met with Councillor Claire Moonan last September 2020 to explore green spaces improvements and identified two potential schemes which require a Project Officer to progress.

Cityparks are currently recruiting two new Project Officers this April to assist with the expenditure of section 106 money and who could directly assist with your Ward.

We would hope that once the Project Officers are in post, an agreed improvement plan can be developed, along with a timetable for delivery.

Unfortunately, at present it is capacity that slows down identifying funding, developing projects and implementation initiatives which Cityparks are sure all Councillors can appreciate.

Cityparks have successfully recruited two new tree officers to assist with tree planting. This additional resource working with the Plant Your Postcode initiative and others, may also provide an opportunity for tree planting to the streets of Central Hove.

(16) Councillor Wilkinson

5G Upgrades

Will the Council ensure that residents living near telecommunications aerials are fully informed, even when their consent is immaterial, before any upgrade to 5G?

Reply from Councillor Littman, Chair of the Planning Committee

Under planning rules, the installation of telecoms equipment may not always need permission, some can be installed under what is called permitted development – this is when planning permission is not required. In such circumstances, though the operator does notify the Local Planning Authority, there isn't a requirement to notify neighbours. I can confirm that officers have

agreed to explore the option of displaying a site notice in these circumstances to make residents aware of the notification. It will also need to make clear, however, that there is not a right of objection under government rules.

The two other categories are prior approval and full planning permission, both of which involve consultation rules set nationally and expanded on locally in the adopted Statement of Community Involvement.

So, for planning applications and prior approvals – normally required for larger installations - letters are sent to residents adjacent or immediately opposite, a site notice is displayed and the proposal will be in the weekly list of applications. If the application is in a Conservation Area it will also be listed in the Evening Argus.

**NEXT STEPS - ROUGH SLEEPING AND ACCOMMODATION DURING
COVID-19 PANDEMIC AND RECOVERY**

INDEPENDENT COUNCILLOR AMENDMENT

That the recommendations be amended with the deletion of recommendations (1) and (5) as struck through and the insertion of new recommendations (1) - (4) and a revision of the numbering as shown in bold italics below:

- ~~(1) That the Homeless Bill of Rights be adopted (as referred to in the Homelessness and Rough Sleeping Strategy 2020-25) as an aspirational document and as the standard against which the Council and its partners judge its policies and practices and outcomes;~~
- (1) That the Housing Committee be requested to commission a financial audit to provide an accurate annual cost of implementing the Homeless Bill of Rights**
- (2) That the Housing Committee be requested to commission a full consultation with residents about the use and financial implications of the Homeless Bill of Rights, as outlined in paragraph 3.24, as a standard against which the Council and its partners judge our policies and practices. Appendix 2**
- (3) That a revised Homeless Bill of Rights be brought back to full Council for adoption, if necessary, so that it reflects the opinions and wishes of residents expressed through the consultation.**
- (4) That the Housing Committee be requested to identify how the activities outlined in the Homeless Bill of Rights would be funded; and**
- ~~(5) That a copy of the resolution is signed by the Leader and sent to FEANTSA to mark its commitment to the international movement of solidarity with homeless people; and~~
- (5) That it be agreed to commit to a process of continuous commitment, improvement and engagement to uphold rights of homeless people.**

Proposed by: Cllr Fishleigh

Seconded by: Cllr Janio

Recommendations to read if carried:

- (1) That the Housing Committee be requested to commission a financial audit to provide an accurate annual cost of implementing the Homeless Bill of Rights
- (2) That the Housing Committee be requested to commission a full consultation with residents about the use and financial implications of the Homeless Bill of Rights, as outlined in paragraph 3.24, as a standard against which the Council and its partners judge our policies and practices. Appendix 2
- (3) That a revised Homeless Bill of Rights be brought back to full Council for adoption, if necessary, so that it reflects the opinions and wishes of residents expressed through the consultation.
- (4) That the Housing Committee be requested to identify how the activities outlined in the Homeless Bill of Rights would be funded; and
- (5) That it be agreed to commit to a process of continuous commitment, improvement and engagement to uphold rights of homeless people.

Council

25 March 2021

Agenda Item 129

Brighton & Hove City Council

Subject:	Health and Wellbeing Board Review: Proposals for Agreement - Extract from the proceedings of the Health and Wellbeing Board meeting held on the 23 March 2021		
Date of Meeting:	25 March 2021		
Report of:	Executive Lead Officer for Strategy, Governance & Law		
Contact Officer:	Name:	Penny Jennings	Tel: 01273 291065
	E-mail:	penny.jennings@brighton-hove.gov.uk	
Wards Affected:	All		

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

That the report and recommendations of the Health and Wellbeing Board be considered and approved.

