

Council

Date: **3 February 2022**

Time: **6.30pm**

Venue: **Hove Town Hall - Council Chamber**

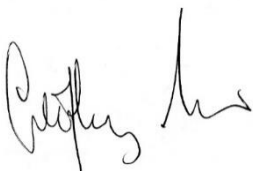
Members: **Councillors:** Robins (Chair), Mears (Deputy Chair), Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hills, Hugh-Jones, Janio, John, Knight, Lewry, Littman, Lloyd, Meadows, Mac Cafferty, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Phillips, Pissaridou, Platts, Powell, Rainey, Shanks, Simson, C Theobald, West, Wilkinson, Williams and Yates.

Contact: **Mark Wall**
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Chief Executive
Hove Town Hall
Norton Road
Hove BN3 3BQ

Date of Publication - Wednesday, 26 January 2022

AGENDA

Note: Technical error causing a short delay to publication of the Council Agenda

A technical problem in the publication settings for the Council Agenda meant that public access to the papers was subject to a short delay. The agenda was intended to be published at 6pm on 26th January but was not publicly accessible until the morning of 27th January. The Agenda was made publicly available as soon as this technical error was identified by officers. By reason of the special circumstances below, and in accordance with section 100B(4)(b) of the 1972 Act, the Mayor has been consulted and is of the opinion that all items should be considered at the meeting as a matter of urgency.

Note: Reasons for urgency

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 a technical problem with the publication settings caused the publication of the agenda to be delayed. The delay in publication was very short and an extension to the timescales for public participation will ensure there will be no adverse impact. It would not be appropriate to defer items on the agenda because the next ordinary meeting of the Council does not take place until April 2022 and many items have already been deferred from earlier meetings.

Part One

Page

60 DECLARATIONS OF INTEREST

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the Monitoring Officer or Democratic Services Officer preferably before the meeting.

61 MINUTES

9 - 64

To approve as a correct record the minutes of the last Council meeting held on the 21st October, 2021.

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 01273 291006

62 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

63 TO RECEIVE NOMINATIONS FOR THE DEPUTY MAYOR-ELECT FOR THE 2022/23 MUNICIPAL YEAR

The Mayor will seek nominations for the Deputy Mayor-elect for the 2022-23 Municipal Year in line with the agreed protocol.

64 CALL OVER FOR REPORTS OF COMMITTEES.

- (a) Call over (items 66 - 74) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.
- (c) Oral questions from Councillors on the Committee reports, which have not been reserved for discussion.

65 WRITTEN QUESTIONS FROM COUNCILLORS.

67 - 76

A list of the written questions submitted by Members has been included in the agenda papers. This will be repeated along with the written answers received and will be taken as read as part of an addendum circulated separately at the meeting.

Contact Officer: Mark Wall

Tel: 01273 291006

REPORTS FOR DECISION

66 COUNCIL TAX REDUCTION REVIEW 2022-23

79 - 156

Extract from the proceedings of the Policy & Resources Committee meeting held on the 2 December 2022, together with a report of the Chief Finance Officer.

Contact Officer: Paul Ross-Dale

Tel: 01273 291969

Ward Affected: All Wards

67 GAMBLING POLICY 2022-24 (AS REVISED)

159 - 216

Extract from the proceedings of the Licensing Committee meeting held on the 14 October 2021, together with a report of the Executive Director for Housing, Neighbourhoods & Communities.

Contact Officer: Jim Whitelegg

Tel: 01273 292438

Ward Affected: All Wards

68	LIBRARIES STRATEGY 2022-25	219 - 278
	Extract from the proceedings of the Tourism, Equalities, Communities & Culture Committee meeting held on the 25 November 201, together with a report of the Executive Director for Housing, Neighbourhoods & Communities.	
	<i>Contact Officer:</i> Sally McMahon	<i>Tel:</i> 01273 296963
	<i>Ward Affected:</i> All Wards	
69	WHITE RIBBON UK ACCREDITATION	281 - 286
	Extract from the proceedings of the Tourism, Equalities, Communities & Culture Committee meeting held on the 25 November 2021, together with a report of the Executive Director for Housing, Neighbourhoods & Communities.	
	<i>Contact Officer:</i> Anne Clark	
	<i>Ward Affected:</i> All Wards	
70	REVIEW OF THE COUNCIL'S CONSTITUTION	289 - 320
	Extract from the proceedings of the Policy & Resources Committee meeting held on the 2 December 2022, together with a report of the Executive Lead Officer for Strategy, Governance & Law.	
	<i>Contact Officer:</i> Abraham Ghebre-Ghiorghis	<i>Tel:</i> 01273 291500
	<i>Ward Affected:</i> All Wards	
71	ARRANGEMENTS FOR COUNCIL AND MEETINGS	323 - 328
	Extract from the proceedings of the Policy & Resources Committee meeting held on the 27 January 2022 (to follow), together with a report of the Executive Director for Governance, People & Resources.	
	<i>Contact Officer:</i> Abraham Ghebre-Ghiorghis	<i>Tel:</i> 01273 291500
	<i>Ward Affected:</i> All Wards	
72	BUDGET PROTOCOL	331 - 342
	Report of the Executive Director for Governance, People & Resources.	
	<i>Contact Officer:</i> Abraham Ghebre-Ghiorghis	<i>Tel:</i> 01273 291500
	<i>Ward Affected:</i> All Wards	
73	RE -PROCUREMENT AND APPOINTMENT OF EXTERNAL AUDITORS	345 - 358
	Extract from the proceedings of the Audit & Standards Committee meeting held on the 25 January 2022, together with a report of the Chief Finance Officer.	
	<i>Contact Officer:</i> Nigel Manvell	<i>Tel:</i> 01273 293104
	<i>Ward Affected:</i> All Wards	

74 ANNUAL REVIEW OF STANDARDS-RELATED MATTERS, 361 - 372
INCLUDING MEMBER COMPLAINTS

Extract from the proceedings of the Audit & Standards Committee meeting held on the 25 January 2022, together with a report of the Executive Director of Governance, People & Resources.

Contact Officer: Victoria Simpson
Ward Affected: All Wards

Tel: 01273 294687

NOTICES OF MOTION

The following Notices of Motion have been submitted by Members for consideration:

75 FOSSIL FUEL NON-PROLIFERATION TREATY 375 - 374

Proposed by Councillor Clare on behalf of the Green Group.

76 COUNCIL SERVICE DELIVERY 377 - 376

Proposed by Councillor Wilkinson on behalf of the Labour Group.

77 STOP PEOPLE BEING PRICED OUT OF OUR CITY: BAN THE SALE 379 - 378
OF NEW HOMES AS SECOND HOMES

Proposed by Councillor Williams on behalf of the Labour Group.

78 VICTORIA FOUNTAIN INVESTIGATION 381 - 380

Proposed by Councillor Mears on behalf of the Conservative Group.

79 WESTDENE PARK & RIDE 383 - 382

Proposed by Councillor Nemeth on behalf of the Conservative Group.

80 CLOSE OF MEETING

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

Note:

1. *The Mayor will put the motion to the vote and if it is carried will then:-*

(a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*

(b) *Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been

submitted, these will be taken and voted on first in the order that they were received.

- (c) Following completion of the outstanding items, the Mayor will then close the meeting.*
- 2. If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*
- 3. Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

Once all the remaining items have been dealt with the Mayor will close the meeting.

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

Webcasting notice

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. You should be aware that the Council is a Data Controller under the Data Protection Act 1998. Data collected during this web cast will be retained in accordance with the Council's published policy.

Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

Access notice

The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. The lift cannot be used in an emergency. Evac Chairs are available for self-transfer and you are requested to inform Reception prior to going up to the Public Gallery. **For your own safety please do not go beyond the Ground Floor if you are unable to use the stairs.**

Please inform staff on Reception of this affects you so that you can be directed to the Council Chamber where you can watch the meeting or if you need to take part in the proceedings e.g. because you have submitted a public question. **Fire & emergency evacuation procedure**

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so

Further information

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Council

Agenda Item 61

Date of meeting: 3 February 2021

COUNCIL

4.30pm 21 OCTOBER 2021

COUNCIL CHAMBER - BTH

MINUTES

Present: Councillors Robins (Chair), Mears (Deputy Chair), Allcock, Appich, Bagaeen, Barnett, Bell, Brown, Childs, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hills, Hugh-Jones, John, Knight, Lewry, Littman, Lloyd, Meadows, Mac Cafferty, McNair, Miller, Moonan, Nemeth, O'Quinn, Osborne, Peltzer Dunn, Pissaridou, Platts, Powell, Shanks, Simson, C Theobald, West, Wilkinson and Williams

PART ONE

38 DECLARATIONS OF INTEREST

38.1 There were no declarations of interests in matters appearing on the agenda.

39 MINUTES

39.1 The minutes of the (a) the Special meeting held on the 15th July and (b) the last ordinary meeting held on the 15th July were approved as a correct record of the proceedings.

40 MAYOR'S COMMUNICATIONS.

40.1 The mayor stated that he wished to hold a minute's silence to remember those women who had suffered from violence and as a mark of respect for the death of Sir David Amess MP.

40.2 The mayor then gave the following communications:

The mayor noted that following the Notice of Motion relating to the Mary Clarke statue, he had been asked to accept the lamp that was sitting on his desk which was lit to mark the way for those who were suffering from violence. He also noted that councillors had been asked to wear an orange ribbon to show their support for the campaign against violence against women and girls.

The mayor noted that the Service of Compassion took place on Sunday and for those of you who could not attend, it was available to watch on You Tube. The Service was organised by the Interfaith Contact Group.

The Annual Civic Advent Service was being held on the 28 November at St Nicholas Church. All Councillors are welcome to attend and should contact the Mayor's Office to let officers know whether you will be there, by the 15 November.

The mayor then noted a couple of events that he wished to draw Members' attention to:

Actually Gay Men's Chorus 7 December

The original version of Miracle on 34th Street 10 December

Both events were in aid of the mayor's charities and both events were taking place at All Saints Church in Hove.

The mayor stated that he had been made aware of a revision to Item 56 the Notice of Motion on Protect Residents This Winter. He was happy to accept the revision which was to ensure that the correct information was stated.

The mayor noted that he had been informed by the petitioner for Item 41 that they were unable to join the meeting until 5.00pm due to work commitments and would therefore take Item 42 Public Questions ahead of this item.

Finally, the mayor stated that he intended to take regular short breaks during the meeting, in order to give everyone in the chamber an opportunity to get some fresh air and remove their masks.

41 TO RECEIVE PETITIONS AND E-PETITIONS.

- 41.1 The mayor invited the submission of petitions from councillors and members of the public. He reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.
- 41.2 Ms Graber presented a petition signed by 278 people seeking consultation with parents on city playground upgrades.
- 41.3 The mayor thanked Ms Graber and confirmed that the petition would be referred to the Environment, Transport & Sustainability Committee.

42 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

- 42.1 The mayor reported that 8 written questions had been received from members of the public and invited Mr Johnson to join the meeting and address the council.
- 42.2 Mr Johnson asked the following question, Brighton needs to take an innovative leap as Berlin has done with regards to rent control.

<https://www.theguardian.com/commentisfree/2021/apr/23/berlin-rent-cap-defeated-landlords-empty>

Rent control cooled the housing market in Berlin (both in rental prices/ home prices) and should be developed in Brighton. How quickly can this take place?

- 42.3 Councillor Gibson replied, improving private rented housing is a key priority in our Housing Committee Work Plan. However, rent control in non-Council-owned housing stock is outside the scope and powers of the local authorities and is a matter for national government
- 42.4 Mr Johnson asked the following supplementary question; are you suggesting that the matter needs to be raised in Parliament?
- 42.5 Councillor Gibson replied; yes and one slightly heartening thing is that in Scotland the SNP and Green parties are working on arrangements to introduce rent controls there which is a step forward and one that other governments may then adopt.
- 42.6 The mayor thanked Mr Johnson for his questions and invited Mr Harris to come forward and address the council.
- 42.7 Mr Harris asked the following question;

The Home Office currently has a backlog of over 70k Asylum cases and rising waiting to be completed. This is causing massive delays and trauma to asylum seekers, many of which are fleeing violence, torture and war zones. Following the recent High Court action Ncube vs Brighton & Hove City Council, could the Council please explain the process a young (under 26) Asylum Seeker who is homeless, has NRPF and is in need of housing support / advice, should take in order to gain sanctuary and emergency housing support should they choose to live and settle in Brighton and Hove?

- 42.8 Councillor Gibson replied; each case has to be assessed individually. There is no blanket response, the law around this is complicated and the Council is constrained by legislation as highlighted in the case referred to. It depends on many factors for example, what category of NRPFs a person is ; whether they are an EU citizen or are they in the UK with leave to remain or no leave to remain. Then there is the consideration of whether they have needs such as would come under the Care Act, or National Assistance Act or Children's Act. If none of these apply, then there is consideration of whether they have a live application with the Home Office and whether accommodation can be provided by the Home office. The Council works with both organisations offering support and the Home Office wherever possible to ensure those with NRPF are not left destitute
- 42.9 Mr Harris asked the following supplementary question; I am actually thinking of a particular client. He applied to social services and was told to go to the police station, but was put into a taxi, not told where they were going and ended up outside the city, away from the support services that had been put in place. Do you agree this is quite concerning?
- 42.10 Councillor Gibson replied; I really hope that the appropriate bodies will look at this particular case. I think councillors in the city are probably getting similar cases it would

be good to know how the council is monitoring the situation to ensure that people are being placed into suitable care.

- 42.11 The mayor thanked Mr Harris for his questions and invited Mr Smith to join the meeting and address the council.
- 42.12 Mr Smith asked the following question; is it envisaged or indeed is there any possibility (however remote) that any section of the A259 could be included in the car free city centre proposal and are the council and officers aware that transport infrastructure forms a very small part of the term liveable city?

Please can you also advise why the other five elements that constitute a liveable city are not receiving equal public consideration and do you accept that in the absence of this, the original definition of a car free city centre was infinitely more appropriate?

- 42.13 Councillor Heley replied; further work will be undertaken to explore the initial, proposed options for a Liveable City Centre that have been considered so far by the Environment, Transport & Sustainability Committee. This will take place over time and in phases. This work will include the extent of the areas and roads that could be included or excluded and how they could be managed to achieve the best outcomes for people and businesses. The role and use of the A259 will be an important part of this and opportunities for improving it for non-car users, including crossings to the seafront will be considered as part of this work.

We have used the term 'liveable' in 'Liveable City Centre' as a general description rather than suggesting that it will deliver all the normally recognised constituents of a 'liveable city'. However, by creating a more attractive central area, it will support improved city centre neighbourhoods, provide opportunities for more green spaces, and offer a more accessible environment. It will also encourage and offer more sustainable mobility, support a diverse and resilient city centre economy, and will create more vibrant public spaces for everybody to use and enjoy. Other benefits would be improved air quality, reduced noise levels and safer streets.

- 42.14 Mr Smith asked a supplementary question, could I please have a copy of the plan should there be one and confirmation as to whether there is any intention to close part of the A259 and what the views of the DfT would be?
- 42.15 Councillor Heley replied, it was not possible to provide any further information at this point, but she would be happy to address any questions that Mr Smith had if he could send them to her.
- 42.16 The mayor thanked Mr Smith for his questions and invited Councillor Fishleigh to ask a question on behalf of Anna Webb who was unable to join the meeting.
- 42.17 Councillor Fishleigh asked the following question; residents in Ovingdean want to reduce their reliance on cars but that is impossible when we have one bus an hour which stops before 7pm and only takes us either north or south. We have no direct bus service into the local shops in Rottingdean. As part of the current bus review, will you commit to looking at how the bus service into and out of Ovingdean can be improved?

- 42.18 Councillor Heley replied; I recognise the issues you raise, and this is something I am keen to address to help make buses a more attractive option for more people. Our Bus Service Improvement Plan includes actions to improve the bus services supported by the council, including better frequencies and evening services. I'm pleased to say this includes services to Ovingdean but unfortunately, I am unable to commit to specific improvements until we are aware how much funding will be made available to councils to implement their Bus Service Improvement Plans. We hope to be able to provide an update on changes to supported bus services next year.
- 42.19 The mayor thanked Councillor Fishleigh for asking the question on behalf of Ms Webb and noted that she was also asking a question on behalf of Tracey Llewellyn who was also unable to join the meeting.
- 42.20 Councillor Fishleigh asked the following question, residents of Ovingdean have repeatedly come to council committees asking for pavements where none currently exist on our busiest roads which are north Greenways and Ovingdean Road. These would enable us to get out of our cars and walk safely between the shop, nursery, village hall, church, takeaway & to access public footpaths across the farmland.
- In the draft Local Cycling and Walking Infrastructure Plan is a list of the prioritised neighbourhood areas for walking improvements.
- Ovingdean is 25th on the list of 31. Why is Ovingdean so far down this list and will you consider moving it higher up?
- 42.21 Councillor Heley replied, thank you for your question Councillor Fishleigh, which follows on from the one you asked at Environment, Transport & Sustainability Committee last month. The technical input used to identify strategic priorities for the next 10 years have followed government recommendations, and this has been combined with a wide range of stakeholder input from across the city. Factors that have been assessed include levels of high deprivation, age of population, and collisions involving pedestrian and cyclists. In addition, the assessment has included connections with local services such as education facilities, strategic development sites, local destinations, leisure facilities, green spaces and Air Quality Management Areas.
- The wider Ovingdean neighbourhood has been assessed and is included, but as a lower priority compared to others across the city. However, we are currently consulting on the Plan and would welcome all suggestions and responses and the survey can be found on the council's website.
- 42.22 The mayor thanked Councillor Fishleigh for asking the question on behalf of Ms Llewellyn and invited Mr Harland to join the meeting and address the council.
- 42.23 Mr Harland asked the following question, can the Leader of the Council confirm or deny that contact was made with change.org directly or indirectly, to complain and request the removal of the name and photo from the petition requesting the resignation of the Chair of the ETS committee?

Link.<https://www.change.org/p/brighton-hove-city-council-councillor-must-resign>.

- 42.24 Councillor Mac Cafferty replied, Change.org determine whether a request to change a petition is accepted in the same way Facebook determines whether a post is acceptable or not. They govern this, not us. Particularly given the recent and horrific murder of David Amess MP while serving his own constituents, I am sure everyone here will agree that any purposeful targeting of a person in public life, particularly a person who falls under protected characteristics owing to their age, sex, race, religion or belief, or sexual orientation, is one that should be challenged. Further, we are a minority administration, and we do not operate under a system of executive leadership. All decisions are taken, and pass or fail, owing to the votes of everyone, of all political parties, on a committee. Therefore to target one person for a policy or position is both wrong and inappropriate.
- 42.25 Mr Harland asked a supplementary question, if contact was made do you not consider that suppression of democracy?
- 42.26 Councillor Mac Cafferty replied, it is not appropriate for me to comment, if someone contacted Change.org as it is essentially a matter for them. I am accountable and answerable for the City Council actions, its policies or practices not what individuals do and their individual capacity outside of the City Council.
- 42.27 The mayor thanked Mr Harland for his questions and invited Ms King to join the meeting and address the council.
- 42.28 Ms King asked the following question, given that various national allowance systems, such as Child Benefit, are means-tested to ensure that the wealthiest in society are not eligible to claim, can the Leader of the Council give examples of similar systems within the Council whereby wealth is taken into account when pay-outs are made?
- 42.29 Councillor Mac Cafferty replied; can I ask that Ms King emails me her question and what it is she is seeking an answer on so that I can provide a full response, as it stands, I am not sure I can give an appropriate reply.
- 42.30 Ms King asked the following supplementary question; is it appropriate for councillors to claim for babysitting costs?
- 42.31 Councillor Mac Cafferty replied; the matter relates to the Scheme of Members Allowances that is recommended by the Independent Remuneration Panel, who look at all aspects of remuneration and what should be included to enable people from all backgrounds to stand as councillors. This includes young parents and what support is appropriate for them to undertake their roles and childcare forms part of the overall scheme.
- 42.32 The mayor thanked Ms King for her questions and invited Mr Maclay to join the meeting and address the council.
- 42.33 Mr Maclay asked the following question does the leader of the council agree the accepted rule for councillors in the UK, is that they must live in the town/city that they represent, and that it would be inconceivable that any councillor would show total

disregard for this rule and not be residing locally amongst their constituents, especially during “times of crisis” such as those that we are experiencing now?

- 42.34 Councillor Mac Cafferty replied; thank you for the question. The position regarding the qualification to stand for elections and being able to continue to hold office after being elected is governed by section 79 of the Local Government Act 1972. Section 79 actually says that there are a number of grounds for qualifying to hold and to continue to hold office as a councillor. They are not, however, limited to residents of the local authority. Some of the reasons that you can stand for office, could be that you are on the electoral register, occupying lands or being a tenant, having one's place of work in the area or during the 12 months preceding the election or residing in the area. I hope you'll be able to see from what I've said that being a resident of the local authority area is not the only ground for qualifying to be elected.
- 42.35 Mr Maclay asked the following supplementary question, could the Leader of the Council confirm he is aware of those in his Group who have spent considerably more than half their time in the last 18 months living outside Brighton and Hove?
- 42.36 Councillor Mac Cafferty replied, there is a need to appreciate the situation that we have all been in with the pandemic and people's personal circumstances. It has meant that they were perhaps away from the city council area for a period of time due to restrictions on travel being imposed travel. It meant that there were lockdowns not just here, not just over Europe but all over the world.
- 42.37 The mayor thanked Mr Maclay for his questions and noted that was the end of the public questions.

43 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

- 43.1 The mayor reported that one deputation had been received from members of the public and invited Mr Smith as the spokesperson for the deputation to join the meeting and address the council.
- 43.2 Mr Smith thanked the mayor and stated that:
- 43.3 Councillor Heley replied,
- 43.4 The mayor thanked Mr Smith for joining the meeting and speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the Environment, Transport & Sustainability Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

44 PETITIONS FOR COUNCIL DEBATE

- 44.1 The mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. He had been made aware of one such petition and invited Mr Maclay to join the meeting and to present the petition concerning the way in which the Council was being run on behalf of the lead petitioner Mr Carter.

- 44.2 Mr Maclay thanked the mayor and stated that the petition which had been signed by over 5,000 people and raised concern over the way in which the city council was currently being run and called on the Green Administration to stand down.
- 44.3 Councillor Mac Cafferty thanked Mr Maclay for presenting the petition and stated that.
- 44.4 Councillors Brown and O'Quinn spoke on the petition and noted that charity events were held at the stadium and that the actual sport was not illegal or unregulated. It was also recognised that the protests had an impact on residents and if the stadium closed it would have impact on jobs.
- 44.5 The mayor thanked Mr Maclay for presenting the petition and stated that as it was a matter for the Council, he would put the recommendation to note the petition to the vote.
- 44.6 **RESOLVED:** That the petition be noted.

45 CALL OVER FOR REPORTS OF COMMITTEES.

- 45.1 The mayor noted that a report from the Special Policy & Resources Committee meeting held on the 13th October 2021 had been referred to the Council for information and that he had accepted it as a late item. It was listed in the addendum as Item 50(a).

(a) Callover

- 45.2 The following items on the agenda were reserved for discussion:

- Item 49 - Council and Committee Meetings
- Item 50 - Response to Members Letter – Freedom of Information Requests
- Item 50 - (a) City Clean Dispute Resolution

(b) Receipt and/or Approval of Reports

- 45.3 The mayor confirmed that Items 49, 50 and 50(a) had been reserved for discussion; and
- 45.4 The mayor confirmed that the following report on the agenda with the recommendations therein had been approved and adopted:

- Item 48 - Review of the Waste Minerals Plan – Proposed Submission

(c) Oral Questions from Members

- 45.5 The mayor noted that there were no oral questions.

46 WRITTEN QUESTIONS FROM COUNCILLORS.

- 46.1 The mayor noted that written questions from Members and the replies from the appropriate Councillor were taken as read by reference to the list included in the addendum which had been circulated prior to the meeting as detailed below. He also

noted that some responses had not been submitted in time for the addendum but would be included in the minutes to ensure a full record was kept.

(1) Councillor Yates: Housing

- 46.2 Can the lead for housing please update members on proposals to:
- Fully reinstate housing scheme managers
 - Enable residents to access residents' community facilities
 - Enable tenants' associations to access their dedicated facilities at Eastergate Rd Housing Offices.

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

- 46.3 The seniors housing service is trialling a hybrid operating model in line with other council and housing services. Our scheme managers have worked their normal hours during the pandemic and continue to do so. A hybrid model is allowing scheme managers to work more flexibly, and whilst they are now predominately on-site, this model allows some time for tasks to be done off-site where this makes sense to do so, such as supervision, training, data record updating, or daily calls.

Some staff are also more vulnerable to COVID-19 and we are working in line with the corporate risk assessment process to look at their front line roles – as a result some tasks may be shared within the team.

The communal areas are open to residents except for the guest rooms where we are working with our cleaning contractor to ensure that reopening these facilities is done in a COVID safe way. The service is also re-establishing social activities in communal areas where this can be done safely.

The service continues to see sporadic cases of COVID-19 and working in a cautious way enables us to provide a service whilst managing the on-going risk to residents and staff. If we fully reinstated the pre-pandemic service, we risk undoing all the good work we've done controlling this dangerous virus in our schemes.

We are also piloting a return to some in person meetings with resident groups subject to the relevant risk assessments, and with an offer of a hybrid option for those who still may wish to proceed virtually. Our initial risk assessment indicates Hove Town Hall as a safer option for meetings than the Housing Centre (Eastergate Road) owing to ventilation concerns.

(2) Councillor Hamilton: Public Toilets in Victoria Rec

- 46.4 There are no public toilets in Victoria Rec in Portslade anymore. It is a very busy recreation ground where many people, especially young people, go for football training and other exercise. There is money to modernise some toilets but surely providing them where needed should be a priority. Please can new toilets for Victoria Rec be included in the 2022-3 capital programme?

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

46.5 Thank you for your question.

Unfortunately, there is no money available, either capital or revenue, to build and maintain new toilet facilities in the city.

It was recommended to Environment, Transport & Sustainability Committee on 24 November 2020 to initiate Traffic Regulation Order consultations to introduce car parking charges for car parks in several city parks. This included the car park at Victoria Rec. An amendment to this recommendation was moved and subsequently agreed and so the TRO was not progressed.

Had the original recommendation been approved and car parking charges explored further for Victoria Rec, this would have provided an income stream which could have assisted the notion of toilets in the area and/or their maintenance.

New toilets cannot be developed without an ongoing management/maintenance plan by a third party such as a café, and this would only be possible if capital money was available for the build.

The new bowls centre does provide toilets for its members.

(3) Councillor Grimshaw: Mental Health Emergency Services

46.6 I'm particularly interested in those detained under the mental health act as they are a danger to themselves and others. How many are admitted but then sent home? How many are actually sent for long term inpatient treatment? How many emergency mental health cases have not been able to access the Haven as it's full? How many are just then taken to A&E and then sent home? How many are sent home with the promise of additional support? How long does it take for additional support from ASC to be put in place? What are the waiting times? What is the person supposed to do to get support whilst they are waiting?

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

46.7 Please note that where we have not had the answers to this question, we have contacted partners, but more comprehensive replies may be available through them.

I'm particularly interested in those detained under the mental health act as they are a danger to themselves and others

It would be helpful to highlight that The Mental Health Act is designed to give health professionals the powers, in certain circumstances, to detain, assess and treat people with a mental disorder who are at risk of harm to themselves or others.

How many are admitted but then sent home?

Please see below, as requested. Brighton & Hove residents were identified from their CCG:

Admissions under the MHA of Brighton and Hove residents: 12 months to end June 2021

	Total Admissions to Hospital
Section 2	173
Section 3	74
Section 4	2

Discharges from detention of Brighton and Hove residents: 12 months to end June 2021

	Discharges from MHA and Hospital	Discharges to Informal Status
Section 2	61	61
Section 3	89	54
Section 4	1	0

How many are actually sent for long term inpatient treatment?

Patients are assessed and cared for in the most appropriate environment to meet their needs, long term inpatient treatment is not terminology that we would recognise.

How many emergency mental health cases have not been able to access the Haven as it's full?

The Haven is well utilised by B&H residents. Should the facility be fully occupied, patients are assessed and treated in alternative settings.

How many are just then taken to A&E and then sent home?

Taking people to A&E, is an option that is clearly defined in the current amendment to the s136/135 policy and guarantees a place of safety for someone in mental health crisis detained under s136. As with the Havens/Urgent Care Lounge, the police remain with the person throughout their entire s136 period in A&E. If patients are sent home the decision is taken collaboratively by a team of assessing professionals.

How many are sent home with the promise of additional support?

Patients are assessed and provided supported appropriate to their needs. If there is no evidence of a mental disorder, then individuals will appropriately be discharged. For patients where a mental health need is identified they will be signposted to other services, such as housing, social care, alcohol and drug support, etc. by the assessing AMHP.

How long does it take for additional support from ASC to be put in place? What are the waiting times? What is the person supposed to do to get support whilst they are waiting?

Mental Health Services within Brighton and Hove are integrated between Sussex Partnership NHS Foundation Trust and Brighton and Hove City Council. This means that there are a number of co-located Social Workers and other social care members of staff embedded in both community and acute mental health services. If an individual is already known to mental health services, then the request for additional support will be passed onto their Social Worker or Lead Practitioner to act upon. If for any reason the Social Worker or Lead Practitioner is absent from work, then these concerns should be passed onto a duty worker to manage. If the individual isn't known and requires support for their mental health, then they can approach the Mental Health Rapid Response Service. Waiting times are dependent on incoming work, staffing and risks. However, all new referrals are screened by triage and prioritised based on risk to self and others and needs - 4hrs, 5 days or 20 days. Anyone known to the service and who is having active input should receive a prompt response which again should be based on risks.

(4) Councillor Williams: Afghan Refugees

- 46.8 I'm sure we all want to help the Afghan refugees as much as we can who have arrived in our city. I know many charities and community organisations have mobilised to assist which is wonderful. What is the council doing to help with their needs and what Government funds are available to finance this?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

- 46.9 The council responded to an urgent request from the Home Office and the Ministry of Housing, Communities and Local Government made to all local authorities in the UK on 13th September. This asked that we make an offer to participate in the Afghan Relocation and Assistance Policy (ARAP) and the Citizens Resettlement Scheme (ACRS) which are the government schemes to fund local authorities to receive and support the Afghans evacuated from Kabul during the summer as well as more Afghan citizens whom the government plans to bring to the UK over the coming years.

The council's response was to confirm our commitment to participating in the ARAP/ARCS by welcoming Afghan citizens and their families to our city. Our response pointed out that we have a nearly unique situation here in the city with four Afghan families already identified for settlement into the city due to one of the adult family members being a Chevening Scholar with a place at the University of Sussex. The City Council therefore confirmed that it would support, under the ARAP/ARCS scheme, the settlement of these families. Officers are working hard in partnership with the University, the local community and voluntary sector and private landlords to secure accommodation as quickly as possible and set up support for these families and future ones although we have not yet had confirmation that these four families have Thanks ARAP or ARCS status. The city council also confirmed that it expects to participate in the programme beyond these four families however this will be led by available property. We have reached out to local private landlords, philanthropists, VCS and our economic partnership to assist with property and are confident of securing more.

The draft government funding instructions for the ARAP and ACRS were only published on 14/10/21 and officers are working through the detail of these documents. We know that the government has committed to providing funding on a per head basis for Afghan refugees. Over a three-year period these amount to £20,520 to cover the local authority welcome, integration offer and provision of services, up to £4,500 per child to cover education provision (it is not yet clear whether this is for one or three years), £850 to cover English language provision, for adults requiring this support (year one only) and £2,600 to cover health provision (year one only). The Government announced a further £17 million fund for additional housing support where subsidies are needed. The draft guidance suggests that the fund is to be used to help local authorities find properties quickly for large families currently in the bridging hotels by providing top-up funding to meet the gap between the Local Housing Allowance and market rents and also to cover shortfalls in Universal Credit payments which impact on a family's ability to cover their rent.

(5) Councillor Platts: Bulky Waste Collections

- 46.10 Will the Council consider preventative action on fly tipping by putting signage on communal bins that outlines how residents can dispose of bulky waste? Can this information include what constitutes fly tipping and information for residents who leave usable items by bins thinking those items might be helpful to others, the level of fines for such fly tipping, the website address and phone number for arranging bulky waste collection, contact information for Freegle, Tech Take Back and other low cost means of disposing of waste?

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

- 46.11 Thank you for your question.

I note that a similar question was put in 2017 at the time when 300 new communal bins were rolled out with new signage. The then lead Councillor Gill Mitchell agreed such signage, signposting people to Freegle and others, would be important to have on the new communal bins, when that round of bins was introduced.

Through the City Environment Modernisation Programme, improvements are still being made to the communal bin system.

As part of this work, Cityclean are looking at signage. The team will consider the ideas as part of the new signage design. This could include, for example, the use of QR codes to direct people to the council website where they can find more information on bulky waste and other services.

In addition to this, promotion of council waste services continues to be a priority of the Managing Waste Responsibly Project, with Cityclean officers working closely with the Communications Team to ensure this is met.

Cityclean has recently started a research project with Keep Britain Tidy specifically regarding student waste. One of the main focuses of the project will be looking at fly

tipping and ways to reduce this. The learning from this project will be able to be implemented to drive change and improvement within this population.

Officers are appreciative of these ideas around this.

(6) Councillor Platts: Garden Waste Collections

- 46.12 Some addresses are still not able to access the Council's garden waste scheme; have no space for home composting and no access to a local composting scheme. Of these some don't have cars and can't get to the tip. I have asked a couple of times, on their behalf, how they are supposed to get rid of garden waste and received no reply. Can the Council please answer this question and confirm when all postcode areas across the City will have access to the garden waste collection scheme or a composting scheme within easy walking distance of their homes?

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

- 46.13 Thank you for your question.

It is acknowledged that some addresses in the city are not suitable for the council's garden waste collection service via the current wheelie bin system. Cityclean is looking to expand the service and considering alternative viable options such as paper sack collections or pay-as-you-go schemes.

Initial research of councils that offer sack collections demonstrate there is a need for comprehensive IT systems to schedule ad-hoc collections that suit residents needs and timescales and which integrates and aligns with garden waste operational resource and round structure. As you are aware, Cityclean does not yet have a comprehensive IT system to manage the service and therefore it is unlikely a solution can be offered by the council until the Digital Cityclean project is delivered.

In the meantime, an internet search for garden waste collection services yields a number of companies operating in Brighton & Hove which offer garden waste collection services to residents.

Cityclean continues to work on expanding the reach of the community composting scheme in collaboration with Brighton & Hove Food Partnership. Four new sites have opened so far this year and all locations can be found on the Food Partnership's website.

(7) Councillor Platts: Card Incentive Scheme

- 46.14 The Labour Group submitted a Budget amendment £0.010m one-off allocation to evaluate the creation of a city wide 'Carbon Partner' card incentive scheme to encourage residents to move to lower carbon living through Council and private sector support. One of the intentions was to support residents who are getting rid of their cars but still need to get rid of bulky waste and garden waste but can't access the Council's garden waste scheme; have no space for home composting and no access to a local composting scheme. Can the Council update with progress on this scheme, given we

have identified a solution that would reduce car use and contribute to the circular economy?

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

- 46.15 Unfortunately, officers have not had the capacity to progress the evaluation of a city wider 'Carbon Partner' card over the last few months. However, such a card would be part of the wider Climate Engagement work we do as a city council, and now that a Climate Communications and Engagement lead post has been created there will be more capacity to take forward climate change related behaviour change work. This will be in collaboration with transport, city environment and other relevant services. It is anticipated that this evaluation work will start in 2022.

(8) Councillor Platts: Electric Scooters

- 46.16 Will the Council publish a clear statement of policy about the use of electric scooters in Brighton & Hove? Due to pilots taking place in other areas and the continued sale of scooters to the public, there is some confusion about whether they are allowed on the public highway. Residents are asking about the process for making them legal, especially now there is a petrol crisis; they also want to know how the Council will be involved in the decision-making process and if the public will be consulted. Can the Council give the date by when such a statement can be published?

Reply from Councillor Mac Cafferty, Leader of the Council

- 46.17 Brighton & Hove is not taking part in the current trials of e-scooters in England. These trials are for hire fleets only and will run until Spring or Summer 2022. No new trials are permitted, so E-scooters will remain illegal to use on the public highway in the city until Parliament passes legislation to legalise them in late 2022 or early 2023.

Privately owned E-scooters may only be used on private land with the permission of the owner or occupier, and this is the case even in authorities where trials are taking place.

The Council has previously taken part in a Department for Transport consultation on e-scooter use. No Government plans to consult the general public have been announced.

E-scooters will be considered as part of the Bikeshare reorganisation. A report is planned for the 18 January 2022 Environment, Transport and Sustainability Committee setting out the legal position, stakeholder responses to date, proposals for a voluntary code of conduct for operators, and changes to existing byelaws which might strengthen police powers to enforce responsible use.

(9) Councillor Platts: Minibus Route

- 46.18 The Labour Group submitted a Budget amendment for a circular minibus route around the eastern part of the city to encompass the hilly areas with poor bus services such as Wilson Avenue, Queen's Park Rd and parts of Hanover & Elm Grove. The idea was for this to run every 15 minutes and link up with the main arterial routes so that people

could reduce car use or even feel able to get rid of their cars completely. Please can I have an update on progress?

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

- 46.19 Officers are drawing up a specification for a route prior to carrying out soft market testing with operators. A concern in drawing up any route is whether it is commercially viable, and if not, it would require continued support from the Council. It may also abstract passengers from existing routes affecting their viability at least in the short term. The costs of a frequent service are as yet not quantifiable but £20K allocated would only be a fraction of the amount needed to run this service annually.

Under the draft BSIP approved at ETS in September it is proposed that a review of all the supported services be undertaken once future demand is clearer and we know what funding the council will receive from government, such a review will be undertaken in parallel with local bus operators within the Enhanced Partnership. It is also a long-standing aspiration that improvements are made to the frequency of existing supported bus services and that there is more consistency between Sunday and weekday services, and this could bring considerable benefits to parts of the city you refer to.

(10) Councillor Platts: Community Workshop Proposal, Southwater Close, Craven Vale

- 46.20 The Council is responsible for a disused storeroom on Housing land at Southwater Close, Craven Vale. According to residents it has been unused for at least thirty years. Craven Vale Community Association wishes to bring a large proportion of the building back into use as a Community Workshop. It was first raised as a possibility with the Council in late 2014, and in April 2015 EDB commissioned a feasibility study for it to be converted, but it was not done as requested.

Members of the Craven Vale Committee met with the Council on site in September 2017 when no insurmountable problems were raised.

EDB commissioned a detailed report from Podium in April 2018. Its report of September 2018 agreed the project was feasible, and CVCA agreed that it would raise the funds to convert the building, with the Council to cover the basic costs of making the building watertight. CVCA was then granted £10,000 by EDB in April 2019 towards the cost of upgrading the building.

Little has happened since. The Council said that it would need a minor planning application because of the change of use, and that it would now need level access from the pavement - not an easy task in Craven Vale but the CVCA Committee suggested a small extra ramped path which was agreed by the Council. In September 2019, the Council obtained a grant of £2,500 from the Environmental Improvements programme to pay for the ramp but said it would need detailed drawings as requested by the Planning Officer.

I believe these drawings are still awaited, and that it has still to go to a preliminary planning meeting more than two years later. Craven Vale CA has had no information now for more than two years and so far, the plan has been awaiting approval for more

than six years. Please can we have an update on whether the project is still moving forward? If so, please will the Council set out a clear, written plan of action and undertake to brief Craven Vale CA on the process and expected timeline for completion of the project?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

46.21 Thank you for your question.

We understand the lack of progress of your longstanding proposal to create a community workshop in Southwater Close has been the source of frustration for the Craven Vale Residents Association.

However, the pandemic has had a significant negative impact on our ability to progress many less urgent projects owing to other pressing Covid-19 priorities.

Our approach under the Estate Development Budget and Environmental Improvement Budget has been to empower residents to take the lead whilst supporting with technical advice and input.

However, this is challenging with a project as complex as the CVCA proposal which will require dedicated council officer resource in order to support it.

Some good initial work has been done to establish if the proposal is technically feasible. Officers have worked through legal issues and consulted with the community on the proposal which is broadly supported .

Post pandemic, we now propose to make contact with Craven Vale Community Association to review what resource is required to take this forward and whether this is available at this time in light of our other significant recovery and renewal programme priorities.

(11) Councillor Platts: Community Drug Impact Co-ordinator and Drugs Summit

46.22 The Labour Group submitted a Budget amendment for a Community Drug Impact Co-ordinator and a Drugs Summit. Please can I have an update on when we expect this post to be filled and an approximate date for holding the Drugs Summit to hear directly from residents about their experiences?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

46.23 The post has been recruited to and the new drug impact co-ordinator will start on 1st November. We anticipate that the drugs summit will be held spring next year.

(12) Councillor Platts: Printed Papers for Councillors

46.24 Can the Council confirm the total annual saving that was identified if all Councillors shifted from using printed papers of agendas and reports for working groups,

Committees and Full Council and used only online systems instead? Can the Council state the number of Councillors who have successfully made the transition from paper to digital copies and the actual saving that has been realised?

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

- 46.25 The response could not be provided in time inclusion with the addendum and will be provided to the Councillor following the meeting and listed in the minutes.

(13) Councillor Platts: Kite Place

- 46.26 The residents of Kite Place in East Brighton have suffered many problems since moving into their new properties. These have included ongoing problems of water pressure with residents reporting it can take up to 15 minutes for hot water to come through and up to 2 hours to run a bath as well as toilets not flushing properly. Attempts to fix the water pressure has caused leaks in communal areas. Residents report significant overheating in many flats and communal areas, which makes some residents feel unwell, some need to use fans to cool their flats and this has increased their electricity bills. The overheating has also caused lifts to breakdown and breakdowns have become a common experience, leaving some residents with disabilities trapped in their flats. Residents have also reported that the floors in their flats are 'dropping'. Councillors requested a meeting was held with officers and residents and this took place in August. Can the Council give a clear timeline that shows when the problems will be fully resolved?

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

- 46.27 Thank you for your question.

We are very concerned that some residents have encountered these issues at Kite Place and the Housing and Regeneration teams are working closely together to investigate and resolve them.

Kite Place East

Inspections are continuing to be undertaken in the properties. Water pressure and the supply of hot water would appear to be the only issues in this block and the remediation upgrade is awaiting a date from the contactors to be confirmed. Approved works, the replacement of primary pumps and subsequent pipework and electrical alterations to facilitate a better flow rate on the primary pipework circuit. This is to address the issues of the poor hot water supply to the properties within this block.

Kite Place West

Inspections that have been undertaken have shown that the circulation central heating within the block is being interrupted by the entraining of air into the system. Various solutions are being developed to alleviate this problem and a full schedule of remediation will be released shortly. This work is expected to be completed by mid-December 2021.

In addition, and in order to fully understand the issues and lessons we can learn Housing's Property & Investment team are undertaking a procurement exercise to appoint independent building surveyors to undertake condition survey of defects noted and reported by residents. We are currently going through the procurement process with the aim of undertaking full surveys early in the New Year followed by a report in spring 2022. This will be shared, and actions taken to resolve the issues in line with the survey's findings.

External consultants will complete the following surveys:

- Flooring issues to flats
- Balcony issues with system adopted
- Review of hairline cracks and minor movement - internal and external
- Ventilation to flats
- Overview of windows
- Overview of solar gain issues
- Review of the plumbing installation
- General condition survey

As part of the consultant investigations we will review whether any of these issues are latent defects or covered by warranty.

We are sorry that residents have experienced these issues and want to undertake a thorough investigation to ensure the correct measures are taken to fully resolve them and lessons learnt is taken forward to future projects.

(14) Councillor Platts: Percival Terrace

- 46.28 Can the Council confirm whether it is accepted practice for the staff at Percival Terrace to request that residents pay 'fees' to them in cash? Can the Council confirm what these fees are for? A resident has been told they are for 'maintenance'.

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

- 46.29 Thank you for your question.

I can confirm that there is a service charge of £12.50 per week for a single person at Percival Terrace. This is a contribution towards utility costs. This can be paid directly to the managing agent via cash or bank transfer.

As part of the re-procurement exercise, service charges have been reviewed and will be capped for future contracts. This will also make the process more transparent for our residents.

(15) Councillor Platts: East Brighton Park

- 46.30 Can the Council explain why the upper pitch area has been locked up, preventing residents from accessing it? The wire around the outside has now been damaged as people have bent it back to use the area. Will the Council agree to repair this and unlock the pitch?

Can the Council confirm that the toilets in East Brighton Park pavilion have now been added to the cleaning contract as promised?

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

- 46.31 The 3G pitch at the Stanley Deason Leisure Centre has been closed for refurbishment the contractors are due to hand it back to the Council on the 19th of October

The gardening staff at East Brighton Park have been instructed to clean the toilets following the fun run as they would for a sports booking.

To confirm - the 3G pitch at Stanley Deason Leisure Centre is being upgraded and whilst these works were taking place the area around the pitch was fenced off, as the perimeter fencing to the pitch was itself removed in order to carry out the works.

The fencing to the pitch has also been improved and the renovation is almost complete and will be handed back to Freedom Leisure who manage the facility on behalf of BHCC. The hand over is scheduled for Tuesday 19 October.
Please note, if residents wish to use the pitch they will need to hire it from Stanley Deason Leisure Centre.

The team that manages the public toilet cleaning contract is not aware of a request to clean the toilets at East Brighton Park pavilion. Any additions to the contract will need a corresponding budget provided to ensure resources are available to clean and maintain them.

(16) Councillor Platts: Beach Huts

- 46.32 The Labour Group submitted a Budget amendment for investment in Beach Hut infrastructure and replacement. Beach huts and chalets continue to be in great demand and increasing the numbers available was agreed by all political parties as a way to offer those on the waiting list some hope of one day being able to rent one. Can the Council give an update on progress?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

- 46.33 The beach chalet feasibility study identified areas of the eastern seafront where it might be possible to build new beach chalets for rent. The study looked at different styles of huts and chalets that could be adopted for the new sites. In order to progress this project an architect will need to develop the concept design to the point of delivery and undertake site investigation works. A brief for this role is being developed and it is hoped that an architect will be appointed by the end of this year. Once the detailed design and construction costs have been determined the project proposal will be brought to the TECC Committee for approval to proceed.

(17) Councillor Platts: Safety on Madeira Drive

46.34 I've had cause to raise concerns about public safety on Madeira Drive on several occasions during recent outdoor events. This has included providing photographic evidence of cars and motorbikes in bike lanes, cars and bikes travelling in the wrong direction on the area marked out for vehicles, pedestrians being forced into the road because the pavements have been taken over by scooters and extended café seating areas resulting in cars then encroaching on bike lanes to avoid pedestrians and a lack of safety measures such as clear signage or marshals. Can the Council confirm whether safety measures have been reviewed in light of this information and what action will be taken at future public events to ensure the safety of all users?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

46.35 Officers are continuously reviewing safety arrangements for all Madeira Drive events given the new layout and operational requirements of the road. Future actions will include beginning the installation of event infrastructure and erection of signage earlier on the first day of event installation to avoid the peak flow of pedestrians and cyclists on Madeira Drive.

Officers have already met with the manager of the Volks Tavern and the organisers for the Mod Weekender to review arrangements for their event. This event does not currently receive Landlord's Consent from the Council but is organised, on an ad-hoc basis, by local businesses and individuals. Officers have indicated that for future events of this type, a stretch of the new cycle lane (200 to 300 metres long) would need to be suspended for the day to accommodate the safe display and parking of scooters. The parking arrangements must be managed by the event organisers, the council can assist by providing barriers. It should not be necessary to close Madeira Drive to accommodate the event providing the safety requirements requested by officers are put in place. The closure of Madeira Drive on a Bank Holiday weekend would be unpopular with traders - potentially damaging their trade and losing income to the Council through parking revenues.

(18) Councillor Platts: Welfare Benefits

46.36 Can the Council confirm the numbers of people in Brighton & Hove:

- > Likely to be affected by the loss of the £20 uplift to Universal Credit? An estimate will be acceptable.
- > Who remain in the City but have not secured pre-settled status without recourse to public funds? An estimate will be acceptable.

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

46.37 Unfortunately, the information requested is not straightforward to obtain locally but with regard to the number of people likely to be affected by the withdrawal of the £20 per week uplift to Universal Credit, the latest information available from the Department of Work & Pensions shows that as at May 2021 the city had 29,573 claimants. The £20 per week uplift was therefore worth approximately £30.8 million annually to local claimants.

Hopefully, Universal Credit claimant numbers are beginning to reduce as some economic and visitor activity has clearly begun to recover across the city, but this is clearly a significant loss of benefit. The recently announced Household Support Fund will only provide £2.1m locally and is clearly not a significant mitigation of the withdrawal of the uplift.

Regarding applicants for settled status, up to the scheme deadline of 30th June 2021 there had been 31,040 local applications with 13,320 of those applicants being granted pre-settled status. However, unfortunately we do not have information about people still needing to submit an application, but I am advised that EU citizens are still able to submit a late application to the scheme if they meet the criteria for “reasonable grounds” for missing the deadline.’

Support is still available to EU citizens needing to apply to the scheme with details available on the council’s webpages: <https://www.brighton-shove.gov.uk/brexit-brighton-hove/eu-settlement-scheme> including signposting to a Migrant Help adviser who will be able to assist with developing late applications, particularly where complexities have become apparent.

As immigration advice and caseworker support has been identified as a critical element in assisting people at risk of having no recourse to public funds, the council is also funding application caseworker and outreach support for EU citizens still needing to apply to the scheme. Development of this support has been led by Cllr Ebel, as the council’s Brexit Leader Member, in partnership with Citizens Advice Brighton & Hove and Voices in Exile. Funding for this support will come from the council’s remaining Brexit funding. Signposting information will be shared with all key city stakeholders, including members, and publicised by the council once the support goes live.

(19) Councillor Platts: Cleaning and Graffiti in the East of the City

- 46.38 There has been much coverage of cleaning the City centre as the entrance to visitors; however, the outer Wards are also being blighted by graffiti and stickers. Can the Council confirm what the plan is to tackle graffiti and what preventative action is being taken?

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

- 46.39 Thank you for your question.

The council removes offensive graffiti from all types of property across all parts of the city and aim to do this within 24 hours of it occurring. However, for other types of graffiti, Cityclean is only legally able to remove where it is on public property.

At Environment, Transport & Sustainability Committee in September 2020, the Environmental Enforcement Team were given new powers to issue Community Protection Notices for graffiti which enforce property owners across the city to take greater responsibility to remove graffiti or face fines and legal action for not doing so. Procedures to manage these processes are currently being developed and once finalised, the new enforcement approach will be implemented. This new approach has

been designed to encourage the timely removal of graffiti from private property across all areas of the city.

The Environmental Enforcement Team also use mobile CCTV units which are placed in graffiti hot spots to act as deterrents and to fine and prosecute those caught committing offenses.

A report on fly-posting, which includes stickers, is to be brought to a future meeting of the Environment, Transport & Sustainability Committee. This will include options for further enforcement measures relating to this. At present, a person has to be caught in the act of flyposting or stickering, which makes it difficult to issue a Fixed Penalty Notice to the culprits. Other means are being explored such as issuing fines to the company or promoter pertaining to the poster or sticker.

These activities are being delivered alongside the continued implementation of the Graffiti Reduction Strategy.

(20) Councillor Platts: Brighton Marathon & 10k

- 46.40 Brighton Marathon weekend was a joyful occasion, it was good to welcome its return and I was pleased to participate. I was, however, concerned by news reports that the Marathon distance was measured incorrectly and to receive an email from the organisers to say they had not applied for UKA (UK Athletics) affiliation. I understand this was due to the event being organised at short notice and the organisers were hoping to put in place a license retrospectively. UKA affiliation will be important to those hoping to qualify for other events. Can the Council confirm what action has been taken to resolve both issues which could affect future participation?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

- 46.41 Officers have spoken to the Brighton Marathon organisers about this year's event. They are upset and apologetic that the course was too long. Whilst it was measured correctly, using the usual GPS tracking system, it was put out incorrectly on the day, a simple human error.

The organisers have been in touch with their peers in the major marathon group and are working on a system where a time will be calculated from this year's event to enable competitors to register with other marathons such as London, Liverpool, Manchester and even Chicago should they so wish. The absence of a licence does not affect this.

They have already applied for the licence for 2022.

There is a full operational debrief for Brighton Marathon 2021 on Tuesday 19th October where the issues of the course and the licence are on the agenda.

(21) Councillor Allcock: Use and Cost of Agency Staff

- 46.42 What is the total additional cost to the Council of using agency staff for financial years?
- 2018 to 2019
 - 2019 to 2020

- 2020 to 2021

What agencies were used during these financial years and where are their corporate offices located?

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

Agency Name	Head Office Address	2018/2019	2019/2020	2020/2021
3D Recruit Ltd	Regent House, Mitre Way, Battle, East Sussex, England, TN33 0BQ		Yes	
BetterHealth Care	11-15 St Mary at Hill, London EC3R 8EE	Yes	Yes	Yes
Blue Arrow	800 The Boulevard, Capability Green, Luton, Bedfordshire, LU1 3BA	Yes	Yes	Yes
BRS Jobs LTD	Unit 20a Tims Boatyard, Tims Way, Staines, England, TW18 3JY	Yes		Yes
Carbon60 Limited	800 The Boulevard, Capability Green, Luton, Bedfordshire, LU1 3BA	Yes	Yes	Yes
Caritas Recruitment	4 Coleman St, London EC2R 5AR	Yes	Yes	Yes
Carrington West Ltd	Building 1000, Lakeside North Harbour, Western Rd, Portsmouth PO6 3EN	Yes	Yes	Yes
Casgo Connections Ltd	60 Lansdowne Pl, Hove BN3 1FG	Yes	Yes	Yes
Direct QSW	800 The Boulevard, Capability Green, Luton, Bedfordshire, LU1 3BA	Yes	Yes	Yes
Fircroft Engineering Services Limited	The Pinnacle, 170 Midsummer Boulevard, Milton Keynes MK9 1BP	Yes		Yes
FPR Group	22 Queens Rd, Brighton BN1 3XA	Yes	Yes	Yes
Guidant Group Direct - CST	800 The Boulevard, Capability Green, Luton, Bedfordshire, LU1 3BA	Yes	Yes	Yes
Hanover Care Limited	71 Church Rd, Hove BN3 2BB	Yes	Yes	Yes
Liquid Personnel LTD	Sevendale House, Dale Street, Manchester, M1 1JB	Yes	Yes	Yes
Logic Engagements Ltd	45/47 High Street, Cobham, Surrey, KT11 3DP	Yes	Yes	Yes
Lorien Resourcing	107 Leadenhall St, London EC3A 4AF	Yes	Yes	Yes
Macdonald and Company Freelance LTD	2 Harewood Place, Hanover Square, London W1S 1BX UK	Yes		Yes
Matchtech Group	1450 Parkway, Solent Business Park, Fareham, Hampshire, PO15 7AF	Yes	Yes	Yes
Morgan Hunt (SP)	9th Floor, 125 London Wall London, EC2Y 5AS	Yes		Yes
Morgan McKinley (SP)	1 Milkhouse Gate, Guildford GU1 3EZ	Yes		Yes
Networkers Recruitment Services Ltd	1450 Parkway, Solent Business Park, Fareham, Hampshire, PO15 7AF	Yes	Yes	Yes
Osborne Richardson	3rd Floor, 66-68 Margaret Street, London, Greater London, W1W 8SR	Yes		Yes
Permanent Futures Ltd	19 New Street, Leeds, LS18 4BH	Yes	Yes	Yes
Personnel Selection Associates Limited	3 High Street, Woking, Surrey, GU21 6BG	Yes	Yes	Yes
Premier Group Recruitment Limited (SP)	2nd Floor, Finsbury House, 23 Finsbury Circus, London, EC2M 7EA	Yes	Yes	Yes
Project Management On	4 Hoewood Small Dole, Henfield, West Sussex, England,	Yes	Yes	Yes

Demand	BN5 9YR			
Sanctuary Social Care Ltd	15 Friars Street. Ipswich. IP1 1TD	Yes	Yes	Yes
Sellick Partnership LTD	Queens Court 24 Queen Street Manchester M2 5HX	Yes		Yes
Service Care Solutions LTD	Arthur House, 12-13 Starkie Street, Preston, PR1 3LU	Yes		Yes
Seven Social Care Ltd	2nd Floor, Oberon House (B67), Adastral Park, Ipswich, Suffolk, IP5 3RE	Yes		Yes
SOLOS Consultants Ltd	Main Rd, Watnall NG16 1LA	Yes	Yes	Yes
Staff Now Ltd	Hanover House, 118, Queens Rd, Brighton, BN1 3XG	Yes	Yes	Yes
Stride Recruitment	Quay Point, 1 Northarbour Rd, Cosham, Portsmouth PO6 3TD	Yes		Yes
Tate Herts Service Delivery	800 The Boulevard, Capability Green, Luton, Bedfordshire, LU1 3BA	Yes	Yes	Yes
Tempest Resourcing LTD	2nd floor, 6 Gracechurch St, London EC3V 0AT	Yes		Yes
Tripod Partners	National House, Wardour Street, Soho, London, W1F 0TA		Yes	
Vector Recruitment Solutions Ltd	30 Holmethorpe Avenue, Redhill, Surrey, RH1 2NL		Yes	

(22) Councillor Grimshaw: School Uniforms

46.43 Have our local LA schools have any feedback on numbers of parents asking for financial support to provide uniforms? If so how many and what was the response?

How many families have been supported with assistance to purchase uniforms for the Sept 2021 term?

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

46.44 We don't have specific numbers of parents who have asked for financial support to purchase uniform, either in the past or since September 2021. Most schools donate uniform directly to pupils or their families on an ad hoc basis, and this is not typically recorded. Where financial support is provided to buy uniform this would be recorded, but not outside of the school setting.

As has been previously [reported to Children, Young People and Skills Committee](#), the Local Authority has little power over the cost of school uniforms. This is down to individual schools.

(23) Councillor O'Quinn: Recycling Rates

46.45 What were the recycling rates for the first 6 months of 2021 in Brighton and Hove?

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

46.46 Thank you for your question.

The recycling rate from January to June 2021 was 30.3%. However, caution should be taken with this figure.

A 12-month rolling total is a more accurate way of understanding the recycling rate as some recycling is seasonal e.g. garden waste, Christmas, the spring rush at Household Waste Recycling Sites and the leaf content in mechanical street sweepings.

The most up-to-date data submitted to DEFRA is a 29.7% recycling rate from July 2020 to June 2021.

(24) Councillor Childs: Divestment

- 46.47 In view of the recent acquisition of Newcastle Utd football club, by the Saudi Sovereign Wealth Fund, will the Council, in line with its commitment to women's, LGBT and human rights, write to the Chair of the Club, as well as BH Albion, to make clear that they are not welcome in our city until the Saudi Fund divests in full from the team?

Reply from Councillor Mac Cafferty, Leader of the Council

- 46.48 The response could not be provided in time inclusion with the addendum and will be provided to the Councillor following the meeting and listed in the minutes.

(25) Councillor Childs: Asbestos

- 46.49 Given that there is no safe level of asbestos exposure and that children are uniquely vulnerable will the Council agree to commit to remove all blue and brown asbestos from area occupied by children in our school and nursery estate by 2030?

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

- 46.50 The HSE do not support wholesale removal of asbestos from school buildings. One of their basic principles is that asbestos should not be removed unnecessarily, and that removal can carry more risks than leaving it in place and managing it as set out in the Control Of Asbestos Regulation 2021 – HSE. This is the approach that the Council follows, and asbestos is robustly and actively managed in our school buildings.

The council manages asbestos through non-intrusive asbestos surveys of its Estate and school portfolio that identify elements that may/or may not contain asbestos. These surveys give an indication only and whenever we undertake works to school buildings, we commission further intrusive asbestos Refurbishment and Demolition (R & D) surveys to enable us to know whether asbestos is present or not and what type of asbestos. Once known we can plan removal if required as part of the proposed works contract under controlled conditions that comply with the Asbestos Legislation.

It is impossible to quantify the scale and cost of removing all blue and brown asbestos from school buildings since the full extent of the asbestos content is unknown. This can only be found out through full intrusive surveys of the school Estate and is an approach that would carry great risks, the cost and disruption to schools would be enormous too and it is not recommended by the HSE.

The current risk assessed approach that the council adopts for managing asbestos in schools is recommended by the HSE, contains the risks of exposure and protects occupants of the schools.

It should also be noted that the Council sits on the DfE's Asbestos in Schools steering group and our approach to managing Asbestos in Schools is in line with their approach and the HSE's.

(26) Councillor Childs: Air Pollution

- 46.51 When and how will the council take decisive action to address the issue of unacceptable air pollution in London Road and Rottingdean High Street and in what timescales will this occur?

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

- 46.52 I am pleased to be able to report that our monitoring in Rottingdean High Street has recently shown evidence of compliance with national air quality standards, but some further continued improvement is required before we can confirm that levels are below the threshold that does not require an Air Quality Management Area. I am sure that our partnership working at a local level with the parish and ward councillors and the community on traffic management measures has helped to achieve this.

Although monitoring on London Road (near Queen's Place & Oxford Place) continues to show Nitrogen Dioxide levels which are greater than national standards, there has been some long-term improvement. This is positive news and in this busy area, the investment in, and introduction of, hybrid buses by the main bus company will help bring down emissions further. The continued programme of upgrading older buses with exhaust technology that we have successfully secured funding for from the government will also make a continued difference and help move towards compliance.

The preparation of a new Air Quality Action Plan, which will be available for consultation in the coming months, will set out comprehensive proposals and options to tackle sources and quantities of emissions that are harmful to public health, especially in the more confined spaces that you mentioned. The speed at which we can achieve the improvements needed in air quality will vary from area to area because each one is different. What is important is that we continue to work together in partnership to address this issue and ensure that we have enough officer resource and funding to do so. Everybody has a part to play. Raising awareness of the effects of individuals' travel decisions on other people's health is really important and encouraging and enabling travel behaviour change is critical. Reducing the need to travel by car, shifting to sustainable transport options for some journeys and enabling greater use of cleaner, low or zero emission vehicles is the way forward and these themes are at the heart of the new emerging Local Transport Plan, which is out for consultation now.

(27) Councillor Childs: Radon

- 46.53 Several areas of our city fall into medium risk areas of radon exposure. What action will the Council take to ensure:

- a) All schools located in medium risk areas are tested for radon levels and subject to suitable abatement measures should levels exceed PHEs 'target level';
- b) New planning applications in medium radon risk areas ensure appropriate testing and mitigation.

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

- 46.54 The cost of a precautionary approach needs to be balanced with other priorities. The British Geological Survey categorizes radioactive risk level based on solid rock and drift geology maps that the Council has on GIS layer. Radon is unlikely to arise from Brighton & Hove's chalk. It is low risk, particularly compared to parts of Cornwall and Derbyshire and is unlikely to require mitigation other than ventilation.

Funds are available to schools in England to monitor CO2 and air quality and this can be secured by individual schools if they considered any risks need to be tested. There is also potential for Radon monitoring to be adopted into the city's wider air quality monitoring strategy where this achieves a good value price.

Public Health England is the UK's specialist on radon and radiation protection. They have produced a Radon Action Plan (2018) and database, including identifying radon 'Affected Areas' - where at least 1% of homes are expected to be above the radon Action Level (200Bq m-3). These areas are published online (www.ukradon.org), and include parts of Brighton & Hove, on the outskirts of the built-up area. More generally, PHE runs programmes to encourage the remediation of affected homes in these areas where it is considered necessary, as set out in the Radon Action Plan.

In terms of new build, this is managed through Building Regulations. Where subsoil conditions indicate radon is an issue, buildings may be required to be constructed with protective measures to prevent radon ingress. This is normally a gas-resistant barrier at ground level.

(28) Councillor Childs: Lead

- 46.55 Lead has long been known to be harmful to young children, yet a large number of Council schools contain large amounts of lead paint in poor condition. What action will the Council take to audit the risk of lead contamination in our city schools and what action will be taken to put in place appropriate abatement measures to protect children?

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

- 46.56 Advice from the HSE website on lead paint confirms that lead pigments were widely used in paints for homes, schools, offices etc. until the 1960s. It was not removed from all commonly used paint until the early 1980s therefore it could be found underneath existing paintwork in older buildings, but no modern specification would include applying lead paint. In terms of the council specifications for works to school buildings, we assess the risk on a case-by-case audit basis and make the worst scenario assumption that all painted surfaces could contain lead and must be prepared or removed before redecoration, using methods and correct PPE that does not create dust in accordance

within HSE guidance/Control of Lead at Work Regulations 2002 and sealed with a modern paint finish.

Please note we could in conjunction with H & S colleagues look to offer more guidance to schools regarding lead paint and how to manage and specify redecoration works. To undertake an audit of painted surfaces in all of our schools would potentially be a difficult process and expensive, as multiple paint samples would have to be taken and a risk assessment-based approach as described above is more manageable for all parties.

(29) Councillor Childs: Changing Places

- 46.57 Will the Council agree to provide a Changing Places toilet at Black Rock station as part of the regeneration project in this area?

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

- 46.58 The Black Rock project is a landscaping and civil engineering project. It has one small new build classroom, and the footprint allows for 4 public toilets at one end. These are urgently needed to serve the eastern seafront area. It is not possible to amend this as all the detailed design is now complete, and there is no space or funding to redesign it.

We will ensure the future development brief for Black rock includes provision for a changing places toilet.

Nearest changing places toilets are at the Colonnade.

(30) Councillor Childs: Upper Rock Gardens

- 46.59 Upper Rock Gardens, Kemp Town, has long been misused by street drinkers and those engaged in anti-social behaviour. Will the Council agree to have the area fenced off until a longer-term decision is made on the future of this area?

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

- 46.60 The response could not be provided in time inclusion with the addendum and will be provided to the Councillor following the meeting and listed in the minutes.

(31) Councillor Childs: St James Street

- 46.61 Despite platitudes over many years, anti-social behaviour, drug crime and aggressive begging continue to plague St James St area. Will the Council arrange to meet with local councillors and Sussex Police to call for a zero-tolerance policy in the area?

Reply from Councillor Deane, Chair of the Licensing Committee

- 46.62 The response could not be provided in time inclusion with the addendum and will be provided to the Councillor following the meeting and listed in the minutes.

(32) Councillor Childs: Parking Meters

- 46.63 Council parking meters frequently prevent residents paying for the actual time used and instead for blocks of one or two hours presumably in order to extract further money from hard pressed residents. This is not the case in adjoining areas. Will the Council agree to recalibrate all meters, as is entirely possible, to allow residents to pay for actual time used in units of 15 minutes or at least for each separate hour?

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

- 46.64 The tariffs available on the P&D machines and by PaybyPhone reflect the fees and charges agreed at ETS Committee and then ultimately at Budget Council. This is, therefore, a proposal for consideration as part of the fees and charges setting budget process where changes to the fee tariffs can be reviewed and evaluated.

(33) Councillor Childs: Freshfield Road

- 46.65 Please can an update on the development of the Freshfield Rd Industrial Estate be provided?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

- 46.66 The last contact we had was in relation to the redevelopment of the Gala Bingo Hall was in 2018 but this has gone no further.

There are no updates regarding this. There have been no pre-application enquiries, planning applications, or informal discussions for some years.

(34) Councillor Childs: Queen's Park Fountain

- 46.67 Will the Council provide funding to renovate the listed Queens Park public drinking fountain which has fallen into a parlous state of repair and appearance?

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

- 46.68 A bid has been made to fund maintenance costs of the Queens Park fountain from the Corporate Plan delivery risk provision which was set aside from the 2020/21 revenue underspend. The member Budget Review Group has asked for more information on this which is currently being collated and is expected to be considered by BRG in November.

If this bid is successful it will be used to survey the structure and see what refurbishment can be done within the funds made available.

(35) Councillor Childs: Bonfire Events

- 46.69 Will the Council make a public statement and write to neighbouring local authorities and Sussex Police condemning anti-Catholic sectarian statements and imagery that

frequently appear at County-wide bonfire events and request that action be taken to prevent and/or deal with such bigotry occurring at otherwise enjoyable family events?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

- 46.70 The Council is pleased to confirm that we will be putting out a public statement encouraging residents to have a fun, safe and considerate Bonfire night. We respect and value the diverse backgrounds and experiences of all our residents and support everyone to feel safe and free from harm in their homes and neighbourhoods. Therefore, as well as urging people to refrain from burning effigies which can cause offence and harm to residents that have experienced hate due to their identity, our inclusive statement will also reference consideration of our veterans and others that that have experienced the trauma of conflict and ask people to support locally organised events rather than setting off spontaneous and random fireworks close to homes.

We are happy to write to neighbouring local authorities to encourage considerate and inclusive bonfire events.

(36) Councillor Childs: Pepperpot

- 46.71 What plans does the Council have for the Pepperpot and will it engage with the Friends of the Pepperpot and other residents to secure a more meaningful future for this listed building?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

- 46.72 The Pepperpot is currently in poor repair with a temporary internal scaffold to enable safe access. This Listed Building requires significant investment to secure a sustainable future.

Previous options working in collaboration with Friends of the Pepperpot and residents have looked at marketing it for potential commercial uses such as a café seeking investment to refurbish the ground floor area and/or working with other organisations to seek grant funding (i.e. the Landmark Trust) for significant investment into the whole structure as a potential holiday lets. Unfortunately all these attempts were unsuccessful.

Future plans had therefore been put on hold and we will re-engage with the Friends of the Pepperpot to start the conversation on exploring possible options, uses and investment opportunities to secure a more meaningful future for the Listed Building.

(37) Councillor Childs: Parking Permits

- 46.73 When will the chaos in the parking permit system, that has caused stress and misery for residents across Queens Park Ward, end? And will residents be promised waivers for PCNs issued as a result of the Council's failure to operate a basic and functioning permit issuing system?

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

- 46.74 A detailed Member Briefing was circulated on 12th October by the Head of Parking which gives a clear picture of the problems, what caused them, what we're doing to resolve them, and how we might reduce the likelihood of them recurring in future. In terms of waivers when these circumstances arise, the PCN Appeals & Bailiff team cancel the PCN. However, the customer does need to appeal the PCN for us to know there's an issue, and to be able to follow the legal rules around cancelling PCNs correctly.

(38) Councillor Childs: Pedestrian Crossing

- 46.75 Will the Council install a proper pedestrian crossings at the junction of St James St and Upper Rock Gardens?

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

- 46.76 Planned maintenance work to the traffic signals at the junction of St James St/Upper Rock Gardens/Lower Rock Gardens is set to replace the existing signal equipment. During the course of this work we will be taking the opportunity to improve the existing facilities including adding signalised pedestrian crossings to the remaining three arms of the junction. This works is being funded through a combination of the council's routine signal maintenance and LTP intelligent transport system budgets. Work is currently expected to start around the 15th November although this date may vary depending on other maintenance schemes currently in progress elsewhere in the city. We are conscious of the proximity of these works to the shopping area and church so up to Christmas we will only be carrying out tasks that can be covered up and removed from mid-December onwards and the existing signals will not be removed until after the Christmas period.

(39) Councillor Wilkinson: Cycle Hangars

- 46.77 In March of this year I asked if there were 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. I was informed that provision had been made for 100 cycle hangars. A Cycle Hangar survey is currently available to assess demand for secure on-street cycle parking that will be solely reserved for residents. Does the Chair of the Environment, Transport and Sustainability Committee believe that 100 cycle hangars is enough for our city and if the survey indicates a much greater demand, how will the council meet this need?

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

- 46.78 With many residents living in shared accommodation, flats or houses where storage space is at a premium, it can be difficult to find secure cycle storage. This can be a major barrier to those wishing to travel by bike. Storage can be especially challenging if

you use an adapted cycle. People can also face difficulties manoeuvring their cycles from inside their home onto the street outside.

Currently Council Officers are in the process of tendering the fore mentioned 100 cycle hangars to be installed and once the survey asking for residents to express interest has concluded on the 14 November 2021 an assessment will be made of this demand.

Once the 100 hangars start to be installed it will be determined as to what further provisions can be provided should demand for more be seen. Of course 100 is not going to be enough, I would like to see at least 1 on every street across Brighton and Hove.

(40) Councillor Wilkinson: Fly-tipping

46.79 Can the Chair of the Environment, Transport & Sustainability Committee please inform me as to how many prosecutions have occurred across the city in the previous 12 months in relation to kerbside/street fly-tipping?

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

46.80 *Between 1st April 2020 and 31st March 2021, 499 Fixed Penalty Notices were issues for fly-tipping. Of these:*

- *202 have been paid*
- *92 are subject to payment plans*
- *130 are awaiting prosecution*
- *75 were rescinded. This could have been due to vulnerability or lack of evidence*

The Covid-19 pandemic has led to delays in cases going to court.

Since 1st April 2021, 257 Fixed Penalty Notices have been issued for fly tipping. Of these:

- *105 have been paid*
- *37 are subject to payment plans*
- *56 are awaiting prosecution*
- *59 have been rescinded*

(41) Councillor Wilkinson: Graffiti Enforcement

46.81 Graffiti across Brighton and Hove is becoming an increasing blight on our city. It is clearly a problem that is out of control. Can the Chair of the Environment, Transport and Sustainability Committee please inform me as to how many prosecutions have occurred across the city in the previous 12 months for this act of criminal damage and does the Chair agree with me that the council should now establish an Anti-graffiti Working Group to tackle this issue?

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

46.82 Thank you for your question.

In recognition of the graffiti problem across the city, Environment, Transport & Sustainability Committee agreed the Graffiti Reduction Strategy in November 2019.

The strategy has four workstreams of prevention, removal, enforcement and monitoring/measuring. Unfortunately, work was paused due to the pandemic however has now restarted in earnest progressing the actions within the project plan in conjunction with the police, stakeholders, businesses and residents.

Recent activities with stakeholders across the city include attendance at the Joint Action Group. These meetings are co-chaired by the Chief Inspector of Sussex Police and the Safer Communities Manager from the council and is attended by many city stakeholders. The meeting allows for multi-agency round table discussion and collaborative problem solving for issues of anti-social behaviour, including graffiti. Through this joined up approach we are able to ensure that actions that are taken to address these issues are as robust and effective as possible.

Officers have already met with many local community and resident associations including the North Laine Community Association and The Roundhill Society, as well as individual residents, to understand the issues faced to ensure work being developed through the Graffiti Reduction Strategy is correctly aligned. Additionally, officers have also supported with lighting, signage and potential new planting to deter graffiti vandals in hotspot areas. Community clean ups have also been enabled in some parts of the city.

At Environment, Transport & Sustainability Committee in September 2020, the Environmental Enforcement Team were given new powers to issue Community Protection Notices for graffiti which enforce property owners across the city to take greater responsibility to remove graffiti or face fines and legal action for not doing so. Procedures to manage these processes are currently being developed and once finalised, the new enforcement approach will be implemented. This new approach has been designed to encourage the timely removal of graffiti from private property across all areas of the city.

The Environmental Enforcement Team also use mobile CCTV units which are placed in graffiti hot spots to act as deterrents and to fine and prosecute those caught committing offenses.

As part of Cityclean's prevention work, a new mural has recently been completed at The Level. The artwork, painted by a local artist and designed by young people on the theme of Biodiversity, was commissioned by Octopus Energy and will be digitally displayed at the UN Climate Change Conference of the Parties (COP26) in November.

The Environmental Enforcement Team continue to adapt their graffiti patrols based on intelligence on graffiti vandalism activities from the public and local action groups. New mobile CCTV units have been placed in graffiti hotspots to support this process. Environmental Enforcement Officers also liaise closely with the dedicated graffiti officers within Sussex Police on a regular basis undertaking joint patrols and sharing intelligence to maximise our chances in catching those responsible. Additional funding was also put in the last budget to support graffiti removal work.

I do not believe it is necessary to establish an anti-graffiti working group given all the engagement work already in train.

(42) Councillor Yates: Bin Strike

- 46.83 Can the current Leader of the Council clarify what action he took when the last Green Administration faced a similar bin strike in the city, on behalf of his Administration?

Reply from Councillor Mac Cafferty, Leader of the Council

- 46.84 In both the disputes of 2013 and 2021 I have been consistent in working to advance an end to the dispute, listen to the workforce and residents alike and champion a fairer city council. In 2019 during the last Labour administration, following a request I also attended a negotiation meeting between the GMB and Labour group during the dispute over Pride, when ACAS were called in.

(43) Councillor Barnett: St Helens Green, Hangleton - Rewilding

- 46.85 The Council has started leaving large patches of St Helens Green in Hangleton uncut.

This is unpopular with residents, who have reported that the uncut areas are being used a toilet for pet dogs, detracting from the local amenity.

St Helens Green is a conservation area and residents were not informed about the Council's rewilding policy. The Green is faced onto by many residents' bungalows who want to see it well-kept as it used to be and visually appealing but now consider it to be an eyesore.

Can the Council:

- a. Arrange to have the grass cut and return St Helens Green to its previous state so that can be enjoyed by all.
- b. In future consult residents before introducing rewilding trials.

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

- 46.86 The only wilding project currently being undertaken by the council is at Waterhall Golf Course as agreed by the TEC Committee.

In line with the 2017 Open Spaces Strategy Cityparks are continuing to encourage habitats and opportunities for wildlife to thrive within all of our open spaces including our parks and gardens. As part of the feedback to our public consultation for the Open Spaces Strategy 70% of respondents agreed or strongly agreed that we should cut verges less often and I believe these respondents would also support longer grass in parks. I am aware that there are residents who want to see close mown grass there are also a lot of people who want us to increase the biodiversity of our parks and open spaces and support the move away from close mowing the majority of our grass.

(44) Councillor Lewry: Local Infrastructure Improvements, Hangleton & Knowll

46.87 Please can you provide a progress update, including expected completion dates, for the following local projects in my ward of Hangleton & Knoll:

- a. Greenleas Park - Installation of bigger capacity bins
- b. Knoll Park – Installation of bigger capacity bins
- c. Hangleton Park
 - i Resurfacing of multipurpose play area with new astro-turf
 - ii Replacement of damaged hoardings
 - iii Installation of new basketball nets
 - iv Installation of Zip wire

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

46.88 Through the delivery of the Bin Infrastructure Action Plan, Cityclean will be introducing on-the-go recycling bins within the city's Parks. The project is beginning with an initial group of pilot sites which includes Hove Park, Stanmer Park, Preston Park, Saltdean Oval, Valley Gardens, Wish Park, and St Ann's Well Gardens.

The introduction of on-the-go recycling bins will increase the capacity available for residents and visitors to dispose of litter. The implementation of these bins is not as simple as just placing the bins. Appropriate consideration and planning needs to go into assuring suitable and regular collections.

Consequently, the project is beginning by deploying new bins to a pilot site - Wish Park/Aldrington Rec. This will allow Cityclean to assess the effectiveness of the planned service delivery model and refine it, prior to rolling it to the other pilot sites.

Also as part of the Bin Infrastructure Strategy, Cityclean is reviewing the locations of dog waste bins and seeking to replace with normal litter bins, which can also be used for dog waste. Normal litter bins are larger than dog waste bins and so through this piece of work, there is likely to be an increase in capacity for Greenleas Park and Knoll Park.

At this stage we are not putting bigger bins in either Greenleas or Knoll Park. The existing bins are the maximum size that can be emptied by hand, larger bins need to be mechanically emptied. Some of the bins are in poor condition these will be replaced in the next 6 months but with bins of a similar size. Going forward we will be looking at how we deal with parks litter with the aim of increasing recycling and at this stage we will also consider mechanised bin collection which would enable larger bins to be used.

Hangleton Park playground is scheduled to be replaced in April/May 2022 and this refurbishment will include the installation of a zip wire.

Cityparks has no budget or plans to refurbish the astro-turf pitch at Hangleton Park officers will continue to explore any additional funding that may become available to do this.

(45) Councillor Mears: Disability Beach Access Ramp East of the City

46.89 In the City Budget negotiations earlier in the year, the Conservative Group worked with the Administration to ensure a sum of £30,000 was included for a beach disability access ramp in the east of the city. The ramp is needed to address an accessibility gap in Brighton and Hove, with all the existing ramps currently located in the west of the city.

A beach access ramp would help people with a disability in the east of the city enjoy access to the coastline. Talking to residents in the east of the city, they are very keen to see such a ramp at Rottingdean Beach or Saltdean Beach to give disabled people in this vicinity access to the beach to be able to enjoy family outings.

I know that the Chair is strongly supportive of improved beach access for the disabled and shares the view of disability groups that there is inadequate provision in the east compared to the west and an accessibility gap.

Can the Chair of the Tourism, Equalities Communities and Culture committee:

- i. Provide an update on what the total beach access strategy looks like for the city's sea border so that access solutions are provided along the full stretch and all locations are equally provided for.
- ii. Confirm how many disability beach access ramps currently exist in Brighton and Hove and their locations.
- iii. Commit to progressing the £30,000 project over the winter months so that the new access ramp can be in place for people in the east of the city to enjoy by summer 2022; and
- iv. Ensure that local disability groups, including BADGE and the Brighton Beach Access Team, are fully consulted in choosing the location for this budgeted item.
- v. Advise whether a beach accessibility officer is currently employed by Brighton and Hove City Council.

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

46.90 Beach Access Team Brighton & Hove is a campaign group run by a small number of volunteers, all of whom have a disability or who provide care for somebody who does. The council has been actively working with the Beach Access Team for several years to bring about real and tangible access improvements on our beaches and seafront.

This year has seen a number of small interventions which have helped to improve access on the seafront, these include a trial of 2 seasonal pathways to the high-water mark, the opening of a new Changing Places facility at the Shelter Hall public toilets, new accessible seating and picnic tables, accessible beach platform by Brighton Seafront Office and the design of manufacture of a bespoke electric beach wheelchair which will be ready for next summer.

Alongside these improvements the team have been focusing on a site in Hove to develop an accessible beach deck to improve access onto the shingle. This was the site chosen by the public following a consultation event in August 2018 however, this project still requires funding. Now that funding is available for a ramp in the eastern

seafront the council and Beach Access Team will investigate the options for a suitable design and location in Saltdean or Rottingdean.

In terms of the longer-term strategy, an accessible boardwalk from Black Rock to Banjo Groyne is in the process of being built and should be complete by the end of this year. The Sea Lanes development is also due to be completed next year and this will include a Changing Places facility and pathway across the shingle to facilitate easier access to the shoreline. Over the winter the council and Beach Access Team will be reviewing the feedback from this years' trial of the beach mat pathways to consider if temporary pathways are a viable option and whether these can be expanded to additional locations.

It is the aim of the council and the Beach Access Team to provide a variety of interventions across all areas of our seafront to offer solutions, wherever possible, to improve access for all. The needs, aspirations and abilities of our residents and visitors are wide ranging. Therefore, there is not a 'once size fits all' solution to the difficulties encountered when accessing our shingle beaches. Some disabled people have expressed a desire to be able to independently get down to the sea to swim, while others just want to be able to get onto the beach to spend time with friends and family.

The council acknowledges that we are still a long way off from a viable solution which enables disabled people to access all areas of our beaches or the sea independently. The main reason for this is due to the complexities created from our shingle beaches and particular seafront environment. However, we are committed to exploring new ideas and technology and working creatively to overcome these issues.

(46) Councillor Bagaeen: Health Services

- 46.91 If local GPs continue to refuse to see people face-to-face, this will mean that local inequities in the city will be magnified again and again.

Will this Administration stand up for patients whose voices all too often are not heard in this city, and will the administration press its partner, the clinical commissioning group, and insist that GPs see all patients face to face without a triage screening first?

Reply from Councillor Mac Cafferty, Leader of the Council

- 46.92 You sit on the Health and Wellbeing Board and of course in such a position can ask the Clinical Commissioning Group CCG through those meetings.

Local GPs and their practice teams are working incredibly hard to provide care and support for their patients, provide appointments on a day-to-day basis that work best for the needs of the patient and keep everyone safe, address the ongoing health checks and reviews that are due as a result of the pandemic, and lead the roll out of the COVID-19 vaccination programme and the seasonal flu vaccinations.

It is important to be clear that GP practices are not refusing face to face care; every patient is assessed based on their need and anyone who needs to be seen face to face will be offered this type of consultation.

Demand for NHS services is high but in the latest data, in August alone, more than 717,725 appointments took place – 58.5% of which were face to face and that rate is increasing (57% in July). As well as face to face appointments, GP practices are also offering phone and video appointments – options to keep patients safe and provide more flexibility for those who don't need to be seen on site.

The Clinical Commissioning Group has been asked to provide some data: they work closely with GP practices in the city to make sure that they are providing the best possible care to their patients, and that the available consultations meet the needs of their patients. In September they agreed £3.6 million in resilience monies and a £16 million investment package for general practice to be spent in this financial year. Following the publication of the NHS England and Improvement guidance last week, there is currently focused work to understand what is working well, what is best practice and where improvements can be made for the benefit of the city's residents.

The Health Secretary, Sajid Javid promised GPs and their practices £26M yet only a few days ago made funding conditional on increasing the number of patients who get an in-person appointment. According to the BMA, of the 29 initiatives just seven may provide some limited or new support for general practice and these won't go far enough. The BMA described the move as a *"government completely out of touch with the scale of the crisis on the ground."*

I support the BMA's #SupportYourSurgery campaign which seeks to end the scapegoating of GPs, stop abuse of the NHS workforce and for urgent investment in primary care. I would encourage all councillors to do so too.

<https://www.bma.org.uk/advice-and-support/covid-19/gp-practices/support-your-surgery>

(47) Councillor Peltzer Dunn: Pavements

46.93 Can the Chair of the Committee advise:

- a) What are the total lengths of pavement within the city under the responsibility of Brighton and Hove City Council?
- b) How many claims have been made to the Council in respect of injuries caused through pavement accidents in the following municipal years:
 - i 2018-19
 - ii 2019-20
 - iii 2020-21
 - iv 2021-2 (to date)
- c) How many such claims have been upheld in the last twelve months and how many are outstanding?
- d) How many operatives are clearing the pavements of weeds?
- e) What proportion of streets have had their weeds cleared?
- f) What plans have been made to address the outstanding problems this year
- g) What changes are planned for next year to avoid this year's problem?

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

46.94 a) What are the total lengths of pavement within the city under the responsibility of Brighton and Hove City Council?

There is 975.67km of footway in the city

b) How many claims have been made to the Council in respect of injuries caused through pavement accidents in the following municipal years:

a. 2018-19 2018-19 60 Claims

b. 2019-20 55 Claims

c. 2020-21 45 Claims

d. 2021-2 (to date) 31 Claims

c) How many such claims have been upheld in the last twelve months and how many are outstanding?

0 Payments (upheld claims) to a claimant as a result of an injury caused through pavement accidents. There are currently 37 Claims open with outstanding reserves.

d) How many operatives are clearing the pavements of weeds?

Weed spraying has been replaced with 6 additional seasonal staff. On top of this, we have 160 street staff who clean the streets including detritus, leaves and weeds. Contractors also support the process.

e) What proportion of streets have had their weeds cleared?

20 to 30% of the city

f) What plans have been made to address the outstanding problems this year?

Many different types of machinery were trialled including different processes for weed removal. Benchmarking with other local authorities to identify solutions, including new types of machinery. Engagement with councillors and community clean-up groups continues.

g) What changes are planned for next year to avoid this year's problem?

A new mechanical weed ripper/sweeper is being ordered that will allow better removal from open spaces and wide footways such as Old Shoreham Road and New Church Road. In addition, there is a plan to replace the push weed ripper with trimmers which increase the effectiveness in terms of transport and manoeuvring.

(48) Councillor Theobald: Patcham Community Centre

46.95 When will One Parking Solution be implemented at Patcham Community Centre? Patcham Community Centre and Patcham Councillors have been requesting One Parking Solution since before lockdown, because if it is not implemented this invaluable community resource will be in danger of closing down.

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

46.96 The response could not be provided in time inclusion with the addendum and will be provided to the Councillor following the meeting and listed in the minutes.

(49) Councillor Nemeth: Active Travel Schemes

46.97 How much expenditure has been incurred on the following active travel measures:

- a) Old Shoreham Road Temporary Cycle Lane:
 - i Installation
 - ii Removal
- b) A259 Temporary Cycle Lane:
 - i Installation
 - ii Removal
- c) Madeira Drive closure scheme:
 - i Installation
 - ii Maintenance (including staffing costs at entry points)
 - iii Removal
 - iv Repurposing to new configuration.

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

46.98

- a) Old Shoreham Road Temporary Cycle Lane:
 - i Installation - **(£53,070)**
 - ii Removal - **(£74,600)**
- b) A259 Temporary Cycle Lane:
 - i Installation - **(£181,491)**
 - ii Removal - **(£5,000) low cost is due to only painting over the markings, further work will be required**
- c) Madeira Drive closure scheme:
 - i Installation
 - ii Maintenance (including staffing costs at entry points)
 - iii Removal
 - iv Repurposing to new configuration - £447,853.18 – Includes all phase scheme delivery costs

Installation and maintenance of the initial closure - the GL shows 20/21 NPCF287 Madeira Drive Emergency Closure costs £26,810.58 and 21/22 npcF Madeira Drive Emergency Closure costs £421,042.60

(50) Councillor Mears: Homeless Placements in the City

46.99 It has been reported that while Brighton and Hove City Council is placing homeless people out of area, including into Newhaven and Eastbourne, that Adur District Council is placing homeless people into Brighton and Hove.

Can the Chair please confirm:

- a) How many homeless have been placed by Adur District Council into Brighton and Hove?
- b) How many other local authorities are also placing homeless into Brighton and Hove?
- c) Are homeless placed into the City by other local authorities able to access the services they need easily?

Additional Information:

<https://www.brightonandhovenews.org/2021/10/05/while-brighton-and-hove-sends-homeless-elsewhere-adur-sends-them-to-brighton-to-hove/>

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

46.100 Thank you for your question.

We are currently making enquiries as to the number of councils in the pan Sussex area to confirm placements in the Brighton & Hove area. However there is no requirement for this data to be provided and of course it may vary day by day. Once we have more information officers can provide a fuller response.

We have no evidence to indicate that homeless households placed in Brighton & Hove by other housing authorities are facing difficulties in accessing services.

(51) Councillor Simson: Population

46.101 I refer to my previous written question from the last full council – Question 14, 15 July 2021.

This question was answered: Response to follow.

I have yet to receive a response. Please can this question be answered?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

46.102 The response could not be provided in time inclusion with the addendum and will be provided to the Councillor following the meeting and listed in the minutes.

(52) Councillor Simson: Homemove System

46.103 When the new Homemove System was brought in, it was promised that the regular feedback reports showing the details of allocations would be reinstated once the IT was sorted out.

This has never happened, so Councillors and residents are completely unaware which properties have been let to which Bands and criteria unless they request an excel spreadsheet.

Please can the Chair arrange for this to be restarted?

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

46.104 Thank you for your question.

Implementation of new system has been more problematic than anticipated but a recent system upgrade that we are currently testing will enable us to make regular feedback reports available to Members. We anticipate that this will be available within the next 8 weeks.