Recommendation(s):

- (1) Agrees the revised Terms of Reference for the Health & Wellbeing Board (Appendix 1);
- (2) Agrees the creation of an Adult Social Care and Public Health Sub-Committee of the Health & Wellbeing Board (Appendix 2);
- (3) Authorises the Chief Executive and Monitoring Officer to take all steps necessary or incidental to the implementation of the changes agreed, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes; and
- (4) That the proposed changes come into force immediately following their approval by full Council.

BRIGHTON & HOVE CITY COUNCIL

HEALTH AND WELLBEING BOARD

4.00.pm

23 March 2021

VIRTUAL MEETING – MICROSOFT TEAMS

MINUTES

Present: Councillors Shanks (Chair), Nield (Deputy Chair), Moonan (Opposition Spokesperson), Bagaeen (Group Spokesperson) and Childs

Brighton and Hove CCG: Dr Andrew Hodson (Co-Deputy Chair), Andrew Taylor and Ashley Scarff

Also in Attendance: Rob Persey, Executive Director, Health and Adult Social Care, Michelle Jenkins, Assistant Director, Resources, Safeguarding and Performance; Alistair Hill, Director of Public Health, Deb Austin, Executive Director, Children, Families and Learning, Graham Bartlett, Safeguarding Adults Board and David Liley, Healthwatch

PART ONE

55 HEALTH AND WELLBEING BOARD: PROPOSALS FOR AGREEMENT

- 55.1 The Committee considered a report of the Interim Executive Director of Health and Adult Social Care which presented proposals to improve the effectiveness of the Health & Wellbeing Board (HWB)
- 55.2 Under the Health & Social Care Act (2012) all local authorities with social care responsibilities had been required to establish Health & Wellbeing Boards (HWB). The 2012 Act (and subsequent Regulations) set out a legal framework for HWBs, including a minimum membership and statutory duties. However, local authorities were given considerable freedom to develop locally appropriate HWB models with additional membership and duties. In consequence, a number of different HWB models had evolved and over time it had become apparent that some models were more effective than others. Since 2019 the Brighton & Hove HWB had been working with the Local Government Association (LGA) to better understand good practice with regard to HWBs and it had become clear as a result of that work that there were aspects of the Brighton & Hove HWB model which needed to be changed and updated to reflect recent major developments in health and care in order to make it more effective and to better align it with best practice across England.

- 55.3. It was noted that the proposals being put forward for approval had been developed by BHCC officers in partnership with HWB member organisations and stakeholders across the city and that the review process had been supported by the Local Government Association (LGA). The review proposals had also been influenced by an online public consultation which had run during November/December 2020. It was explained that if approved by the Board, the proposed changes to the HWB membership and Terms of Reference would require amendment of the Council's Constitution and so would also need to be considered and agreed by Full Council. Insofar as the proposed changes could impact on partner organisations, they might also need to go through those organisations' governance processes.
- 55.4 The Assistant Director, Resources, Safeguarding and Performance explained that it was anticipated that further changes to the Membership of the Board and or the Adult Social Care and Public Health Sub-Committee would be required in response to the pending Government White Paper. Notwithstanding that, the proposals being put forward were considered to set the direction of future travel and to be suitably resilient and robust.
- 55.5 The Chair, Councillor Shanks welcomed the report commending the work of the previous Chair, Councillor Moonan who had supported the process in bringing these proposals to fruition.
- 55.6 Councillor Moonan welcomed the report and referred to specific points which she considered required to be made explicit or amplified upon going forward. In respect of paragraph 2.15 (bullet point 2), discussions had taken place at the Board Member meeting relating to shared focus work with identified communities, it was also important in her view to make explicit reference to addressing mental health issues. It was recognised that this would constitute a big area of work which would need to be focused on post Covid and would be integral to future wellbeing. In respect of references to those with learning disabilities if responsibilities and overarch for children and adults sat with different directorates it was important that was made clear. One thing which had also been evident was that it was unclear to those outside of the organisations which fed into the Board what its role was where it sat in relation the various Programme Board and how people accessed it. She considered an organogram which indicated the interconnection of these constituent parts and roles would be beneficial. Overall, Councillor Moonan considered that the proposals would affect the improvements identified and was very happy to support the report recommendations.
- 55.7 The Executive Director, Health and Adult Social Care, Rob Persey, explained which elements of Learning and Disability sat within the Directorate of Children, Families and Learning and which sat within Adult Health and Social Care agreeing that these distinctions would be made explicit he also agreed that the focus on mental health would also be referred to explicitly. Thought could also be given to how the various roles, functions and the overlay between them could be expressed diagrammatically. These matters could certainly be form business for discussion at the first Engagement Board meeting.
- 55.8 The Senior Partnership and Scrutiny Officer, Giles Rossington, explained that it was recognised that work needed to be done in order raise awareness of the Board its role and the new Sub Committee, if the recommendations were agreed and means by which individuals and organisations could interface with it. This was a work in progress and it

was recognised that further work was needed. It was agreed that the HWB and sub-committee Terms of Reference would be amended to reflect Cllr Moonan's points around mental health and around Learning Disability services; and that the point around being able to explain the local health & care system model in straightforward terms would be taken up by the HWB officer task & finish group as part of its work on improving engagement."