(53) Councillor Simson: Safer Streets Round 1

46.105 It has come to my attention that during the 2019/20 municipal year Brighton and Hove City Council was contacted by the Office of the Police and Crime Commissioner and offered an opportunity to participate in a joint Sussex bid for Round 1 of the Government's Safer Streets Fund.

Brighton and Hove had been identified by the Office of the PCC as statistically the area most in need of crime prevention infrastructure.

Despite this ranking and offer, Brighton and Hove City Council did not choose to participate in the joint bid.

As a result our City missed out on funding, which went to Eastbourne and Hastings Councils which did progress applications and were awarded £893,366.

It is appreciated that this occurred under the previous Labour administration but can the Chair of the Committee please investigate what happened and answer the following questions:

- a) Does the Council have a skills or capacity gap in applying for funding opportunities from the Government?
- b) Was there a lack of oversight from the Chair of the TECC Committee on this matter which meant that the City missed out on funding?
- c) Can the Administration put in place a plan to fill any fundamental skill gaps or capacity issues so that the city does not miss out on vital funding in the future.

Further information: <https://www.sussex-pcc.gov.uk/about/news/pcc-secures-nearly-900k-for-safer-streets-in-eastbourne-hastings/>

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

46.106 Officers were approached by Sussex Police about safer streets round 1 funding which they were leading on with the Sussex police and crime commissioner. At the time there were capacity issues for staff to contribute fully to a bid, as officers were at that time working on the development of the Community safety strategy. Officers did submit a bid for safer streets round two funding but were unsuccessful. The City council in conjunction with colleagues from East and West Sussex and the OSPCC have recently successfully bid for safer streets round three funding which specifically looks to address violence against women and girls. Both a primary and secondary bid were submitted, and both were successful. Officers are currently waiting to hear whether a further bid for funding to address violence against women and girls in the night-time economy is successful. The Council regularly successfully bids for funding from a wide range of Government programmes.

(54) Councillor Simson: Congestion

46.107 The Council's decision to reduce the capacity of Lewes Road has had a knock-on effect in Woodingdean, with traffic using Falmer Road as a bypass.

There are now fears that the Council's changes at Valley Gardens will cause further congestion in the inner city and displace more cars to Falmer Road and in Woodingdean and this is causing great concern in the community.

A local resident has previously suggested the idea of improving traffic flow on Lewes Road by making the bus lane flexible in a similar way to smart motorways, allowing the bus-lane to be re-repurposed for cars when demand for buses is lower, for example when the Universities are out.

Will the Council consider this as a plan to reduce congestion on Lewes Road?

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

46.108 The Lewes Road corridor is a heavily used multi model corridor that is used by residents and students to access the universities, which is why the bus lane was introduced to encourage both walking and cycling. While it is an interesting idea to change the use during the times when the universities are out there are a number of issues to consider. These are:-

- Changing the times of bus lane restrictions on road would be confusing when the times of the university change so often
- It would encourage people to abuse the lanes and likely lead to more cars being fined due to the confusion
- The road is also a major commuting route with large number of people using public transport and increasing capacity even for a short time will encourage them to swap back to the car
- Recent evidence of smart motorways being implemented also demonstrates some issues with the schemes, in particular raised by drivers (as can be partially understood through, for example, RAC surveys)

For all of these reasons I would not support any change to the Bus Lane restrictions.

(55) Councillor Simson: Falmer Road Crossing

46.109 Now that the work has been completed to widen Falmer Road walking and cycling path, will the Council prioritise the installation of the promised crossing across Falmer Road to link the Falmer Road Path and the Drove Road Path?

This simple addition of a crossing would in one stroke create a safe integrated active travel network in Woodingdean and for those enjoying the South Downs National Park.

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

46.110 A proposal for an informal crossing at this location was presented to stakeholders prior to the completion of the path upgrade with a view to implementing it at the end of the construction phase. Unfortunately, there are many physical challenges to installing a crossing at this location and it was the view of some of the stakeholders that the required design compromises would have resulted in a crossing that did not meet the

needs of the users of the path. As in interim measure, we are in the process of putting together a phase one of improvements which will seek to tackle the key concerns of visibility and vehicle speed. We are also gathering further data on speeds and use in order to inform any future considerations for this site. Details of the phase one scheme were sent to you via email on 3rd September. If you would like to discuss this further, then please speak to the relevant officer directly.

(56) Councillor Simson: Bus Services

46.111 Falmer has become an increasingly important hub in Brighton and Hove for all its residents, providing a major source of employment and major education, sport and recreation facilities.

Falmer is now set to also become a health hub for Brighton and Hove's resident following the announcement from the Government that it will be the site of one of 40 Community Diagnostic Centres to be set up across England to clear the NHS backlog caused by the pandemic.

The Amex Community Diagnostic Centre will provide a one-stop-shop for key testing to catch up and boost early diagnoses, speed up and increase referrals.

This will include a full range of scans and tests for patients to identify illnesses at the earliest signs and will achieve quicker diagnoses for patients through easier, faster, and more direct access to the full range of scans and tests needed to understand patients' symptoms – including breathlessness and cancer symptoms.

It is fantastic that Brighton and Hove is in a position to host one of these centres and great for local residents and it is now important that all parts of the city are fully connected to this facility.

There is currently no direct bus connection between Woodingdean and Falmer, something residents have been calling for, for many years.

Will the Council, which heavily subsidises Brighton and Hove busses, take this opportunity to request Brighton and Hove busses or other bus providers introduce a direct Woodingdean to Falmer bus route?

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

46.112 I am happy to instruct officers to put this suggestion to operators, but they are only likely to run this service if they deem it commercially viable. Should an operator decide to trial a service and it does not make a profit then the Council would have to step in to subsidise the service which would carry an unquantifiable financial risk. The draft BSIP approved at the September ETS contains the following commitment.

The council will work with operators and neighbouring authorities to explore how services to areas to the north of Brighton & Hove can be enhanced.

I have to challenge the assertion that the Council 'heavily' subsidises Brighton & Hove Buses, at least in normal, non-Covid times. The Council does indeed pay B&H buses

to run supported services which would otherwise be commercially unviable such as school services, Breeze up to the Downs and parts of the 21 route. It also pays bus operators generally for concessionary travel under the English National Concessionary fares scheme. It has been distributing additional DFT mandated payments under Covid Bus Services Support grant and Bus Recovery Grant to keep commercial services going when passenger revenue collapsed during the pandemic, but it is worth noting some of these grants are now being phased out as we transition out of Covid restrictions.

(57) Councillor Simson: Homeless Placements in Woodingdean

- 46.113 a) How many from the homeless register have received assistance with privately renting in Woodingdean during the following municipal years?
- i) 2019-20
 - ii) 2020-21
 - iii) 2021-2 (to date)
- b) How many of these had previously been rough sleeping and were sufficient support mechanisms put in place bearing in mind their isolated location?
- c) Are there proper support services in place for homeless people entering private accommodation?

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

- 46.114 Thank you for your question.
- i) 2019-20 – 4
 - ii) 2020-21 – 4
 - iii) 2021-2 (to date) – 7

Seven of the clients accommodated during this period have been referred through our street outreach service or were threatened with homelessness during the Covid-19 period. Southdown, a housing and support provider, has been specifically commissioned to provide support to single vulnerable clients, including those with a history of rough sleeping.

The Direct Lets Team currently supports people to whom we have accepted a statutory duty to accommodate under the Homelessness Reduction Act and helps to sustain those tenancies. Third sector providers work in partnership with the Direct Lets Team to support clients who were referred through the street outreach service. We have strong links to a network of public and third sector support agencies and provide a wraparound tenancy sustainment package for the clients we place.

(58) Councillor Nemeth: Tree Garden Removal

- 46.115 In the absence of Council action on the matter, hundreds of residents have started to maintain areas around tree bases outside their homes. In many cases, they have created beautiful tree gardens that bring joy to passers-by.

Sadly, the Council has destroyed several of these gardens when carrying out works on or around the trees without reference to gardeners or neighbours.

It is of course the case that the Council owns the land around the trees and may not have a legal duty to consult anybody. However, given that residents already feel so let down by the lack of maintenance, and that they have put so much help into proactively assisting the Council, it is quite simply wrong that their work is being destroyed in this manner.

What protocols can be put in place to avoid such a situation continuing?

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

- 46.116 Neither Cityparks or its contractors are aware of destroying any planting around tree bases. There should be no structures put around trees and if there are these will be removed however we welcome the effort residents put into improving their streets by planting herbaceous plants around tree bases. In most cases the council will not know who has been working on a particular tree base, it would not be practical for the council or its contractors to locate the person who has planted a tree base and consult them prior to working on a tree. The only time that planting will be destroyed is when stumps are removed however it is quite possible that some damage is done to it during routine pruning operations.

I will ask officers to offer to meet Cllr Nemeth to look at the tree bases in question to check that our staff and contractors are not causing unnecessary damage to residents planting schemes.

(59) Councillor Pissaridou:

- 46.117 Concerns have been raised to me by residents in my ward who are parents whose children, age 12-15, attend senior schools across the city and who are worried about the current spread of Covid-19 locally.

There are four schools in North Portslade including a Special school, with two of them teaching Years 7-11.

The latest figures from the ONS (Office of National Statistics) show that the percentage of people testing positive for COVID-19 this week (October 8th) was highest in secondary school pupils Years 7-11 with the daily percentage trebling since the return to school in September after the summer break.

Can you tell me

How many children aged 12-15 locally have contracted COVID-19 since the return to school in September on a week-by-week basis and how many of those were in the clinically vulnerable category but now no longer shielding and had to return to school or are living with people who are still considered to be clinically vulnerable?

How many children are currently off school due to a positive COVID-19 test and given the figures vary week by week, is the trend similar to the national trend?

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

- 46.118 There are still high numbers of Covid cases in school and college aged children and young people in the city and I know we'd all agree that efforts must be maintained to control possible infection and reduce the rate of transmission.

On our [public key stats page](#) we show the rate of new confirmed COVID-19 cases by broad age group, which shows the rates in the city remain highest in those aged 0-14 years.

The [government COVID-19 dashboard](#) breaks this down further, with the rate by 5 year age band.

Our public health team at the council receive further detailed data usually on a daily basis on the Covid cases in the city. This data is confidential and cannot be shared publicly as it is personal sensitive health data. It is however used proactively to monitor the situation, both generally across the city but also in particular areas, particular age groups and in particular settings including schools. In addition to this, our Education and Skills team ask the city's schools to update them when they have positive cases. The Education and Skills and the Public Health team are currently meeting daily, given the ongoing high Covid rates, to look at this data and to consider what support can be best given to schools.

47 ORAL QUESTIONS FROM COUNCILLORS

- 47.1 The mayor noted that 18 oral questions had been submitted and that 30 minutes was set aside for the duration of the item.

(1) Councillor Allcock: Subject matter: Staff Performance & Development

- 47.2 Councillor Allcock asked a question relating to staff performance and the process for individual reviews with managers. He noted that it was well known that good staff performance was underpinned by effective and consistent management and support. The Council primarily aims to achieve this through regular one to one meetings between managers and their staff and through the annual Performance Development Plan or PDP process which all employees are required to participate in. The results of the recent staff survey revealed that 65% of Council staff responded positively to the question. My performance development plan review is held in a meaningful way. However this represents only half 56% of the total workforce and is two percent down on the previous results. The levels of completion of annual PDP's and the delivery of one-to-one meetings have been consistently low over recent years, with approximately 4 out of 10 staff missing out. In addition, results of the Staff survey show that black or Black British colleagues were less satisfied than the overall cohort of respondents on the question of whether the PDP was held in a meaningful way. So that's 57% compared with 64% that feel the PDP was meaningful. Asian or Asian British colleagues were also less likely by 5 percentage points to say that they have one to one meetings with their manager every four to six weeks in 2021 was 9% lower than in 2019. Now I'm sure Councillor Gibson would see these results as telling at a time when

there are so many concerns raised by residents about poor Council performance and would also consider that the findings on their ethnicity brings shame to us all.

So my question is, what meaningful steps are the administration putting into place to improve these results on PDP completion and one to one support meetings in a meaningful and speedy way?

- 47.3 Councillor Gibson replied, the council has a process in place for regular 121 meetings where staff meet with line managers to cover work objectives, wellbeing and future development. A more detailed annual meeting (Performance and Development Plans) takes place to set objectives annually and to ensure there are clear links to directorate and organisational objectives. For our leadership network, a rated appraisal process ensures transparency and consistency in the management of the council's senior managers. These processes are supported by a comprehensive learning and development offer, with some mandatory training for induction, new managers, and recruitment. I do accept that improvements can be made and would be happy to discuss this further outside of the meeting.
- 47.4 Councillor Allcock asked the following supplementary question; will you agree to investigate the reasons for the lower response rate and look into ways to improve this?
- 47.5 Councillor Gibson replied, yes, I am hopeful that we will see an improvement in the level of responses and satisfaction in the PDP process in the next staff survey.

(2) Councillor Bell: Subject matter: Industrial Relations

- 47.6 Councillor Bell asked whether the Leader of the Council had any regrets in regard to the recent handling of the latest industrial dispute?
- 47.7 Councillor Mac Cafferty replied the council continues to work collaboratively with its Trade Unions to make the council a fair and inclusive employer, and where possible resolve issues at an early stage. Where there are disputes, we aim to understand the issues being raised by Trade Union colleagues and seek ways to resolve concerns. We proactively hold consultation meetings at both a corporate and departmental level and have well established processes that ensure we work with TU colleagues on matters such as our budget setting process and any staffing changes to our organisational structures. Following previous discussions with TU colleagues, the council has recently appointed a TU Relations Manager, to reflect our joint ambition to reduce the number of disputes and ensure a collegiate and collaborative environment, where concerns can be addressed openly. My only regret is that we weren't able to be joined by your good colleagues in our decision to get rid of some of the lowest pay grades across the council.
- 47.8 Councillor Bell asked a supplementary question, before the elections back in 2019, there was a peer review where it said that this Council, in its entirety, had to have a complete reset with the unions. If our relationship is still in need of a reset, I'd like to know what plans there are to ensure that we do not end up in a similar situation to the one we have experienced over the recent months?

- 47.9 Councillor Mac Cafferty replied, you're right to remind us about what was said through the Local Government Association peer review. There is always a way of reviewing what is going on and we must understand some of the challenges that have that have come up. However, some of the issues that were raised have been long-standing and will need to be worked through by all parties concerned collectively if changes were to be made and the welfare of staff improved.

(3) Councillor Appich: Subject matter: Care Staff

- 47.10 Councillor Appich asked a question concerning the shortfall of care staff both in home and residential care across the city.
- 47.11 Councillor Shanks replied, there is a crisis across the country at the moment and we have high demand for health care in the city, particularly for people wishing to remain in their own homes and we are looking at how to recruit more staff and support them.
- 47.12 Councillor Appich noted the information and stated that she would be keen to explore retention measures and recruitment options with the Chair outside of the meeting.

(4) Councillor Bagaeen: Subject matter: Performance on Climate Change

- 47.13 Councillor Bagaeen asked how the council was addressing the issue of climate change and what measures were being put in place to help such as the installation of charging points.
- 47.14 Councillor Mac Cafferty replied, the council is taking a number of actions to address the situation and will need to work with other organisations if a real difference is to be made. The council is monitoring carbon emissions and a report will come to committee in due course, but the expectation is that we will see an improvement.
- 47.15 Councillor Bagaeen asked a supplementary question and for clarification as to how the Council planned to measure the level of carbon emissions and its position in relation to the Carbon Disclosure Project and how will it manage the impact on its residents?
- 47.16 Councillor Mac Cafferty replied, the Council is developing a carbon emissions plan and the Working Group will take lead, but a number of the actions could not be completed earlier due to the need to develop the plan. He hoped that once the plan was in place it would alleviate a number of concerns and answer questions that were being raised.

(5) Councillor Pissaridou: Subject matter: Adult Social Care

- 47.17 Councillor Pissaridou asked if the arrangements for the discharge of patients from hospital could be reviewed as she believed it was not working well. She referred to a case of a person who should have been in hospital for a two-night stay but because of a lack of care staff remained in hospital for a further ten days. This had a significant impact on the person and their family and meant they had to wait longer for post-operative care to be put in place.
- 47.18 Councillor Shanks replied, I believe that there is a discharge process in place which looks at what assistance may be required after a person leaves hospital. However, it

does appear that something went wrong and perhaps the case can be looked at by the appropriate bodies to see whether changes need to be made to the process.

47.19 Councillor Pissaridou asked a supplementary question; can the Chair confirm how the discharge process is funded and assure residents that there is adequate funding to meet their needs.

47.20 Councillor Shanks replied, it is difficult to confirm as funding for adult social care comes from government and although there is an intention to increase this, it is not known how and when it will be provided. In the meantime there are pressures on the budget which we are trying to address.

(6) Councillor Platts: Subject matter: Rats

47.21 Councillor Platts asked a question relating to the increase in rats in areas of the city and what action was being taken to address the situation.

47.22 Councillor Heley replied she had not been aware of the situation in the areas referred to but would raise this with officers and ensure that action was taken to address the matter.

47.23 Councillor Platts asked a supplementary question and queried whether the Chair agreed that the rat problem had been exacerbated by the overflowing bins due to either there being an insufficient number or collections?

47.24 Councillor Heley replied that she would be happy to look into the situation and to see whether additional bins were required and what other action could be taken to alleviate the problem.

(7) Councillor McNair: Subject matter: Bin Strike Compensation

47.25 Councillor McNair asked what compensation residents could claim as a result of missed rubbish collections due to the recent strike action.

47.26 Councillor Heley replied, the council had apologised for the disruption caused during the industrial action and a clean-up process had begun but it was not possible to offer any compensation.

47.27 Councillor McNair asked a supplementary question, what improvements to the refuse collection service could residents expect to see now that the strike was over?

47.28 Councillor Heley replied, there is a modernisation programme underway, and this should see improvements to the service being implemented.

(8) Councillor Fishleigh: Subject matter: Real-Time Air Quality Monitoring

47.29 Councillor Fishleigh asked if the Chair could provide an update on the roll-out of real time air quality monitoring.

- 47.30 Councillor Heley replied, the issue was recently raised at committee and an in-depth report was due to be brought to a future committee meeting and officers were investigating the potential use of mobile air quality equipment that could be used to provide information.
- 47.31 Councillor Fishleigh asked a supplementary question, was it possible to give a timeline for the report and data from the air quality monitoring.
- 47.32 Councillor Heley replied, she would need to speak to officers and could then inform Councillor Fishleigh.

(9) Councillor Wilkinson: Subject matter: Service Delivery Criss

- 47.33 Councillor Wilkinson asked, what action was being taken to address the volume of complaints that all Members were receiving about the delivery of basic council services. There were problems with refuse collections, graffiti and being able to obtain parking permits for example. Whilst it was recognised that the pandemic had been a factor there was a need to get services back working effectively.
- 47.34 Councillor Heley replied, it is recognised that there are issues affecting the delivery of services and staff were working to address these and the situation was being scrutinised by the ET&S Committee with regular updates being brought to Members. There was a modernisation programme being followed and this should see improvements coming to fruition.
- 47.35 Councillor Wilkinson asked a supplementary question, do you agree there is a problem and if not, why are councillors receiving so many complaints?
- 47.36 Councillor Heley replied, there are issues that need to be tackled and the ET&S Committee was working to ensure these could be resolved, and she looked forward to working with the Councillor to ensure that solutions could be found.

(10) Councillor Simson: Subject matter: Missed Funding Opportunities

- 47.37 Councillor Simson asked whether the Administration had taken up the opportunity to bid for funding support from the Police & Crime Commissioner towards making the city streets safer?
- 47.38 Councillor Powell replied, officers had been working with the Police & Crime Commissioner to support the council's safer streets project but due to staffing pressures it was not possible to complete the necessary bids for funding. Officers were working on developing the Community Safety Strategy and then with the start of the pandemic it led to officers being asked to lead on emergency planning matters and other related issues. However, bids were submitted for the round two of Safer Streets and one was successful and subsequently for round three which will see support for the night economy project to improve street lighting.
- 47.39 Councillor Simson asked a supplementary question as to whether the capacity issues for staffing had been resolved?

- 47.40 Councillor Powell noted that significant funding had been put into supporting domestic violence projects and a Working Group was currently looking at the impact of the contractual changes and procurement process. As part of this a new staffing structure was also being progressed and a report would be coming to the next TECC Committee in November. She also noted that officers continued to put bids forward for a wide range of government programmes when capacity allowed, and this would continue under the new structure.
- 47.41 The mayor noted that the 30 minutes set aside for the item had been reached but that there was general consent for questions to continue and therefor stated that he would continue for a further 10minutes.

(11) Councillor Henry: Subject matter: Rubbish Collections

- 47.42 The question was asked on Councillor Henry's behalf, what plans are there to recruit more permanent staff in City Clean to ensure that rubbish and recycling rounds can be completed on time?
- 47.43 Councillor Heley replied, an offer had been put forward by the management team and it was hoped that this would be accepted by the trade union and then implemented.

(12) Councillor Mears: Subject matter: Repairs Backlog

- 47.44 Councillor Mears asked what action was being taken to address the backlog of housing repairs?
- 47.45 Councillor Gibson replied, as Members will be aware there has been a pandemic which has impacted on the service and the ability to carry out repairs, with only essential repairs being undertaken. Whilst all repairs are being logged, there is a need to prioritise the work.
- 47.46 Councillor Mears asked a supplementary question, there are 277 empty properties awaiting to be released. How will this be achieved and what extra costs will be incurred by tenants and leaseholders in contributions to the Housing Revenue Account following the decision to bring the repairs service back in house?
- 47.47 Councillor Gibson replied, it was hoped that more properties could be made available, and officers were working with contractors to enable this to happen. He could not comment on the HRA at this point but would ensure Councillor Mears received further information.

(13) Councillor Fowler: Subject matter: Blakers Park Playground

- 47.48 Councillor Fowler stated that she had received complaints about the lack of consultation in regard to proposals for Blakers Park and asked if the delayed improvements over the summer would be taken forward and residents consulted?
- 47.49 Councillor Heley replied, there are published plans for the park, and it is open for use. Unfortunately the completion of the works was delayed due to unforeseen issues but

these have been addressed, and she was happy to put the councillor in touch with the playgrounds officer who can provide more information.

47.50 Councillor Fowler asked a supplementary question, I note that there have been incidents of anti-social behaviour in the park and damage to the equipment reported in the press, will action be taken to address this and ensure the park is safe to use?

47.51 Councillor Heley replied, I will ask officers for an update and provide you with a written response. She also noted that local ward councillors had set up a local action team and that would be a good forum to raise issues and discuss matters like this.

(14) Councillor Grimshaw: Subject matter: Football Pitches

47.52 Councillor Grimshaw stated that she had been disheartened to see the poor state of facilities and local pitches for grassroots football and asked if any action was planned to improve the conditions for those that took part in the games and came to watch?

47.53 Councillor Heley replied, she would ask officers to provide the details for the planned works for these.

47.54 Councillor Grimshaw asked a supplementary question, will sufficient funding be identified in the budget for next year to ensure that pitches and facilities can be maintained?

47.55 Councillor Heley replied, it is important to provide these facilities and she hoped that funding could be found, and she would continue to lobby the government for more funding.

47.56 The mayor stated that the time for oral questions had gone beyond the 30 minutes set aside for the item and therefore the remaining questions would be carried over to the next meeting.

(15) Councillor Williams: Subject matter: Fuel Poverty

(16) Councillor Evans: Subject matter: Women's Safety

(17) Councillor O'Quinn: Subject matter: CAHMS

(18) Councillor Childs: Subject matter: Telephone Boxes

47.57 He then adjourned the meeting for a refreshment break at 6.40pm.

47.58 The mayor reconvened the meeting at 7.10pm and informed Members that during the recess a councillor had received a positive PCR result. Having consulted with Group Leaders and being mindful of the health & safety of Members and officers it was agreed that the meeting should be curtailed. There was one time sensitive motion which he would take and all other items requiring discussion would then be deferred and others noted.

47.59 The mayor then invited Councillor Appich to move the notice of motion concerning fair trade, item 53 on the agenda.

48 REVIEW OF THE WASTE & MINERALS PLAN - PROPOSED SUBMISSION

48.1 RESOLVED:

- (1) That the summary of the issues raised in the consultation on the Waste and Minerals Local Plan – Proposed Submission Revised Policies (WMRP) carried out between 11 May and 3 August 2020 (set out at Appendix 1) be noted;
- (2) That the WMRP (along with the other proposed submission documents referred to in Appendix 2) for statutory public consultation in accordance with Regulation 19 of the Town & Country Planning (Local Planning) (England) Regulations 2012 be approved;
- (3) That the subsequent submission of the documents to the Secretary of State under Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations 2012 subject to no material changes, other than alterations for the purposes of clarification, improved accuracy of meaning or typographical corrections, being necessary be authorised; and
- (4) That the Head of Planning be authorised to agree any draft 'main modifications' to the WMRP necessary to make it sound and to authorise the publication of such draft modifications for public consultation save that should any draft modification involve a major shift in the policy approach the draft modification shall be referred by the Head of Planning.

49 COUNCIL & COMMITTEE MEETINGS - OCTOBER 2021

49.1 The item was deferred.

50 RESPONSE TO MEMBERS LETTER: FREEDOM OF INFORMATION REQUESTS

50.1 **RESOLVED:** That the report be noted.

50(A) CITY CLEAN DISPUTE RESOLUTION

50.2 **RESOLVED:** That the report be noted.

51 GETTING COUNCIL SERVICES BACK TO WORK

51.1 The item had been deferred.

52 HOUSING REPAIRS

51.2 The item had been deferred.

53 FAIR TRADE CITY

53.1 The Notice of Motion as listed in the agenda was proposed by Councillor Appich on behalf of the Labour Group and formally seconded by Councillor Osborne.

53.2 The mayor then put the following motion to the vote:

This Council notes:

1. That Brighton & Hove was awarded Fair Trade City Status in 2004, and renewed this in 2015;
2. That a continued commitment to Fair Trade was agreed by the Policy & Resources Committee on 6 June 2016, and reaffirmed by a Notice of Motion to the Tourism, Equalities, Communities & Culture Committee on 24 September;

This Council recognises:

1. That significant progress has been made in promoting Fair Trade products across the city as part of its good food standards, and that the importance building on that progress remains crucial today;

Therefore, this Council:

1. Reaffirms its continued commitment to Fair Trade by formally supporting the renewal of its Fair-Trade City Status;
2. Confirms its continued and ongoing commitment to Fair Trade as part of its Food Standards;
3. Grants delegated authority to the Chief Executive to offer the Council's support for future applications for renewal of Brighton & Hove's Fair Trade City Status.

53.3 The mayor confirmed that the motion had been **carried**.

54 POOR CONDITION OF PAVEMENTS IN BRIGHTON AND HOVE

54.1 The item had been deferred.

55 FOSSIL FUEL NON-PROLIFERATION TREATY

55.1 The item had been deferred.

56 PROTECT RESIDENTS THIS WINTER

56.1 The item had been deferred.

57 VIOLENCE AGAINST WOMEN AND GIRLS

57.1 The item had been deferred.

58 COUNCIL PLACEMENT OF HOMELESS PEOPLE AND ROUGH SLEEPERS

58.1 The item had been deferred.

59 CLOSE OF MEETING

59.1 The mayor thanked everyone for their understanding and closed the meeting.

The meeting concluded at 7.23pm

Signed

Chair

Dated this

day of

2022

Brighton & Hove City Council

Council

Agenda Item 65

Subject: Written questions from councillors.

The following questions have been received from Councillors and will be taken as read along with the written answer which will be included in an addendum that will be circulated at the meeting:

Date of meeting: 3 February 2022

(1) Councillor Yates:

Can the Chair of Housing please outline, since the introduction of funding and policy to (re)purchase properties for council tenants under a previous Labour Administration.

1. how many properties have been purchased in each financial year?
2. what was the total purchase cost in each year?
3. what was the budget available in each year?

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

(2) Councillor Fishleigh:

Please outline what services NSL has provided to BHCC since 2016 and how much the contracts are valued at?

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

**(3) Councillor Fishleigh
Electric Bin Lorries.**

In September last year, the first electric bin lorry was announced. Please could I have an update on BHCC's progress rolling out all-electric bin lorries. I have these specific questions:

How many EV lorries are now deployed/how many are on order?

What is the make/model of the new lorries?

How much has each lorry cost to purchase or hire? (If hire how long is contract for?)

Where has the money to purchase come from eg Cityclean's annual budget

How much would a replacement diesel bin lorry be?

How does cost/rubbish capacity for EV compare to diesel lorries?

How many hours does each EV lorry take to charge?

Where/how are lorries charged - electric, diesel or other?

How long does the charge last in terms of a round?

Any problems with breakdowns/coping with steep hills?

Any problems with the refuse workers/GMB as a result?

How many rounds have successfully been completed using new EV dustbin lorries?

How do crew complete their round if a lorry runs out of electricity part-way through and how is their time used? Do they revert to a spare or diesel lorry or do they have to wait around for hours for lorry to charge?

Are new lorries proving more or less reliable/efficient than diesel lorries?

Were old lorries sold or scrapped and how much did council receive for the fleet if they were council property?

What is the net carbon saving per electric lorry by comparison and taking all efficiency factors into consideration?

Cllr Lloyd said that changing the fleet over from diesel will save 7,500 tonnes of carbon dioxide over the course of nine years. Please would you tell me how these figures were reached.

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

(4) Councillor Grimshaw:

I have a resident in my ward who has had no shower for 5 weeks. She was told as she had a bath it was not an emergency despite her being disabled and unable to get in the bath. Why are people's disability needs not taken into account when housing repairs are sought? If assessments need to be done, how can this process be speeded up to ensure a waiting time is not 5 weeks plus?

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

(5) Councillor Childs

In view of the anniversary of Bloody Sunday on Sunday 30th Jan, will the administration agree to write jointly on behalf of the City, to His Excellency, the President of the Republic of Ireland and His Excellency, the Right Reverend Archbishop of Armagh, to express our sympathies and solidarity with the people of Ireland, whose unarmed relatives and countrymen were murdered by occupying English colonial forces in 1972?

Reply from Councillor Mac Cafferty, Leader of the Council

(6) Councillor Childs

Following repeated requests, when will the Council agree to lend a space for the Albion Community to emplace a self-funded shipping container community bike workshop in the Community Centre Car Park?

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

(7) Councillor Childs

Despite being promised an additional carton recycling bin at the Queens Park Recycling Site over 18 months ago and despite numerous reminders, nothing has transpired. When will the promised receptacle be provided?

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

(8) Councillor Childs

Following repeated requests, when will funding be made available to renovate the listed Queens' Park Drinking fountain?

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

(9) Councillor Childs

Will the Council agree review the possibility of a footbridge over Edward St by the Amex redevelopment?

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

(10) Councillor Childs

Why does the Council continue to ignore the residents of Freshfield Road and refuse to install a crossing for St Luke's children and genuine speed abatement measures on this dangerous stretch of road?

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

(11) Councillor Childs

Will the Council join us in sending solidarity to teachers at Brighton Girls in dispute with their employer the Girls Day School Trust who have proposed to end their access to the Teachers' Pension Scheme and will they agree to write to the Trust requesting they withdraw this proposal?

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

(12) Councillor Childs

Will the Administration join us to give thanks to Mr Mark Wall, for his exemplary long service and commitment to democracy and civic life in Brighton and Hove and wish him well when his coming retirement?

Reply from Councillor Mac Cafferty, Leader of the Council

(13) Councillor Childs

Is the apparently close relationship the Council has with the Clinical Commissioning Group / Sussex Integrated Care Board in the best interests of Brighton & Hove patients?

Will the Council insist in an fora to which it belongs or makes representations to, relationship or agreement that it reaches that:

- a. Sussex ICS guarantee an A&E in the City free for all (something the NHS Bill doesn't offer) and
- b. guarantees free face-to-face appointments with a GP and,
- c. a comprehensive health service equal to that currently provided.

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

(14) Councillor Childs

Will the Administration agree to negotiate with Patcham and Dorothy Stringer High Schools to facilitate the use of the Council owned Patcham and Surrenden swimming pools for the public?

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

(15) Councillor Childs

Will the Council consider changing the crossing opposite Brighton College from a zebra crossing to traffic lights or installing a footbridge to ease traffic jams?

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

**(16) Councillor Barnett
Benfield Valley**

In letter correspondence to Hangleton & Knoll Councillors, the Sussex Wildlife Trust has said that Brighton and Hove City Council has incorrectly included Benfield Valley as a site for development in City Plan part 2. The letter states:

The NPPF is clear that Local Plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the locally designated sites such as Benfield Valley LWS and as such the existing designation should protect the site. Unfortunately BHCC have not complied with this, so our Conservation Policy & Evidence Team is awaiting the publication of the Inspector's Matters, Issues and Questions for the Examination in Public (EiP) of the CPP2 and will submit further representations at this time and will attend the EiP hearings.

Will the Administration now remove Benfield Valley as an urban fringe development site in City Plan Part 2, as it has done for Horsdean Recreation Ground in Patcham?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

**(17) Councillor Lewry
Speeding in Hangleton & Knoll**

Residents are concerned about more cases of speeding cars in Hangleton and Knoll, including in the following streets:

- Amberley Drive
- Downland Drive
- Poynings Drive
- Hangleton Road
- Hangleton Way

Can the Chair advise:

- a) Is the Council aware of any plans to install speed cameras in these roads?
- b) Would the Council support the rollout of community safety initiatives similar to those in operation in other local authorities where local Residents' Associations are provided with speed guns and training to help monitor speed and provide feedback.

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

**(18) Councillor Peltzer Dunn
Platinum Jubilee programme of events**

- a. In an answer to my previous written question of 15 July 2021 (Question 29, Civic Honours Competition), the Leader of the Council stated that he was considering whether the city would participate in the Platinum Jubilee Civic Honours Competition.

The Leader of the Council stated there were three areas of this programme that the city was eligible to apply for, including:

- i. Investment;
- ii. The granting of existing cities with Lord Mayoralty;
- iii. Tree Planting initiatives.

Can the Leader of the Council please provide an update on whether the Administration decided to proceed with participation in the above categories of the Civic honours' competition?

- b. Please can the Administration provide a timetable of events in Brighton and Hove for celebrating the Platinum Jubilee, including,
 - i. Events organised by the Council
 - ii. Events planned in partnership with the Council or that the Council is aware of.

Reply from Councillor Mac Cafferty, Leader of the Council

**(19) Councillor Theobald
Madeira Terraces restoration delays**

Following funding secured in previous City Budget rounds (including £4.1535m last year) and fundraising efforts of members of the public, Brighton and Hove City Council currently has around £12,000,000 available dedicated to the restoration of the Madeira Arches.

This funding is enough to complete the first two phases of the work and restore 80 of the 150 arches along Madeira Drive.

Work was meant to get underway last year, however the start date for the restoration appears to have again been delayed, with the Council's website now stating work will not begin until Autumn 2022.

Can the Leader of the Council advise:

- a) Why the start date for the Madeira Drive project has been delayed for a year?
- b) Why other projects along Madeira Drive such as road layout changes and cycle lane installations have been prioritised over the Madeira Terraces restoration.
- c) What the revised timeframe is for Phase 1 and Phase 2 of the Madeira Terraces restoration.

This is a very important project for our City with many residents wanting to see this get underway and be treated as a priority project from the Council, particularly after Madeira Terraces were recently added to the 'at risk' register by Historic England.

It would be a boost for residents and local groups such as Save Madeira Terraces Campaign if the work got underway as soon as possible during this Platinum Jubilee Year.

Reply from Councillor Mac Cafferty, Leader of the Council

(20) Councillor Theobald Pavilion Gardens Public Toilets

The public toilets at Pavilion Gardens are in a terrible state and antiquated.

Many residents have complained over the past few years as have I (and I have submitted questions at Council), but their appalling state has not improved by the Council.

These facilities are in Brighton's main tourist and heritage zone which is visited by many people and the continuing poor state of the public conveniences reflects very badly on the City.

The toilets have been targeted by antisocial behaviour; however the Council has recently received a Safer Streets Fund Round 3 Grant of £69,969 for improvements to lighting and the installation of CCTV in Pavilion Gardens.

Can the Chair advise:

- a) Whether the Council has a plan to upgrade the Pavilion Gardens public toilets?
- b) If not, will the Council commit to developing such a plan?
- c) What is the timeframe for the rollout of the Safer Streets Fund Round 3 grant project in Pavilion Gardens?

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

(21) Councillor Mears Saltdean Beach

Residents in Saltdean have reported a need for additional signage at Saltdean Beach to advise residents about the seasonal conditions.

Will the Council commit to:

- a) Installing more obvious signs to show that Saltdean beach is a dog free beach in the summer.
- b) Putting in place clearer information to show when the sea at Saltdean Beach is polluted.

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

(22) Councillor Mears

Beach Hut Feasibility Plan

In the City budget the Conservatives secured a number funding for measures for beach huts in the city, including:

- a) £0.250m capital investment including for Beach Hut infrastructure and replacement
- b) £0.010m one-off resource to support a feasibility study for new beach huts

Can the Chair advise the current status of the above funding measures (a) and (b)?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

(23) Councillor Simson

Drink-spiking in the City

Can you please advise what the Council is doing over the following?:

1. Raising awareness publicly and amongst licensees and door supervisors at our pubs and clubs in Brighton and Hove of:
 - a) The prevalence and increase in drink-spiking in the City
 - b) How they can recognise that a person may not be drunk but may have had their drink spiked; and
 - c) The availability of drink-spiking test kits and the possibility of being stocked with such kits in their venues.
2. Ensuring that Safe Space, Beach Buggy and other similar initiatives are provided with test kits.

Reply from Councillor Deane, Chair of the Licensing Committee

(24) Councillor Bell

Council's policy for re-instating pavements.

There have been several recent examples across the city where pavements are being poorly reinstated by the Council or by the Council's contactors under the direction of the Council's policy.

Examples include:

- McWilliam Road in Woodingdean, where half of the attractive pavement slabs have been removed and replaced by tarmac, upsetting local residents; and

- Preston Park Avenue, where the Brighton Society have raised concerns about paving slabs being replaced by tarmacking in a conservation zone.

In the case of Woodingdean, the contractor has said that the tarmacking that took place followed a Council policy.

Can the Council advise:

- a) What is the Council's current policy on the re-instatement of pavements?
- b) Where have these pavements slabs been taken after they have been removed?
- c) Given recent controversies, will the Council reconsider its pavement re-instatement policy and re-issue advice to its contractors and its Department?

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

(25) Councillor Brown

Anti-social behaviour (football-related)

Residents in the King George VI Drive/Woodland Avenue/Three Cornered Copse area have reported a number of issues that occur on matchdays when football matches are being played at the AMEX stadium, including:

- The residential streets in the area are being used for parking by supporters to access the bus network across Dyke Road Avenue to get to the AMEX with many instances of bad parking in the area, which also leaves local roads cluttered and residents unable to park;
- Rubbish is being dropped and left behind in the area on match days, particularly in the Three Cornered Copse, leaving the area in a bad state for several days.
- There has been a recent occasion where offensive graffiti was painted on a garden wall on the day of the Crystal Palace match, upsetting the affected residents and the Residents' Association.

I have had the graffiti removed; however it does seem that the Council needs to put in place a plan to deal with this growing problem.

Can the Council advise:

- a) Does Brighton and Hove Albion FC have a community liaison officer that could liaise with the local Goldstone Valley Residents' Association on issues such as this?
- b) Will the Council proactively work with the local Goldstone Valley Residents' Association and Brighton and Hove Albion FC to investigate this issue and put in place a plan to ensure that it stops occurring in the area on match days?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, Equalities, Communities & Culture Committee

(26) Councillor Miller

Budget measures progress

Can the Chair provide an update on the progress of the following Budget measures, agreed to at the City Budget in March 2021:

- a) £0.080m capital investment for the upgrade and refurbishment of seafront shelters
- b) £0.008m revenue to create a capital pot of £0.104m for the climate assembly action plan.
- c) £0.075m funding to remove, for a period of 3 years, the £0.025m savings proposals in the Schools Standards and Achievements service as shown on page 85 of the agenda to support post Covid recovery and attainment in schools.

Reply from Councillor Mac Cafferty, Leader of the Council

(27) Councillor Bagaeen

Getting the Council back to work

What Covid rate would the administration and council leadership consider a reasonable rate that would convince them to get back to the town halls and back to work?

Reply from Councillor Mac Cafferty, Leader of the Council

(28) Councillor Bagaeen

Hove Park

At the previous meeting on 16 December, in response to my Oral question, the Leader of the Council indicated that he would provide an answer in writing to me.

This answer has yet to be provided.

Please could this written response now be provided?

Reply from Councillor Mac Cafferty, Leader of the Council

(29) Councillor Nemeth

Beach Hut Licence Fee

What consultation was carried out with Hove Beach Hut Association, which exists to ensure a great working relationship between the Council and hut owners, over the proposed 10% licence fee rise?

Reply from Councillor Osborne / Powell, Joint Chair of the Tourism, equalities, Communities & Culture Committee

(30) Councillor McNair

Loss of trees in Braypool Lane

Trees suffering from Dutch Elm disease were recently felled in Braypool Lane, Patcham, seriously affecting residents with increased noise and air pollution. This loss of trees has not only affected residents' health but also their mental health and security, with graffiti artists now targeting their properties. National Highways and Kier have been very forthcoming in trying to listen and help residents replace their trees, which we are very grateful

for. However, residents feel the Council could also help with this dire situation:

- a) Can the Council provide residents with a detailed map of land ownership of Braypool Lane and its surrounding area? This will reduce confusion between National Highways and the Council, and help residents ask the right body in matters such as this, expediting help.
- b) Can the council provide the report they sent last year to National Highways and Kier regarding the latest round of tree-felling in Braypool Lane?
- c) Can the council provide a detailed report of tree-felling and Health & Safety pruning plans over the next year for Braypool Lane residents, and Patcham & Hollingbury residents in general?
- d) Can the council assure residents that the Council will contact residents in good time, that is at least a month in advance, of any tree-felling, and not leave it to National Highways and Kier to do the messaging?
- e) Can the Council reassure residents that it will support them in their request for a sound barrier in Braypool Lane to reduce their noise and visual pollution?
- f) Can the Council assure residents that any trees felled on Council land will be replaced, and that the Council will support residents with requests for tree-replacement on land connected with National Highways?

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

(31) Councillor Wilkinson

Nottingham City Council has had a Workplace Parking Levy since 2012. This has raised more than £64m towards sustainable travel. Nottingham now has the highest public transport use rates in the whole of Britain, something that has contributed to taking the equivalent of 2.5 million car journeys off its road networks every year. Not only has this resulted in a 33 per cent fall in carbon emissions, but it has also led to more businesses wanting to locate their premises in Nottingham due to its improved environmental credentials. A number of UK cities are considering the introduction of a Workplace Parking Levy (WPL). These include Leicester, Bristol, Reading, Oxford and Birmingham. In London, it is hoped that introducing WPLs will contribute to the city's goal of ensuring 80% of journeys are made through walking, cycling or public transport.

Does the Administration have any plans to introduce a Workplace Parking Levy in Brighton and Hove and if not, can it do so in order to fund sustainable travel and/or public transport initiatives in the city?

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

(32) Councillor Wilkinson

Back in January 2021, The ETS Committee noted analysis and outcomes of initial feasibility work on creating a Liveable City Centre and expanded Ultra Low Emission Zone (ULEZ) options for the city. It agreed that it should be developed further through more detailed, quantified assessments, which will

include the development of business cases and plans for engagement and consultation to identify preferred options for each project.

- a. What progress has been made with this and are there any plans for an expanded ULEZ to cover the whole city for all vehicles and not just buses?
- b. Will the administration explore initiatives to introduce differential parking charges for vehicles emitting higher levels of pollution?

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

(33) Councillor Wilkinson

Brighton and Hove's first climate assembly brought together a representative group of the city's population to explore how we combat climate change over the next decade. The first session looked at Transport and will be used to inform our carbon neutral programme and our approach on how to make transport work for everyone in the city, reduce carbon emissions and address the climate emergency.

Will the Administration be holding any further sessions on other important topics related to the climate emergency?

Reply from Councillor Mac Cafferty, Leader of the Council

(34) Councillor Wilkinson

Can the Administration provide details of missed collections of refuse and recycling across Brighton and Hove on a ward-by-ward basis for the last year?

Can you supply reasons for missed collections and how the missed collections were remedied?

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

(35) Councillor Wilkinson

Can the Chair inform me if the council is currently in a contract to supply gas and if so, who that contract is with? When did it begin and when will it expire? If the council is in a gas supply contract, is it based on brown gas or the more expensive, environmentally friendly green gas?

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

(36) Councillor Wilkinson

How many affordable or social homes to rent have been approved across the city on a ward-by-ward basis over the last year through the planning process, and how many of these have been built?

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

(37) Councillor Wilkinson

The number of people sleeping rough in the UK has multiplied since 2010. Shelter revealed 274,000 people were homeless in England alone in December 2021.

But in Finland's capital Helsinki, rough sleeping has been almost eradicated thanks to a groundbreaking scheme. There is a principle that Finnish local authorities must stick to – at least a quarter of homes within each housing project must be genuinely affordable. Brighton and Hove City Council must be brave enough to follow this example.

What is the administration currently doing to eradicate homelessness in Brighton and Hove and in doing so explaining the plans they are making to get families out of temporary accommodation?

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

**(38) Councillor Grimshaw
School bullying**

There has been a posting on social media about the bullying of an autistic child at one of our local academy schools, it was very distressing to read. The school in question does not appear to be dealing with the matter and other parents commented that their child has also suffered bullying which has gone unchecked. What influence can BHCC have as the local authority on bullying issues within academies in our city?

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

Brighton & Hove City Council

Council

Agenda Item 66

Subject: **Council Tax Reduction Review 2022-23.** Extract from the proceedings of the Policy & Resources committee meeting held on the 2 December 2021

Date of meeting: 3 February 2022

Report of: Executive Director for Governance, People & Resources

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

Ward(s) affected: All

For general release

Action Required of the Committee / Council:

To receive the report from the Policy & Resources Committee for consideration and the recommendations for approval.

Recommendations:

- (1) That the introduction of a revised Council Tax Reduction Scheme based on earnings brackets for working age Universal Credit claimants be agreed;
- (2) That Council Tax Reduction claimants who are not recipients of Universal Credit should remain on the existing Council Tax Reduction scheme; and
- (3) That the fund for Discretionary Council Tax Reduction be set to £200,000 in 2022/23.

BRIGHTON & HOVE CITY COUNCIL

POLICY & RESOURCES COMMITTEE

4.00pm 2 DECEMBER 2021

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Mac Cafferty (Chair) Druitt (Joint Deputy Chair), Gibson (Joint Deputy Chair), Allcock (Joint Opposition Spokesperson), Appich (Joint Opposition Spokesperson), Bell (Group Spokesperson), Clare, Evans, Miller and Yates.

Also present: Dr Anusree Biswas-Sasidharan, Standing Invitee

PART ONE

68 COUNCIL TAX REDUCTION REVIEW 2022/23

68.1 The Acting Chief Finance Officer introduced the report which detailed the review of its working age Council Tax Reduction Scheme. He noted that it was proposed to make fundamental changes to the scheme and to adopt a revised scheme to come into effect from the 1 April 2022. He also noted that officers had received positive feedback from various groups that had been consulted.

68.2 The Committee welcomed the report and the proposed changes to the Scheme and expressed their thanks to the officers involved for their hard work. Members of the committee also queried whether other income from various sources such as second homes and pensions schemes came into consideration when assessing eligibility for the scheme.

68.3 The Acting Chief Finance Officer stated that he would need to check on whether other sources of income were taken into account and would provide a written response to the committee Members.

68.4 The Chair noted the comments and put the recommendations to the vote which were carried unanimously.

68.5 RESOLVED TO RECOMMEND:

- (1) That the introduction of a revised Council Tax Reduction Scheme based on earnings brackets for working age Universal Credit claimants be agreed;
- (2) That Council Tax Reduction claimants who are not recipients of Universal Credit should remain on the existing Council Tax Reduction scheme; and
- (3) That the fund for Discretionary Council Tax Reduction be set to £200,000 in 2022/23.

Council

3 February 2022

Agenda Item 66

Brighton & Hove City Council

Subject:	Council Tax Reduction Scheme Review 2022/23		
Date of Meeting:	3 February 2022 2 December 2021 – Policy & Resources Committee		
Report of:	Acting Chief Finance Officer		
Contact Officer:	Name:	Paul Ross-Dale	Tel: 01273 29
	Email:	Paul.Ross-Dale@Brighton-Hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The local Council Tax Reduction Scheme helps thousands of households on low incomes to pay their Council Tax by providing a discount to their tax liability. The Council is required to review its working age Council Tax Reduction scheme on an annual basis and form a view as to whether changes should be made. There are opportunities to improve the scheme, including the level of support available to claimants, but this must obviously be balanced with the financial cost and affordability of any changes to the scheme.
- 1.2 Where changes are proposed, there is a legislative requirement which stipulates that councils must undertake appropriate and proportionate consultation with their residents and local taxpayers.
- 1.3 This report summarises the case for making fundamental changes to the scheme and sets out recommendations for a revised scheme to be introduced from 1 April 2022 including the outcome of consultation which the Committee must take into consideration in making any recommendations.

2. RECOMMENDATIONS:

That the Policy & Resources Committee recommends to Council that:

- 2.1 The Council agree to introduce a revised Council Tax Reduction scheme based on earnings brackets for working age Universal Credit claimants.
- 2.2 Council Tax Reduction claimants who are not recipients of Universal Credit should remain on the existing Council Tax Reduction scheme.
- 2.3 The fund for Discretionary Council Tax Reduction be set to £200,000 in 2022/23.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Legislation requires Local Authorities to design and administer their own local Council Tax Support scheme for working age residents. To date, the Brighton and Hove Council Tax Reduction Scheme (CTR) has been based primarily on

the previous government Council Tax Benefit regime, a means-tested scheme that was superseded by the local CTR scheme in 2013.

- 3.2 For Pensioners, the local CTR scheme continues to follow the same means-tested rules as Council Tax Benefit as this part of the scheme cannot be altered by local authorities.
- 3.3 Whilst changes have been made to the working age CTR scheme over the years, the core assessment principles have remained the same. Entitlement is based on an assessment of income and savings, taking into account the household makeup and assumed living costs.
- 3.4 In December 2019, a Green Group amendment to the CTR review report called for a report on options to improve the support provided by the CTR scheme, and align it with changes in the overall Welfare system. The advent of the pandemic meant that this options review could not be undertaken for the 2021/22 scheme, however, the 2022/23 scheme review addresses this requirement and considers potential options. In particular, the review considers a move to an earnings related assessment which is aligned with the Universal Credit welfare benefit assessment.

Potential Earnings Brackets Scheme

- 3.5 Instead of gathering detailed information from a resident about their circumstances, household and income, an Earnings Brackets scheme looks purely at a person's net earnings, as set out on their Universal Credit claim.
- 3.6 Earnings refers to money earned from employment, whereas income is total money received, including from earnings, benefits and pensions, and so on. An Earnings Bracket scheme is based purely on net earnings, not other income.
- 3.7 To optimise the value and spread of discounts as far as practicable, the following earnings brackets are suggested following consultation with key stakeholders and money advice partners:

Level	Weekly Earnings from...	...to	Proportion of Council Tax bill payable	Proportion of Council Tax bill discounted (i.e. not payable)
1	0.00	69.99	18%	82%
2	70.00	£99.99	40%	60%
3	£100.00	£129.99	60%	40%
4	£130.00	£169.99	80%	20%
5	£170.00	£249.99	90%	10%
6	£250.00	-	100% (i.e. no CTR awarded)	No discount, not eligible for CTR

Why Change to an Earnings Bracket CTR Scheme?

- 3.8 From a resident's point of view, the current Council Tax Reduction scheme can cause confusion and difficulty, because it is now out of step with Universal Credit assessment.
- 3.9 Universal Credit (UC) is assessed by the Department of Work and Pensions (DWP) and it adapts and changes each month, according to a household's earnings. This can result in a different amount of Universal Credit being paid each month. Each time UC changes, the DWP notifies the council, and officers then check to see whether the changed income affects CTR eligibility. The CTR is reassessed if necessary, and a new Council Tax bill is sent.
- 3.10 This can mean that new Council Tax bills are sent monthly, leading to confusion as to how much a household is expected to pay towards their Council Tax. A further problem is that constantly renewed bills means that where a household is falling behind, the triggering of reminders is continually deferred. This can lead to the household building up arrears month on month because they will not receive reminders for some time. This is unhelpful as avoiding arrears build up is critical for people on low incomes and is known to help financial planning and stability.
- 3.11 All of the above combines so that there is a lack of transparency in Council Tax Reduction, and the erratic nature of the entitlement and billing cycle makes it harder for households to budget for.

Broadening Eligibility

- 3.12 Another issue with the current scheme is that earnings have to be very low in order to qualify for even the smallest amount of help. Although the amount can vary depending on circumstances, the cut off is generally £8,000 per annum, or £175.00 per week. This results in many applicants not qualifying for help, even though they are still on a low income.
- 3.13 Feedback from previous consultations, alongside case studies of CTR, and feedback from other sources and partners, suggests that households who are "just about managing" need more support. These are households who are close to qualifying for primary benefits, like UC or Housing Benefit, or CTR, but miss out because they are just above the income thresholds. However, there is evidence that many people in this situation are finding themselves in great financial difficulty because of their debt, employment and housing situations. This often makes them as vulnerable, or in some cases more vulnerable, than households who receive help from benefits.
- 3.14 Until the 2021 Spending Review, the government had been reducing local government core funding year on year since 2010/11, which means that government support for local CTR schemes has been reducing. In addition, the funding for the administration of Housing Benefit, which will eventually be phased out as more people move to UC, is also reducing. However, the administration involved in keeping claims up to date is actually increasing while funding reduces. This is because when a household is on Universal Credit, the DWP sends the council notifications every month to advise that their entitlement has

changed. Council officers then have to administer any knock-on changes to the CTR entitlement. Non UC claimants tend to have far fewer changes and usually less frequently than monthly, so this means that the more people there are on UC, the more administration is involved in keeping claims up to date. This is not sustainable in the longer term with current admin budgets and resources.

- 3.15 The proposal covers only those who are on Universal Credit. If a household is still on a legacy benefit, such as Housing Benefit, and has not yet moved over to Universal Credit, they should remain on the current CTR scheme. This is because the CTR claims for this group tend to be more stable and less prone to monthly change. It also means that there will be a natural transition of the caseload from one scheme to the other, in line with the eventual migration of remaining legacy benefits onto Universal Credit. It is expected that by April 2022, around 50% of the CTR working age caseload will be on UC.
- 3.16 The expected advantages and benefits of the new UC CTR scheme include:
- (i) It will be simpler to understand;
 - (ii) It will be more generous to families with children, including lone parent families, and in particular low income, working households;
 - (iii) More households will be entitled to it. Generally, households will be able to earn up to £250 per week before they stop being entitled to CTR, equivalent to earning the 2021 minimum wage for 35 hours a week;
 - (iv) Changes to CTR only happen when a band is jumped, meaning that the amount of Council Tax left to pay will not change so frequently;
 - (v) Fewer Council Tax bills will be sent, resulting in more clarity and greater ability to plan household budgets. It will also mean that debt situations will be visible sooner, which in turn means that signposting and referral to support and debt advice can be provided sooner.

Options for the Non-Dependant Deduction

- 3.17 A non-dependant is an adult who lives in the household, but is not a partner or a teenager, and is still dependent – for example, because they are in education. It could be for example, an adult son or daughter who is working or unemployed and who still lives with their parents.
- 3.18 In the current CTR scheme, non-dependants are expected to contribute to the council tax bill, so a “non-dependant deduction” is made from the amount of discount awarded. However, the amount of deduction made depends on the non-dependant’s situation. For example, if they are working, and earn £300 per week, the deduction from the weekly CTR would be £14.90 according to the following table:

Non-Dependent Deduction (Weekly)	Income bracket (Weekly Income)
£7.40	Up to £202.85
£14.90	£202.85 to £351.64
£18.80	£351.65 to £436.89
£22.50	More than £436.90

- 3.19 The proposal is to remove these income brackets from the proposed banded CTR scheme and to set the deduction to a single figure of £8.00 for any level of income. This would simplify the scheme further and sets the deduction toward the lower end of the current scale. Setting the non-dependant deduction at £8.00 is incorporated into the estimated cost of the proposed scheme. The legacy scheme rules for Non-Dependents would remain unchanged.

Possible adverse impacts of the proposed new scheme

- 3.20 Analysis has been undertaken about the impact of the new scheme on households, and whether any would be financially worse off. The analysis suggests that of the cases that would move over to the new scheme (around 6,300), 80% would see no change to their entitlement. 15% would be better off. 5% would be worse off (approximately 315 cases).
- 3.21 Around half of the 5% group lose less than £2 per week and two thirds lose less than £3. Around 60 cases from the overall working age caseload of around 12,000 would lose out by more than £5.
- 3.22 The analysis also revealed that there would be a significant amount of financial mobility in the 5% group, due to their fluctuating income. Over the course of two months, half of this group are no longer likely to be comparatively worse off, as they will have moved into other earnings brackets that result in higher CTR.
- 3.23 Very few households with dependents are affected adversely. Analysis suggests only 4, although it should be noted that these are indicative and the household circumstances may have changed by April 2022.
- 3.24 In terms of how the 5% group is made up, broadly speaking, it would be working claimants with higher Council Tax liabilities. Couples tend to feature in the 5% group more than single claimants.
- 3.25 One group of customers who do appear to feature in the 5% group are some of those who are already affected by the Benefit Cap. This is where a household's overall income, including benefits, exceeds £258 per week (single people) or £385 (couples), and the government reduces their benefits so that they do not receive more than the cap. Many of these households already receive Discretionary Council Tax Reduction in addition to their main CTR award, dependent on certain conditions. It is likely that the discretionary help would continue where appropriate, and so the impact may not be substantial. These families will also already be within the purview of support and advice services who will be working with them to help them improve their financial sustainability and/or housing situation.

- 3.26 The council can establish transitional protection in situations where changes to the CTR scheme may have a negative impact. However, the impact in these examples is limited to a relatively small proportion of the caseload, and the duration of the impact is likely to be short. It would not be proportionate to set up transitional rules and more complexity in the system for this small number of cases. Instead, the preferred option is to use the Discretionary Council Tax Reduction budget in individual cases and in situations where they present to the council in hardship.

Discretionary Council Tax Reduction

- 3.27 Discretionary Council Tax Reduction (DCTR) can be awarded on top of the main CTR entitlement. The DCTR fund is intended to cover situations where households are experiencing more extreme hardship and need extra assistance in addition to their CTR. It can be used to top up the DCTR award partially, or up to 100%, leaving no Council Tax to pay.
- 3.28 DCTR is also used to mitigate individual cases of hardship caused by changes to the CTR scheme. Whilst analysis suggests that such negative impacts will be minimal, applications can be looked at on a case by case basis.
- 3.29 For 2021/22, the budget for DCTR was set by the council at £0.200m. Demand for extra assistance has been strong this year and it is anticipated that DCTR awards will exceed the budget. However, extra DCTR funding has been allocated as part of the Household Support Fund, which has been given to the Local Authority by the government to support vulnerable residents over the winter. It is unknown how the pandemic and other economic factors will drive demand for DCTR next year, but it is recommended that the budget for 2022/23 is maintained at £0.200m.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 One of the main alternative options would be to leave the scheme as it currently stands, and not introduce an earnings bracket scheme. The scheme could be left the same, or it could be tweaked within the existing parameters to become more supportive. However, with UC numbers increasing all the time, retaining the same scheme will eventually become unworkable. More and more Local Authorities are now moving to banding / earnings brackets schemes for this reason.
- 4.2 There are a number of different possible variations in how an earnings bracket scheme could be set up. The gaps between the brackets could be changed, and so could the discounts in each bracket. However, the proposed brackets are designed to strike a balance between simplicity and responsiveness to people's changing circumstances.
- 4.3 The brackets could have been set so that the cost of the scheme remained neutral compared to the current scheme. However, this is not consistent with the intention of the member amendment which required officers to look at options to improve the level of support provided by the scheme. The cost of the scheme is important in the context of the council's overall finances but there were also severe practical limitations in being able to achieve cost neutrality. This is

because most people on CTR (over 90%) currently receive the full possible discount, i.e. 82% reduction. To maintain all of those people on the equivalent amount of discount, it means there would only be sufficient budget to provide a 20% to 30% discount to all other claimants. This would not provide effective support for low earners.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 A public consultation was held from 7 September 2021 to 18 October 2021. 278 responses were received, following a news story at launch and an email mailshot to 15,000 residents in the city. The email targeted a random sample of residents, including a mixture of those claiming CTR and those who did not. The Community and Voluntary Sector were also consulted in special briefings, as were Revenues and Benefits staff, who are responsible for administering the scheme and have a good insight to customers views and experience.
- 5.2 Three open consultation sessions were set up for the Voluntary Sector. Feedback was positive, and encapsulated in some of the points raised by the resultant response from the Moneyworks and Advice Matters partnerships. It was felt that the earnings bracket approach was much better for clients, as advisors themselves found it difficult to predict if their client would be successful on the old scheme.
- 5.3 The Moneyworks/Advice Matters partnership also fed back about the detail of the bandings, suggesting that the first two bands in the original proposals should be merged to create a larger band that could earn up to £69.99. This feedback has been accepted and the bandings have been adjusted accordingly in the recommendations of this report. The partnership also highlighted how it might be possible for some clients to inadvertently jump two bands on just a £20 change in weekly earnings because those particular bandings (3 to 5) were too close together. This feedback was also accepted, and the £100.00 to £119.99 band was altered to be £100.00 - £129.99 to avoid this scenario.
- 5.4 It was also highlighted by the partnership that in other areas of benefit administration (outside of CTR), a person's age can often result in them falling into a bracket where they receive less benefit. The partnerships therefore recommended that there should be an additional discount for young people. This has been considered, but it would add in a further complexity to the scheme and create a specific cohort of vulnerability when many other equivalent cohorts could also require support. This could be revisited for subsequent reviews of the scheme when the experience of operating an earnings banding scheme, if approved, can also be taken on board.
- 5.5 On the point of Non-Dependant Deductions, the CAB recommended removing the deduction entirely. Alternatively, were this not possible, a further recommendation was to consider disregarding income for Under 25's. Whilst this has been given consideration, the additional change will not be practicable for the forthcoming year, as the measure would result in significant additional extra cost to the scheme, and the council must balance competing funding priorities for local services.

- 5.6 In the public consultation, conducted by survey on the council's Consultation Portal, there was strong support for the measures. 62% agreed with the principle of aligning CTR more closely with UC, compared with 19% disagreeing. 66% agreed / tended to agree with the proposal of introducing an earnings bracket scheme, with 20% disagreeing. There was even stronger support on the question of whether the scheme should be made more supportive, with 74% either strongly agreeing or tending to agree.
- 5.7 The detail of the scheme was supported but with a more mixed range of views. When asked "how much do you agree or disagree with the proposed earnings brackets?", 48% agreed/tended to agree, whilst 31% disagreed/tended to disagree.
- 5.8 On the question of Non-Dependants, 70% agreed that the rules should be simplified, with only 13% disagreeing. 36% felt that the proposed £8 non dependant deduction was set at a fair amount, with a further 10% feeling that it should be less than £8, and 18% saying that it should be removed altogether. In contrast, a minority of 24% felt that the amount should be higher.
- 5.9 The Police and Crime Commission and Fire Authority were also consulted. The Fire Authority did not support the proposals. Their full response is incorporated into Appendix 1, but a summary is included below:

Council Tax is our most important funding stream (70% in 2021/22). The Authority will need to take account of any further reduction in the council taxbase on its income when considering options for achieving a balanced budget for 2022/23 and beyond. Given the scale of the financial challenge, which cannot be met by efficiencies alone, this may mean that the Authority has to revisit its Integrated Risk Management Plan 2020-25 and consider further changes to the service it provides across the communities of East Sussex and Brighton & Hove, including those who are most vulnerable.

- 5.10 The Police and Crime Commissioner (PCC) is currently considering the proposals and a further discussion was held on 17 November between the PCC's Chief Finance Officer and the council's Revenues & Benefits service. The PCC's official response was not received in time for the release of this report, but is imminent and the Policy & Resources Committee will be updated verbally with details of the PCC's feedback.

6. CONCLUSION

- 6.1 The proposed new UC CTR scheme would enable the council to modernise its approach to Council Tax Support in a way that is complementary to the workings of Universal Credit. The proposals will also mean that more households will be supported with CTR than at present.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Changes to the CTR scheme affect the Council Tax base and the estimated income from Council Tax overall, as well as the income generated within

Brighton and Hove for Sussex Police, and East Sussex Fire & Rescue Service (the precepting authorities). The Council Tax Base is agreed each year in January in advance of setting the budget in February.

- 7.2 The financial cost of any changes to the scheme is also dependant on the number of working age claimants. Since March 2020, the impact of the pandemic resulted in an increase of 15.6% in working age claimants, peaking in June 2021. The number of claimants has been falling since June and it is projected this will continue.
- 7.3 The proposed changes to the CTR scheme are estimated to cost £0.390m of which the council's share is £0.331m with the remainder impacting the precepting authorities. This will be reflected in the Council Tax base report in January 2022. For information, the forecast cost of the overall scheme (i.e. value of discounts for both pensioners and working age) in 2021/22 is £20.129m of which the council's share is £17.109m. The proposals will increase the cost as stated together with any approved Council Tax increase, however, there will be some offset from the expected reduction in working age claimant numbers compared to the current year for which final estimates will be developed for the Tax Base report to the January Policy & Resources Committee.
- 7.4 To provide a discretionary fund of £0.200m will require a commitment to identify £0.190m one-off resources for the 2022/23 budget.
- 7.5 The changes to the scheme will support more efficient administration allowing the service to reduce costs and offset, in part, the annual reductions in government grant funding for administration and meet the budget savings target of £0.250m deferred from 2021/22 due to the exceptionally high demands placed on the service by the pandemic.

Finance Officer Consulted: James Hengeveld

Date: 10/11/2021

Legal Implications:

- 7.6 Paragraph 5 of Schedule 1A of the Local Government Finance Act 1992 requires a billing authority, such as the council, to consider each financial year whether to revise its Council Tax Reduction Scheme or to replace it. Any such scheme must be made before 11 March in the financial year preceding that for which the revised scheme takes effect. Major precepting authorities and such other persons as the council considers are likely to have an interest in the operation of the scheme must be consulted where a new or revised scheme is proposed. The consultation measures set out in section 5 of the report satisfy the legislative requirements.
- 7.7. Under Part 3 of the council's constitution, and section 67(2) (aa) of the 1992 Act, the making of a revised CTR scheme is reserved to full council. Under Part 6 of the constitution, the Executive Director of Finance & Resources has, subject to any general guidance or limitation imposed by the relevant Committee, delegated power to exercise the council's functions regarding the Council Tax Reduction scheme. Any changes to the scheme, such as an increase in the calculative elements of the scheme, prescribed by national legislation will be made under delegated powers.

Lawyer Consulted:

Name Liz Woodley

Date: 15/11/2021

Equalities Implications:

- 7.8 An equalities impact assessment has been carried out and is included at Appendix 2.
- 7.9 The proposed new UC scheme represents an expansion of support, as it brings more households into CTR entitlement. It also removes some of the limitations and complexities introduced in previous years of the CTR scheme. This is likely to have a positive impact on protected characteristics generally. There are also some additional benefits for most of the protected characteristics in making the scheme more transparent and easier to understand.
- 7.10 One identified impact is potentially on Benefit Cap households, as outlined in the main body of the report. However, the impact would be on a small proportion of that caseload, and CTR is likely to be supplemented with additional Discretionary CTR, as is the case now for these cases.

Sustainability Implications:

- 7.11 There are no sustainability implications.

Any Other Significant Implications:

Public Health Implications:

- 7.12 Financial vulnerability is linked to poor mental health, and in some cases worsening physical health. Any measures that improve the financial situation for a cross-section of the population are likely to result in some measure of improvement in terms of public health.

SUPPORTING DOCUMENTATION

Appendices:

- 1. Consultation Report
- 2. Equalities Impact Assessment

Background Documents

- 1. None

Council Tax Reduction 2022-23 (Earnings Bracket scheme)

A public consultation was held from 7 September 2021 to 18 October 2021. 278 responses were received, following a news story at launch and an email mailshot to 15,000 residents in the city. The email targeted a random sample of residents, including a mixture of those claiming CTR and those who did not. The Community and Voluntary Sector were also consulted in special briefings, as were Revenues and Benefits staff, who are responsible for administering the scheme.

Three open consultation sessions were set up for the Voluntary Sector. Feedback was positive, and encapsulated in some of the points raised by the resultant response from the Moneyworks and Advice Matters partnerships, which is reproduced in full on page 13 of this summary report. It was felt that the earnings bracket approach was much better for clients, as advisors themselves found it difficult to predict if their client would be successful on the old scheme.

Legislation requires the Council to consult with the Police Commission and Fire Authority. The Police & Crime Commissioner had not responded in time for the publication of this report. The Fire Authority did not support the proposals, on the grounds that there would be a permanent reduction in the income they receive from Council Tax in the context of their challenging financial situation. The response from the Fire Authority is reproduced below.

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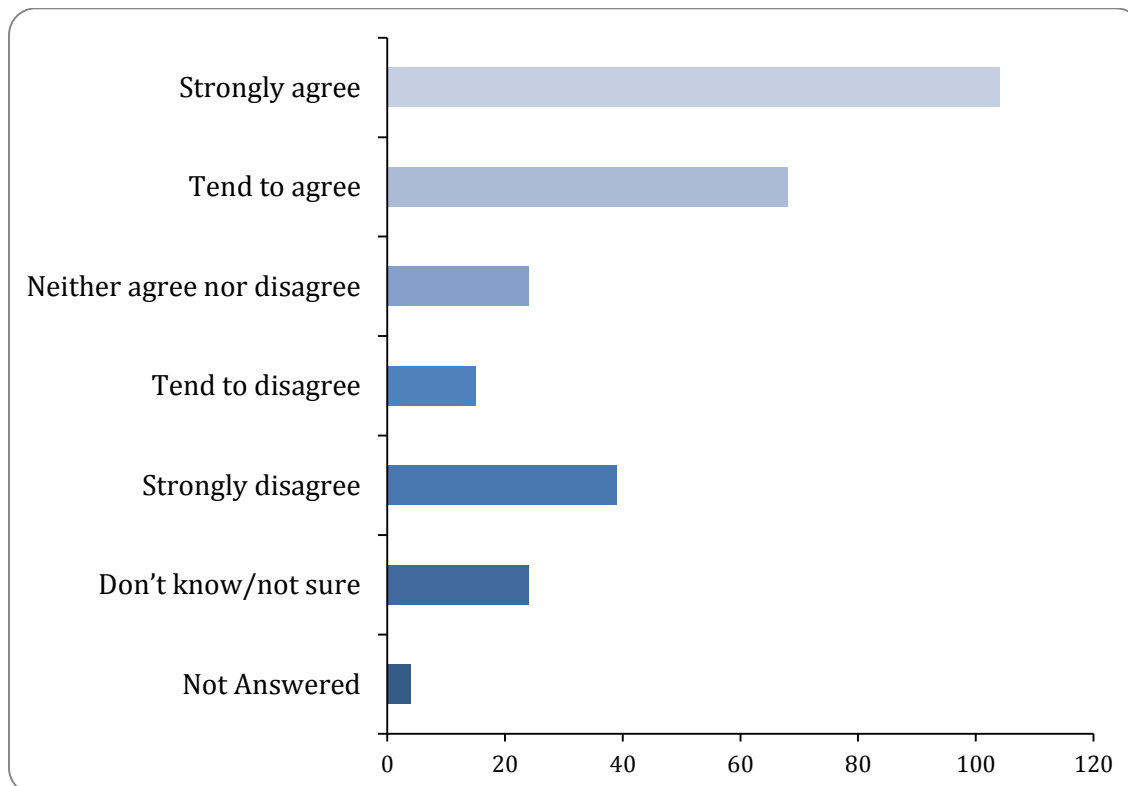
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Q1: Do you agree or disagree that, in principle, the council should align the Council Tax Reduction Scheme with the on-going implementation of Universal Credit?

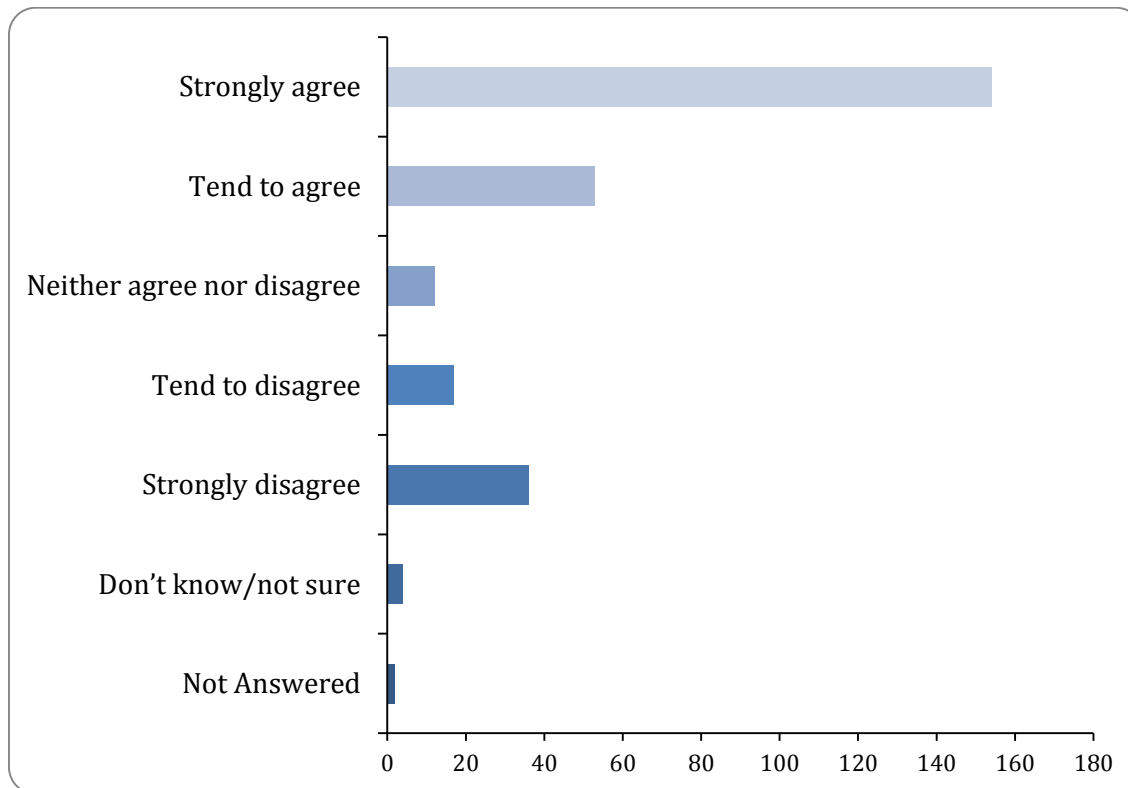
There were 274 responses to this part of the question.



Option	Total	Percent
Strongly agree	104	37.41%
Tend to agree	68	24.46%
Neither agree nor disagree	24	8.63%
Tend to disagree	15	5.40%
Strongly disagree	39	14.03%
Don't know/not sure	24	8.63%
Not Answered	4	1.44%

Q2: Do you agree or disagree with making the scheme more supportive to more people?

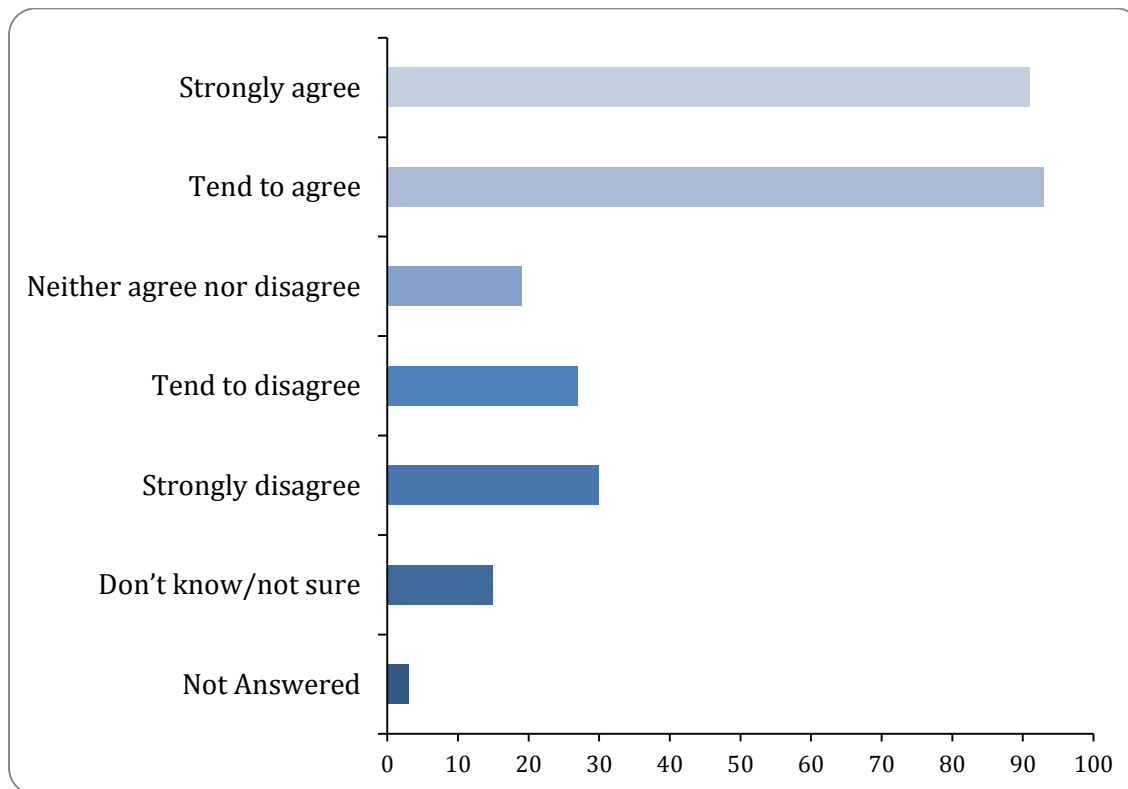
There were 276 responses to this part of the question.



Option	Total	Percent
Strongly agree	154	55.40%
Tend to agree	53	19.06%
Neither agree nor disagree	12	4.32%
Tend to disagree	17	6.12%
Strongly disagree	36	12.95%
Don't know/not sure	4	1.44%
Not Answered	2	0.72%

Q3: Do you agree or disagree with the proposal of introducing an earnings bracket scheme for Universal Credit claimants who are claiming Council Tax Reduction?

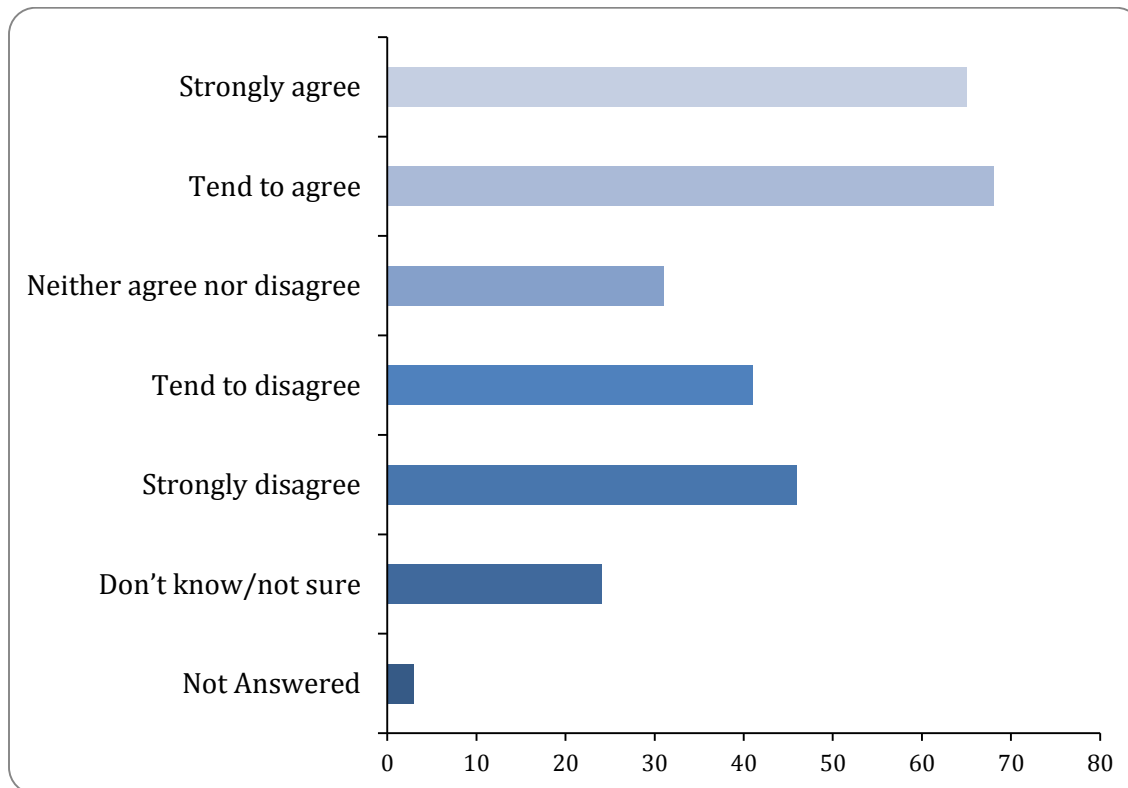
There were 275 responses to this part of the question.



Option	Total	Percent
Strongly agree	91	32.73%
Tend to agree	93	33.45%
Neither agree nor disagree	19	6.83%
Tend to disagree	27	9.71%
Strongly disagree	30	10.79%
Don't know/not sure	15	5.40%
Not Answered	3	1.08%

Q4: How much do you agree or disagree with the proposed earnings brackets and discounts?

There were 275 responses to this part of the question.



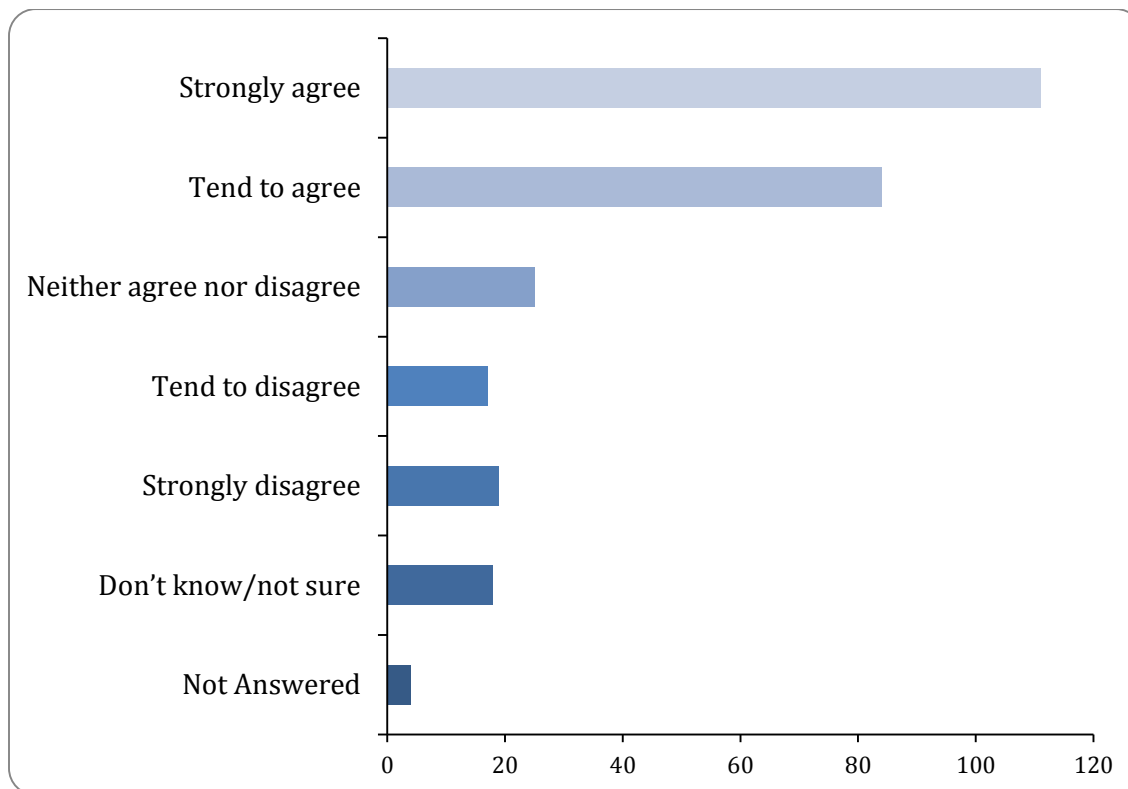
Option	Total	Percent
Strongly agree	65	23.38%
Tend to agree	68	24.46%
Neither agree nor disagree	31	11.15%
Tend to disagree	41	14.75%
Strongly disagree	46	16.55%
Don't know/not sure	24	8.63%
Not Answered	3	1.08%

Why do you agree or disagree with the proposed earnings brackets and discounts?

There were 144 responses to this part of the question (see the Freeform comments section starting on page xx)

Q5: Do you agree or disagree that we should simplify the rules for non-dependents in the new Universal Credit scheme?

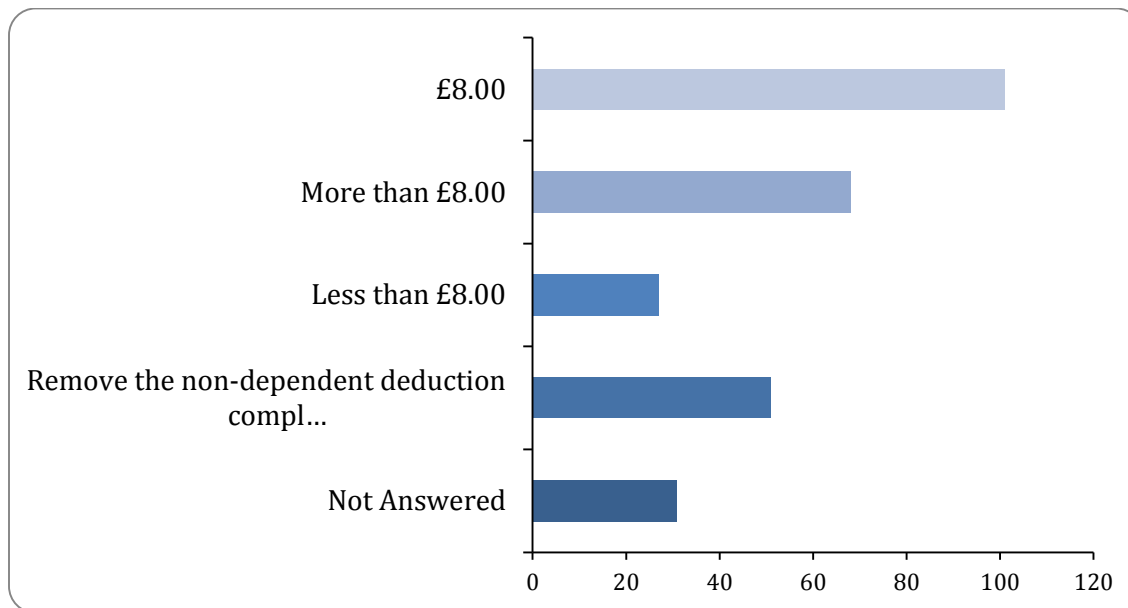
There were 274 responses to this part of the question.



Option	Total	Percent
Strongly agree	111	39.93%
Tend to agree	84	30.22%
Neither agree nor disagree	25	8.99%
Tend to disagree	17	6.12%
Strongly disagree	19	6.83%
Don't know/not sure	18	6.47%
Not Answered	4	1.44%

Q6: If we have a single amount for a non-dependent deduction, should it be:

There were 247 responses to this part of the question.



Option	Total	Percent
£8.00	101	36.33%
More than £8.00	68	24.46%
Less than £8.00	27	9.71%
Remove the non-dependent deduction completely (this would cost an additional £80,000)	51	18.35%
Not Answered	31	11.15%

Do you have any further comments about non-dependent deductions?

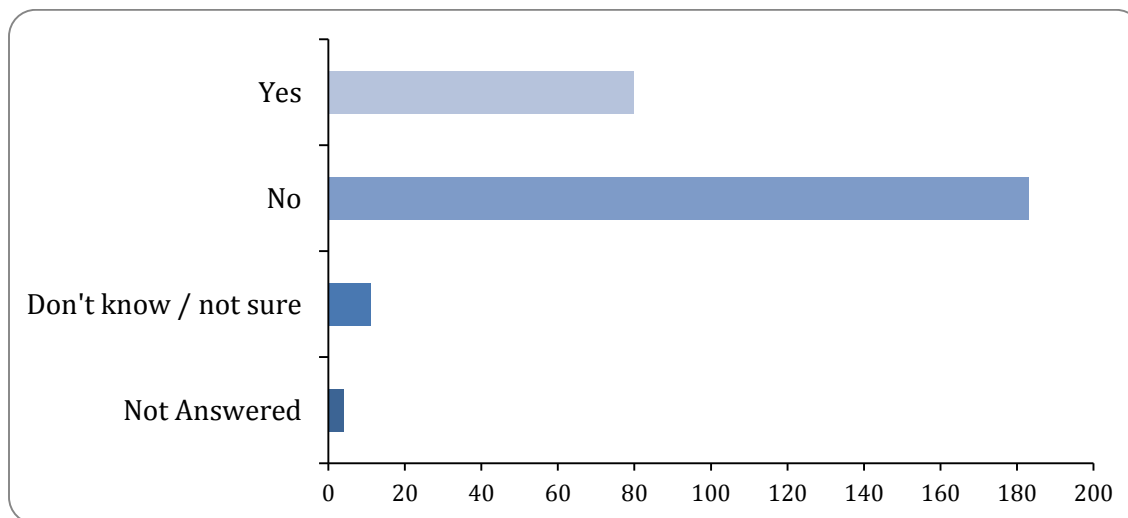
There were 47 responses to this part of the question (see the Freeform comments section starting on page xx)

Q7: Do you have any final comments about the Council Tax Reduction / Earnings Bracket scheme?

There were 118 responses to this part of the question (see the Freeform comments section starting on page xx)

Q7: Have you or someone in your household received Council Tax Reduction in the last two years?

There were 274 responses to this part of the question.