55.9 David Liley Healthwatch also welcomed the report and sought clarification of the route via which Healthwatch would bring forward reports in future and whether meetings would take place in public. The Chair, Councillor Shanks, stated that meetings of both the Board and the new Sub Committee would take place in public and issues could be brought forward in either forum. Additionally, workshop sessions would take place for Members. The Executive Director, Health and Adult Social Care, Rob Persey confirmed that meetings would follow the council's governance arrangements and would take place in public and would provide the opportunity for public engagement.

55.10 As there was no further discussion the Board moved to the vote and voted unanimously in support of the report recommendations.

55.11 **RESOLVED – That the Board agrees to recommend to full Council:**

- (1) The revised Terms of Reference for the Health & Wellbeing Board (Appendix 1);
- (2) The creation of an Adult Social Care and Public Health Sub-Committee of the Health & Wellbeing Board (Appendix 2); and

That the Board agrees

- (3) To establish an officer task & finish group (to include NHS and CVS representatives) to report back to the Board with proposals to address the matters that were identified in the public consultation as set out at paragraph 2.18 of the report, in particular to improve public engagement with the Board.

That Full Council:

- (4) Agrees the revised Terms of Reference for the Health & Wellbeing Board (Appendix 1);
- (5) Agrees the creation of an Adult Social Care and Public Health Sub-Committee of the Health & Wellbeing Board (Appendix 2);
- (6) Authorises the Chief Executive and Monitoring Officer to take all steps necessary or incidental to the implementation of the changes agreed, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes; and
- (7) That the proposed changes come into force immediately following their approval by full Council.

Subject: **Members Allowances – Extract from the proceedings of the Policy & Resources Committee meeting held on the 18 March 2021**

Date of Meeting: **25 March 2021**

Report of: **Executive Lead Officer for Strategy, Governance & Law**

Contact Officer: Name: **Mark Wall** Tel: **01273 291006**
E-mail: mark.wall@brighton-hove.gov.uk

Wards Affected: All

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

To consider the report and the recommendations from the Policy & Resources Committee.

Recommendation:

- (1) That the comments of the IRP regarding their encouragement to the Council to consider further information being shared regarding the nature and practical implementation of job share roles for Councillors be noted;
- (2) That a report be brought to the next meeting of Policy & Resources Committee to detail which jobs could be job shared in any revisions to the Scheme; and
- (3) That an Options Paper be brought to the next meeting of Policy & Resources Committee to decide on any revisions to the Members Allowances Scheme with regards to car parking passes, and for the options to include; separating the two car park concessions and reducing them, for permits to be limited in number per political group, choosing to have permits for one site only, allowing Councillors to make a larger monthly contribution for both car parks near the Town Halls or other suggestions which the IPR believe relevant.

BRIGHTON & HOVE CITY COUNCIL
POLICY & RESOURCES COMMITTEE

4.00pm 18 MARCH 2021

VIRTUAL TEAMS MEETING

MINUTE EXTRACT

Present: Councillor Mac Cafferty (Chair) Druitt (Joint Deputy Chair), Gibson (Joint Deputy Chair), Platts (Opposition Spokesperson), Allcock, Clare, Miller, Simson, Wilkinson and Yates.

Also present: Dr Anusree Biswas Sasidharan, Standing Invitee.

PART ONE

175 MEMBERS ALLOWANCES

- 175.1 The Committee considered the report of the Executive Lead Officer for Strategy, Governance & Law, concerning the recommendations of the Independent Remuneration Panel (IRP). relating to changes to the Members Allowances Scheme. The Executive Lead Officer noted that the Chair of the IRP was in attendance and he wished to thank the Panel for their work. He also noted that whilst the Panel made recommendations to full Council on the level of allowances attributable to each post, the numbers of committees, Chairs and roles was determined by the Council. He stated that following a change in Administration in July 2020, the option for various roles to be job-shared was taken up and this followed from reports to TECC and P&R on the Fawcett Society Report and the objective to encourage more people to become councillors and offer opportunities to a wider group of Members. The current Scheme restricted the ability to claim only claim one SRA and therefore did not reflect the ability to job-share more than one role.
- 175.2 The Executive Lead Officer for Strategy, Governance & Law stated that the IRP had received the views of Members and met with councillors to consider the possibility of amending the Members Allowances Scheme and their recommendations were reflected in the report. He also noted that an amendment from the Labour and Conservative Groups was due to be considered and in his capacity as the Monitoring Officer he needed to draw to the committee's attention that should the amendment be carried, he would need to submit a report to the full Council to ensure that it also received and considered the recommendations of the Independent Remuneration Panel.
- 175.3 The Chair noted the comments and invited Councillor Platts to move the joint amendment on behalf of the Labour and Conservative Groups.

- 175.4 Councillor Platts stated that both the Labour and Conservative Groups had concerns about how the job-sharing of Chairs' roles was working and felt that the Administration had not been clear about how the new arrangements would enable effective management of the decision-making process. She stated that the ability to job-share was supported by both Groups as it provided flexibility and recognition of time commitments that might prevent someone from undertaking a role full-time. However, it was felt that greater clarity was required where more than one role was being job-shared and others not, but part of the special responsibility allowance was being sought. It was therefore proposed that further discussion was required and further consideration by the IRP before any changes were made.
- 175.5 The Chair noted that the amendment had been moved and invited the Chair of the IRP to comment.
- 175.6 The Chair of the IRP thanked the Chair and stated that the Panel had recommended a Scheme for Members Allowances ahead of the last elections which would then last for the duration of the Council. He noted that the Panel had reserved the right to review the Scheme annually and to make any additional recommendations in light of any changes during the term of the Council. In this regard, it had considered the question of job-sharing of roles and had sought the views of Members before reaching its conclusions. He also noted that the amendment referred to the saving that had been agreed at the Budget Council meeting and stated that the Panel were minded to accept the decision as the overall budget was for the Council to determine and the Panel's role was to look at the impact on the Allowances Scheme. Whilst Members had previously contributed towards the cost of having a parking permit, the decision of Council meant that the Scheme should be amended to reflect that permits would no longer be given to Members.
- 175.7 The Chair thanked Mr. Childerhouse and the Panel for their work to date.
- 175.8 Councillor Miller formally seconded the amendment and stated that the Conservative Group had expressed reservations about the intention to job-share roles and how that would work effectively. There was also concern of the potential for any additional special responsibility allowances that were attributable to be back-dated at this point when further clarity was required on how they would operate and further consideration of how the overall Scheme should apply was required.
- 175.9 Members of the Committee noted that a budget saving had been approved at Budget Council which resulted in a potential £25k saving from additional parking revenue for Norton Road with the removal of permits for councillors. The IRP had been asked to consider this in light of the need to amend the Allowances Scheme to reflect the decision as those councillors who had previously opted for a permit had also been required to make a contribution towards the cost of the permit. The Committee noted that it did not prevent councillors from using the car park, it would just be that there was no guarantee of a space and it would be at their personal cost.
- 175.10 Members of the Committee felt that the job-sharing of roles had worked well and referred to the document that had been circulated at the council meeting in July which outlined how they would operate. It was suggested that the introduction of job-sharing had enabled more Members to gain experience and understanding of senior roles which would not have been open to them. However, other Members argued that

opposition roles were not recognised within the Scheme and those spokespersons also undertook a greater level of workload and responsibility. It was felt that there was a need for greater clarity on job-sharing could work and what roles would be suitable for such an arrangement and therefore more time was required before changes were made to the Scheme.

- 175.11 Councillor Clare noted that any delay in changing the Scheme would result in the option to back-date payments would be lost for the current year. She noted that the current Scheme required the Deputy Leader of the Council to Chair a policy committee. However, this meant that as she and Councillor Shanks job-shared the role, they also had to Chair a committee and therefore were only in receipt of 50% of the Deputy Leader's SRA. They believed that it was appropriate to be able to receive 50% of the Chair's SRA and thereby equate to a full SRA which was not possible under the current Scheme. She also referred to the Fawcett Society's report and the need to improve opportunities for women and others to take up positions of responsibility within local government as councillors and had hoped that the Council would take this forward rather than sit back. She also felt that the level of allowances for councillors were not sufficient and that it had become a full-time role and should be recognised as such.
- 175.12 Dr Sasidharan stated that she wished to echo the comments and agreed that the Basic Allowance for councillors needed to be reviewed and increased to recognise the value the role of councillor brought to both a local authority and its community. She believed that the ability to job-share was an important point of principal and should be recognised for the flexibility and equality that it offered.
- 175.13 Councillor Platts reaffirmed the Labour Group's support for job-sharing but felt that there was a need to address the confusion that had so far resulted and for greater clarity to the Scheme to be determined before changes were made.
- 175.14 Councillor Gibson stated that he hoped further dialogue could be held before full Council on the 25 March and that an equal payment for each role undertaken on a job-share basis could be recognised and any back-dated payments implemented as these roles had been fulfilled for the last year.
- 175.15 The Chair noted the comments and reiterated that the IRP were an independent panel of people which made recommendations to the full Council. He had not been made aware of the confusion caused from roles being job-shared and felt that it was a progressive way of working that should be favoured and supported by all Members. However, he noted that an amendment had moved and therefore put it to vote which was carried by 6 votes to 4.
- 175.16 The Chair then put the recommendations as amended to the vote which was carried by 6 votes to 4.
- 175.17 **RESOLVED TO RECOMMEND:**
- (1) That the comments of the IRP regarding their encouragement to the Council to consider further information being shared regarding the nature and practical implementation of job share roles for Councillors be noted;