Option	Total	Percent
Yes	80	28.78%
No	183	65.83%
Don't know / not sure	11	3.96%
Not Answered	4	1.44%
Don't know /not sure	17	6.12%
Not Answered	4	1.44%

Freeform comments

Across the consultation, there were several opportunities for additional comments to be made. Given the high number of consultation responses, there were a correspondingly high number of comments. These are covered in more detail elsewhere in this report. However, the following shows the most frequently occurring themes appearing in the comments, along with some example comments to represent the theme

Theme	Mentions
Fairness – low earner support welcomed; support those who need it, but people should contribute to society when can afford. <i>“It makes sense to help people on very low or no income particularly if they have children and are in receipt of Universal Credit. But as you earn more you are more able to make a contribution to the provision of local services. Nobody likes paying taxes but services we take for granted don't come for free. But we live in a fair society so it is right to help those who find themselves in difficult situations, often through no fault of their own”</i>	62
People / I do not have enough income and only just about managing to get by <i>“People with very low incomes need help. The cost living rises really hurt. I have been there and sometimes I would limit my use of the kettle as I had very little money left on my pre-paid meter. I would even not put lights on and go to bed to stay warm, this is no way to live.... Being on extremely low income is one causes of my ill health”</i>	36
Discount should be higher, or 100% (ie those who have no income should pay less, or nothing) <i>“I don't think people with no earnings should have to pay 18% of their council tax as UC is far too low anyway so having to pay CT out of it is unreasonable. I also feel the thresholds are too low to start paying more. However I appreciate that the council has had their funding slashed and are trying to spread the deficit - but it might be better to charge more CT from higher earners to make up the difference”</i>	24
Costs too much / impact on other services/ ct bill will be higher / should not cost too much additional funding / council should be more efficient with their spending and services <i>“Reduce council tax for everybody. It's already too high and increases every year. As a higher earner, I'm fed up of paying to support others through taxation. Reduce council tax for all income groups. We already support lower income groups through income tax”</i>	23
Remove or limit CTR / everyone should contribute by paying most or all of the bill / Disincentivises work / people will want to stay on benefits <i>“Why does this even need to be done. Look at the current state of the job market. Employers are begging for staff and yet you are offering more money for people to stay at home. Absolutely crazy”</i>	19
Council Tax is too high and/or unaffordable <i>“Think cost of living in Brighton and Hove is already very high and most uc claimants are already financially struggling. Our council tax is very expensive as is the rent in the area.”</i>	16

Confused about how the calculations work, or about the question I'm answering	15
Non Dependents should pay something towards the Council Tax	
<i>"I don't think that it's unreasonable to ask working adult children living in the household to make a contribution to the provision of local services. A single amount simplifies the system whilst ensuring those who can afford it, pay their part."</i>	12
Simplicity of the scheme is welcomed	
<i>"Seems more straight forward for what I have read on here makes sense less paperwork"</i>	7
Non Deps struggle with their income and cannot easily contribute / they should not pay anything	
<i>"non-dependant deductions are often unaffordable for non-deps. if they are on a low income £8 per week is a large portion of their income. this expense is rarely collected from the non-dep and expense is often passed on to the main claimant and adds to their hardship. non-dep deductions should be simplified for all working age CTR claims if possible. not just the UC claimants - simplifying the scheme doesn't work if there is one rule for those on UC and another for those not on UC."</i>	7
Proposed scheme / combination of scheme is too complex	
<i>"I just think it's massively over complicated If you aren't earning very much money-even if your work patterns and income fluctuate you shouldn't have the added stress and worry of ever-fluctuating council tax. It's just one more thing to worry about. There should be a blanket exemption if you're on any level of UC or housing benefit."</i>	6
Would prefer a means-tested scheme, or one that's more sensitive to circumstances	
<i>"Every situation is different and should be means tested and the level of savings increased as with no reduction savings are used to live off until it is gone. They the claimant will be very poor indeed"</i>	5
It sounds good for admin savings	
<i>"No it makes sense to me. Seems obvious if it saves funds for hours spent by the council figuring out all these different amounts. Then the funds can be spent where they are needed more."</i>	5
Disability should be reflected more fairly in the scheme	
<i>"My husband is on a minimum wage and I am registered disabled. We used to get some help with our council tax but we now get nothing. His money has gone up by literally a few pence an hour and we are struggling massively. I think if a household has a disabled person and just a minimum hourly rate we should be entitled to extra help. In the winter months I have to use a lot more heating etc which is a struggle because our extra fuel money now has to go on council tax, seems very unfair."</i>	5
Council Tax scheme overall should change (this is outside of the scope of the consultation)	5
Other themes with less than 5 mentions each:	
Non-dependent deduction can cause friction at home	
The scheme should incentivise work	
Please support single people	
Fraud risk – the council may not be told the full income position of people claiming	
Fixed non-dep deductions are clearer	
The bandings need tweaking / there are cliff edges in the scheme	

Brighton & Hove City Council

Scheme is too simple/ Earnings brackets are too blunt a tool Non-dependent changes should apply to the non-UC scheme as well Recovery processes and Council Tax collection should be improved.	

Response from Moneyworks and Advice Matters Partnerships:

Summary

The partnership meeting discussed the proposals having attended sessions run by the council on the new scheme which we note only applies if the household is on Universal Credit (all other benefit claimants would be on the old scheme).

We felt that the structure of the new scheme being granted on the basis of net earned income and clear tiers was much better for clients as advisors themselves found it difficult to predict if their client would be successful on the old scheme. (Given comments about the difficulty of understanding the parallel scheme that it would be good to have some council training on the mechanism in order to maximise advisor time on claims that would be more likely to be successful)

We felt that not counting disability benefits as income was very positive for a group of households most likely to be in deep and persistent poverty.

The collections policy is really important and we felt that the intention to behave ethically and prevent debt mounting up for people on the lowest incomes in the city was good but we would recommend the council formalise this by signing up to the national Citizens Advice Council Tax Protocol which can be found here - <https://www.citizensadvice.org.uk/about-us/our-work/our-campaigns/all-our-current-campaigns/council-tax-protocol/>

We have some detailed suggestions on the bandings proposed which we outline in the next section but we do feel that a proposal to widen the financial support for poorer households shouldn't create any "losers" and we would recommend reworking the proposal to prevent single people on low incomes being worse off.

Bandings

The council proposes the following:

Earnings refers to money earned from working, whereas income is total money received, including earnings, Universal Credit, benefits and pensions, and so on. The Earnings Brackets are based purely on your net earnings from work, not other income. If you do not work, you have zero earnings.

Here are the proposed net earnings brackets:

	From (£)	To (£)	Amount of bill left to pay
1	0.00	0.00	18%
2	0.01	69.99	20%
3	£70.00	£99.99	40%
4	£100.00	£119.99	60%
5	£120.00	£169.99	80%
6	£170.00	£249.99	90%
7	£250.00	and above	100% (no CTR awarded)

We felt that the difference between band 1 and 2 was so negligible for the council we would recommend costing the net benefit after administration in moving people into band 2 and considering leaving people free to earn up to 69.99 per week without moving banding. Partly to incentivise moving into paid work for people worried about the complexities of managing their budgets.

We had a concern about the difference in income between band 3 and 5 moving a client from 40% liability to 80% liability for potentially earning an additional £20.01 per week. We would recommend that this is reconsidered.

We felt that illustrating the income bandings with net income at minimum wage would be useful in terms of hours worked. We also felt that if the scheme was to be inline with Universal Credit the income disregards relating to your situation might create a simple but still more nuanced approach to people's situations - this list is a helpful guide to those:

"Depending on the type of income or benefits you are getting, some of the money can be ignored when your benefit is worked out. For example, the following are disregarded in the benefit calculation if you are working:

£5 per week of a single person's earnings

£10 per week of a couple's earnings (if at least one works)

£20 per week if you receive a disabled or carer's premium, or the support component of ESA, or are a member of an occupation such as part time fire fighter, territorial army or lifeboat worker

£25 per week for a working lone parent

Some of your working tax credit or earnings will also be disregarded if you work more than 30 hours per week (for example, £17.10 per week is disregarded in the calculation).

Child maintenance is fully disregarded from the benefit calculation (this has been the case since 27 October 2008).

Any disability living allowance and attendance allowance that you receive is also disregarded. If you are a single parent or you are a couple and both work 16 hours or more, or you are a couple and one of you works and the other meets disabled conditions and pay for childcare, we will take that into account when calculating your income. (For example, if you have one child under 15 we will disregard up to £175 from your overall income, and if you have two or more children we will disregard up to £300 from your overall income.) Please note that childcare is disregarded from earned income up until the first Monday in September following your child's 15th birthday or 16th birthday if they are disabled."

In addition we would strongly recommend that like the other coexisting scheme both schemes cap at band D charges for clients. There are very few situations where our clients are in higher bandings but for those situations the hardship created would be devastating. Usually these are households with more children and they are already affected by the benefit cap.

We would also point out that age bandings affect minimum wage values and Universal Credit payments - we would ask that the council consider under 25s having a discount in line with that additional income pressure that young people experience financially.

Non dependent adults

We note that Citizens Advice Brighton and Hove recommend removing the liability for non dependent adults altogether as the revenues raised by this are not significant and the distress caused to the main householder financially and mentally can be tremendous. As a partnership we would seek to develop this point and request that the council consider the cost and benefit of disregarding under 25s. We have mentioned this group in the section above and the fact that their income expectation whether in work or on benefits is more limited than adults over that age. We think that this also would support prevention of youth homelessness through family money stress and relationship breakdown where money is a factor. Our specialist youth advice provider agreed that this would be one of the measures that could support this important outcome.

Ends

The response from the Fire Authority:

East Sussex Fire Authority recognises the impact that the Covid-19 pandemic has had on local communities, particularly, those who are vulnerable, both financially and for other reasons.

As you will be keenly aware, in common with other local authorities the Fire Authority already faces significant financial challenges due both to reductions in Government funding and the impact of Covid-19. Our current Medium Term Finance Plan identifies the potential need to make new savings of up to £4.6m over the next 5 years, in addition to £10.5m already delivered or planned.

Council Tax is our most important funding stream (70% in 2021/22). The Authority will need to take account of any further reduction in council taxbase on its income when considering options for achieving a balanced budget for 2022/23 and beyond. Given the scale of the financial challenge, which cannot be met by efficiencies alone, this may mean that the Authority has to revisit its Integrated Risk Management Plan 2020-25 and consider further changes to the service it provides across the communities of East Sussex and Brighton & Hove, including those who are most vulnerable.

On this basis the Fire Authority cannot support BHCC's proposals to change its LCTRS which will lead to a permanent reduction in its income from council tax.

Names were not requested, but if they were provided in the comment, they have been redacted.

How much do you agree or disagree with the proposed earnings brackets and discounts? - Why do you agree or disagree with the proposed earnings brackets and discounts?

Strongly agree / tend to agree

Fairer

Even though I lose out, I welcome the simplistic focus on earnings over complicated formulas based on the status of a household. This will better support low earners.

It makes sense to help people on very low or no income particularly if they have children and are in receipt of Universal Credit. But as you earn more you are more able to make a contribution to the provision of local services. Nobody likes paying taxes but services we take for granted don't come for free. But we live in a fair society so it is right to help those who find themselves in difficult situations, often through no fault of their own.

Simplified and easier to understand

Good idea, but maybe expand the bracket 1 (18%) to include some very low earnings, say up to £50? You might only earn £20-£30 for a couple of hours work but it equates to 2% of your CT bill

Easier to understand

i am a pensioner as is my wife we have never claimed any discount on our council tax

(you should have put in the table that it was weekly earnings - I thought at first it was monthly and got pretty confused!)

How much will cost to look at people's income that can change each month?

I think council tax should apply to all residents. I think universal credits are an atrocious way to treat the vulnerable in society and is designed to push the poorest even further down. Instead there should be a assessment done taking in account ability and opportunities for each individual. Council tax should be something every one pays out of what ever their income is (benefits or salary). That way perhaps more people would respect what the council tax covers.

Although as I understand, it will cost the council more, in the long run it's a much fairer system and will help more people the most in need of that help and support.

Good match to uc brackets

It seems like a fair distribution of assistance

They are a help rather than a dependancy

Those with low incomes cannot afford the tax, especially when many are facing huge increases in fuel and food costs

Treats people more fairly

I just think that those earning less should pay less

I believe that people on higher earnings should pay higher council taxes Including people on higher benifits.

Because its fairer and more helpful to people on low or no incomes

UC is an in work benefit and those persons on the minimum wage need support as do those persons who are not working but will see there is support available if they start work. The one bill, excluding rent, CT is a large cost and stops people from taking work as they can end up being worse off. Although this will cost more to the council, long term this could benefit everyone as hopefully more people will go into work and potentially pay 100% of their CT. Any help to the cost of living should be welcomed as the cost of living is going up plus

any incentive to move people into work is good planning. There are a percentage of people who will always be fully supportive this is part of community, society and democracy we live in.

I think the poorer in our society should be supported.

I am concerned that this is about saving admin costs, rather than actually helping people - call me cynical

More people on low incomes should be helped by richer people.

You seem to be trying to be fair

It's a good idea for people to pay according to their living income rather than a set rate which may be out of reach in their budget

It seems fair and more should be done to help low income families.

Encouraging saving.

I have been out of a job since <<redacted>>. My husband left me the same week and does not support me financially. I currently pay £282 per month and am running out of savings. What happens if I can't get a job in my profession or have to take something lower paid and can't cover my utilities and council tax???

If no income is earned surely you would have 100% CTR. Many families are in trouble financially and one of the problems is that they must find 18% of their Council Tax Bill from the other benefits they receive.

because the taxi is too high

Because it is a fairer uniform way of apportioning realistic earnings (net income) against council tax. It links in a more equitable way to ability to pay benefiting households with proportionate support.

My only concern is a percentage of Zero earners are not there by choice, sadly there will be those that are by choice. Those that cannot work are reducing their benefits to support the small few that can earn.

The council tax payment should be based on your earnings fully, paying more the higher earners. There will be mother's who claim tax credits, are these taking into consideration to ppay less council tax?.. I strongly agree council tax bills are too high indeed for tge average earner.

Make the systèm fairer to everyone involved

People on lower incomes need greater support

We need to help those who have nil or little income. The cut-off point would depend on their situation and not just their incomes.

I think it would be fair if these brackets are put in place and apply to anyone on universal credit, not just people renting. At the moment homeowners are exempt.

People with very low incomes need help. The cost living rises really hurt. I have been their and sometimes I would limit my use of the kettle as I had very little money left on my pre-paid meter. I would even not put lights on and go to bed to stay warm, this is no way to live. now I a on PIP due <<health conditions redacted>>. Being on extremely low income is one causes of my ill health.

I feel Brighton is a supportive community and with the reduction in universal credit and price rises in bills we should be doing all we can to counter the cruel Tory policy decisions that are making it hard for people to manage and live!

I am earning <<redacted>>£/month as single mom with 2, a monthly rent of <<redacted>>£, and now have to pay 175£/month for Council Tax PLUS all the rest... I agree with Anything that cancels that impossible tax I cannot defini pay!

If it is not manageable to assess total income then any form of increased support and distribution to those that need it makes sense to me.

the proposal is reasonable. My understanding, If more reduction is offered, the gap has to be bridged from somewhere. It is going to be difficult to attract funding from the central government.

Seems more straight forward for what I have read on here makes sense less paperwork

I don't think people with no earnings should have to pay 18% of their council tax as UC is far too low anyway so having to pay CT out of it is unreasonable. I also feel the thresholds are too low to start paying more.

However I appreciate that the council has had their funding slashed and are trying to spread the deficit - but it might be better to charge more CT from higher earners to make up the difference

Hello,

My main point of contention with the the current CTR and proposed CTR scheme is the 18% charge made for people who have no earning whatsoever. An unemployed single person receives £72.00 per week in Universal Credit plus their rent money.

The Government stipulates that this is the minimum amount of money that an individual needs to live on in the United Kingdom: so how then, in good conscience, can anyone take away a portion of this money?

It is at the thinnest edge of the wedge were any reduction in income is felt and experienced most acutely. The poorer you are the more value every pound has, so to charge a person £180 - £200 pounds per year for Council Tax when all they have is £72.00 per week is shameful. That's roughly 3 weeks, of their, income!

It would, therefore, be my opinion that the 18% charge (or any charge) for those with no earnings be scrapped altogether as not to do so is to drive the poorest in society into abject poverty.

Thank You,

<<name redacted>>

Hove Resident

It seems fair in principle.

I suppose if I understand properly that this can help a lot the people special in this difficult time

currently, too many people who are higher earners are benefitting from ctr. they are not struggling. they dont need to have a discount

It seems fairer for all with a wider spread of fairer discounts. If I've understood it correctly!

I live in a rented flat and the rent is so high and my wages is the minimum, single mum with 3 kids. I cant save for anything. I can't afford to go to the dentist.

Seem proportionate.

I believe in socialism.

I believe it is a fairer scheme than previously

This is a tough balance between the additional cost to the Council, when their budgets are so tight, whilst providing support to those in need. The proposed levels look reasonable as a start, and also mean that the scheme can be flexed in future to suit the Council Budget i.e. the brackets can be raised and lowered.

If people are receiving UC, they cannot meet their daily expenses so it is reasonable to receive CTR as well.

The council tax has to be fair.

The seem fair enough

This will save on admin costs and the brackets are quite close. As with universal credit, if people earn more they become more self sufficient.

Many areas Brighton are areas of deprivation, Poverty is departmental to people and their family's health. More help is needed for these people as it is a trap, they do not know to get out off, money is very big issue and every penny counts. So, any increase could be a crisis for these families. Moreover, help us who work in these communities.

<<name redacted>>

On Your Way jobclubs and Digital Inclusion for the elderly

I just want things to be easier for people on UC - life is hard enough with that little money!!

I am not fully sure how this will affect people, but it seems to be generally beneficial and trust that you have looked carefully at choosing the levels. Presumably this will need to change again if there are any changes in the UC scheme

They are graduated. If your examples are representative, in most people cases will be the same or better off. Consideration should be given to circumstances where people will be worse off and whether any changes could or should be made to mitigate this.

I believe we each have a right to a 'minimum income' and that this minimum should be preserved for the 'long term potential' of their situation, at all costs - including the repayment of debt/s. That is to say that the minimum income should consider an individual's long term potential to exist on such an income, as they may have no potential to increase their income. A Higher Tax Bracket, for those who fall into an 'abnormally high' income, should pay higher Tax.

Everyone needs a stake in society and to maintain the habit of paying bills.

Strongly disagree/ tend to disagree

Who earns 0 should pay 0
why bother working?!

I just think it's massively over complicated

If you aren't earning very much money-even if your work patterns and income fluctuate you shouldn't have the added stress and worry of ever-fluctuating council tax. It's just one more thing to worry about. There should be a blanket exemption if you're on any level of UC or housing benefit.

People on UC are already struggling and should have their council tax reduced by 100%, especially now that they have lost the extra £20 per week from the covid increase to payments.

They get enough benefits. Get a job

I think property owners should pay council tax instead of the renters, who can barely afford to keep up with rising rent prices in the city. Make people on Universal Credit and low incomes exempt and tax houses with combined incomes above 100,000 + property owners owning more than 1 property more.

This means that there is even more pressure on the middle class to pay council tax (which automatically increases by 4% every year) only to have resources reduced even further.

I have no confidence in any decision B&H Council makes. The 360 donut, waste collection service, silly covid cycle lanes, absence of services throughout covid. Lazy good for nothings.

Scheme does not take into account low incomes who are not on U.C.

Other income should be taken into account

Threshold set too low

It should be high for more people on lower paid incomes.

People who are on Universal Credit and also working should pay Council Tax relative to what their household income is. People who work full time pay 100% of the rising taxes as services close and become less effective. Employed people claiming UC should also pay their fair share towards this, not have the bracket increased.

Why just for people on universal credit. I am retired and living on my pension. I should have a discount. Worked all my life never claimed any benefits.

1. To reach the objective of being simpler and clearer, the number of brackets under the new system should be reduced i.e. 5 brackets altogether (0% - 25% - 50% - 75% - 100%) or 5 brackets for CTR (20% brackets: 0/20/40/60/80 and everyone else 100%).

2. To be even fairer, there is the option to proportionally increment brackets so the poorest are supported the most, capturing more people at the bottom of the higher bracket range i.e. 0% for more people under a 5-bracket system, with the next range only 10%, then 20%, then 50%. and the upper bracket 80 or 90%.

3. Given that there are potential changes to national tax (NI contributions) for all wages on the way, and potential changes to UC and other systems, is this the best time to link CTR to net earnings and

savings?

4. It is unclear whether assets are accounted for in the formula - if not, maybe they should in the same way savings are (being cash poor is not true if you have lots of assets) to prevent abuse of the system.

Every situation is different and should be means tested and the level of savings increased as with no reduction savings are used to live off until it is gone. They the claimant will be very poor indeed

I Don't Believe That There Should Be A Earnings Bracket As Just Because You Are Outside Of The Bracket Doesn't Mean That You Don't Need Extra Help With Council Tax Especially Due To How People Are Really Struggling With Covid. Council Tax Reductions Should Be Available To Anyone Who Needs It Regardless Of The Amount Of Benefit They Get.

I object to the scheme and therefore the underlying details of the scheme

Because I'm a single person who works full time

By the time I have paid my c.tax /rent and all my other bills Im left with not being able to buy food shopping or even my travel to and fro to work its unfair I can't get any help

A person living by their selves pay the same amount as a family. It is unfairly weighted

The people earning more than 250 a week are still on very low earnings.

As people who are working hard again will have to cover the bills of the people who are sitting at home doing nothing apart of claiming benefits. It is so unfair

The higher earnings should get less help people that worse off need more help

The brackets are still not simple enough and include cliff edges, I. E. Someone earning one penny more than another person might pay considerably more council tax than them - meaning that they would be penalised for working more and potentially be worse off by working more.

Put simply as an employer that cannot get staff because no one will apply then it is quite obvious that it suits people far better financially to stay at home you should be investing in getting people back to work, not giving them more money to stay at home.

I am a landlord and I have first hand knowledge of how this happening.

The Council cannot afford to maintain the city now, due to it's mismanagement. Why should Council tax payers subsidise others, when we do not even get the service we need.

This is nothing more than another tax !!

If you got no job, eating and paying the rent should be priorities. Thus, people can still struggle to pay 18%.

Paying such high % of such low wages means the poorest in the city will be paying the biggest % of of their net income on council tax. In Brighton your neighbour could be a barrister earning £100,000 + pa and pays the same council tax. It disproportionately affects those least able to afford it and yes council tax is important but look how much is wasted in administration due to no joined up thinking. Why look at it once a year when P60's are issued and Adjust to account for over payments and underpayments. With the excessive admin and rate of arrears its probably not even breaking even. If Brightons poorest need to risk sacrificing nutrition to pay council tax at least least it should have a positive effect of the city's finances. Dont expect people to go hungry so the money they could have spent on food goes into a black hole of bureaucratic administrative waste. I guess the poorest can just eat cake.

It means that people earning more than £250 like me will not get any help with my council tax and since I am earning a reduced wage because of Covid-19, I need the help because I live on my own so I think anybody who is single and living alone should get at least some assistance in paying the council tax.

The earnings brackets feel restrictive i. e. £250 and above is zero CTR.

I run a business in the city and we are in dire need of staff and people who want and need to WORK.... there are jobs out there and people should find work rather than expect to be bailed out constantly by others and the state.

They should not result in an overall increase in costs.

Reduce council tax for everybody.

It's already too high and increases every year. As a higher earner, I'm fed up of paying to support others through taxation. Reduce council tax for all income groups. We already support lower income groups through income tax.

My husband is on a minimum wage and I am registered disabled. We used to get some help with our council tax but we now get nothing. His money has gone up by literally a few pence an hour and we are struggling massively. I think if a household has a disabled person and just a minimum hourly rate we should be entitled to extra help. In the winter months I have to use a lot more heating etc which is a struggle because our extra fuel money now has to go on council tax, seems very unfair.

It should always be about giving more to people with low income or who rely on the benefits system. How about helping these people to get out of the benefits system by supporting them to return to work and do their bit for the council.

Low earners with children struggle to make ends meet. The proposed discounts don't look low enough to make much difference to the lives of low earners.

The income brackets for people on minimum wage are too low before they pay the full council tax.

I think the brackets are way too low and don't represent the costs of living in the area. If you're spending money to rework the system, make it a substantial improvement for people - nobody cares about a saving of a couple of quid a week. And if they do, those people clearly aren't in a position to pay council tax at all and need further relief.

We can't afford it people to take responsibility for their expenses (excluding disabled people etc) We are now looking at another 5 % rise in our council tax and the current services are shocking discounts could be more generous for low income earners

Seems to be very low and I am not averse to helping those in genuine need

If people are in receipt of benefits they should be exempt from paying council tax. Linking the scheme to work is a disincentive for lower paid people to work.

1000 per month is a very low income considering post brexit inflation. My wages have decreased over the last 20 years whilst prices have skyrocketed for food.

People should take responsibility for their own finances if they benefit from council services then they should pay their share

i think the discounts are too generous

ALL UC CLAIMANTS SHOULD GET DISCOUNT COUNCIL TAX IS WAY TOO EXPENSIVE EVEN FOR WORKING CLASS

single person households should not be paying the same as multi persons household

People with no income should pay no council tax

I think that by adjusting the ctr system to help more people, we are just making the whole benefit system even more attractive to people who do not feel the need to work. We already have a system where people will not work because it affects the benefits that they receive for not going to work and some have an attitude that why should they do work and not receive more money for doing so.

on a personal level I get a single person discount but earn a reasonable salary. it always feels like those earning have to subsidise those who decide to have many children and can't afford them. I am really careful with money hence have savings. maybe I am wrong but I see too many low income families with habits and children they can't afford.

The percentage rate to pay for still low earnings is too high for those earning between £70-£120. National Insurance rates are going up, energy bill costs are rising and the price of food is increasing. These things need to be taken into account.

Increases more taxes on top of what we are paying now

Even on the highest bracket of income family's will struggle to find the amount. I know priorities take precedence which would be rent and food first, i think family's would get behind with this amount of council tax. Myself on a low income always cut food cost to pay bills. There is already child poverty in the city. This scheme will increase that.

7 brackets is too unwieldy

I only disagree with any preferential treatments when a) the person has not attempted to get a job and b) When their property is anything other than on the lowest banding for council tax.

If their property is on the lowest banding and they are in work I agree with some support.

Should pay 100 per cent

I agree with the proposal that it should reflect earnings, however the 'taper ' should be higher, allowing people to effectively kwwp more of their earnings, otherwise working more hours will have little effect on overall income

As someone on a very low income that ..gets the discount if my council tax was to go up up I'd really struggle ..I'm already having to get universal credit help with full time job and am struggling since they took covid help out ..I agree there should be more support but in crease of tax for low income homes is not the answer

Because with my husbands ill health and implemented retirement due to his cause we are on an income/earnings restricted money pot. We have used all 3 benefits calculators online and even though it stipulates we are entitled to CTR according to you and the housing benefit team we are not why? Because you have been privy to a UC statement which indicates nil payment so you think we are not entitled to anything. Well we have never applied for benefits in our entire working careers until now and I am disgusted with the treatment and no support.

If the proposed scheme would cost more & come out of the councils budget. Would that mean that the council tax would go up, meaning my council tax would go up. I personally would not qualify for the scheme, but I still have to carefully budget to ensure I can afford monthly bills etc.

Anyone who receives UC should be given some kind of discount. As UC claimants tend to be earning less money in full and most likely to have health issues preventing them from higher-paying jobs.

People on the lowest income shouldn't be paying council tax at all. Get the tax from the rich people. Or better yet Boris and his mates. EAT. THE. RICH.

Everyone should pay the full amount, if you can't afford it move house. Why should the rich subsidise the poor?

The jump in council tax due compared to the amount earned is totally unbalanced.

My take-home pay is £<<redacted>> per month, leaving me with c. £400 for all expenses, such as food, clothing, travel, etc, after bills have been paid. <<age and date redacted>> and currently work 3 days a week for <<redacted>>. It would be almost impossible for me to secure a new full-time job as there is a question on application forms: "Are you over 64-and-a-half?" I can't retire until I'm 66. Energy bills are going up, the cost of living increases constantly, and NI will go up in April 2022. How can I manage?

Earnings brackets are a blunt tool. They do not account for specific circumstances such as the additional costs of living and ability to earn income through work of

being a carer

being a lone parent

being a parent of a disabled child

Disability

Impacted by the bedroom tax.

Having additional reductions in the scheme for people in specific circumstances such as these would go some way to mitigate the bluntness of an earnings bracket. We note that whilst benefits are disregarded, the additional costs of living for disabled people and people with long term health conditions aren't taken into account.

Neither agree nor disagree / unsure or don't know

it is hard to have an idea of if the brackets and discount amounts make sense without financial examples based on the brackets and how they reflect for amounts for each council tax band to know what they would translate to in financial terms.

what people earn on paper is not what they have in their pocket each month,

You should think about the people who are moving from Universal credit to a job and have previous debts will have more debts with a minimum work which also means that they need help and not the payment of a total of 100% as you stabilize it in some of your examples

I cannot make sense of all the information. It seems helpful if you are on Universal Credit. But what if you are not, will you have to pay more? In that case I would not favour it. Will there still be single person discount? As a single person not on universal credit I would not favour this scheme if it would cost more for me. Council tax is already very high. However I agree in principle with making it easier for people on low incomes I think only people on very high incomes , ie 80k plus should pay more as a result of any changes.

I am concerned about this as there are many people who are just meeting the minimum when they are not entitled to any benefits and they have to pay full taxex. And after all taxex they have even less than those who don't pay or have theyr taxex reduced. And those who get benefits are living on the others accounts.

Think cost of living in Brighton and Hove is already very high and most uc claimants are already financially struggling. Our council tax is very expensive as is the rent in the area.

I don't think anyone on universal credit should pay council tax

There are issues around what people declare that they earn (say, on PAYE) and what they actually earn (e.g. cash in hand).

Whilst the above earnings brackets for CTR and the point at which a household must pay most or all of their Council Tax suggests that we should allow those households to earn more before they pay, say, 80% or 100% of their Council Tax, this is problematic because some households earn cash in hand. On reflection therefore the earnings brackets are probably reasonable as they are.

Not fully understood

The tax brackets are so uneven anyway . Some property's are not in my opinion in the correct bracket but system is old!

In the same respect just because your in a certain area doesn't mean you can pay the same amount of tax as your neighbours as we all have different circumstances

For me if it was done by earnings it would be a lot fairer to people on benefits

Is this based on weekly income? (Sorry, that's not clear.)

I am not in a situation in which I could judge if the the proposed discounts would be enough for those affected by the change.

This is hugely complex and multiple factors involved. Sceptical as many get benefits who shouldn't, and many more should be working more. This needs to be very robust and carefully analysed by claimant. FT taxpayers bear the brunt for it all, so we need cast iron guarantees that the right and thorough checks are in place.

I have no idea how these figures can be fairly arrived at.

If we have a single amount for a non-dependent deduction...: - Do you have any further comments about non-dependent deductions?

Strongly agree / tend to agree

It shouldn't be scrapped entirely, but as non-dependent residents are likely to be low earners by virtue of living with a UC claimant, a fixed amount to deduct from CTR would be welcome and easily understood. Also, assessing income of non-claimants is invasive and shouldn't be necessary but they also must contribute something.

non-dependant deductions are often unaffordable for non-deps. if they are on a low income £8 per week is a large portion of their income. this expense is rarely collected from the non-dep and expense is often passed on to the main claimant and adds to their hardship.

non-dep deductions should be simplified for all working age CTR claims if possible. not just the UC claimants - simplifying the scheme doesn't work if there is one rule for those on UC and another for those not on UC.

I don't think that it's unreasonable to ask working adult children living in the household to make a contribution to the provision of local services. A single amount simplifies the system whilst ensuring those who can afford it, pay their part.

the single amount should, at minimum, be the National Living Wage of £8.91. If someone isn't even earning this, they don't have money spare for council tax.

This is assuming the non dependant is working and are on minimal wage which is lower than £8. The national insurance rise next year needs to be taken into account

if they are earning ok money they should contribute more and not be a liability to the rest of us

Nothing if living with parent as they already pay c tax

This question is very confusingly worded.

This is such a difficult question to answer. I think young people who are working need to understand responsibility and help support their family. Lone parents struggle as do 2 parent families, asking their young adults to contribute could result in arguments the parent/S paying saving disagreements or the parent/s asking their young adults to leave the family home, this could then put more pressure on the council to rehouse these young adults. I've wavered over the fixed £8 it's fraught but with education/media climate change I do think young people understand. Perhaps where this cost is applied a separate letter should be sent to the young person explaining why they need to pay

Money doesn't grow on trees and the council doesn't get enough help from central government

Multiple occupancy households have a greater demand on council services which are already subsidised by council tax payers

All working adults should have a responsibility to pay towards Council Services.

I don't think I understand the current system enough to comment on this, so ignore this answer

If it is possible to raise it say 10 and then allow for slippage as well as possible cases where circumstances mean it was possible to let deserving people exclude themselves from the payment, that makes sense.

It's good that B and H are trying to reduce admin and help the poorest even if it is by small amounts.

If the person is actively looking for work, then he/she deserve deduction

Only think it's right if you work you pay your share

Non dependants is a confusing term even after it's explained as lodgers are not non dependants but are unrelated adults

I believe that council tax should not be for the amount of people in any property, it should be charged on the property and nothing else.

No

No

Due to extreme financial stress the non-dependent may be told to leave as a result an extra homeless person for the council to deal with and extra much more costs involved

Of course anyone living as a non dependent must pay. Sharing someones home must be sharing the cost and paid with rent

I do feel that non dependent residents need to contribute to the overall housing costs and that £8.00 a week is a manageable amount.

This issue is them paying it and not putting the financial load on the main resident.

Possibly introduce a discretionary assesment for cases where the non dependent reduction causes hardship so that households can apply to remove it if needed

It's not fair in some cases I have for example a son ages 22 and can not work because he as PTSD he is having treatment but this can take years

It is a shame that these benefits have to be so complicated. I am not sure what level is fair or appropriate

The amount could be raised to a manageable amount whilst maintaining enough pressure to incentivise personal responsibility.

I am of the opinion that the underlying focus should be to encourage work. So, keep the deductions as small as possible.

The impact this deduction can have on households, family relationships and mental health can be very substantial. The funds raised by this deduction are not a great amount and on balance removing this deduction will have a greater beneficial impact for our clients.

Strongly disagree / tend to disagree

i have 2 children with disabilities that do not work, as they are <<age redacted>>, i think that parents that have children with disabilities should not have to pay the full council tax amount each month.

Reducing the current cost for non dependents will increase the cost burden to the council and potentially affect other services.

I think working people should contribute.

We should have a deduction of more than £8.00 because it would help people who are out of work to contribute to the council tax.

It sounds as though the proposal to reduce the non-dependent deduction is based almost purely on simplification of the system.

A non-dependent who is earning should absolutely contribute to the household budget. To remove the requirement for them to do so, suggests to that individual that being self-reliant is not required in our society. If a non-dependent is bringing £300 per week into the household the current deduction of £14.90 is a very modest contribution.

You should make more effort to enforce payment of council tax punctually.

I BELIEVE IF A HOUSEHOLD HAS 3 PEOPLE THEY SHOULDNT GET ANY DISCOUNT IF NON DEPENDED IS WORKING

Not really sure why removing a deduction costs the council more

No

Neither agree nor disagree / unsure or don't know / no answer

No

No idea

No I have a non dependent living with me who doesn't work pays no rent and doesn't claim benefit I should get sum help

not sure

This is the most confusing survey I have ever done!

That's too confusing so I need to pass. I'm not exactly simple minded but 2nd reading of that was more confusing than first so no idea. Not risking a third go at the riddle.

I don't really gave an opinion any more

Who lives in the house is immaterial, I agree with the single occupant reduction but a reduction based on who is earning again penalises those who earn and support themselves.

Do you have any final comments about the Council Tax Reduction / Earnings Bracket scheme?

- Q7

comments from those who strongly agreed/tended to agree with making the scheme more supportive

Landlords should contribute to the economy of the Council when they rent out. Also the empty property CT relief should be abolished

Strongly support this scheme.

I don't support the CT/CTR system. The rich should be paying much more and low earners nothing at all. Overall, I support the changes as better than before, but it still entrenches and will continue to allow the expansion of the economic oppression of the working class. Progressive Council Tax announced a few years back seemed a much better way to go but the officers failed to advise to test the idea in court, and councillors voted against taking the small risk of legal testing. The council needs to be far more legally imaginative to force funds from the wealthy to alleviate the burden on those with little or no wealth.

though you are attempting to simplify the scheme. the fact that there will be a different scheme for pensioners, working age on UC and working age not on UC means that it seems like in many ways it will make it more complicated rather than less.

it seems especially unfair that non-dep deductions will be different for the different schemes - can there just be one scheme for working age people regardless of if they are on UC?

will the capital limit of £6000 be scrapped for those on the new scheme? again, the difference between these different schemes seems unfair and over complicated.

please build in some transitional protection for those that are worse off under the new scheme.

does this proposed new scheme discriminate against larger families who would usually have a higher applicable amount which would factor in their higher expenses as a result of having more children - so the bracket scheme doesn't benefit them as they are treated the same as a single person even though their cost of living would be much higher?

I fully support the proposed changes.

Thank you for the survey and the opportunity to participate and provide feedback to support the Council to make more informed decisions about the views of residents.

parents with disabled children or disabled adults living with them should get a reduction on their council tax, it is hard enough without having to find extra money when we have so much extra money to pay out as it is

Has anyone actually worked out how much difference it would make to cut out ALL the bureaucracy and blanket exempt people who are at the poorest end of society and don't need any more stress in their life

Charging Council Tax to people on UC makes no sense. They are being sent money that they must then send back. UC is already barely enough to get by on now that the covid bonus has been removed (which should be reinstated as standard), and having to lose a large chunk of it to council tax, especially when you have little control over what council tax code area you are living in, due to UC being so low you cant easily move house, is unfair, and can make life near unliveable.

Council tax keeps going up for the average household who just about manage to scrape by in this city. Why not tax wealthy property developers/land owners a bit more for the good of the community?

You should think about the people who are moving from Universal credit to a job and have previous debts will have more debts with a minimum work which also means that they need help and not the payment of a total of 100% as you stabilize it in some of your examples

A lot of low earners could be receiving no U.C. your scheme would be better to help low earners who are not on benefits or not on many benefits

People raising children in a place where money is very low and old age pension should be allowed more money off as there is so much too pay for and so little money
The whole UC scheme is badly designed anyway. A couple of quid per week will not drastically change the life of people on UC. Surely some of them should be exempt full stop.
I pay same amount of council tax as someone working and earning thousands of pounds. I am single on a pension getting 25 per cent discount. Why not give me more of a discount.
It seems to be that this scheme would make it more affordable to contribute to society. It does make it quite irritating for anyone making more money.
It is unclear how much the proposals will affect council tax for others at a time when everyone faces significant downward pressures on household budgets and before the knowledge of Spending Review allocations to councils after suffering covid impacts on budgets.
The change to CTR should proportionately reflect changes to council tax for most tax bands as even for middle earners the annual 5% increases over the past couple of years have massive impact on affordability.
Given that there are potential changes to national tax (NI contributions) for all wages on the way, and potential changes to UC and other systems, is this the best time to link CTR to net earnings and savings?
It is unclear whether assets are accounted for in the formula - if not, maybe they should in the same way savings are (being cash poor is not true if you have lots of assets) to prevent abuse of the system.
I am a single parent and work 18 hours per week. Due to my hourly rate I hardly qualify for a lot. My daughter is at uni so doesn't work but as she is a non dependent I get nothing for her.
It's a scheme that has been needed since the change in the benefits system. I wish you luck and hope it succeeds.
I would appreciate some financial help towards my council tax as I don't earn enough to feed myself but I do pay all my bills
It looks basically ok. It should be a help not a major reduction
Would the earning bracket scheme run along side the single person's discount?
There are many luxury homes and people who can afford more on their Council tax, this tax is a heavier burden to those on state benefits or have low or no income
The Council needs to do more in order to align the schemes, but this should not result in the Scheme costing more because the Council needs to remove the administrative loops the misalignment has created. If there is a problem, pouring money into it usually does not help fix the root causes. The Council also needs to consider that reduction in the overall budget affects all residents - perhaps those in need the most, hence it should be more thoughtful in how additional money is being spent on the Scheme that could have been spent elsewhere. Admin processes can be improved with technological solutions that cost less than staff who need to process manually - perhaps an investment in a technical solution would provide a better outcome.
something obviously needs to happen and this feels right.
Look into people's backgrounds and reasons much more before giving reductions.
Stop charging children for living with parents and stop bedroom tax
It could include people on low incomes claiming working tax credit
I think this is a great idea to help lower income families (I should add that I will not benefit from this scheme).
Given the very high Council Tax rates for people like me who is not eligible for a Reduction, it would be a requirement either to lower them for everyone, or improve and become more efficient the services in the whole city.
Anything that helps those in need is a good thing we are not a 3rd world country
I am very keen to support people in our community and in principle, it's a good idea.
I am concerned that this is all about saving the council admin time and money, rather than recouping income.
All we hear from the council is how much money they don't have - yet, they want to stop collecting money owed.

You can't have it both ways.

Council tax has been increasing hugely over the last few years, yet the services and overall service has declined massively. Bins aren't collected properly, streets aren't cleaned, weeds in the pavements, parks aren't being properly maintained, graffiti all over the town centre, homeless people in tents all over the town. It looks dirty, grubby

Why not use the surplus £100k sorting out those issues. When you've got on top of the basics and aren't increasing council tax at eye watering levels, maybe cutting back would be more palatable.

At that point, id be happy to see the poorest being supported - the homeless in our city are amongst them - what are you doing to help them? Nothing

Covid has been an incredibly convenient excuse for delivering second rare services for too long

This is a rich council, help poor people please. Have some humanity.

Council has so many responsibilities to local people in need. I am just grateful you try and do whatever is financially possible from your limited funds for those in a financial hole

None

I would be interested to know where the additional budget will be taken from and what the Equality Impact Assesment of such a change identifies. There is no point in making more people financially more stable through CTR if you are reducing another vital source to them somewhere else, it then becomes futile.

I suggest you try living for a week on the net income levels you are proposing. I don't think unemployment should be a career option but you should be able to afford a basic balanced diet. Try it for a week and then tell citizens how easy it is and don't ask us.

The earnings brackets scheme should be a higher amount like £2000.00 per month and not £250 and anybody who earns over £1500 gets a 95% reduction in council tax. That would mean that a lot of people will get a discount on their council tax bill for 2022.

The poorer sections of society should be helped more

Minimal discount for high end owners , second owners dwellings and vacant ones.

I feel that the current systems and probably the proposed new system are far too complicated. This is probably exacerbated by UC not being compatible.

However it makes sense to have a shake up in the current CTR scheme.

The system is rubbish at the moment. Benefits are not properly explained. Those on low income need clarity and advice on what they are entitled to.

we hope this will be resolved soon because the tax is very expensive that s why people default

It is good that you are looking into a ways of supporting households in a fairer simpler to understand way.

I have full faith in my Council to make the correct choice, I apricate the opportunity in asking for my views as a full Council Tax payer.

Tax reductions schenes of any kind are a positive step to help families and single mothers as well as the vulnerable earners, and low income earners, all these groups need to be taken into account in the scheme.

N/A

Please make this across the board for all people on UC regardless of home ownership. I think it would also be fair for low income families or people who has had reductions in the or income as well. Many Thanks, Natalie

The majority of people cannot live on benefits as they stand, so any help is good. The government is looking at short term objectives, but they only storing up problems for the future as low incomes result in ill health and greater cost to nation, not mention to peoples suffering and hopelessness.

I am in full support of any scheme that supports people in our community to live without fear of poverty! This is a small contribution to that! The council need to do more!

It still does not seem low enough for very low earners with children. I know the elderly struggle too on a low pension. It just doesn't seem the right support. They need all the help they can get.
I hope it will be reduced as much as possible. With <<rent and earnings redacted>>, 175£ tax... I cannot afford it.
no
You should be transparent on the actual savings in salaries and admin costs if the changes are implemented. People could be re-deployed to focus on arrears collection.
Disgraceful Green Party policy to make benefit claimants and the lowest paid have to pay council tax.
Seems like the cost is offset by the time saved and likely to boost staff morale instead of making them penny pinch from the poor.
No
Its very helpful to lower-income households, so thank you for making these concessions.
Remove council tax
Does it go far enough to tackle poverty as a consequence of low wages and very high prices?
No it makes sense to me. Seems obvious if it saves funds for hours spent by the council figuring out all these different amounts. Then the funds can be spent where they are needed more.
I believe wholly in anything that will give autonomy and financial freedom to the maximum amount of people.
Everytime I deal with Brighton council, aside from the refuse collectors, who are incredibly hard working, I wonder what on earth all the revenue collected from council tax is spent on. Sloppy, difficult & tatty - Brighton council needs to support its permanent residents better and provide decent services rather than expecting individuals to jump through hoops to get basic amenities.
Make sure thorough checks are in place.
Make the council tax fair, according the real income of the residents.
It's a step in the right direction to review how CTR and UC can work together more efficiently. It's important for you to publicise how CTR's are currently calculated so that the public is made aware of what's currently going on.
I'm betting most people have no idea that CTR has to be recalculated every month based on an individual's earnings that month. Which of course as you mention impacts the individual's ability to properly calculate their Council Tax payments and might cause them to fall into arrears or overpay for their Council Tax
The whole process is nightmarish and unnecessary and the government need to take steps to simplify the system to better support both those on low income and local councils. With BoJo the fool in charge one doesn't hold out much hope however.
No thanks
IT appears to be necessary and fair. Everyone should pay something within their means.
Any new scheme should aim to cost as little as possible to administer, so thresholds need to be few and scoop up the most people on low incomes
In principle this sounds like a good financial idea, with not too much affect on the people that need it most. It also frees up admin costs to support other areas of the council's obligations.
Do because of my previous answers.
Be kind to people on UC!
As a lone parent working 20 hours per week and claiming universal credit, I find it frustrating that the more hours I work /the more I earn, leads to other supporting benefits being reduced, basically leaving me not much better off. I would like to 'make work pay' as is often quoted by government, but the way the system works, means I am always barely scraping by. If I earn over a certain amount, my universal credit is reduced, my help with council tax, prescriptions and dental costs are reduced, it feels pointless. I want to work my way out of poverty, but with low wages, high rents, high council tax and bills I feel very strongly as though I'm in a 'poverty trap' Im constantly struggling with finances and im sure many other 'working poor' are too. Please try and help this situation.