- (2) That a report be brought to the next meeting of Policy & Resources Committee to detail which jobs could be job shared in any revisions to the Scheme; and
- (3) That an Options Paper be brought to the next meeting of Policy & Resources Committee to decide on any revisions to the Members Allowances Scheme with regards to car parking passes, and for the options to include; separating the two car park concessions and reducing them, for permits to be limited in number per political group, choosing to have permits for one site only, allowing Councillors to make a larger monthly contribution for both car parks near the Town Halls or other suggestions which the IPR believe relevant.

ITEM 130: members' allowances

NOTE FROM THE MONITORING OFFICER

Section 19 of the **Local Authorities (Members' Allowances) (England) Regulations 2003** provides that, before the Council makes or amends a scheme, the authority shall have regard to the recommendations made in relation to it by an independent remuneration panel. It is therefore important that, whatever they decide, Members take the recommendations of the Panel into account.

As the recommendations of the Panel are not contained in a separate report and the recommendations coming to Council have been amended by Policy & Resources Committee, it is important for Members to demonstrate that they have had regard to the recommendations of the Panel. Members attention is therefore drawn to the original recommendations of the panel on page 182 of the agenda, which are summarised below for ease of reference.

2.1 The Scheme is revised to reflect that where a Member holds a role on a job share basis they are entitled to claim a 50% allowance for that role and that a maximum of two of two job share roles can be claimed for on this basis.

2.2 The Scheme is revised to make clear that a 50% allowance can be claimed for a job share Deputy Leader role in addition to a 50% allowance for a Chair of a policy committee role (which is a presumption in the Scheme and the chairing may be full time or a shared role.)

2.3 The revised Scheme as attached at Appendix 1 be agreed.

2.4 The payments for those Councillors whose responsibilities meet the criteria under the revised Scheme are backdated to the date they were appointed.

2.5 Full Council notes the comments of the IRP regarding their encouragement to the Council to consider further information being shared regarding the nature and practical implementation of job share roles for Councillors.

2.6 The Members Allowances Scheme be revised to remove Hove Town Hall as a named car park to which the reimbursement of passes is applicable, as described in Appendix 1.

2.7 That the Monitoring Officer be authorised to make any necessary amendments to the Scheme for Members' Allowances to reflect the changes set out in paragraphs 2.1 to 2.7 above.

Recommendation: Members are recommended to note the recommendations of the IRP and have regard to them before making a decision

Abraham Ghebre-Ghiorghis
Monitoring Officer

REVIEW OF MEMBERS ALLOWANCES - 2021

GREEN GROUP AMENDMENT

That the recommendations be amended with the deletion of text as struck through and the insertion of text and a new recommendation (3) with a revision to the numbering as shown in bold italics below:

- (1) That ***full Council notes the recommendations of the IRP in the original report and the*** comments of the ~~IRP~~ regarding their encouragement to the Council to consider further information being shared regarding the nature and practical implementation of job share roles for Councillors.
- (2) That a report be brought to the next meeting of Policy & Resources Committee to detail which jobs could be job shared in any revisions to the Scheme.
- (3) ***Pending a decision following the report mentioned in paragraph (4) below, the following be implemented as an interim measure:***
 - (i) ***The Scheme is revised to reflect that where a Member holds a role on a job share basis they are entitled to claim a 50% allowance for that role and that a maximum of two of two job share roles can be claimed for on this basis;***
 - (ii) ***The Scheme is revised to make clear that a 50% allowance can be claimed for a job share Deputy Leader role in addition to a 50% allowance for a Chair of a policy committee role (which is a presumption in the Scheme and the chairing may be full time or a shared role;) and***
 - (iii) ***The payments for those Councillors whose responsibilities meet the criteria under the revised Scheme are backdated to the date they were appointed.***
- (4) That an Options Paper be brought to the next meeting of Policy & Resources Committee to decide on any revisions to the Members Allowances Scheme with regards to car parking passes, and for the options to include; separating the two car park concessions, reducing them, for permits to be limited in number per political group, choosing to have permits for one site only, allowing Cllrs to make a larger monthly contribution for both car parks near the Town Halls or other suggestions which the IPR believe relevant.

Proposed by: Cllr Shanks

Seconded by: Cllr Hugh-Jones

Recommendations to read if carried:

- (1) That **full** Council notes the recommendations of the IRP in the original report and the comments regarding their encouragement to the Council to consider further information being shared regarding the nature and practical implementation of job share roles for Councillors.
- (2) That a report be brought to the next meeting of Policy & Resources Committee to detail which jobs could be job shared in any revisions to the Scheme.
- (3) Pending a decision following the report mentioned in paragraph (4) below, the following be implemented as an interim measure:
 - (i) The Scheme is revised to reflect that where a Member holds a role on a job share basis they are entitled to claim a 50% allowance for that role and that a maximum of two of two job share roles can be claimed for on this basis;
 - (ii) The Scheme is revised to make clear that a 50% allowance can be claimed for a job share Deputy Leader role in addition to a 50% allowance for a Chair of a policy committee role (which is a presumption in the Scheme and the chairing may be full time or a shared role;) and
 - (iii) The payments for those Councillors whose responsibilities meet the criteria under the revised Scheme are backdated to the date they were appointed.
- (4) That an Options Paper be brought to the next meeting of Policy & Resources Committee to decide on any revisions to the Members Allowances Scheme with regards to car parking passes, and for the options to include; separating the two car park concessions, reducing them, for permits to be limited in number per political group, choosing to have permits for one site only, allowing Cllrs to make a larger monthly contribution for both car parks near the Town Halls or other suggestions which the IPR believe relevant.

NOTICE OF MOTION**FUTURE FUNDING TO MITIGATE THE IMPACT OF COVID-19 ON CHILDREN,
YOUNG PEOPLE AND HOUSEHOLDS****JOINT GREEN & LABOUR GROUP & INDEPENDENT COUNCILLOR MOTION**

Note: At the request of the proposers of Notices of Motions, Items 131 and 135 listed on the main agenda, this motion is submitted as a replacement to them and they are to be withdrawn.

This Council recognises and acknowledges:

1. The challenging financial, social, wellbeing and educational impacts the pandemic has brought to children, young people and households city-wide;
2. That additional Government funding (Emergency Assistance Grant) expires 31 March;
3. The significant support the city's services and community groups have provided to alleviate these impacts, including commissioning of money advice services, third sector funding, welfare support and housing benefit teams, to ensure families and individuals are supported;

Council therefore resolves to:

- 1) Join the Children's Society 'Funding local crisis support,' campaign by asking the Chief Executive to detail to government our support and concerns regarding funding ending 31 March;
- 2) Request the Chief Executive writes to Robert Jenrick MP, calling for long-term, dedicated Treasury funding to enable councils to provide a safety-net for the most vulnerable;
- 3) Request a report to a CYPS committee in this council year to outline the impacts of Covid-19 and lockdown on children and young people, and further support to mitigate these impacts including:
 - a) Mental health and wellbeing support;
 - b) Rebuilding young people's community support networks;
 - c) Ensuring every child on Free School Meals has access to nutritional food through School Holidays, not just term time;
 - d) Enabling greater access to existing council services through increased concessionary fees;
 - e) Enabling free travel for young people across the city and learners with disabilities who attend college;
 - f) Broadening out-of-school and after-hours educational support long-term, to address new and entrenched disadvantage.

Proposed by: Cllr Littman

Seconded by: Cllr Allcock
Cllr Knight

Supporting Information:

<https://www.childrenssociety.org.uk/what-we-do/our-campaigns/strengthening-safety-net>

**FUTURE FUNDING TO MITIGATE THE IMPACT OF COVID-19 ON CHILDREN,
YOUNG PEOPLE AND HOUSEHOLDS****CONSERVATIVE GROUP AMENDMENT**

That the motion be amended with the deletion of the text as struck through and the insertion of the additional text as shown in ***bold italics*** below.

This Council recognises and acknowledges:

1. The challenging financial, social, wellbeing and educational impacts the pandemic has brought to children, young people and households city-wide;
2. That additional Government funding (Emergency Assistance Grant) expires 31 March;
3. The significant support the city's services, ~~and~~ community groups ***and the Government*** have provided to alleviate these impacts, including commissioning of money advice services, third sector funding, welfare support and housing benefit teams, to ensure families and individuals are supported;

Council therefore resolves to:

- 1) Join the Children's Society 'Funding local crisis support,' campaign by asking the Chief Executive to detail to government our support and concerns regarding funding ending 31 March;
- 2) Request the Chief Executive writes to Robert Jenrick MP, ***recognising the resources provided by the Government to date, and*** calling for long-term, dedicated Treasury funding to enable councils to provide a safety-net for the most vulnerable;
- 3) Request a report to a CYPS committee in this council year to outline the impacts of Covid-19 and lockdown on children and young people, and further support to mitigate these impacts including:
 - a) Mental health and wellbeing support;
 - b) Rebuilding young people's community support networks;
 - c) Ensuring every child on Free School Meals has access to nutritional food through School Holidays, not just term time;
 - d) Enabling greater access to existing council services through increased concessionary fees;
 - e) Enabling free travel for young people across the city and learners with disabilities who attend college;
 - f) Broadening out-of-school and after-hours educational support long-term, to address new and entrenched disadvantage.