Yes please see previous comments not that it will carry any weight to our cause or views or participation in your survey
Maybe after that start giving some actual schemes and bridges for people that can't work but want to be useful. Ways to eventually return to work without removing all their benefits.
Is there any scope for applying the proposed new scheme to those not claiming UC as well so that we had fewer schemes? Or are there anomalies that would arise?
As a single parent claiming UC who has just started working again, I have seen my council tax go from £60pm to £160pm in one leap because I earned £600 one month. My earnings are not consistent due to zero hour contract and yet the council tax reduction cannot reflect that. A graded system that fairly reflects the amount earned each month would be much fairer.
I worry that any considerations fail to consider the long term potential for individuals who, through previous lack of support or provision have fallen through the cracks, and may never evolve to an adequate earning potential. In such cases it feels important to apply a higher (or long term) minimum income. The counter-situation is that provision and support has, for many, been successfully met. These should be considered 'the norm' whilst those on abnormally higher incomes might easily return contributions to recover the deficiency.
Comments from those who strongly disagreed / tended to disagree with making the scheme more supportive
Every year council tax automatically increases by 4% and everyone who is currently paying is expected to be able to afford the increase.
There is a significant portion of the working class that fall into this category. What about them?
I don't support any measures that penalise people that work.
Non of the information provided explains where the council will find the additional funds? What other services will be cut or who will receive a larger annual bill?
The single persons allowance needs to stay as it is unfair for 1 person to pay the same as a while family
I don't understand. What about those on a low income who, through no fault of their own, are STILL on legacy benefits either because they haven't had a need to move over (same job for years) or moving to UTC is not beneficial financially (in my case I would be WORSE off on them). I do not get CTR on a 20 hour week, nothing, but on 16 hours a week I got it all paid. Now I pay £100 a month on council tax yet that xtra 4 hours a week for a month just covers it. I am not on UTC. Under the new scheme I would qualify, if I was on UTC. I don't get why people on legacy benefits are punished.
Everyone who is living in the city should pay the tax- they get lots of additional benefits and we just end up paying for them.
To cover the costs from existing council resources will either mean a saving in resourcing costs! Improved productivity) , which was articulated as not haopening as its already costing more. On that basis it means cuts elsewhere, or an increase to council tax. This should be funded from central government and nor relying on local workers to subsidise.
Why does this even need to be done. Look at the current state of the job market. Employers are begging for staff and yet you are offering more money for people to stay at home. Absolutely crazy
This is wrong
Everyone should pay the same
Council tax is high enough already and there should not be any further extra costs as a result of this new scheme which otherwise seems logical.
Focus on the services that you offer. We won't benefit from these proposals on our house. The council tax increases annually but we're not offered any more in return. Services from B&M council are appalling. Focus on offering value for money.

Thank you for allowing everyone to express their opinion but instead of implementing this scheme may be think about all the other pressing problems starting with why people end up in this situation on the first place!
This is ridiculous that we are offering less services and expecting people to pay more money.
Everybody who benefits from council services should pay for them
END DISCOUNTS
single person households should not be paying the same as multi persons household. Council tax has been going up year by year and the city is looking worse and worse, where is all this money going?
As far as possible everyone should pay C Tax. Any increase in C Tax should be fully justified. The aim should be to keep the amount the same
Not keen if it costs more, where is that money coming from? Confusing survey
thank you for asking our opinion.
it should be means tested. there are too many people who get this help, and they dont really need it.
With inflation going up increasing taxes is a bad idea
I remember when council tax did not exist.
Personally i feel councils/governments should collect taxes elsewhere. Or include takes in the rents and collect from the landlords. Giving them the responsibility and not the individual or council. Less paperwork for you, more work for landlords who have an easy ride. Councils would then only have to assess private owners to pay.
Reduce Council Tax for everybody especially the part which goes towards bin collections which we often do not get!
No
I hope the suggested efficiencys in administration help offset the increased costs of implementation.
Students should pay council tax, but reduced inline with thier income.
Yes it should be abolished
You will never please everybody. It feels like a decent attempt at fairness.
Comments from those who neither agreed nor disagreed with making the scheme more supportive, or who did not know, or who did not answer
Only that council tax is currently very high.
Each year it has gone up.
The scheme should be fair to all not just those on low incomes who are supported by the state. Simplification seems a good idea. Supporting those on low income is a good idea as long as others don't suffer as a result.
The single persons discount should be raised to at least 40 per cent. Why should a single person pay one and a half times as much as someone who lives with their partner?
If the amount of support is increased will it be covered by savings or will it increase the amount households pay to cover it. If so what would the impact be? is it neglible or significant. This is relevant to a decision that is being made but is not clear.
Yes, I think any benefit schems are encouraging some people to not work. There should be programms of benefits for single mothers without fathers support or similar when one don't have time to work because they're busy looking after another people. But there are a lot of lasy people who just don't work and get all the benefits and live better that ones who work and are not entitled to any help.
Extremely confusing
Whilst some households are in need of the CTR, others are not. We still have a long way to go before we are able to effectively target the most vulnerable. In my view, everyone should contribute to their household and to their society. Contributing to the household and society is an essential social discipline going forward which can underpin getting people back into work.
We need to help people depending on their situation, not just income.

With the current bad economic situation , any increase the taxes should at the minimum and gradual. these are difficult times for everyone

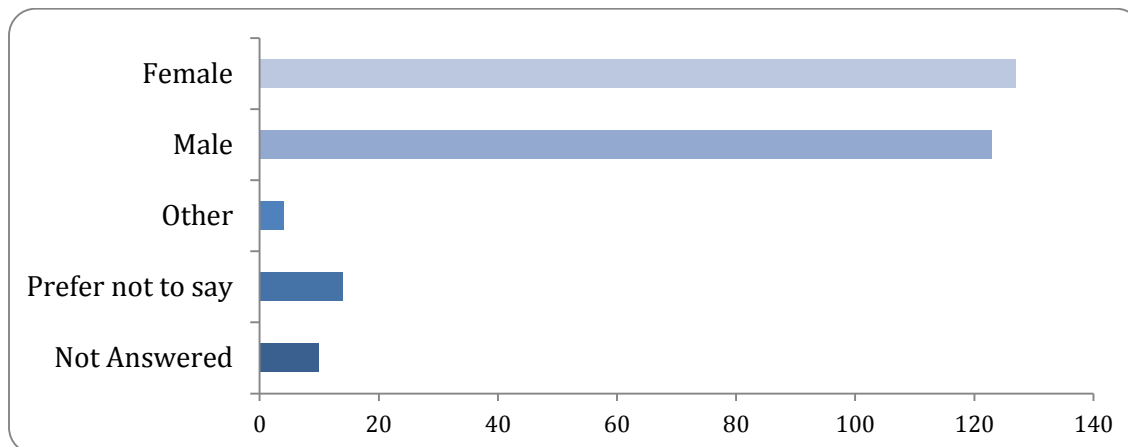
Make life easier for everybody by;

- 1) fixed threshold earning where a person starts paying council tax eg £300/wk
- 2) fixed rate for a range £300/wk-400/wk in earnings for example
- 3) fixed rate for 500/wk- 600/wk OR a fixed increase for every extra £100 increase in earnings.

Equalities breakdown

What gender are you?

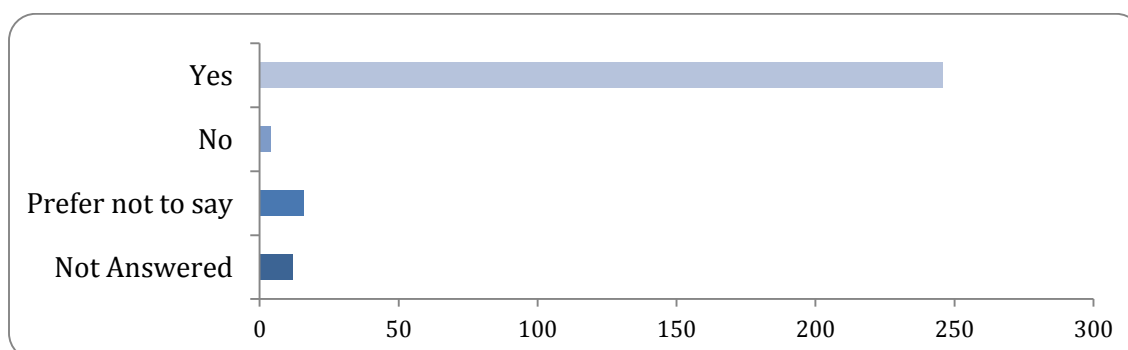
There were 268 responses to this part of the question.



Option	Total	Percent
Female	127	45.68%
Male	123	44.24%
Other	4	1.44%
Prefer not to say	14	5.04%
Not Answered	10	3.60%

Do you identify as the sex you were assigned at birth?

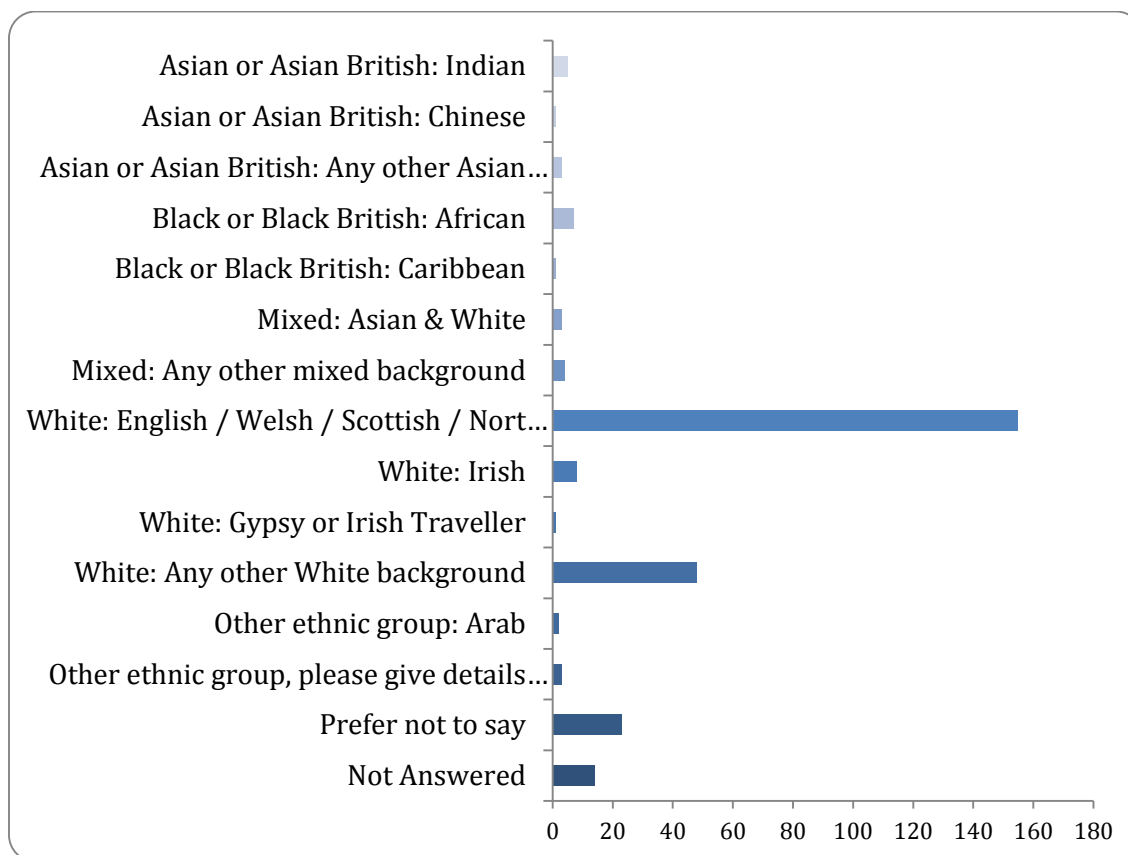
There were 266 responses to this part of the question.



Option	Total	Percent
Yes	246	88.49%
No	4	1.44%
Prefer not to say	16	5.76%
Not Answered	12	4.32%

How would you describe your ethnic origin?

There were 264 responses to this part of the question.

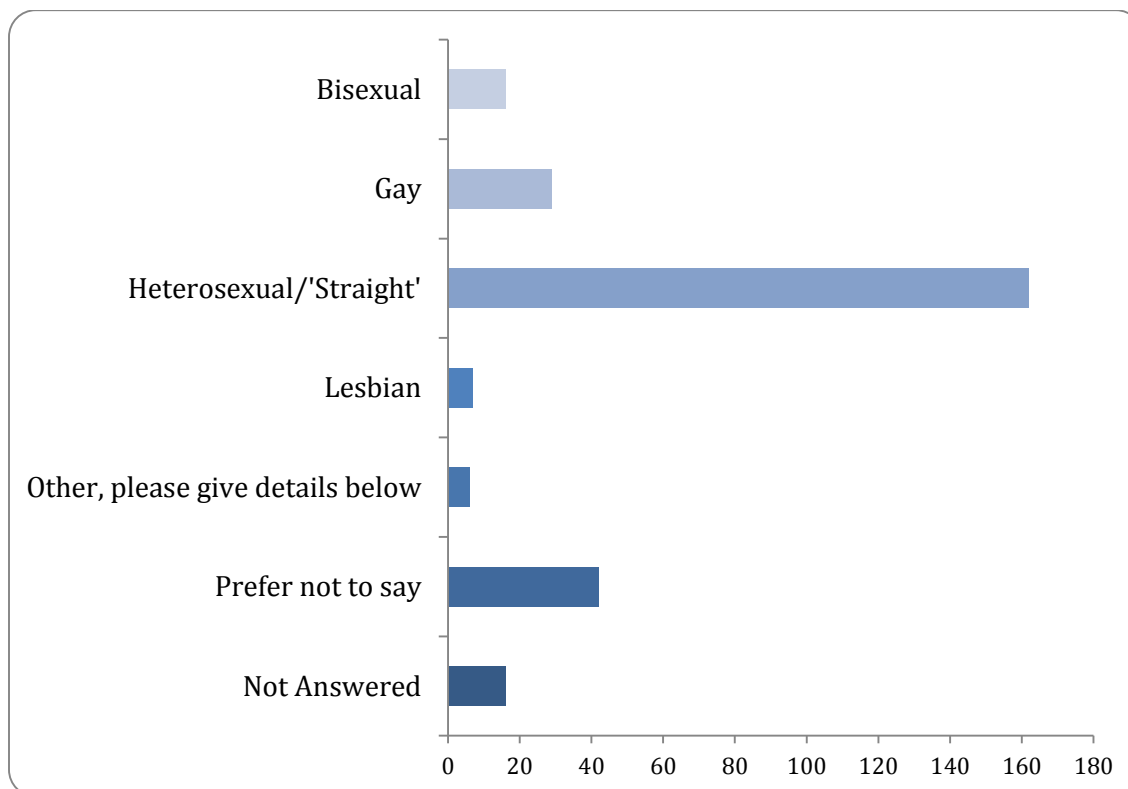


Option	Total	Percent
Asian or Asian British: Bangladeshi	0	0.00%
Asian or Asian British: Indian	5	1.80%
Asian or Asian British: Pakistani	0	0.00%
Asian or Asian British: Chinese	1	0.36%
Asian or Asian British: Any other Asian Background	3	1.08%
Black or Black British: African	7	2.52%
Black or Black British: Caribbean	1	0.36%
Black or Black British: Any other Black background	0	0.00%
Mixed: Asian & White	3	1.08%
Mixed: Black African & White	0	0.00%
Mixed: Black Caribbean & White	0	0.00%
Mixed: Any other mixed background	4	1.44%
White: English / Welsh / Scottish / Northern Irish / British	155	55.76%
White: Irish	8	2.88%
White: Gypsy or Irish Traveller	1	0.36%
White: Any other White background	48	17.27%

Other ethnic group: Arab	2	0.72%
Other ethnic group, please give details below	3	1.08%
Prefer not to say	23	8.27%
Not Answered	14	5.04%

Which of the following best describes your sexual orientation?

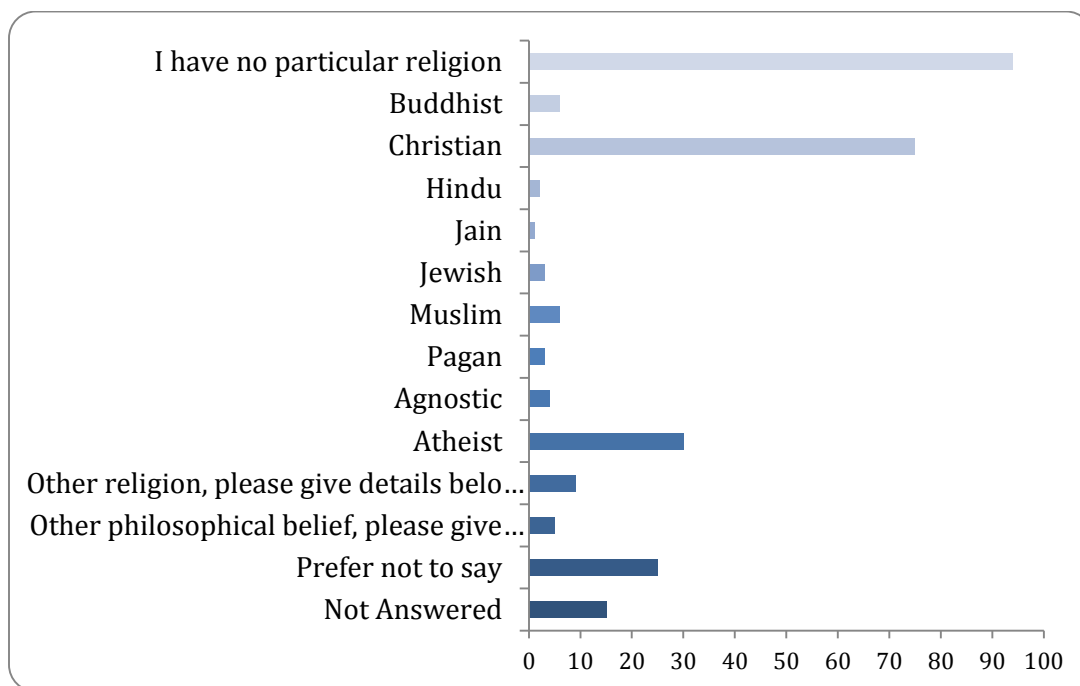
There were 262 responses to this part of the question.



Option	Total	Percent
Bisexual	16	5.76%
Gay	29	10.43%
Heterosexual/'Straight'	162	58.27%
Lesbian	7	2.52%
Other, please give details below	6	2.16%
Prefer not to say	42	15.11%
Not Answered	16	5.76%

What is your religion or belief?

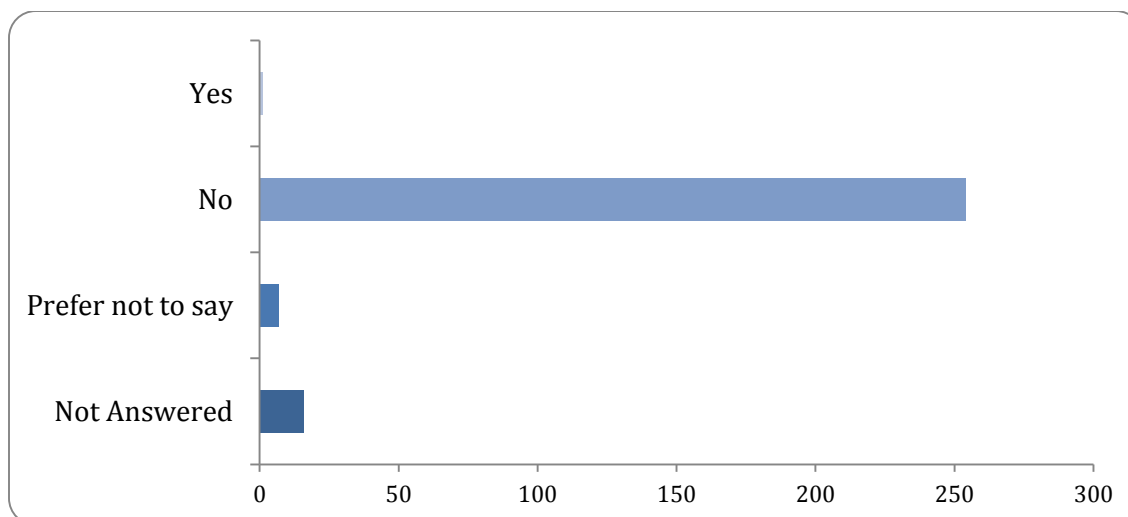
There were 263 responses to this part of the question.



Option	Total	Percent
I have no particular religion	94	33.81%
Buddhist	6	2.16%
Christian	75	26.98%
Hindu	2	0.72%
Jain	1	0.36%
Jewish	3	1.08%
Muslim	6	2.16%
Pagan	3	1.08%
Sikh	0	0.00%
Agnostic	4	1.44%
Atheist	30	10.79%
Other religion, please give details below	9	3.24%
Other philosophical belief, please give details below	5	1.80%
Prefer not to say	25	8.99%
Not Answered	15	5.40%

Armed forces service - Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, such as the Territorial Army)

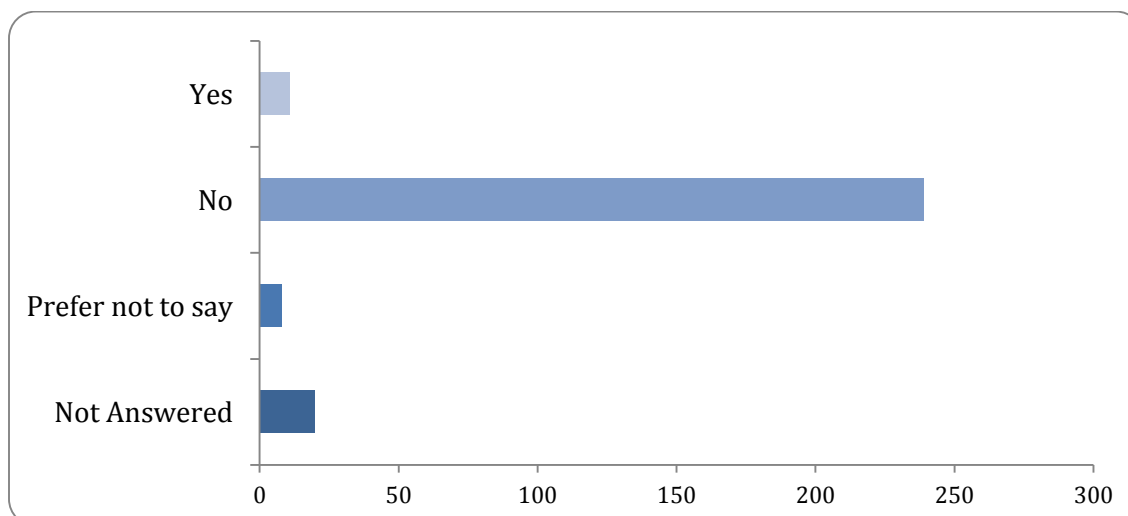
There were 262 responses to this part of the question.



Option	Total	Percent
Yes	1	0.36%
No	254	91.37%
Prefer not to say	7	2.52%
Not Answered	16	5.76%

Armed forces service - Have you ever served in the UK Armed Forces?

There were 258 responses to this part of the question.

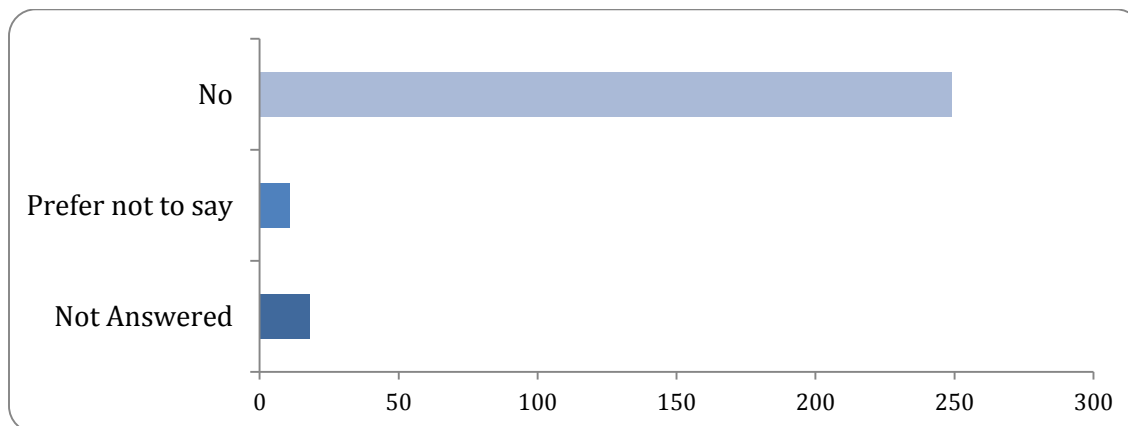


Option	Total	Percent
Yes	11	3.96%

No	239	85.97%
Prefer not to say	8	2.88%
Not Answered	20	7.19%

Armed forces service - Are you a member of a current or former serviceman or woman's immediate family/household?

There were 260 responses to this part of the question.

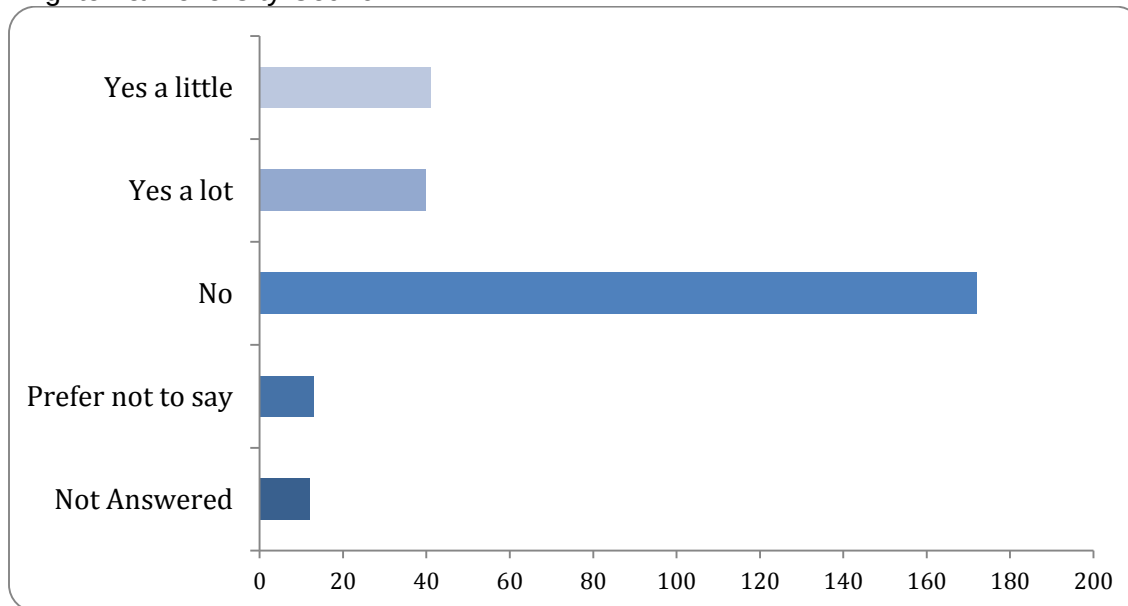


Option	Total	Percent
Yes	0	0.00%
No	249	89.57%
Prefer not to say	11	3.96%
Not Answered	18	6.47%

Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

There were 266 responses to this part of the question.

Brighton & Hove City Council

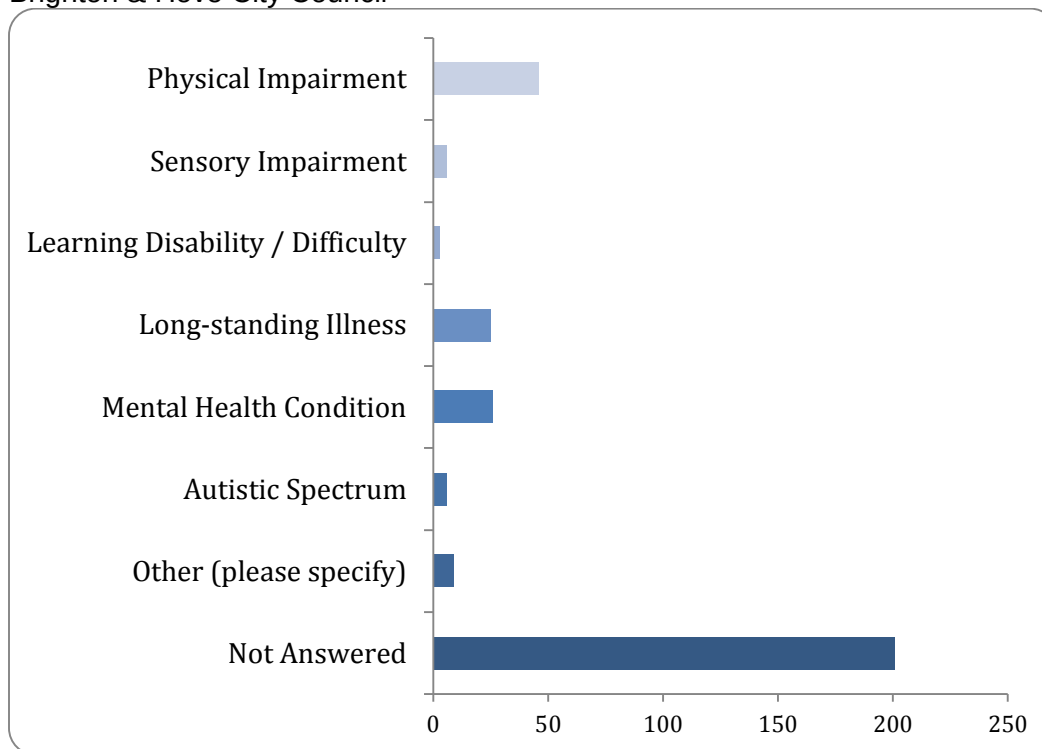


Option	Total	Percent
Yes a little	41	14.75%
Yes a lot	40	14.39%
No	172	61.87%
Prefer not to say	13	4.68%
Not Answered	12	4.32%

Please let us know the type of impairment which applies to you

Impairment type

There were 77 responses to this part of the question.

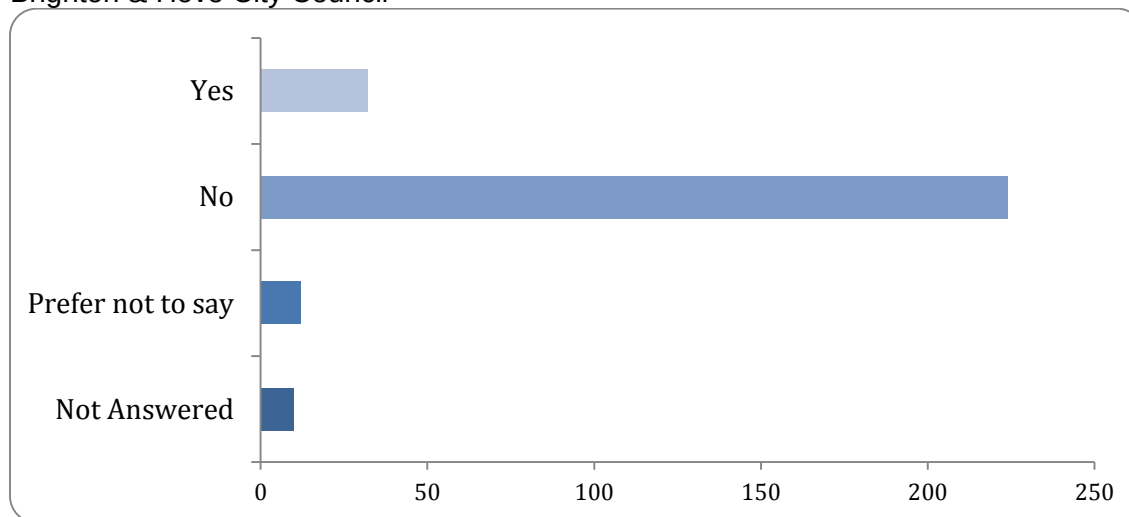


Option	Total	Percent
Physical Impairment	46	16.55%
Sensory Impairment	6	2.16%
Learning Disability / Difficulty	3	1.08%
Long-standing Illness	25	8.99%
Mental Health Condition	26	9.35%
Autistic Spectrum	6	2.16%
Developmental Condition	0	0.00%
Other (please specify)	9	3.24%
Not Answered	201	72.30%

Are you a carer?

There were 268 responses to this part of the question.

Brighton & Hove City Council

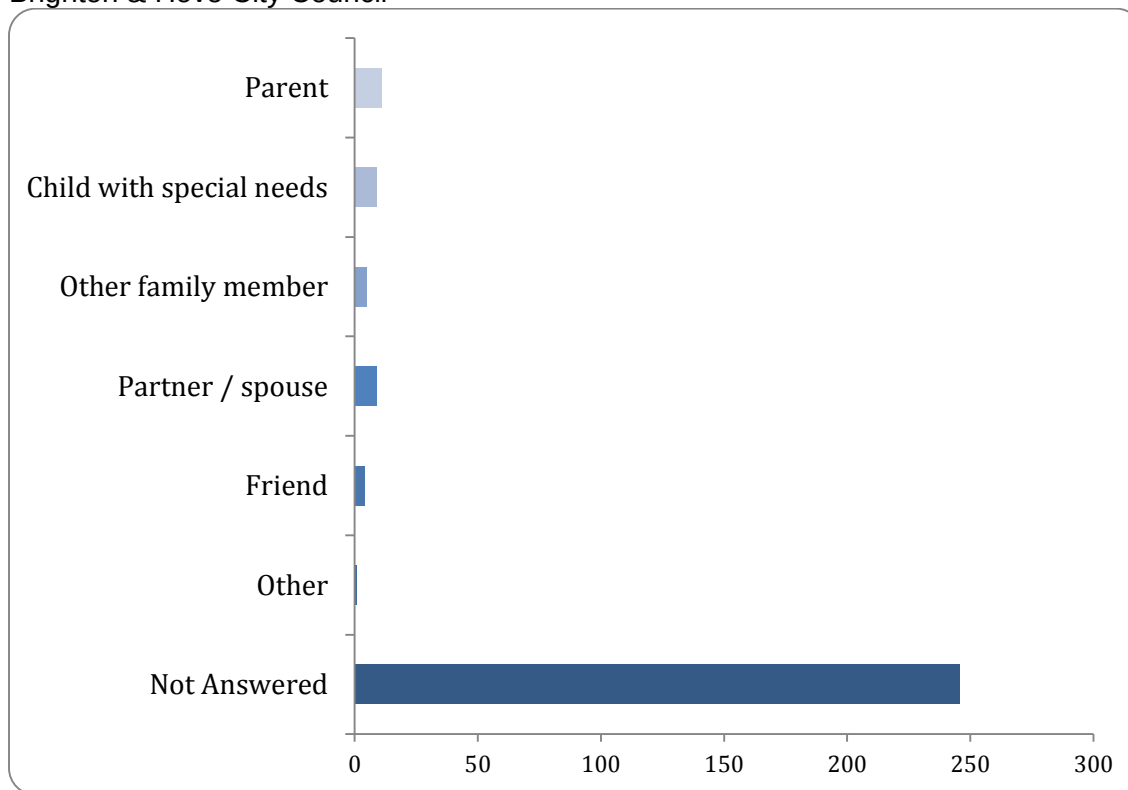


Option	Total	Percent
Yes	32	11.51%
No	224	80.58%
Prefer not to say	12	4.32%
Not Answered	10	3.60%

As a carer, who do you care for?

Care receiver

There were 32 responses to this part of the question.



Option	Total	Percent
Parent	11	3.96%
Child with special needs	9	3.24%
Other family member	5	1.80%
Partner / spouse	9	3.24%
Friend	4	1.44%
Other	1	0.36%
Not Answered	246	88.49%

Equality Impact and Outcome Assessment (EIA) Template - 2019

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹³) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact:

- BHCC: Communities, Equality and Third Sector Team on ext 2301
- CCG: Engagement and Equalities team

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Council Tax Reduction Scheme 2022-23	ID No.⁶	
Team/Department⁷	Revenues and Benefits		
Focus of EIA⁸	The focus of this EIA is to ascertain what the impact of introducing an Income Banded Council Tax Reduction scheme would mean for recipients of this type of support in Brighton & Hove. An Income Banded scheme will mean that every Universal Credit recipient who applies for Council Tax Reduction in B&H will be placed into a Council Tax liability band determined by how much 'earned income' that household receives each month. If their earnings fluctuate within the earnings bracket they will continue to pay the same amount of council tax. When their earnings reduce or increase to the extent that they fall into a different bracket, their Council Tax liability will be reassessed and they will be sent a bill advising them of the new contribution they will have to pay towards their Council Tax. It is common for those on a lower income and receiving Universal Credit frequently experience small fluctuations in their income. This could be due to being Self Employed, undertaking overtime, being		

	on a zero hours contract, or fluctuations in tax and/or National Insurance contributions. The benefit of a 'banded' scheme is that such fluctuations will not trigger a change in their entitlement to CTR as well as their Universal Credit entitlement. It means that the household will be better able to understand and plan for how much Council Tax they will have to budget for and pay each month. By simplifying our Council Tax Reduction scheme to make it more transparent for residents and reduce the administrative burden associated with Universal Credit claims, we need to be mindful of any particular groups within the city who may be disproportionately disadvantaged, financially, by its introduction. This EIA seeks to explore any impact of the proposed scheme on protected characteristic groups in our city. Some groups of people sharing protected characteristics are disproportionately likely to be recipients of CTR (eg: disabled people, women as heads of lone parent households and people in some age groups). Any changes in personal circumstances will be entirely dependent on the individual's circumstances however, and no trends have been identified that disproportionately disadvantage or benefit people sharing characteristics. Having a transparent and user friendly scheme that aligns with monthly Universal Credit payments will benefit households in receipt of this CTR-UC scheme. Reducing the number of times a household is re-billed due to a change in entitlement and having clear value amounts of what they are responsible for paying each month will assist many households in budgeting for and paying their CT liability. A flexible approach to Discretionary CTR eligibility, a coordinated approach to welfare support within the Revenues and Benefits service and appropriate sign-posting to other agencies for additional needs will also reduce any negative impacts identified.

2. Update on previous EIA and outcomes of previous actions⁹

What actions did you plan last time? (List them from the previous EIA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action plan below)
N/A – this is a new scheme design	N/A	N/A

3. Review of information, equality analysis and potential actions

Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations																					
Age ¹⁴	People of pensionable age are not affected by the proposals. As a change of circumstances can affect any of our working age caseload, there is unlikely to be any specific or indirect discrimination on grounds of age. There are 12,450 cases in the working age caseload, of which, 5,793 are in receipt of Universal Credit. NB: Data is for individuals who are either Claimant or Partner, not by Claim. <table><tr><th>Age</th><th>%</th><th>Fig</th></tr><tr><td>16-24</td><td>3%</td><td>193</td></tr><tr><td>25-34</td><td>7%</td><td>424</td></tr><tr><td>35-44</td><td>12.5%</td><td>721</td></tr><tr><td>45-54</td><td>29.5%</td><td>1,711</td></tr><tr><td>55-64</td><td>22%</td><td>1,283</td></tr><tr><td>65-74</td><td>1%</td><td>77</td></tr></table>	Age	%	Fig	16-24	3%	193	25-34	7%	424	35-44	12.5%	721	45-54	29.5%	1,711	55-64	22%	1,283	65-74	1%	77			Continue to provide a discretionary fund which can be used to increase the amount of CTR anyone can get if they face exceptionally difficult circumstances. The discretionary fund is under review to make sure it is being taken up where there is a need. Ensure there is availability of advice within the city so people can receive help dealing with benefits, payment of council tax, budgeting and
Age	%	Fig																							
16-24	3%	193																							
25-34	7%	424																							
35-44	12.5%	721																							
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Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				moving towards work.
Disability¹⁵	There are 5,793 working age UC claimants in the caseload, of which, 1,417 (24%) have a disability. This is indicated on our system where people are in receipt of DWP disability benefits Our arrears data does not indicate that Disability is currently a driving factor in being more likely to be in arrears. Not disabled, working age in arrears 14% and Disabled and in arrears 10%.	UK statistics indicate that disabled adults in working age households are much more likely to be in poverty. 39% compared with 18%. This is because Disabled people are less likely to be in work or more likely to be in low paid employment.	People who have disabilities may have income that is less likely to fluctuate, once their PIP / ESA is in payment, although those who work within their ESA limits may have fluctuating income. Although Disabled claimants have a higher income than non-Disabled claimants, due to additional awards in benefits, those payments are intended to pay for care and other essential needs relating to their health.	The discretionary fund is being reviewed to make sure it is being taken up where there is a need. The Debt Prevention team identify cases of potential financial vulnerability, due to disability, and seek to minimise their arrears through the use of both the discretionary fund and the removal of costs. An identifying factor used by the team to determine this vulnerability is the Limited Capability for Work component of the UC award,

Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				Ensure there is availability of advice within the city so people can receive help dealing with benefits, payment of council tax, budgeting and moving towards work. Detailed modelling will identify if particular groups will be disproportionately impacted and this will inform end policy approach to support. Discretionary Council Tax Reduction can be used to support any households experiencing hardship as a result of the new scheme.

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Gender reassignment¹⁶	We do not have specific data at case level. A change of circumstances may affect any person claiming CTR	The Trans Needs Assessment highlights that Trans people are more likely to have disabilities, including a higher proportion of mental ill health than other people. (Browne, Scott, Valentine, & Antoniou, 2015)		As above, the Discretionary Council Tax Reduction Fund exists to support those who are in difficulty and have a shortfall in their Council Tax Reduction. Signposting to appropriate advice agencies within the city if there is a need for assistance
Pregnancy and maternity¹⁷	There is currently a very small caseload of households on UC with a child under the age of one – 69 claims. We do not hold any data on pregnancy. No impacts of a banded scheme identified specific to this group	Pregnancy and maternity is a financially challenging time, with household income reducing if the mother had previously been in work.	In the case of lone parent households where the mother was in work, her liability will reduce in line with her income level. For this period where the mother is not in work, her income	Monitor the impact and use the Discretionary CTR to mitigate any hardship where appropriate.

Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations																		
			should remain stable and she will not see her CT contribution change for this period.																			
Race/ethnicity¹⁸ Including migrants, refugees and asylum seekers	The calculation of entitlement to CTR does not make reference to race, nor is it impacted by it. Ethnicity data recorded within Revenues and Benefits' records are not in high enough numbers to be able to accurately draw conclusions on the caseload based on this protected characteristic. What we do have on UC cases, where the applicant has chosen to complete this section of the Equalities monitoring form is below: NB: Data is for individuals who are either Claimant or Partner, not by Claim. <table><tr><th>Ethnicity</th><th>Count</th></tr><tr><td>Arab</td><td>62</td></tr><tr><td>Asian or Asian British: Bangladeshi</td><td>44</td></tr><tr><td>Asian or Asian British: Indian</td><td>19</td></tr><tr><td>Asian or Asian British: Pakistani</td><td>11</td></tr><tr><td>Asian or British : Any other</td><td></td></tr><tr><td>Background</td><td>85</td></tr><tr><td>Black British:African</td><td>100</td></tr><tr><td>Black British:Caribbean</td><td>31</td></tr></table>	Ethnicity	Count	Arab	62	Asian or Asian British: Bangladeshi	44	Asian or Asian British: Indian	19	Asian or Asian British: Pakistani	11	Asian or British : Any other		Background	85	Black British:African	100	Black British:Caribbean	31	The latest ONS study on household income by ethnicity shows that: • <i>Households with a White British head were approximately nine times as likely to be in the top quintile of total wealth (wealth above £865,400) as those of Black African ethnicity and 18 times as likely as those of Bangladeshi ethnicity.</i> • <i>The percentage of households with financial debt that exceed their financial assets was highest for the Black African and Other Asian groups (both 44%) and was twice as likely for these households</i>	As nation-wide evidence suggests there is an increased level of financial hardship among BAME communities, due to lower income level employment, it might be reasonable to suggest that there would be disproportionate representation of BAME households within the CTR caseload, when compared to the proportion within the population. However, our data is too incomplete to confirm this assumption.	The Discretionary Council Tax Reduction fund will be applied as appropriate to households struggling to pay their CT liability. Households identified as at risk of falling into arrears should be supported by Revenues and Benefits Welfare Support Hub, where their financial needs will be looked at holistically. Advice, support, discretionary financial assistance and signposting to
Ethnicity	Count																					
Arab	62																					
Asian or Asian British: Bangladeshi	44																					
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Black British:Caribbean	31																					

Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations																								
	<table><tr><td>Black British:Other</td><td>22</td></tr><tr><td>Chinese</td><td>10</td></tr><tr><td>Gypsy/Traveller</td><td>12</td></tr><tr><td>Mixed :Any other mixed background</td><td>57</td></tr><tr><td>Mixed: White and Asian</td><td>39</td></tr><tr><td>Mixed: White and Black African</td><td>66</td></tr><tr><td>Mixed: White and Black Caribbean</td><td>49</td></tr><tr><td>No ethnic origin stated</td><td>1570</td></tr><tr><td>White: Any other White background</td><td>384</td></tr><tr><td>White: British</td><td>3922</td></tr><tr><td>White: Irish</td><td>67</td></tr><tr><td>Total</td><td>6550</td></tr></table>	Black British:Other	22	Chinese	10	Gypsy/Traveller	12	Mixed :Any other mixed background	57	Mixed: White and Asian	39	Mixed: White and Black African	66	Mixed: White and Black Caribbean	49	No ethnic origin stated	1570	White: Any other White background	384	White: British	3922	White: Irish	67	Total	6550	<i>compared with the White British Group.</i> (Household wealth by ethnicity, Great Britain: April 2016 to March 2018, 2020) This information has been echoed by our Voluntary sector colleagues.		advice services in the CVS where appropriate will be provided.
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Religion or belief ¹⁹	We do not have specific data at case level. The calculation of entitlement to CTR does not make reference to religion, nor is it impacted by it.			Ensure advice and support services are widely available to all households claiming CTR through the Welfare Support Hub in the Revenues and Benefits service.																								
Sex/Gender ²⁰	Claimants or Partners in UC CTR claims: NB: Our system does not currently have a specific field for those who do not identify as non-binary. We have some claims with blank fields for Gender, but it is not clear if this is data entry error, choice or (in the case of partner) a not applicable field. The lack of recordable option will be noted and raised with our software provider.	Women are more likely than men to be in part time work, due to childcare requirements, are more likely to be in low paid work and in vocational areas that have been most heavily impacted by the pandemic.	Women, and disproportionately so for women who are lone parents, are more likely to be in receipt of CTR than men. Therefore, any	There is a greater risk of women being in financial hardship than men. A clear ‘at risk of arrears’ group has been identified in lone parents with																								

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	<table><tr><td>Female</td><td>3,847</td><td>57%</td></tr><tr><td>Male</td><td>2,850</td><td>43%</td></tr></table> Single parent claims: <table><tr><td>Female</td><td>1,405</td><td>93%</td></tr><tr><td>Male</td><td>106</td><td>7%</td></tr><tr><td>Total</td><td>1,516</td><td>100%</td></tr></table> .	Female	3,847	57%	Male	2,850	43%	Female	1,405	93%	Male	106	7%	Total	1,516	100%		changes to a CTR scheme are more likely to affect women, and particularly those who are lone parents, than men. One of the main identified groups disproportionately at risk of being in arrears is Lone parents with Non-Dependents. As the claimants in this group are far more likely to be women than men, this is an impact that will need to be considered in terms of Discretionary awards and Transitional Protection consideration.	Non dependents as being disproportionately more likely to be women and so this will be taken into consideration when applications of Discretionary awards are made. Specialist welfare support teams will be made aware of this identified need for financial support, and this will factor into how they identify households who may need additional help. Clear and appropriate signposting to third sector advice and support organisations.
Female	3,847	57%																	
Male	2,850	43%																	
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				If particular cases are identified as being worse off under the new UC CTR scheme, then they can be considered on a case by case basis for Discretionary Council Tax Reduction.
Sexual orientation ²¹	We do not have specific data at case level. A change of circumstances may affect any person claiming CTR. No impacts identified specific to this group	On our caseload, we have 76 cases recorded as being a same sex couple. Given that the overall numbers of those adversely affected by these changes, there is likely to be a minimal impact here, and not specifically due to sexual orientation, as change of circumstances affect any CTR recipient.		Any household struggling to afford their CT liability will be offered the opportunity to apply for DCTR scheme and further supported holistically through the Welfare Support Hub. Signposting to appropriate advice agencies within the city if there is a need for assistance

Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations																																												
Marriage and civil partnership ²²	No impacts identified specific to this group																																															
Community Cohesion ²³	This data is excluding Pensionable age people and all those with an active CTR claim, not just those on Universal Credit <table><thead><tr><th>Ward</th><th>Count</th></tr></thead><tbody><tr><td>BRUNSWICK & ADELAIDE</td><td>502</td></tr><tr><td>CENTRAL HOVE</td><td>471</td></tr><tr><td>EAST BRIGHTON</td><td>1328</td></tr><tr><td>GOLDSMID</td><td>642</td></tr><tr><td>HANGLETON & KNOLL</td><td>764</td></tr><tr><td>HANOVER & ELM GROVE</td><td>667</td></tr><tr><td>HOLLINGDEAN & STANMER</td><td>888</td></tr><tr><td>HOVE PARK</td><td>123</td></tr><tr><td>MOULSECOOMB & BEVENDEAN</td><td>961</td></tr><tr><td>Multi-ward Postcode</td><td>161</td></tr><tr><td>n/a</td><td>264</td></tr><tr><td>NORTH PORTSLADE</td><td>447</td></tr><tr><td>PATCHAM</td><td>384</td></tr><tr><td>PRESTON PARK</td><td>373</td></tr><tr><td>QUEEN'S PARK</td><td>1224</td></tr><tr><td>REGENCY</td><td>520</td></tr><tr><td>ROTTINGDEAN COASTAL</td><td>339</td></tr><tr><td>SOUTH PORTSLADE</td><td>439</td></tr><tr><td>ST.PETER'S & NORTH LAINE</td><td>924</td></tr><tr><td>WESTBOURNE</td><td>388</td></tr><tr><td>WISH</td><td>354</td></tr></tbody></table>	Ward	Count	BRUNSWICK & ADELAIDE	502	CENTRAL HOVE	471	EAST BRIGHTON	1328	GOLDSMID	642	HANGLETON & KNOLL	764	HANOVER & ELM GROVE	667	HOLLINGDEAN & STANMER	888	HOVE PARK	123	MOULSECOOMB & BEVENDEAN	961	Multi-ward Postcode	161	n/a	264	NORTH PORTSLADE	447	PATCHAM	384	PRESTON PARK	373	QUEEN'S PARK	1224	REGENCY	520	ROTTINGDEAN COASTAL	339	SOUTH PORTSLADE	439	ST.PETER'S & NORTH LAINE	924	WESTBOURNE	388	WISH	354			With the use of the upcoming LIFT dashboard, we can use more targeted communications to increase uptake in CTR in specific areas.
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	WITHDEAN 311 WOODINGDEAN 347 Total 12821			
Other relevant groups²⁴				If detailed modelling of the proposed scheme identifies any particular group that is adversely affected, this will be taken into consideration in the forming of Discretionary Payment decisions.
Cumulative impact²⁵	The proposals are not specifically designed to restrict CTR entitlement and depend on the specific change of household income. By increasing the earnings amount that a household can earn whilst remaining in entitlement for Council Tax Reduction, will help those households that are 'Just About Managing'. It will also alleviate debts in other areas of household debt.	Our consultation has shown that customers are generally in favour of making the scheme more streamlined and transparent	There are a small cohort of people (less than 5%) that will be negatively affected by being moved on to this new scheme	All customers on Council Tax Reduction are able to apply for a Discretionary Payment. Any specific groups of people that are identified as being disadvantaged can be identified and specifically targeted with a Discretionary

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	People will now be protected from multiple changes in their Council Tax due to micro changes in their Universal Credit. It will also help customers plan their finances if they know that their income is due to change in the future. Benefit Officers and Advice Agencies workers will be able to give clearer and more strategic advice around debt and financial advice. These changes will also help with the automation of this data set for those on Universal Credit. Those on legacy benefits will be moved on to the new scheme as soon as they are moved on to Universal Credit. There will be some discrepancies between the two schemes, for example in the way that earners on one scheme might remain on a static amount of CTR for longer. However, the differences are specifically adapted towards UC and non-UC claimants, according to how frequently they will experience changes in their category. There could be advantages and disadvantages to being on each scheme, depending on individual circumstances. However, the advantages of the new scheme			Payment to avoid hardship.

Groups to assess	What do you know¹⁰? Summary of data about your service-users and/or staff	What do people tell you¹¹? Summary of service-user and/or staff feedback	What does this mean¹²? Impacts identified from data and feedback (actual and potential)	What can you do¹³? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	are expected to outweigh the disadvantages, and over a period of several years, the legacy scheme claimants will move over to the new scheme. In the meantime, the legacy scheme claimants will see no difference in their entitlement, unless their circumstances change.			
Assessment of overall impacts and any further recommendations²⁶				
<i>When the scheme is fully implemented, we will be able to monitor and identify equality issues that arise as a result of this new CTR scheme and address this for future schemes going forward.</i>				

4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
Core data from our cases system	November 2021		
CTR Consultation	September – October 2021		

5. Prioritised Action Plan²⁷

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment:

Date:

Directorate Management Team rep or Head of Service/Commissioning:

Date:

CCG or BHCC Equality lead:

Date:

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

-
- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
 - **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
 - **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
 - **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
 - **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
 - **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
 - **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved

-
- The numbers of people affected
 - The size of the likely impact
 - The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁶ **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

⁷ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.

-
- How does it fit with other services?
 - Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
 - What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
 - What do existing or previous inspections of the policy, practice, service or function tell you?
 - What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Previous actions:** If there is no previous EIA or this assessment is of a new service, then simply write 'not applicable'.

¹⁰ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?¹⁰
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹¹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all perspectives can be considered.
- Identify any gaps in who has been consulted and identify ways to address this.

¹² Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.

-
- Be realistic: don't exaggerate speculative risks and negative impacts.
 - Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
 - Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹³ Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

¹⁴ **Age:** People of all ages

¹⁵ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

¹⁶ **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

¹⁷ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁸ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁹ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

²⁰ **Sex/Gender:** Both men and women are covered under the Act.

²¹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²² **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²³ **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²⁴ **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

²⁵ **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

²⁶ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁷ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

Brighton & Hove City Council

Council

Agenda Item 67

Subject: **Gambling Policy 2022 24 (as revised)** - Extract from the proceedings of the Licensing Committee (Licensing Act 2003) meeting held on 14 October 2021.

Date of meeting: 3 February 2022

Report of: Executive Director for Governance, People & Resources

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

Ward(s) affected: All

For general release

Action Required of the Committee / Council:

To receive the report from the Licensing Committee for consideration and the recommendations for approval.

Recommendation:

That the final version of the Statement of Licensing Policy as presented be agreed for adoption.

BRIGHTON & HOVE CITY COUNCIL

LICENSING COMMITTEE (LICENSING ACT 2003 FUNCTIONS)

4.00.pm

(at the conclusion of the preceding Non-Licensing Act Committee Meeting)

14 October 2021

MEETING

MINUTES

Present: Councillors Deane (Chair), Davis (Deputy Chair), Henry, (Opposition Spokesperson) Simson (Conservative Group Spokesperson), Bagaeen, Ebel, Healey, Moonan and O'Quinn

Apologies were received from: Councillors Appich, Knight, Lewry, Phillips Rainey and Theobald. Councillors Shanks and Hills attended in substitution for Councillors Phillips and Rainey respectively.

PART ONE

19. GAMBLING POLICY 2022-24 (AS REVISED)

- 19.1 The Committee considered a report of the Executive Director of Housing, Neighbourhoods and Communities requesting that the Committee consider and approve the Gambling Policy 2022-24 (as revised).
- 19.2 It was noted that it was a requirement the Gambling Act 2005 required Licensing Authorities to prepare a Statement (also known as a Policy) every three years setting out the principles which were applied when exercising their functions. Licensing Authorities were required to publish the statement following the procedure set out in the Act, including whom they should consult. Brighton and Hove's gambling policies and practices had been highlighted by the Gambling Commission as examples of good practice, in particular the work and links developed with Public Health to tackle gambling related harm.
- 19.3 At its meeting on 24 June 2021, the Committee had received a report and had authorised officers to initiate consultation regarding a review of the council's revised Gambling Policy which had already been subject to a comprehensive review in 2016 and a further review in 2019 when further changes had been made which had included increasing awareness of mental health issues. The issues which arose as a result of addiction to gambling and the impact it had on individuals and their families could not be underestimated. This council's policy was robust and she was happy to support it.

- 19.5 The Chair, Councillor Deane, referred to the incidence of on-line gambling and it was confirmed in answer to questions that available data indicated that this had increased during the pandemic and was in agreement with Councillor Simson that against that backdrop it was even more important that the council's policy was rigorous.
- 19.6 The Members present voted unanimously in support of the report recommendations.
- 19.7 **RESOLVED:** That Members of the Licensing Committee (Licensing Act 2003 Functions) agree to refer the final version of the Statement of Gambling Policy 2022-24 to Full Council for adoption (Appendix 1); and

RESOLVED TO RECOMMEND TO COUNCIL: That Council accepts the final version of the Statement of Licensing Policy as presented to it be agreed for adoption.

Subject:	Gambling Policy 2022-24 (as revised)		
Date of Meeting:	3 February 2022 14 October 2021 – Licensing Committee		
Report of:	Executive Director of Housing, Neighbourhoods and Communities		
Contact Officer:	Name:	Jim Whitelegg, Regulatory Services (Licensing & Trading Stds) Manager	Tel: 29-2438
	Email:	Jim.whitelegg@brighton-hove.gov.uk	
Ward(s) affected:	All		

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

- 1.1 The Gambling Act 2005 requires Licensing Authorities to prepare, every three years, a statement (also known as a Policy) of the principles which they propose to apply when exercising their functions, and they must publish the statement following the procedure set out in the Act, including whom they should consult.

2. RECOMMENDATIONS:

- 2.1 That members agree to refer the final version of the Statement of Gambling Policy 2022-24 to Full Council for adoption. (Appendix 1)
- 2.2 That the final Statement of Gambling Policy is presented to Full Council.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 On 24 June 2021, Licensing Committee received a report and asked officers to initiate consultation regarding a review of the council's revised Gambling Policy.
- 3.2 Brighton & Hove's gambling policies and practices has been highlighted by the Gambling Commission as an examples of good practice, in particular the work and links developed with Public Health to tackle gambling related harm.

- 3.3 The policy went through a comprehensive review in 2016, where Licensing officers, in conjunction with colleagues from the Public Health analyst team re-wrote the Gambling Statement of Principles. A further review took place for the 2019 version, where changes included increasing awareness of mental health issues and concerns about the use of privacy booths.
- 3.4 We have continued to liaise with the Gambling Commission and have been advised there are no major national changes to the Guidance for Local Authorities document that will affect local policies. The revised policy reflects changes such as the reduction in B2 gaming machine stakes in April 2019, updates the licensing figures and safeguarding contacts. Pre-consultation took place with the Gambling Commission, relevant stakeholders such as public health and council departments to ensure that the information contained within the policy is up to date. There have been some minor changes to the wording for considerations for local risk assessments and suggested conditions. The public health analyst team have updated the local area profile (LAP) to hopefully make it more user friendly and accessible to operators. Please find a copy of the revised Gambling Policy in Appendix 1 which includes guidance and advice on the local area profile in paragraph 13.20.

4. CONSULTATION

- 4.1 Consultation commenced on 5th July 2021 and lasted 8 weeks, closing on the 29th August 2021.
- 4.2 The revised statement of gambling policy was sent to statutory consultees and was available on the council's website and consultation portal. In addition, the Licensing Strategy Group, the city LATs (Local Action Teams), BID, BCRP, B&H Economic Partnership, gambling operators, and national and local gambling support networks (Gamcare and Breakeven) were consulted.
- 4.3 A total of 1 response was received from Sussex police:

Consultation responses via letter, email and consultation portal

From:	Response:	Whether accommodated or reasons not:
Sussex Police	On reading the proposed policy, Sussex Police have no areas of concern to raise. The alterations are minor and we do not believe will have any negative impact.	Support for current policy

- 4.4 Before the revised "Statement of Gambling Policy", comes into effect the local authority is required to publish the Statement of policy on the Council's website, and make it available for inspection at one or more public libraries for a period of at least 4 weeks before the date on which

it will come into effect. The authority must also publish a notice of its intention to publish a statement no later than the first day on which the statement is published. The notice must:

- a) Specify the date on which the statement is to be published
- b) Specify the date on which the statement will come into effect
- c) Specify the internet address where the statement will be published and the address of the premises at which it may be inspected, and
- d) Be published on the authority's website and in or on one or more of the following places:
 - A local newspaper circulating in the area covered by the statement
 - A local newsletter, circular or similar document circulating in the area covered by the statement
 - A public notice board on or near the principal office of the authority's public notice board on the premises of public libraries in the area covered by the statement.

4.5 The timetable is as follows:

- Licensing Committee 14th October 2021
- Full Council 16 December 2021
- Advertised and published during December 2021
- January 2022 Revised Statement comes into effect

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

There are no financial implications arising from the production of this statement, as licensing fees are set at a level that will be cost neutral to the licensing authority.

Finance Officer Consulted: Michael Bentley

Date: 08/09/21

5.2 Legal Implications:

Local authority responsibilities include upholding licensing objectives, publishing a three year licensing policy, determining applications for premises licences and regulating members clubs – club gaming and machine permits. The Licensing Committee established under section 6 of the Licensing Act 2003 has authority to exercise functions under the Gambling Act 2005 with the exception of: a resolution not to issue casino licences, the three-year licensing policy (full council) and setting fees.

Lawyer Consulted: Rebecca Sidell

Date: 30/09/2021

5.3 Equalities Implications:

Protecting children and other vulnerable persons from being harmed or exploited by gambling is one of the licensing objectives. The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children. "Vulnerable persons" will not be defined but for regulatory purposes the assumption is that this group includes people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. Operators should encourage where appropriate, strategies for self help and provide information on organisations where advice and help can be sought.

With limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments.

5.4 Sustainability Implications:

None.

5.5 Crime & Disorder Implications:

Gambling Commission inspectors have the main enforcement/compliance role. The police and licensing authority officers have powers of entry and inspection.

5.6 Risk and Opportunity Management Implications:

Gambling licensing objectives are:

- a) Preventing gambling from being a source of crime and disorder, being associated with crime and disorder, or being used to support crime
- b) Ensuring gambling is conducted in a fair and open way
- c) Protection children and other vulnerable persons from being harmed or exploited by gambling.

5.7 Corporate/Citywide Implications:

Licensing authorities licence all gambling premises in the city: casinos, bingo, betting, tracks, adult gaming centres, family entertainment centres as well as administering notices and granting gaming permits.

SUPPORTING DOCUMENTATION

Appendices:

1. Proposed statement of Gambling policy

Documents in Members' Rooms

None

Background Documents

None

Documents In Members' Rooms:

None

Background Documents:

None

Gambling Policy (Statement of Principles) 2022 – 2024

Gambling Act 2005



Brighton & Hove
City Council

Further copies of this document can be obtained from:

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Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Tel: 01273 294429

Email: Ehl.safety@brighton-hove.gov.uk

Web: <http://www.brighton-hove.gov.uk/content/business-and-trade/licensing-and-gambling>

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Executive Summary

The Gambling Act 2005 obtained Royal Assent in 2005 and came into effect in 2007.

Under Section 349 of the Gambling Act 2005, the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2007.

The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission (www.gamblingcommission.gov.uk).

The purpose of the Statement of Licensing Policy is to set out the principles that the Council propose to apply when determining licences, permits and registrations under the Gambling Act 2005.

Any decision taken by the Council in regard to determination of licences, permits and registrations should aim to permit the use of premises for gambling in so far as it is reasonably consistent with the licensing objectives, which are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The principles to be applied specifically to the determination of premises licence applications include definition of premises, location, duplication with other regulatory regimes, conditions, door supervision, layout of the premises and supervision of gaming facilities. The policy also specifically mentions adult gaming centres, family entertainment centres, casinos, bingo premises, betting premises, tracks and travelling fairs.

The Council has the ability to issue permits for prize gaming and unlicensed family entertainment centres. The Council is able to specify the information it requires as part of the application process which will aid determination and this information is described in this Policy.

Club gaming and club machine permits are also issued by the Council. The process for this is described, along with other processes specified in the legislation for example temporary use notices, occasional use notices and small society lotteries.

Enforcement of the legislation is a requirement of the Act that is undertaken by the Council in conjunction with the Gambling Commission. The policy describes the Council's enforcement principles and the principles underpinning the right of review.

The policy has three appendices, describing the stakes and prizes which determine the category of a gaming machine, a glossary of terms and exempt gaming in pubs and clubs.

Part A The Gambling Act 2005

1. The licensing objectives

- 1.1. Under the Gambling Act 2005 (the Act) Brighton and Hove Council is the licensing authority responsible for licensing premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the Council are to the Brighton and Hove Licensing Authority.
- 1.2. The Council will carry out its functions under the Act with a view to aiming to permit the use of premises for gambling in so far as it is reasonably consistent with the three licensing objectives set out at Section 1 of the Act. The licensing objectives are:
 - preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - ensuring that gambling is conducted in a fair and open way;
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.1. More information can be found about how the Council will achieve this in Part B and Part C of this document.
- 1.2. The Council will follow any regulations and statutory guidance issued in accordance with the Act and will have regard to any codes of practice issued by the national gambling regulator, the Gambling Commission.
- 1.3. The Council is aware that in making decisions about premises licences, it should aim to permit the use of premises for gambling in so far as it thinks it is:
 - in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonable consistent with the licensing objectives, and
 - in accordance with this document.
- 1.4. The Gambling Commission's Licence Conditions and Code of Practice (LCCP) require gambling premises to undertake a risk assessment taking into consideration local information. Specific information about localities is provided in this policy at Part C.

2. Brighton & Hove

2.1. Local features

The population of Brighton & Hove is approximately 275,000, but this number increases significantly in the summer months with the influx of tourists. The local visitor economy is characterised by three sectors: conferences, leisure and English language education. In 2019, the City received 10.7 million tourism day trips and 1.67 million staying visitors per year which equated to nearly 5.5 million nights stayed in the City. In 2019 the Visitor economy generated over £976 million of direct income for local businesses and supported over 24,000 jobs, 17.5% of the total Brighton & Hove labour force is employed in jobs supported by tourism expenditure.

Brighton Marina is one of the largest in Europe, and the City is a major centre for heritage and culture, hosting the largest annual international arts festival in England every May. There are also two Universities, a City College and a large number of language schools, which together make the City very popular with students from many parts of the world. Thirty five percent of the population is aged 20-39, which is much higher than the national average. This is quite different from the large retirement age population associated with many coastal cities and reflects the City's reputation among young people as an attractive place to live.

2.2. Culture and Tourism

Licensing policy supports entrepreneurial activity, promoting the City's businesses, supporting growth of the creative industries sector, extending the business improvement district. The cultural and tourism offer in Brighton & Hove is crucial to the ongoing economic success of the City; it brings both money and jobs. This range of work also provides solutions to some of the problems of inequality in the City.

The City of Brighton & Hove already provides many gambling facilities. There are two racetracks, Brighton Racecourse on Whitehawk Down which has been a site of organised public racing since the late eighteenth century and Coral Greyhound Racing Stadium in Hove. Brighton and Hove were two of the 53 permitted areas in Great Britain with four casinos under the 1968 Act. There are numerous bingo and betting premises. As a seaside resort, there is a history of amusement arcades, known as family entertainment centres, and adult gaming centres.

3. The Purpose of the Gambling Act 2005 – Statement of Licensing Policy

3.1. Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose when exercising their functions under the Act. This document fulfils this requirement. Such statement must be published at least every three years. The statement can also be reviewed from "time to time" and any amendments must be consulted upon. The statement must then be re-published.

3.2. Consultation was undertaken with the following:-

- the chief officer of police for the authority's area; and HM Revenue & Customs;
- persons representing the interests of persons carrying on gambling businesses in the authority's area – including existing casino operators, the British Casino Association, betting shops and the Association of British Bookmakers, bingo premises, operators of amusement facilities in the area, the Racecourse Association, Brighton Business Forum;
- persons who represent the interests of persons who are likely to be affected by the Act, including faith groups, local residents and tenants associations, voluntary and community organisations working with children and young people, operators of small lotteries, organisations working with people who are problem gamblers, medical practices, and advocacy organisations such as Citizens Advice Bureau, The Money Advice Trust and National Debtline, GamCare, Members and trade unions, and others via the Council's consultation portal.

3.3. The consultation took place between XXXXX and XXXXXX and followed the Council's Officer's Code of Practice on Consultation. The consultation elicited X responses which

are available on request. The policy was approved at a meeting of the Full Council on XXth December 2021.

4. The licensing framework

- 4.1. The Gambling Act 2005 brought about changes to the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with central government and local authorities to regulate gambling activity.
- 4.2. The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at a certain premises must have applied for the requisite personal licence and operator licence before they can approach the Council for a premises licence. In this way the Gambling Commission is able to screen applicants and organisations to ensure they have the correct credentials to operate gambling premises. The Council's role is to ensure premises are suitable for providing gambling in line with the three licensing objectives and any codes of practice issued by the Gambling Commission. The Council also issues various permits and notices to regulate smaller scale and or ad hoc gambling in various other locations such as pubs, clubs and hotels.
- 4.3. The Council does not licence large society lotteries or remote gambling through websites. These areas fall to the Gambling Commission. The National Lottery is not licensed by the Gambling Act 2005 and is regulated by the Gambling Commission under the National Lottery Act 1993.

5. Declaration

- 5.1. This statement of licensing policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 5.2. In producing this document, the Council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the policy statement.

6. Responsible Authorities

- 6.1. The Act empowers certain agencies to act as responsible authorities so that they can employ their particular area of expertise to help promote the licensing objectives. Responsible authorities are able to make representations about licence applications, or apply for a review of an existing licence. Responsible authorities will also offer advice and guidance to applicants.
- 6.2. The Council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
 - The need for the body to be responsible for an area covering the whole of the licensing authority's area;

- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.

6.3. In accordance with the regulations, the Council designates the Brighton & Hove Safeguarding Children Partnership (BHSCP) for this purpose. The BHSCP utilises the Pan Sussex Child Protection and Safeguarding Procedures. Applicants may find these procedures useful as a point of reference, a guide for good practice and the mechanism by which to make a referral to children's social work, when producing their own policies and procedures in relation to the objective of protection of children and vulnerable people.

6.4. The contact details of all the responsible authorities under s157 of the Gambling Act 2005 are available on the Council's website within the Gambling Policy at page 39.

7. Interested Parties

7.1. Interested parties are certain types of people or organisations that have the right to make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part, a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person –

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- b) has business interests that might be affected by the authorised activities; or
- c) represents persons who satisfy paragraph (a) or (b)."

7.2 The Council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's guidance to local authorities.
- Within this framework, the Council will accept representations made on behalf of residents and tenants' associations
- In order to determine if an interested party lives or has business interests sufficiently close to the premises to be likely to be affected by the gambling activities, the Council will consider factors such as the size of the premises and the nature of the activities taking place.

8 Exchange of Information

8.1 Licensing authorities are required to include in their policy statement, the principles to be applied by the authority with regards to the exchange of information between it and the Gambling Commission, as well as other persons listed in Schedule 6 to the Act.

8.2 The principle that the Council applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information, which includes the provision that the Data Protection Act 1998 will not be contravened. The Council will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

8.3 **Please note:** *names and addresses of those making representations will usually be disclosed to applicants.*

8.4 The gambling authority shall secure the proper integration of this policy with local crime prevention, planning, tourism and cultural strategies by:-

- liaising and consulting with the Sussex Police, HM Revenue & Customs and the Community Safety Strategy representatives, and following the guidance in community safety and crime and disorder strategy;
- liaising and consulting with the planning authority;
- liaising and consulting with tourism, stakeholder groups, business groups such as the business forums and the economic development functions for the Council;
- having regard to any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols.

9 Licensing authority functions

9.1 Licensing authorities are responsible under the Act for:

- licensing premises where gambling activities are to take place by issuing premises licences
- issuing provisional statements
- regulating members' clubs institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- issuing Club Machine Permits to commercial clubs
- granting permits for the use of certain lower stake gaming machines at Unlicensed Family Entertainment Centres
- receiving notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or less gaming machines
- granting Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises under the Licensing Act 2003, where more than two machines are required
- registering small society lotteries below prescribed thresholds
- issuing Prize Gaming Permits
- receiving and endorsing Temporary Use Notices
- receiving Occasional Use Notices (for tracks)
- providing information to the Gambling Commission regarding details of licences issued (see section above on "Exchange of information")
- maintaining registers of the permits and licences that are issued under these functions.

9.2 Family Entertainment Centres –

Applicants for permits for family entertainment centres will be required to submit enhanced DBS (Disclosure and Barring Service) certificate and declaration from an applicant that he or she has not been convicted of a relevant offence.

- 9.3 The functions of the Licensing Authority under the Act may be carried out by the Licensing Committee, but a Sub-Committee or by one or more officers acting under delegated authority. Delegated powers shall be in accordance with the table below.

Matter to be dealt with	Full Council	Sub-Committee	Officers
Three year licensing policy	X		
Policy not to permit casinos	X		X
Fee setting (when appropriate)		X	
Application for premises licence		If a representation made	If no representation made
Application for a variation to a licence		If a representation made	If no representation made
Application for a transfer of a licence		If a representation made	If no representation made
Application for provisional statement		If a representation made	If no representation made
Review of a premises licence		X	
Application for club gaming/club machine permits		If a representation made	If no representation made
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

- 9.4 At the time of adopting this Policy, the Licensing Authority was responsible for the following number of premises licences and permits:

Number of Gambling Authorisations – Current Figures (May 2021)	
Betting Premises Licences	25
Bingo Premises Licences	2
Adult Gaming Centre Premises Licences	6
Family Entertainment Centre Premises Licences	1
Family Entertainment Centre Permits	5
Alcohol licensed premises providing two or less gaming machines	185
Alcohol licences premises providing three or more gaming machines	22
Club Gaming Permits	3
Club Machine Permits	8
Casinos	4
Betting Track	2

10 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

- 10.1 Applicants for premises licences will have to hold an operating licence from the Gambling Commission before the premises licence can be issued. The licensing authority will not need to investigate the suitability of an applicant since the Commission will have already done so for both operating and personal licences.
- 10.2 If, during the course of considering a premises licence application, or at any other time, the licensing authority receives information that causes it to question the suitability of the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay.
- 10.3 Licensing authorities will need to consider the location of premises in the context of this objective. If an application for a licence or permit is received in relation to premises that are in an area noted for particular problems, e.g. organised crime, the authority should think about what controls might be appropriate to prevent those premises becoming a source of crime. These might include conditions being put on the licence. Section 169 of the Act allows the authority to impose conditions to prevent disorder.
- 10.4 Consideration may be given to imposition of conditions concerning:
 - Security and door supervision – guarding premises against unauthorised access or occupation, or against outbreaks of disorder or against damage may only be undertaken by Security Industry Authority licensed personnel.
 - As set by regulation.
- 10.5 There is no evidence that the operation of betting offices has required door supervisors for the protection of the public. The authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises, that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.

11 Ensuring that gambling is conducted in a fair and open way

- 11.1 Generally, the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter dealt with under the operating licence or personal licence.
- 11.2 In relation to the licensing of tracks, the licensing authority's role will be different from other premises in that track operators will not necessarily have an operating licence. In those circumstances, the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. Off-course operators with on-course facilities may be required to hold a separate betting premises licence for this area, but this will not be a mandatory requirement and will be at the discretion of the racecourse and the betting operator.

12 Protecting children and other vulnerable persons from being harmed or exploited by gambling

12.1 The Act provides the following definition for child and young adult in Section 45:

Meaning of “child” and “young person”

(1) In this Act “child” means an individual who is less than 16 years old.

(2) In this Act “young person” means an individual who is not a child but who is less than 18 years old.

For the purpose of this section, protection of children will encompass both child and young person as defined by the Act.

12.2 The Council will pay particular attention to any codes of practice which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos.

12.3 Examples of the specific steps the Council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

12.4 In the case of premises licences, the Council is aware of the extensive requirements set out for operators in the Gambling Commission’s Code of Practice. In this document, the Gambling Commission clearly describe the policies and procedures that operators should put in place regarding:

- Combating problem gambling
- Access to gambling by children and young persons
- Information on how to gamble responsibly and help for problem gamblers
- Customer interaction
- Self exclusion
- Employment of children and young persons

12.5 All applicants should familiarise themselves with the operator licence conditions and codes of practice relating to this objective, and determine if these policies and procedures are appropriate in their circumstances. The Council will communicate any concerns to the Gambling Commission about any absence of this required information.

12.6 Applicants may also like to make reference to the Sussex Safeguarding Adults Policy and Procedures which provides extensive guidance on identifying vulnerable people at risk of abuse or neglect and how to report a concern. This document can be accessed via <https://sussexsafeguardingadults.procedures.org.uk/>

12.7 The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children. The Gambling Commission, in its Guidance to Local Authorities, does not seek to offer a definition for the term “vulnerable people” but will, for regulatory purposes, assume that this group includes people:

“who gamble more than they want to, people who gamble beyond their means, elderly persons, and people who may not be able to make informed or balanced

decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs”.

Operators should make information publicly available via leaflets, etc about organisations that can provide advice and support, both in relation to gambling itself, to debt and mental wellbeing, e.g. GamCare, Gamblers Anonymous, Gordon House Association, National Debtline, local Citizens Advice Bureaux, Samaritans and independent advice agencies.

12.8 Applicants should consider the following proposed measures for protecting and supporting vulnerable persons, for example:

- leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets;
- training for staff members which focuses on building an employee’s ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons who may be vulnerable.
- trained personnel for the purpose of identifying and providing support to vulnerable persons
- self exclusion schemes
- operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people
- posters with GamCare Helpline and website in prominent locations
- windows, entrances and advertisements to be positioned or designed not to entice passers-by.

12.9 It should be noted that some of these measures form part of the mandatory conditions placed on premises licences.

12.10 The Council may consider any of the above or similar measures as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant.

12.11 With limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises that are adult-only environments. Children must be protected from being “harmed or exploited by gambling” which in practice means preventing them from taking part in, or being in close proximity to, gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.

12.12 Specific measures to prevent this may include:-

- Supervision of entrances
- Segregation of gambling from areas frequented by children
- Supervision of gaming machines in non-adult gambling specific premises
- Gaming machines in betting shops should not be visible from outside the premises

- Enhanced DBS (Disclosure and Barring Service) checks may be required for all applicants in relation to Family Entertainment Centres and declaration from an applicant that he or she has not been convicted of a relevant offence.

These considerations will be particularly relevant on tracks (where children will be permitted in the betting areas on race-days).

- 12.13 Consideration must be given, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. Any such considerations will need to be balanced against the authority's objective to aim to permit the use of premises for gambling.
- 12.14 The licensing authority recognises Brighton & Hove Children's Services as being competent to advise on matters relating to the protection of children from harm. Applicants shall copy their applications to: Head of Safeguarding, Brighton & Hove City Council, Children's Services, Moulsecoomb Hub North, Hodshrove Lane, Brighton, BN2 4SE in its capacity as the responsible authority.
- 12.15 Children are permitted to enter family entertainment centres and may play category D machines.

13 Premises Licences

- 13.1 The Council will issue premises licences to allow those premises to be used for certain types of gambling. For example premises licences will be issued to amusement arcades, bingo halls, bookmakers and casinos.
- 13.2 Premises licences are subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.
- 13.3 Applicants should also be aware that the Gambling Commission has issued Codes of Practice for each interest area for which they must have regard. The Council will also have regard to these Codes of Practice.

Definition of “premises”

- 13.4 Premises is defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.
- 13.5 The Council will take care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular the Council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised and that people do not “drift” into a gambling area.
- 13.6 The Council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the Council will consider before granting such applications include whether children can gain access, compatibility of the two establishments; and the ability to comply with the requirements of the Act. In addition, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or could, be prohibited under the Act.
- 13.7 An applicant cannot obtain a full premises licence until they have the right to occupy the premises to which the application relates.
- 13.8 The Council is aware that demand issues (eg. the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The

Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

13.9 With regard to these objectives, it is the Council's policy, upon receipt of any relevant representations, to look at specific location issues, including:

- the possible impact a gambling premises may have on any premises that provide services to children or young people, i.e. a school, or vulnerable adult centres in the area;
- the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children;
- the size of the premises and the nature of the activities taking place;
- any levels of organised crime in the area.

13.10 In order for location to be considered, the Council will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives.

Local Risk Assessment

13.11 From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under Section 10, for licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.

13.12 The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:

- to take account of significant changes in local circumstance, including those identified in this policy;
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- when applying for a variation of a premises licence; and
- in any case, undertake a local risk assessment when applying for a new premises licence.

13.13 Mental health is of particular concern locally. When compared with our benchmark partners Brighton and Hove has the highest percentage of patients with long term mental health problems, and also the highest percentage of patients with depression and anxiety.

13.14 The Council will expect the local risk assessment to consider as a minimum:

- whether the premises is in an area of deprivation;
- whether the premises is in an area subject to high levels of crime and/or disorder; including known problems in the area such as problems arising from

street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.

- the demographics of the area in relation to vulnerable groups;
- the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather;
- significant presence of young children, both residents and visitors;
- high unemployment area;
- nearby homeless hostels;
- nearby gambling, alcohol, drug or mental health support facility;
- the area has a high number of rough sleepers/homeless people;
- the area has a specific ethnic population;
- pawn broker/pay day loan businesses in the vicinity;
- other gambling premises in the vicinity.
- Factors affecting the footfall.
- The proximity of churches, mosques, temples or any other place of worship

Information around these groups is available in the Local Area Profile (LAP) in section 13.20.

13.15 In any case, the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

13.16 Other matters that the assessment may include:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the staffing of premises affects this.
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of persons using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by, etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

13.17 Such information may be used to inform the decision the Council makes about whether to grant the licence, to grant the licence with special conditions or to refuse

the application.

- 13.18 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.
- 13.19 Whilst there is no statutory requirement for licensees to share their risk assessments with responsible authorities or interested parties, the Gambling Commission's Licensing Conditions & Codes of Practice document states that licensees should share their risk assessment with licensing authorities on request as best practice (ordinary code 10.1.2). We therefore consider it appropriate for operators to hold premises risks assessments on premises. Doing so can also save considerable time and expense, as well as increasing the confidence of those agencies as to the operator's awareness of their obligations.

Local Area Profile

- 13.20 Each locality has its own character and challenges. In order to assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the Council has published a local area profile. This profile, compiled in conjunction with the Public Health Intelligence Team, can be obtained from <http://www.brighton-hove.gov.uk/content/business-and-trade/licensing-and-gambling>.
- 13.21 The local area profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profile will be presented to any subsequent licensing sub-committee when they determine an application that has received representations.
- 13.22 The Council recognises that it cannot insist on applicants using the local area profile when completing their risk assessments. However, an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

Conditions

- 13.23 The Council is aware that the Secretary of State has set mandatory conditions and default conditions and the Gambling Commission has set Licence Conditions and Codes of Practice which are necessary for the general good conduct of gambling premises, therefore it is unlikely that the Council will need to impose individual conditions imposing a more restricted regime in relation to matters that have already been dealt with.
- 13.24 Where there are specific risks or problems associated with a particular locality, or specific premises, or class of premises, the Council will attach individual conditions to address this.

13.25 Any conditions attached to a licence issued by the Council will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for and/or related to the area where the premises is based
- fairly and reasonably related to the scale, type and location of premises
- consistent with the licensing objectives, and
- reasonable in all other respects.

13.26 Decisions about individual conditions will be made on a case by case basis, although there will be a number of control measures the Council will consider using, such as supervision of entrances, supervision of adult gaming machines, appropriate signage for adult only areas, etc. There are specific comments made in this regard under each of the licence types in this policy. The Council will also expect the applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

13.27 Where certain measures are not already addressed by the mandatory/default conditions or by the applicant, the Council may consider licence conditions to cover issues such as:

- proof of age schemes
- use of security to minimise risk of disturbances including CCTV, SIA licensed security presence at the venue.
- supervision of entrances
- supervision of machine areas
- a reduction in the number of betting machines (betting premises)
- the staffing of premises, including restricting single staffing operations (no lone working) due to concerns over timely age verification, safety of staff, supervision, ability to comply with company policies on problem gambling, and the ability to provide brief interventions.
- physical separation of areas
- location of entrance points
- notices/signage
- specific opening hours
- a requirement that children must be accompanied by an adult
- enhanced DBS checks of the applicant and/or staff
- support to persons with gambling addiction, including outline the amount and content of gambling harms support advertising that should be in the premises (including local treatment support).
- Provision of leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets
- policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, and school holidays
- policies to address the problems associated with truant children who may attempt to gain access to premises and gamble

- any one or a combination of the measures as set out in this policy.

13.28 This list is not mandatory or exhaustive and is merely indicative of examples of certain measures which may satisfy the requirements of the licensing authority and the responsible authorities, depending on the nature and location of the premises and the gambling facilities to be provided.

13.29 There are conditions which the Council cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
- conditions in relation to stakes, fees, winnings or prizes.

Door Supervision

13.30 The Council will consider whether there is a need for door supervision in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted, though, that the Gambling Act 2005 has amended the Private Security Industry Act 2001, and that the door supervisors at casinos or bingo premises are not required to be licensed by the Security Industry Authority. Where door supervisors are provided at these premises, the operator should ensure that any persons employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a DBS (Disclosure and Barring Service) check on potential staff and for such personnel to have attended industry recognised training.

14 Adult Gaming Centres

14.1 Under the Act a premises holding an adult gaming centre licence will be able to make category B, C and D gaming machines available and no one under 18 will be permitted to enter such premises (see Appendix 2).

14.2 As no one under the age of 18 is permitted to enter an Adult Gaming Centre, the Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling, and will expect the applicant to consider their own measures to meet the Licensing Objectives and comply with all mandatory conditions and Gambling Commission Codes of Practice. However, the appropriate measure may cover issues such as:

- CCTV
- Minimum staffing levels
- Induction training for new staff and refresher training for existing staff

- Refusals register
- Proof of age schemes (e.g. Think 21)
- Third party test purchasing
- Location of entry to premises
- Infra Red Beam positioned across the entrance to the premises.

The list, however, is not mandatory, nor exhaustive and applicants are recommended to consider this Licensing Objective very carefully when applying for an Adult Gaming Centre Premises Licence.

Where the Adult Gaming Centre is situated in a complex, the Licensing Authority will pay particular attention to the location of entry so as to minimise opportunities for children gaining access. In particular, the Licensing Authority will not look favourably on situations where child orientated machines or facilities are sited close to the entrance to an Adult Gaming Centre.

15 Licensing family entertainment centres (FECs)

- 15.1 Licensed family entertainment centres are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes.
- 15.2 Licensed family entertainment centres will be able to make available unlimited category C and D machines where there is clear segregation in place so children do not access the areas where the category C machines are located (see Appendix 1).
- 15.3 Where category C or above machines are available in premises to which children are admitted then the Council will ensure that:
 - All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose, a rope, floor markings or similar provision will not suffice and the Council may insist on a permanent barrier of at least 1 meter high.
 - Only adults are admitted to the area where the machines (category C) are located
 - Access to the area where the machines are located is supervised at all times
 - The area where the machines are located is arranged so that it can be observed by staff; and
 - At the entrance to, and inside any such area, there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 15.4 The Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 15.5 Children and young persons may enter Licensed FECs but are not permitted to play Category C machines. The Licensing Authority will expect the applicant to ensure that there will be sufficient measures to prevent under 18 year olds having access to

the adult only gaming machine areas. The Licensing Authority will expect applicants to meet the Licensing Objectives and comply with all mandatory conditions and Codes of Practice issued by the Gambling Commission. However, appropriate measures may cover issues such as:

- CCTV, specifically sited where the adult machines are likely to be situated
- Controlled supervision of entrance and machine areas
- Physical segregation of machines and areas
- Provision of information leaflets/helpline numbers of organisations such as GamCare
- Minimum staffing levels
- Induction training for new staff and refresher training for existing staff
- Refusals register
- Proof of age schemes (e.g. Think 21)
- Third party test purchasing
- Location of entry to premises
- Infra Red Beam positioned across the entrance to the premises.

This list is not mandatory, nor exhaustive and is merely indicative of example measures.

With regard to vulnerable persons, the Licensing Authority will consider measures such as the use of self barring schemes, provision of information leaflets / helpline numbers for organisations such as GamCare as appropriate.

- 15.6 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Council's Performance and Safeguarding team within Children's Services to determine if their staff need to be DBS checked.

16 Casinos

- 16.1 There are four current casino licences in Brighton & Hove, Genting Casino in Preston Street, Grosvenor Seafront Casino and Brighton E Casino in Grand Junction Road and Rendezvous Casino in the Marina which were licensed under the Gaming Act 1968, and which have been subsequently converted into Gambling Act 2005 Converted Casino Premises Licences. What was the Grosvenor, Fourth Avenue, Hove, Casino licence was moved in 2012 by way of a variation application to the basement of 9 Grand Junction Road and remained dormant until a variation was granted in 2018 to relocate it within the same building and it now operates alongside the Grosvenor Seafront Casino and is known as the Brighton E Casino.
- 16.2 Statement regarding casino resolution – The licensing authority has taken a decision to pass a resolution not to issue new casino licences in Brighton & Hove.

17 Bingo Premises

- 17.1 There is no official definition for bingo in the Gambling Act 2005, however, from a licensing point of view there is a category of premises licence specifically for bingo premises which is used by traditional commercial bingo halls for both cash and prize

bingo. In addition, this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act (see Appendix 1).

17.2 The Council is aware that it is important that if children are allowed to enter premises licensed for bingo, they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted, then the Council will ensure that:

- All such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose, a rope, floor markings or similar provision will not suffice and the Council may insist on a permanent barrier of at least one meter high
- Only adults are admitted to the area where the machines are located
- Access to the area where the machines are located is supervised at all times
- The area where the machines are located is arranged so that it can be observed by staff
- At the entrance to, and inside any such area, there are prominently displayed notices indicating that access to the area is prohibited to persons under 18
- Children will not be admitted to bingo premises unless accompanied by an adult.

17.3 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operators' Licences. The Council will take this into consideration when determining licence applications for bingo premises.

17.4 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the Council may consider licence conditions to address such issues.