Proposed by: Cllr Brown

Seconded by: Cllr McNair

Recommendations to read if carried:

This Council recognises and acknowledges:

1. The challenging financial, social, wellbeing and educational impacts the pandemic has brought to children, young people and households city-wide;
2. That additional Government funding (Emergency Assistance Grant) expires 31 March;
3. The significant support the city's services, community groups and the Government have provided to alleviate these impacts, including commissioning of money advice services, third sector funding, welfare support and housing benefit teams, to ensure families and individuals are supported;

Council therefore resolves to:

- 1) Join the Children's Society 'Funding local crisis support,' campaign by asking the Chief Executive to detail to government our support and concerns regarding funding ending 31 March;
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- 3) Request a report to a CYPS committee in this council year to outline the impacts of Covid-19 and lockdown on children and young people, and further support to mitigate these impacts including:
 - a) Mental health and wellbeing support;
 - b) Rebuilding young people's community support networks;
 - c) Ensuring every child on Free School Meals has access to nutritional food through School Holidays, not just term time;
 - d) Enabling greater access to existing council services through increased concessionary fees;
 - e) Enabling free travel for young people across the city and learners with disabilities who attend college;
 - f) Broadening out-of-school and after-hours educational support long-term, to address new and entrenched disadvantage.

NHS WHITE PAPER AND PUBLIC INVOLVEMENT

LABOUR GROUP AMENDMENT

That a deletion is made as shown with the text struck through, and that additions are made as shown in ***bold italics*** below.

Council notes the publication of the NHS White Paper. We welcome the recognition of the importance of place-based care, despite no long-term funding solution for adult social care but we ask for thorough consultation on the changes proposed.

The White Paper recognises the critical role of local government to the health and wellbeing of our communities, but proposes new powers for the Secretary Of State for Health and Social Care which could undermine local leadership, the local accountability of the NHS, and local government's public health responsibilities.

This council applauds the work of our Public Health and Adult Social Care Teams during this pandemic and the work of all council officers in keeping council services going during these difficult times.

Council therefore resolves that:

- All party Leaders to write to the NHS Leads asking for them to consult the City Council and residents on the White Paper, so that our local communities can have meaningful input into the proposals for the NHS;
- To ask the CEO to write to local ***and national*** NHS Leads, to express our wish for representation of both officers and members ***from each Local Authority area covered*** in ~~the~~ ***any*** proposed Integrated Care Systems, to ensure accountability, transparency and oversight;
- ***To ask the CEO to write to the Minister of Health as part of the White Paper consultation and seek assurance that these reforms will not remove or undermine scrutiny and oversight of the NHS through Local Authority bodies such as Health and Wellbeing Boards, Health Overview and Scrutiny Committees and independent bodies such as Healthwatch;***
- And further, to ask the CEO to write to the Minister of Health and local MPs to ask for sufficient resources for public health to address health inequalities and deal with any future pandemic, including responsibility for test and trace systems.

Proposed by: Cllr Moonan

Seconded by: Cllr Evans

Recommendations to read if carried:

Council notes the publication of the NHS White Paper. We welcome the recognition of the importance of place-based care, despite no long-term funding solution for adult social care but we ask for thorough consultation on the changes proposed.

The White Paper recognises the critical role of local government to the health and

wellbeing of our communities, but proposes new powers for the Secretary Of State for Health and Social Care which could undermine local leadership, the local accountability of the NHS, and local government's public health responsibilities.

This council applauds the work of our Public Health and Adult Social Care Teams during this pandemic and the work of all council officers in keeping council services going during these difficult times.

Council therefore resolves that:

- All party Leaders to write to the NHS Leads asking for them to consult the City Council and residents on the White Paper, so that our local communities can have meaningful input into the proposals for the NHS;
- To ask the CEO to write to local and national NHS Leads, to express our wish for representation of both officers and members from each Local Authority area covered in any proposed Integrated Care Systems, to ensure accountability, transparency and oversight;
- To ask the CEO to write to the Minister of Health as part of the White Paper consultation and seek assurance that these reforms will not remove or undermine scrutiny of the NHS through Local Authority bodies such as Health Overview and Scrutiny Committees and independent bodies such as Healthwatch;
- And further, to ask the CEO to write to the Minister of Health and local MPs to ask for sufficient resources for public health to address health inequalities and deal with any future pandemic, including responsibility for test and trace systems.

NHS WHITE PAPER AND PUBLIC INVOLVEMENT

CONSERVATIVE GROUP AMENDMENT

That the motion is amended with the deletion of the text as struck through and the insertion of text as shown in ***bold italics*** below.

Council notes the publication of the NHS White Paper. We welcome the recognition of the importance of place-based care, despite no long-term funding solution for adult social care but we ask for thorough consultation on the changes proposed. The White Paper recognises the critical role of local government to the health and wellbeing of our communities, but proposes new powers for the Secretary Of State for Health and Social Care which could undermine local leadership, the local accountability of the NHS, and local government's public health responsibilities. This council applauds the work of our Public Health and Adult Social Care Teams during this pandemic and the work of all council officers in keeping council services going during these difficult times.

Council therefore resolves that:

Council therefore:

- 1. Trusts that Peter Kyle MP, Lloyd Russell Moyle MP and Caroline Lucas MP are already in the process of making detailed formal submissions on behalf of their constituents.***
- 2. Requests a copy of any such submissions that have been made to date.***
 - ~~• All party Leaders to write to the NHS Leads asking for them to consult the City Council and residents on the White Paper, so that our local communities can have meaningful input into the proposals for the NHS;~~
 - ~~• To ask the CEO to write to local NHS Leads, to express our wish for representation of both officers and members in the proposed Integrated Care Systems, to ensure accountability, transparency and oversight;~~
 - ~~• And further, to ask the CEO to write to the Minister of Health and local MPs to ask for sufficient resources for public health to address health inequalities and deal with any future pandemic, including responsibility for test and trace systems.~~

Proposed by: Cllr McNair

Seconded by: Cllr Bageen

Recommendations to read if carried:

Council notes the publication of the NHS White Paper. We welcome the recognition of the importance of place-based care, despite no long-term funding solution for adult social care but we ask for thorough consultation on the changes proposed. The White Paper recognises the critical role of local government to the health and wellbeing of our communities, but proposes new powers for the Secretary Of State for

Health and Social Care which could undermine local leadership, the local accountability of the NHS, and local government's public health responsibilities.

This council applauds the work of our Public Health and Adult Social Care Teams during this pandemic and the work of all council officers in keeping council services going during these difficult times.

Council therefore:

1. Trusts that Peter Kyle MP, Lloyd Russell Moyle MP and Caroline Lucas MP are already in the process of making detailed formal submissions on behalf of their constituents.
2. Requests a copy of any such submissions that have been made to date.

GREEN GROUP AMENDMENT

GREEN PRIDE

That the motion be amended with the deletion of text as struck through and the insertion of text as shown in ***bold italics***.

This council notes

1. ***That the event 'Green Pride' is organised as a protest, and therefore the council does not grant landlord consent for it to take place***
2. Support ***for*** the use of medicinal cannabis and CBD oil in line with ***current*** national legislation, and the right to protest on the issue of cannabis use. ~~using areas designated by Council officers, other than when the organiser seeks to make money.~~
3. ***Safely managing protests in Brighton and Hove is the responsibility with Sussex Police***

This Council agrees to request that the:

1. ~~Request the Policy & Resources Committee to consider~~ ***alongside Sussex Police, the prohibition of the use of Council Property, including Preston Park and any other council property, park, green or open space for protests the event Green Pride as a commercial event, in which the organiser charges stallholders and accepts sponsorship, or takes money in relation to public protests; unauthorised commercial events; and events which contain an element of both.*** ~~the event, save if agreed by Council officers and to call for a report as necessary in order to be able to approve the prohibited use of council land and property as outlined; and~~
2. ***Chief Executive to write to Katy Bourne, the Sussex Police and Crime Commissioner outlining that the council's deep concern with disproportionate and inconsistent policing of recent protests in the city, and to seek assurances that future protests are managed safely, consistently and with sensitivity in relation to the topic of the protest.***
3. ***Chief Executive to write to the Home Secretary and Shadow Home Secretary outlining concerns with the Police, Crime, Sentencing and Courts Bill, which would give even greater powers to the police to restrict protests, threatening the democratic right to free speech and protest currently enjoyed by all.***

Proposed by: Cllr Clare

Seconded by: Cllr Littman

Recommendation if carried to read:

This council notes

1. That the event 'Green Pride' is organised as a protest, and therefore the council does not grant landlord consent for it to take place
2. Support for the use of medicinal cannabis and CBD oil in line with current national legislation, and the right to protest on the issue of cannabis use.
3. Safely managing protests in Brighton and Hove is the responsibility with Sussex Police

This Council agrees to request that the:

1. Policy & Resources Committee consider alongside Sussex Police, the use of Council Property, including Preston Park in relation to public protests; unauthorised commercial events; and events which contain an element of both;
2. Chief Executive to write to Katy Bourne, the Sussex Police and Crime Commissioner outlining that the council's deep concern with disproportionate and inconsistent policing of recent protests in the city, and to seek assurances that future protests are managed safely, consistently and with sensitivity in relation to the topic of the protest; and
3. Chief Executive to write to the Home Secretary and Shadow Home Secretary outlining concerns with the Police, Crime, Sentencing and Courts Bill, which would give even greater powers to the police to restrict protests, threatening the democratic right to free speech and protest currently enjoyed by all.