17.5 The Gambling Commission has issued Codes of Practice relating to Bingo premises and the Licensing Authority expects all applicants to comply with these codes. The Licensing Authority will not look favourably upon an application where an applicant seeks a Bingo Premises Licence with the sole intention of placing Category B2 Gaming Machines only in the premises with no provision for facilities for bingo, as this is not considered to be in the spirit of the Act. This is referred to in more detail in the Gaming Machines section of this Policy Statement. Applicants and premises licence holders are reminded of the Gambling Commission's operator licence conditions requiring that bingo is provided as the primary activity in any premises that hold or apply for bingo premises licence.

17.6 Where bingo is permitted in alcohol-licensed premises, this must be low turnover bingo only and applicants are expected to comply with any Codes of Practice and advice issued by the Gambling Commission. High turnover bingo will require a Bingo Operating Licence. Definitions of low and high turnover bingo are available by contacting the Licensing Team or by referring to the Gambling Commission's website.

18 Betting Premises

- 18.1 The Licensing Authority is responsible for issuing and monitoring Premises Licences for all betting premises and children will not be permitted entry to a premises with a Betting Premises Licence. They may, however, be permitted entry to tracks and special rules will apply. In addition, the Licensing Authority recommends that an applicant for gaming machines in such premises, considers carefully the location of betting machines to ensure that they are not in sight of the entrance to the premises.

Betting Machines

- 18.2 While the Licensing Authority has discretion as to the number, nature and circumstances of use of betting machines, there is no evidence that such machines give rise to regulatory concerns. The Licensing Authority will consider limiting the number of machines only where there is clear evidence that such machines have been, or are likely to be, used in breach of the Licensing Objectives. Where there is such evidence, the Licensing Authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter. When considering whether or not to impose such a condition, the Licensing Authority will take into account the following:
- The size of the premises
 - The number of counter positions available for person to person transactions; and
 - The ability of staff to monitor the use of the machines by children and young or vulnerable persons.
- 18.3 The Licensing Authority will expect applicants to meet the Licensing Objectives and comply with all mandatory conditions and Codes of Practice issued by the Gambling Commission. In determining whether an application meets the aforementioned criteria, the Licensing Authority may give consideration as to whether appropriate measures are or will be in place to address the matters listed below:
- Minimum staffing levels
 - Induction training for new staff and refresher training for existing staff
 - Refusals register
 - Proof of age schemes (e.g. Think 21)
 - Provision of CCTV
 - Entry control system
 - Supervision of entrances / machine areas
 - Self-barring schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare
- 18.4 This list is not exhaustive and is merely indicative of example measures. The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives.
- 18.5 With regard to vulnerable persons, the Licensing Authority will consider measures such as the use of self-barring schemes, provision of information leaflets /helpline numbers for organisations such as GamCare as appropriate measures.

19 Tracks

19.1 Tracks are sites (including racecourses and dog tracks) where races or other sporting events take place. The Licensing Authority recognise that tracks are different from other premises in that there may be more than one Premises Licence in effect, and that the track operator may not be required to hold an Operator's Licence as there may be several premises licence holders at the track who will need to hold their own operator licences. As children and young persons will be permitted to enter track areas where facilities for betting are provided (e.g. dog racing and/or horse racing), the Licensing Authority will expect premises licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. The Licensing Authority will expect applicants to consider their own measures to meet the Licensing Objectives, however, appropriate measures may cover issues such as:

- Proof of Age schemes
- CCTV
- Door supervisors
- Supervision of entrances/exits/machine areas
- Physical separation of areas
- Notices / signage
- Specific opening hours
- Location of entry and gaming machines
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

19.2 Where appropriate, in order for the Licensing Authority to gain a proper understanding of what it is being asked to licence, applicants will be required to:

- Provide a detailed plan of the grounds, indicating where the betting is to take place and the location of the race track;
- In the case of dog tracks and horse racecourses, indicate the location of any fixed and mobile pool betting facilities operated by the Tote or track operator as well as any other proposed gambling facilities;
- Evidence measures taken to ensure the third Licensing Objective will be complied with;
- Indicate what arrangements are being proposed for the administration of the betting; the Gambling Commission and Licensing Authority recommend that betting takes place in areas reserved for, and identified as being for, that purpose;
- Define the areas of the track that will be used by on-course operators visiting the track on race days;
- Define any temporary structures erected on the track for providing facilities for betting;
- Define the location of any gaming machines (if any).

- 19.3 With regard to gaming machines on tracks, the Licensing Authority will consider carefully the location of any adult gaming machines at tracks to ensure that these machines are in areas from which children are excluded, though it is recognised that children and young persons are not prohibited from playing Category D machines on a track.
- 19.4 Betting and Gaming Machines on Tracks – The Licensing Authority recognises the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines. It is the responsibility of the track operator to ensure compliance with the law in preventing children from using these machines. It is for this reason the Licensing Authority may consider restricting the number and location of machines, however, each application will be considered on its own merit.
- 19.5 Self contained betting offices on Tracks – In general, the rules that apply to betting premises away from tracks will apply to self contained betting premises on tracks and the Licensing Authority will consider future guidance from the Gambling Commission about how such premises should be delineated, both to make it clear to the public that they are entering a “betting office” and to prevent the entry of children and young persons. Applicants are recommended to consider the Gambling Commission’s view that it would be preferable for all self-contained premises operated by off course betting operators on track to be the subjects of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off course betting operator running a self-contained unit on the premises.
- 19.6 On advice from the Gambling Commission, the Licensing Authority may attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race card or made available in leaflet form from the track office. The Licensing Authority would welcome other suitable methods.

20 Travelling Fairs

- 20.1 Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for a licence or permit, provided that certain conditions are met, and this provision continues in similar fashion under the Act.
- 20.2 Travelling fairs have the right to provide an unlimited number of Category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair (see Appendix 1).
- 20.3 The Council will consider whether any fairs which take up the above entitlement fall within the statutory definition of a travelling fair.
- 20.4 The Council is aware that the 27 day statutory maximum for the land being used as a fair is per calendar year, and that it applies to the piece of land on which the fairs

are held, regardless of whether it is the same or different travelling fairs occupying the land. The Council will work with its neighbouring authorities to ensure that land which crosses the Council boundary is monitored so that the statutory limits are not exceeded.

21 Gaming Machines

- 21.1 Where the Licensing Authority is uncertain of whether or not a machine is a gaming machine as defined under the Act, it will seek the advice of the Gambling Commission.
- 21.2 Where the Licensing Authority has concerns about the manufacture, supply or repair of a gaming machine, it will bring this to the attention of the Gambling Commission.
- 21.3 The Licensing Authority will expect the holder of a Permit or Premises Licence to comply with the Codes of Practice issued by the Commission on the location of, and access to, Category D machines by children and young persons and their separation from Category C and B machines where those are also located on the same premises.
- 21.4 The Licensing Authority seeks to discourage applications for Premises Licences for the sole purpose of obtaining the ancillary provision of additional gaming machines where the principal activity either does not take place or is minimal. The Licensing Authority believes that the Gambling Act 2005 intended to set restrictions on the number of gaming machines for certain premises and considers that the fact that the licence authorised the holder to provide facilities for betting or bingo means that the operator must provide those facilities to qualify for the ancillary entitlement to gaming machines. Whilst this has not yet been legally contested, the Licensing Authority fully supports this view. The Licensing Authority is aware that the Gambling Commission has amended its operator licence conditions to address the issue of the primary gambling activity.
- 21.5 Brighton & Hove have a long history of providing family type gaming machines, such as penny falls and cranes. Such machines are primarily aimed at children and family type gaming. We recognise that, on the whole, such machines provide a low risk in relation to the licensing objectives. However, as with all gaming machines, such machines must be operated in a fair and open manner and in line with the protection of children from harm licensing objective.
- 21.6 Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times. The Licensing Authority has concerns that the use of gaming machines in privacy booths may prevent adequate supervision and protection of vulnerable persons and problem gamblers. The Licensing Authority seeks to discourage the use of privacy screens.
- 21.7 Any non-monetary prizes within such machines must comply with the maximum prize limits laid down in the regulations prescribing gaming machine categories and entitlements. If items such as toy mobile phones (or other similar novelty items) are offered as prizes, then this Authority will expect to see clear signage (displayed on or near the machine in question) indicating that such items are toys / novelty items.

- 21.8 This Authority will bring to the attention of specific machine operators any examples of prizes which it feels are inappropriate or require clarification to prospective machine users. In addition, where it is able to do so, this Authority will undertake appropriate compliance action when it feels that prizes within penny falls, cranes and other similar machines are outside the scope of the open and fair and protection of children licensing objectives.

Part D Permits, notices and lottery registrations

Permits /Temporary & Occasional Use Notice

Note for information: The Gambling Act 2005 introduced a range of permits for gambling. Permits are required when premises provide a gambling facility but either the stakes and prizes are very low or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premises. The Licensing Authority may only grant or reject an application for a permit and cannot impose or attach any conditions. There are different considerations to be taken into account when considering the different types of permit applications. Where a Permit is granted, the Licensing Authority will issue the Permit as soon as is reasonably practicable.

22 Unlicensed Family Entertainment Centre (uFEC) Gaming Machine Permits

- 22.1 The term “unlicensed family entertainment centre” is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers. The premises is “unlicensed” in that it does not require a premises licence but does require a permit to be able to provide category D machines. It should not be confused with a “licensed family entertainment centre” which requires a premises licence because it contains both category C and D gaming machines.
- 22.2 The Licensing Authority must be satisfied that the premises will be used as an unlicensed Family Entertainment Centre and Sussex Police must be consulted on all applications.
- 22.3 When determining a permit, the Licensing Authority will have regard to the Gambling Commission’s Guidance to Licensing Authorities and although not required to, will have regard to the three Licensing Objectives.
- 22.4 As these premises particularly appeal to children and young persons, the Licensing Authority will give weight to child protection issues. An application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed FEC, and the Licensing Authority will expect applicants to demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling, which is permissible in unlicensed FECs;
 - That staff are trained to have a full understanding of the maximum stakes and prizes;
 - The applicant’s previous history and experience of running similar premises;
 - Applicants must produce a DBS check dated within one calendar month of the date of the application being submitted to the Licensing Authority. The

Disclosure will reveal the existence and content of any criminal record (not spent under the terms of the Rehabilitation of Offenders Act) held in the name of the applicant.

- 22.5 Where an applicant provides evidence that he has an Operating Licence and has as a result undergone rigorous checks by the Gambling Commission, then a DBS check will not normally be required.
- 22.6 When considering any convictions revealed in an application, the Licensing Authority will consider the nature and relevance of the offence, how long ago the offence took place and any other factors that may be relevant. The application will be subject to the terms of the Rehabilitation of Offenders Act and “spent” convictions may not be referred to when considering the permit application. The application process will make specific reference to the Relevant Offences listed in Schedule 8 to the Gambling Act 2005.
- 22.7 Statement of Principles for Unlicensed Family Entertainment Centres – As these premises are open to children and young persons, the Licensing Authority will require additional information when an applicant applies for this Permit, as follows:
- A scaled plan of the premises indicating the location of Category D machines, Automated Teller Machines and any appropriate notices that are to be displayed;
 - The approximate number of Category D machines that will be provided;
 - Evidence that staff are trained to have a full understanding of the maximum stakes and prizes that are permissible;
 - A basic DBS check dated within one calendar month of the date of the application being submitted to the Licensing Authority (unless the applicant holds a current Operators’ Licence issued by the Gambling Commission);
 - Evidence of staff training by way of a Premises Log Book which should be signed and dated by staff to prove that training has been undertaken and understood;
 - Training for staff as regards dealing with suspected truant school children on the premises;
 - Policies and procedures in place to protect children from harm. Harm in this case is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures such as training, covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises;
 - The amount of space around gaming machines to prevent jostling of players or intimidation;
 - Details of opening hours;
 - Approximate numbers of staff employed.
- 22.8 Where an applicant fails to comply with the above requirements, the Licensing Authority may refuse the application. Where there is a reason for such a refusal, the Licensing Authority will notify the applicant of its intention to refuse and the reasons for the refusal. The applicant will then have an opportunity to make representations

orally, in writing, or both, and will have a right of appeal against any decision made.

- 22.9 With regard to renewal applications, the Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with the pursuit of the Licensing Objectives.
- 22.10 Where the Permit has been granted, the Licensing Authority will issue the permit as soon as is reasonably practicable, and in any event in line with the Regulations issued by the Secretary of State. The permit will then remain in effect for 10 years unless surrendered or lapsed.
- 22.11 The Licensing Authority recommends that applicants for unlicensed FEC Permits consider adopting BACTA's voluntary Code of Practice for Amusement with Prizes Machines in Family Entertainment Centres. This Code of Practice promotes awareness of social responsibility and acknowledges that proactive, specific and appropriate commitment will be given to educating children and young persons, thereby minimising the potential for harm.

23 Gaming Machine Permits in Premises Licensed for the Sale of Alcohol

- 23.1 With regard to gaming machines on premises that sell alcohol, the applicant is entitled to up to 2 gaming machines of Category C or D machines, subject to the applicant notifying the Licensing Authority, paying the prescribed fee and complying with any relevant Codes of Practice issued by the Gambling Commission.
- 23.2 The Licensing Authority may remove the automatic authorisation if:
- Provision of the machines is not reasonably consistent with the pursuit of the Licensing Objectives;
 - Provision of the machines is not compliant with the mandatory conditions relating to location and operation of machines;
 - Gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act;
 - An offence under the Gambling Act has been committed on the premises; or
 - The premises are mainly used for gaming.
- 23.3 The Licensing Authority will expect the applicant to comply with any Codes of Practice issued by the Gambling Commission and consider such measures to ensure that the under 18s do not have access to the adult only gaming machines. The Licensing Authority recommends considering such measures as:
- The adult machines being sited close to the bar;
 - The adult machines being sited where staff can monitor them;
 - Appropriate notices and signage;
 - Provision of information leaflets/helpline numbers for organisations such as GamCare.
- 23.4 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Licensing Authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued

under Section 25 of the Gambling Act 2005, and “such matters as they think relevant”. This Licensing Authority considers that “such matters” will be decided on a case by case basis, but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling, and will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

- 23.5 There is no statutory limit on the number of machines which may be applied for. However, it is the Licensing Authority’s policy that a licensing hearing must consider any application for three or more machines where Officers are of the opinion that the premises is not suitable for the number of machines applied for. It is important to note that the hearing is unlikely to grant a permit for more than six machines and even then six machines will normally only be granted to exceptionally large premises.
- 23.6 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of machines.
- 23.7 It is recognised that some alcohol-licensed premises may apply for a premises licence or an uFEC permit for their non-alcohol licensed areas. For the room in question to obtain a permit, its predominant use must be that of an amusement arcade. There must also be some form of acceptable delineation, which indicates that the alcohol area and family entertainment centre are two separate premises.
- 23.8 Gaming in alcohol-licensed premises – The Licensing Authority recognises that low level gaming may take place in alcohol-licensed premises. Exempt gaming being equal chance gaming that should be ancillary to the purposes of the premises. This gaming, however, is subject to statutory stakes and prize limits determined by the Secretary of State. A nominated gaming supervisor should therefore supervise gaming in alcohol-licensed premises, (i.e. the Designated Premises Supervisor (DPS)) and all gaming should comply with Codes of Practice issued by the Gambling Commission. As there is likely to be limited regulatory scrutiny of gaming provided in these premises, the Licensing Authority expects the applicant to be aware of, and adopt, these Codes of Practice and to ensure that all gaming in such premises is suitably managed.

24 Prize Gaming Permits

- 24.1 Prize Gaming Permits must be obtained where a Casino or Bingo Operating Licence is not in effect. However, a casino is not entitled to provide bingo without a Prize

Gaming Permit. As children and young persons may participate in equal chance prize gaming, and given that the premises will particularly appeal to children and young persons, the Licensing Authority has prepared a Statement of Principles that it proposes to apply in exercising its functions which specifies matters that the Licensing Authority propose to consider in determining the suitability of an applicant for a Prize Gaming Permit.

24.2 The Licensing Authority will require detailed information when an applicant applies for this Permit, as follows:

- A scaled plan of the premises indicating the location of the machines, other prize gaming facilities, etc., and any appropriate notices that are to be displayed;
- Evidence that applicants have a full understanding of the maximum stakes and prizes that are permissible;
- Evidence that staff are trained to have a full understanding of the maximum stakes and prizes that are permissible;
- A basic DBS check dated within one calendar month of the date of the application being submitted to the Licensing Authority (unless the applicant holds a current Operator's Licence issued by the Gambling Commission);
- Evidence of staff training by way of a Premises Log Book which should be signed and dated by staff to prove that training has been undertaken and understood;
- Policies and procedures in place to protect children from harm. Harm in this case is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures such as training, covering how staff would deal with unsupervised very young children being on the premises or children causing perceived problems on or around the premises;
- The amount of space around gaming machines to prevent jostling of players or intimidation;
- Details of opening hours;
- Approximate numbers of staff employed.

24.3 Where an applicant provides evidence that he has an Operating Licence and has as a result undergone rigorous checks by the Gambling Commission, then a DBS check will not normally be required.

24.4 When considering any convictions revealed in an application, the Licensing Authority will consider the nature and relevance of the offence, how long ago the offence took place, and any other factors which may be relevant. The application will be subject to the terms of the Rehabilitation of Offenders Act and "spent" convictions may not be referred to when considering the permit application. The application process will make specific reference to the Relevant Offences listed in Schedule 8 to the Gambling Act 2005.

24.5 In making its decision on a application for this permit, the Licensing Authority does not need to have regard to the Licensing Objectives and will take into account, after consultation, any objections that the Police may wish to make, whether relevant to

the Licensing Objectives. The grounds for decision-making as regards renewals are the same as for initial applications.

- 24.6 Where the Licensing Authority intends to refuse the application for a permit, it will notify the applicant of its intention to refuse it, stating the reasons and offering the applicant an opportunity to make representations orally, in writing, or both.
- 24.7 Where an application is granted, the Licensing Authority will issue it as soon as is reasonably practicable.
- 24.8 The Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling, but includes wider child protection considerations.

25 Club Gaming and Club Machine Permits

- 25.1 Members' clubs and miners' welfare institutes may apply for a "club gaming permit" or a "club machine permit". The "club gaming permit" will enable the premises to provide gaming machines (three machines of categories B4, C or D), equal chance gaming, i.e. poker, bingo, etc. A "club machine permit" will enable the premises to provide gaming machines (three machines of categories B4, C or D). Commercial clubs may apply for a "club machine permit" only.
- 25.2 To qualify for these special club permits, a members club must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.
- 25.3 Clubs must have regard to the protection of children and vulnerable persons from harm or being exploited by gambling. They must provide sufficient measures to ensure that any under 18 year olds do not use the adult only gaming machines. These measures may include:
- The machines being in close proximity to the bar, or in any other area where they are capable of being adequately supervised;
 - Notices and signage;
 - The provision of information leaflets/helpline numbers for organisations such as GamCare.
- 25.4 Before granting the permit, the Council will need to satisfy itself that the premises meets the requirements of a members' club, and that the majority of members are over 18.
- 25.5 The Council may only refuse an application on the grounds that:
- The applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which they have applied;
 - The applicant's premises are used wholly or mainly by children and/or young persons;

- An offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - A permit held by the applicant has been cancelled in the previous ten years;
 - An objection has been lodged by the Commission or the police.
- 25.6 There is also a “fast-track” procedure available for premises which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure, there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which the Council can refuse a permit is reduced. The grounds on which an application under the process may be refused are:
- That the club is established primarily for gaming;
 - That in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
 - That a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

26 Temporary Use Notices

- 26.1 Temporary use notices allow the use of premises on not more than 21 days in any 12 months period for gambling where there is no premises licence, but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.
- 26.2 Temporary Use Notices allow the use of premises for any form of equal chance gambling where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner.
- 26.3 Only persons or companies holding a relevant operating licence can apply for a temporary use notice to authorise the particular class of gambling permitted by their operating licence.
- 26.4 A temporary use notice must be lodged with the licensing authority not less than three months and one day before the day on which the gambling is due to take place. Detailed information about how to serve a temporary use notice will be available in a separate guidance note.
- 26.5 The Act makes a special reference, in the context of temporary use notices, to a “set of premises” to try and ensure that large premises which cannot reasonably be viewed as separate are not used for more temporary use notices than permitted under the Act. The Council considers that the determination of what constitutes “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a “set of premises”, the Council will look at, amongst other things, the ownership/ occupation and control of the premises. The Council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

27 Occasional Use Notices (for tracks)

- 27.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice. The application may be made in writing to the Council by the person responsible for the administration of the events on a track, or by an occupier of the track.
- 27.2 The Council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will, however, consider the definition of a “track” and whether the applicant is entitled to benefit from such notice.

28 Small Society Lottery Registrations

- 28.1 A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part.
- 28.2 The Act creates two principal classes of lotteries: Licensed lotteries and exempt lotteries. Licensing lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries, there are four sub-classes, one of which is small society lotteries.
- 28.3 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These will be administered by the Council for small societies who have a principal office in Brighton & Hove and want to run such lottery.
- 28.4 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.
- 28.5 To be “non-commercial” a society must be established and conducted:
- For charitable purposes;
 - For the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
 - For any other non-commercial purpose other than that of private gain.
- 28.6 The other types of exempt lotteries are “incidental non-commercial lotteries”, “private lotteries” and “customer lotteries”. If you require guidance on the different categories of lotteries, please contact the Council’s Licensing Team.
- 28.7 The National Lottery is not licensed by the Gambling Act 2005, and continues to be regulated by the National Lottery Commission under the National Lottery Act 1993.

28.8 Small Society Lotteries

The Licensing Authority registers and deals with small society lotteries. Promoting or facilitating a lottery falls within one of the following categories:

- Licensed Lotteries (requiring an Operating Licence from the Gambling Commission);
 - Small Society Lotteries (registered with the Licensing Authority); and
 - Exempt Lotteries.
- 28.9 Lotteries permitted to be conducted without a licence from the Gambling Commission and these are:
- Small Society Lotteries (registered with the Licensing Authority);
 - Incidental Non-Commercial Lotteries;
 - Private Lotteries: (Private Society Lottery, Work Lottery, Residents' Lottery);
 - Customer Lotteries.
- 28.10 Societies may organise lotteries if they are licensed by the Gambling Commission, registered with the Licensing Authority or fall within the exempt category. The Licensing Authority recommends those seeking to run lotteries take their own legal advice on which type of lottery category they fall within. However, guidance notes with regard to all lotteries, limits placed on small society lotteries and information setting out financial limits are available by contacting the Licensing Team.
- 28.11 Applicants for lottery licences must apply to the Licensing Authority in the area where the principal office is located. Where the Licensing Authority believes that the Society's principal office is situated in another area, it will inform the Society as soon as possible, and where possible, will inform the other Licensing Authority.
- 28.12 The Licensing Authority will keep a Public Register of all applications and will provide information to the Gambling Commission on all lotteries registered by the Licensing Authority. As soon as the entry on the Register is completed, the Licensing Authority will notify the applicant of registration.
- 28.13 The Licensing Authority will ask applicants to set out the purposes for which the Society is established and will ask the Society to declare that they represent a bona fide non-commercial society and have no relevant convictions. The Licensing Authority may, however, seek further information from the Society and in particular may require a copy of the society's constitution.
- 28.14 Where the Licensing Authority intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration, and supply evidence on which it has reached that preliminary conclusion.
- 28.15 The Licensing Authority may revoke the registered status of a society if it thinks that they would have had to, or would be entitled, to refuse an application for registration if it were being made at that time. However, no revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.
- 28.16 With regards to where small society lottery tickets may be sold, the Licensing Authority applies the following guidance criteria to all small society lotteries it registers:

- Tickets should not be sold in a street – street includes any bridge, road, land, footway, subway, square, court or passage (including passages through enclosed premises such as shopping malls); and
- Tickets may be sold from a kiosk, in a shop or door-to-door.

This approach is consistent with the operating licence conditions imposed by the Gambling Commission upon operators of large lotteries.

Part E Enforcement

29 Enforcement Principles

- 29.1 The Council will work closely with the responsible authorities in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following government guidance around better regulation.
- 29.2 In carrying out its enforcement duties with regards to the inspection of premises; and the powers to institute criminal proceedings in respect of certain offences under the Act, the Council will endeavour to be:

Proportionate:	regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
Accountable:	regulators must be able to justify decisions, and be subject public scrutiny;
Consistent:	Rules and standards must be joined up and implemented fairly;
Transparent:	Regulators should be open, and keep regulators simple and user friendly; and
Targeted:	Regulation should be focused on the problem, and minimise side effects.

- 29.3 The Council will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 29.4 Where there is a Primary Authority scheme in place, the Council will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy, there were four Primary Authority arrangements with host local authorities:

Coral/Ladbrokes	Milton Keynes
Welcome Break	Milton Keynes
BACTA	Reading
MOTO	Reading
Paddy Power	Reading
William Hill	Reading
Rank Group	City of Westminster

- 29.5 Further information, including an index of all Primary Authority arrangements, can be found at [Primary Authority Register \(beis.gov.uk\)](https://beis.gov.uk/primary-authority-register)
- 29.6 The Council will also adopt a risk-based inspection programme in line with government recommendations around better regulation and the principles of the Hampton Review.
- 29.7 The main enforcement and compliance role for the Council in terms of the Gambling Act 2005, will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the Council, but will be notified to the Gambling Commission. In circumstances where the Council believes a premises requires a premises licence for gambling activities and no such licence is in force, the Council will alert the Gambling Commission.
- 29.8 The Council will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- 29.9 The Council's enforcement/compliance protocols/written agreements will be available upon request.

30 Reviews

- 30.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked, suspended or that conditions may be amended or new conditions added.
- 30.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the Council to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is:
- In accordance with any relevant code of practice issued by the Gambling Commission;
 - In accordance with any relevant guidance issued by the Gambling Commission;
 - Reasonably consistent with the licensing objectives; and
 - In accordance with this authority's Gambling Act 2005 – Statement of Licensing Policy.

In addition, the Council may also reject the application on the grounds that the request is frivolous, vexatious, will certainly not cause this authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.

- 30.3 The Council can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

31 Test Purchasing

- 31.1 This Authority will undertake covert test purchasing exercises in order to check compliance with the requirement that under-18s do not access “adult only” gambling facilities. This exercise is in response to concerns about underage gambling vulnerabilities in particular sub-sectors of the gambling industry. Under the terms of the Gambling Commission’s Licence Conditions and Codes of Practice, operators must monitor the effectiveness of their policies and procedures for preventing underage access to gambling premises and products. At the time of the drafting of this policy, certain sub-sectors of the gambling industry had not provided the Gambling Commission with any assurances that this was happening. Those sub-sectors are, broadly, the small and medium-sized Betting Premises, Adult Gaming Centres and Family Entertainment Centres.
- 31.2 Both this Authority and the Gambling Commission have particular concerns with regards to access to adult only gaming machines, which may be accessible without any interaction between the player and a member of staff. With this in mind, this Authority will continue with its policy of targeted test purchasing exercises.
- 31.3 Those premises that fail a test purchase will be asked to address the weaknesses in their underage gambling procedures shown by this test and submit improvement plans, and in appropriate cases, enforcement action will be taken. There are a number of steps which this Authority would recommend to operators in order to prevent underage access and monitor the effectiveness of their policies, including:
- Re-positioning of machines and change of layout
 - Infra red security beam to alert staff to presence of customers in age-restricted areas and maglocks to restrict access
 - Maintenance of a Refusal Register
 - Independent test purchasing
 - Upgrade CCTV
 - Induction and refresher training for staff
 - Challenge 25
 - Signage and Prominent GamCare Documentation
 - Minimum levels of supervision.

Contact Details, Advice and Guidance

Further details for applicants about the gambling and application process, including application forms, can be found:

- By contacting the Licensing Team at: Bartholomew House, Bartholomew Square, Brighton, BN1 1JP. Tel. 01273 294429, E-mail ehl.safety@brighton-hove.gov.uk, or via Customer Services Contact Centre.
- [Licensing and gambling \(brighton-hove.gov.uk\)](http://licensing-and-gambling.brighton-hove.gov.uk) scroll down to 'Gambling Licences' Section.
- Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP
- Police Licensing Unit, Police Station, John Street, Brighton, BN2 2LA. Tel: 101
- Fire Authority, East Sussex Fire and Rescue Service, Brighton & Hove Fire Safety Office, Hove Fire Station, English Close, Hove, BN3 7EE. Tel: 01323 462130
- Planning, Development Control, Hove Town Hall, Norton Road, Hove, BN3 1PT. Tel: 01273 290000
- Environmental Health, Environmental Protection Team, Bartholomew House, Bartholomew Square, Brighton, BN1 1JP. Tel: 01273 290000
- Child protection – Head of Safeguarding, Brighton & Hove City Council, Children's Services, Moulsecoomb Hub North, Hodshrove Lane, Brighton, BN2 4SE.
- HM Revenue and Customs, Excise Processing Teams, BX9 1GL, United Kingdom. Contact telephone number is now 0300 322 7072 Option 7. Email address: NRUBetting&Gaming@hmrc.gov.uk

Appendix 1 Glossary of terms

Term	Description
ATM	Auto teller machine or cash machine
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not, and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).
Betting Machines / Bet Receipt Terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a “book” is the act of quoting odds and accepting bets on an event. Hence the term “Bookmaker”.
Casino games	A game of chance, which is not equal chance gaming. Casino games includes Roulette and black jack, etc.
Chip	Casinos in the UK require you use chips to denote money. They are usually purchased and exchanged at a cashier’s booth.
Coin pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine.
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person’s success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.
Default condition	These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the Council.
Equal Chance Gaming	Gaming which does not involve playing or staking against a bank.
Fixed odds betting	If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not “gaming” see below), then it is likely to be betting at fixed odds.
Fixed Odds betting terminals (FOBTs)	FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have “touch screen” displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.
Gaming	Gaming can be defined as “the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not”.
Gaming Machine	Any type of machine allowing any sort of gambling activity, including betting on virtual events but not including home computers even though users can access online gaming websites.

Term	Description
Licensing Objectives	The Licensing Objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives: The licensing objectives are: • Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime • Ensuring that gambling is conducted in a fair and open way • Protecting children and other vulnerable persons from being harmed or exploited by gambling.
Lottery	A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where persons are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where persons are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).
Mandatory condition	A condition which will be set by the Secretary of State (some set out in the Act and some to be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The Council will have no discretion to alter or remove these conditions.
Money Prize Machine	A machine in respect of which every prize which can be won as a result of using the machine is a money prize.
Non-money prize machine	A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by: • The position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or • If the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.
Odds	The ratio to which a bet will be paid if the bet wins. E.g. 3-1 means for every £1 bet, a person would received £3 of winnings.
Off-course betting operator	Off-course betting operators may, in addition to premises away from the track, operate self contained betting premises within a

	track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence, such premises operate like a traditional high street bookmakers. They will, however, only normally operate on race days.
Term	Description
On-course betting operator	The on-course betting operator is one who comes onto a track temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).
Pool Betting	For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings: • Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the persons betting; • Shall be divided among the winners; or • Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.
Regulations of Statutory Instruments	Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific persons or things. However, regulations are not made by Parliament. Rather, they are made by persons or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.
Representations	In the context of the Gambling Act, representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.
Responsible authority (authorities)	Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act, or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed.
Skill machine / Skill with prizes machine	The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting, and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.

Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.
Statement of principles document	A document prepared by the Council which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	“Tote” is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks) where races or other sporting events take place.

Appendix 2 Gaming Machines

This appendix describes the categories of gaming machine as set out in the Act (and in regulations) and the number of such machines that may be permitted in each type of gambling premises.

- Table 1 below sets out the current proposals for the different categories with the maximum stakes and prizes that will apply. This table will be updated as soon as the proposals are confirmed.
- Table 2 overleaf shows the maximum number of machines permitted and in the case of casinos the ratios between tables and machines.

Table 1

Category of machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£5	£10,000 (with the option of a max £20,000 linked progressive jackpot on a premises basis only)
B2	£2	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D – money prize	10p	£5
D – non-money prize (other than a crane grab machine)	30p	£8
D – non-money prize (crane grab machine)	£1	£50
D – combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)

D – combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

¹ The category B2 is not actually a traditional slot machine. It refers to a type of gaming machine known as a fixed odds betting terminal (FOBTs). These are a new type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.

Table 2

	Machine category						
Premises Type	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act Casinos (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks operated by pool betting			Maximum of 4 machines categories B2 to D (except B3A machines)				
Bingo Premises ¹				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4*	No limit C or D machines		
Adult gaming centre ²				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4*	No limit C or D machines		
Licensed family entertainment centre ³						No limit C or D machines	
Family entertainment centre (with permit)							No limit on category D machines
Clubs or miners' welfare institutes with permits ⁴					Maximum of 3 machines in categories B3A or B4 to D*		
Qualifying alcohol licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol licensed premises with licensed premises gaming machine permit						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines
	A	B1	B2	B3	B4	C	D

1. Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premise. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A.
2. Adult gaming centres are entitled to make available for use a number of Category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13th July 2011, they are entitled to make available four Category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.
3. Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.
4. Members' clubs and miners' welfare institutes with a club gaming permit, or with a club machine permit, are entitled to site a total of three machines in categories B3A to D, but only one B3A machine can be sited as part of this entitlement.
5. Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

Appendix 3 Summary of Gaming Entitlements for Clubs and Pubs

	Members' club or MW institute with club gaming permit	Bridge or whist club	Members' club or commercial club with club machine permit	Members' club, commercial club or MW institute without a club gaming permit	Pubs and other alcohol-licensed premises
Equal chance gaming	Yes	Bridge and/or whist only	Yes	Yes	Yes
Limits on stakes	No limit	No limit	<u>Poker</u> £1000 per week £250 per day £10 per person per game <u>Other gaming</u> No limit	<u>Poker</u> £1000 per week £250 per day £10 per person per game <u>Other gaming</u> No limit	<u>Cribbage & dominoes</u> No limit <u>Poker</u> £100 per premises per day <u>Other gaming</u> £5 per person per game
Limits on prizes	No limit	No limit	<u>Poker</u> £250 per game <u>Other gaming</u> No limit	<u>Poker</u> £250 per game <u>Other gaming</u> No limit	<u>Poker</u> £100 per game <u>Other gaming</u> No limit
Maximum participation fees – per person per day	<u>Bridge and/or whist*</u> £20 <u>Other gaming</u> £3	£18 (without club gaming permit) £20 (with club gaming permit)	<u>Bridge and/or whist*</u> £18 <u>Other gaming</u> £3 (commercial club) £1 (members club)	<u>Bridge and/or whist*</u> £18 <u>Other gaming</u> £1	None permitted
Bankers or unequal chance gaming	Pontoon Chemin de Fer	None permitted	None permitted	None permitted	None permitted
Limits on bingo	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.

* On a day when no other facilities for gaming are provided

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Brighton & Hove City Council

Council

Agenda Item 68

Subject: **Libraries Strategy 2022-25** - Extract from the Proceedings of the Tourism, Equalities, Communities & Culture Committee meeting held on the 25th November 2021

Date of meeting: **3 February 2022**

Report of: **Executive Director for Governance, People & Resources**

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

Ward(s) affected: All

For general release

Action Required of the Committee / Council:

To receive the report from the Tourism, Equalities, Communities & Culture Committee for consideration and the recommendations for approval.

Recommendations:

- (1) That the Libraries Strategy 2022-25 as set out at Appendix 1 be approved;
- (2) That the importance of public libraries to our city and the contribution they make to education, tackling loneliness and isolation and community cohesion be noted; and
- (3) That a commitment to lifting barriers to access wherever possible, especially to those of low or no income be agreed.

BRIGHTON & HOVE CITY COUNCIL

TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE

4.00pm 25 November 2021

MINUTES

Present Councillors:

Powell (Chair), Osborne (Co-Chair), Grimshaw (Joint Opposition Spokesperson), Evans (Joint Opposition Spokesperson), Simson (Opposition Spokesperson), Rainey, Littman, Ebel, Childs, and Brown

Co-Optees:

Joanna Martindale (Community Voluntary Sector), Nick Dias (Sussex Police), Stephanie Prior, and Harpreet Kaur (BHCC CCG).

PART ONE

44 LIBRARIES STRATEGY 2022-25

- 44.1 Sally McMahon and Kate Rouse introduced the report starting on page 53 of the Agenda.
- 44.2 Councillor Childs was informed of the following points:
- The strategy is based on the continuation of all 14 of the city's libraries.
 - Wheelchair accessibility is being looked at for libraries, but there are challenges for libraries in school locations due to safeguarding of children.
 - Stock levels have been lower due to the pandemic but are now almost at normal levels.
 - Internet streaming services are the alternatives to CDs.
 - The libraries budget includes £1 million above the local government grant which supports libraries through insurance of buildings, utilities, stock, and facilities management.
 - There are no plans to pursue the Libraries Extra project at the Jubilee Library.
- 44.3 Councillor Ebel was informed that a plan would be drafted to provide more books to suit people that speak English as a second language, including simple English books and books in foreign languages.
- 44.4 Councillor Brown stressed the importance of retaining volunteers and that she was happy to see the introduction of library apprentices.
- 44.5 Stephanie Prior was informed that the Business and IP centre offering in libraries is free.
- 44.6 The Chair noted the Labour Group Amendment and invited Councillor Childs to move the amendment.

44.7 Councillor Childs moved the amendment and it was seconded by Councillor Evans.

44.8 The Committee voted to agree the recommendations in the Labour Group Amendment.

44.9 **RESOLVED:**

That the Tourism, Equalities, Communities & Culture Committee:

1. Recommends to Full Council that it approves the Libraries Strategy 2022-25 set out in Appendix 1.
2. Approves the Libraries Stock Policy as set out at Appendix 2.
3. Notes the importance of public libraries to our City and the contribution they make to education, tackling loneliness and isolation and community cohesion.
4. Commits lifting barriers to access wherever possible, especially to those of low or no income.

Therefore, the Tourism, Equalities, Communities & Culture Committee requests a further libraries report come back to a future meeting of this committee to explore;

- a) A well-publicised two-week annual fee amnesty to maximise book return and encourage increased use.
- b) Ceasing with immediate effect all inter-library loan charges for under 18s, as these raise negligible funds but act as a barrier to borrowing and access.
- c) A review of all charges to under 18s with a view to ending these wherever possible.
- d) A review of options for providing library services to areas such as Kemp Town, Queens Park, Hanover, Hollingdean and others where provision has been lacking since the closure of the mobile library service.

That Full Council:

5. Approves the Libraries Strategy 2022-25 as set out at Appendix 1.
6. Notes the importance of public libraries to our City and the contribution they make to education, tackling loneliness and isolation and community cohesion.
7. Commits lifting barriers to access wherever possible, especially to those of low or no income.

Council	Agenda Item 68
3 February 2022	Brighton & Hove City Council

Subject:	Libraries Strategy 2022-25		
Date of Meeting:	3 February 2022 25 th November 2021 – Tourism, Equalities, Communities & Culture Committee		
Report of:	Executive Director for Housing, Neighbourhoods & Communities		
Contact Officer:	Name:	Sally McMahon	Tel: 01273 296963
	Email:	sally.mcmahon@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The report is seeking agreement from the Committee to the Libraries Strategy 2022-25. The Libraries Strategy is needed because public libraries are highly valued in the city and are integral to the delivery of council plan and city-wide priorities.
- 1.2 Brighton & Hove Library Services have been highly successful over recent decades, including the continuing popularity of the award-winning Jubilee Library which is the fourth most visited public library in the country. This strategy provides a framework for the future of the service, so that libraries can continue to meet the needs of local people and support the priorities of the council plan.
- 1.3 The strategy has been informed by extensive consultation with the public, partner organisations, councillors, and library staff from March to July 2021. It sets the vision and priorities for Brighton & Hove library services for 2022-2025, aligning with the corporate plan, and provides the framework for more detailed service planning in this period. The strategy will guide the city's libraries to achieve key outcomes for local people, helping them achieve their full potential through reading, learning, culture, digital access, and support to health and wellbeing, and local business development.
- 1.4 The strategy is accompanied by a new Libraries Stock Policy 2021, which sets out how library stock is selected, acquired, maintained, and managed to meet the needs of library users in the city.
- 1.5 The Libraries Strategy will inform the more detailed actions of the annual business plans created by Library Services, and as an important strategic document, will be considered by full Council in accordance with the current constitution.

2. RECOMMENDATIONS:

That the Tourism, Equalities, Communities & Culture Committee:

- 2.1 recommends to Full Council that it approves the Libraries Strategy 2022-25 set out at Appendix 1
- 2.2 approves the Libraries Stock Policy as set out at Appendix 2

That Full Council:

- 2.3 approves the Libraries Strategy 2022-25 set out at Appendix 1

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Public libraries are a statutory service under the [Public Libraries and Museums Act 1964](#). The act requires library authorities to provide a 'comprehensive and efficient service' for people who live, work or study within the authority area. In addition, councils are required to 'encouraging both adults and children to make full use of the library service and provide advice as to its use'.
- 3.2 In 2016, the Libraries Taskforce, established by the DCMS (Department of Culture, Media and Sport) and the LGA (Local Government Association), published '[Libraries Deliver: Ambition for Public Libraries in England 2016-2021](#)' in which it sets out the strategic vision and commitment to public libraries in England, recognising the challenging times that councils are facing running library services, calling for radical thinking to protect frontline library services and acknowledging the need for councils to work in 'new and different ways' to 'thrive and not just survive'. The Libraries Taskforce identified seven outcomes that library services should contribute to at a local level, which have been used as a guide for the development of outcomes for libraries in Brighton & Hove.
- 3.1 The Libraries Strategy has been shaped by the Libraries Taskforce's 'common design principles' so that public libraries:
 - meet legal requirements
 - are shaped by local need
 - focus on public benefit and deliver a high-quality user experience
 - support the delivery of council priorities
 - meet agreed access criteria
 - make decisions informed by evidence, building on success
 - support the delivery of the national Universal Library Offers
 - promote partnership working, innovation and enterprise
 - use public funds effectively and efficiently
- 3.2 Public libraries across the country have developed a set of six Universal Library Offers to set out standards that people can expect from their local library service

wherever they are. These Universal Offers have been included in the Library Strategy in Brighton & Hove.

- 3.3 The Strategy sets out the current provision of libraries across the city with 14 library locations across the city and a net budget of £3.223 million, plus annual income of c. £466,000 (2019-20) plus £1.505m PFI (Private Finance Initiative) grant. It provides performance data for the service with the latest comparisons to other similar authorities using pre-Covid data as this is the latest available. Libraries brought in £6,924 total revenue income per 1000 population, more than double the average for our comparator group, and the cost per library visitor (£3) was 25% below average (£4).
- 3.4 The challenges and opportunities facing Library Services are outlined in the Strategy, one of the most significant challenges being the coming savings that are needed after many years of annual budget reduction. Libraries have made £903k savings in the past six years which represents nearly 41% of the current net budget excluding the Jubilee Library PFI expenditure and government grant (28% of the net budget with PFI expenditure and grant included). At the same time, Libraries have significantly improved efficiencies by doubling library opening hours, introducing Libraries Extra and greater collaboration with partner organisations and volunteers.
- 3.5 Having made significant efficiencies, including reductions to the PFI budget and reductions in staff at all levels, any further savings will result in reduced services and reduced accessibility of libraries across the city. Delivering the Library Strategy depends on a steady state budget, so any proposals for savings will have to include identification of which libraries services or locations will cease.
- 3.6 Increasing income is one opportunity that Libraries Services wish to follow as previous successes have demonstrated, but this can only happen after pre-Covid levels of income have been achieved. Library Services income has plummeted during the Covid pandemic, dropping to £60,000 in 2020-21 from £466,000 the previous year. It will take time to attract back room hire clients and retail sales to pre-Covid levels before additional income can be achieved.
- 3.7 There are good opportunities for Library Services to contribute to community wealth building through the new BIPC (Business and Intellectual Property Centre), and to the One Council approach to delivering council services. Libraries can also help address issues such as social isolation and loneliness, health, and wellbeing, including mental health issues and long-term health conditions, in addition to the more traditional support to literacy and learning.
- 3.8 The vision and purpose for library Services in Brighton & Hove have been developed by the senior team in the service. They reflect the breadth of what libraries do, and the role libraries play in helping people improve their lives in many ways.

Our purpose: 'Public libraries connect our communities to culture, reading, learning, and each other.'

What we do: 'We provide impartial and inclusive access to library resources and services to inspire learning, development, discovery, creativity, and enjoyment, in welcoming, safe, supportive, and accessible places.'

Our vision for the future: 'We aspire to strengthen communities, promote inclusion, and inspire people to improve their lives, making libraries a cornerstone for our community's economic, social, and cultural wellbeing.'

- 3.9 The Libraries Strategy identifies priorities for the immediate future. Library services can contribute to the city's recovery from the Covid-19 pandemic in five ways:
- Supporting children and babies catching up with learning and development. The National Literacy Trust has reported that the lack of language and social interaction for 0-4year-olds will need two decades of sustained support to each individual through childhood to redress this, with the disadvantaged being hit harder than others.
 - Supporting new or recovering small businesses through the Business and IP Centre, with targeted support for women and black and minority ethnic developing new enterprises.
 - Supporting unemployed people through information to help with job applications, access to digital resources to apply for jobs and access benefits.
 - Supporting local communities to recover by providing a safe and welcoming place for social interaction and community development.
 - Supporting people affected by Covid-19 through access to trusted information, self-help resources, and recreational reading to help with social isolation.
- 3.10 Other priorities for action have emerged during the development of the strategy and the analysis of the results of the consultation and engagement process:
- Effective marketing and promotion to get people back into libraries and enable those who would benefit most from libraries are reached
 - Accessibility of libraries services – ensuring all buildings and services are appropriately located and fully accessible
 - Targeted services for those most in need
 - Community use of libraries – enabling access to other services through libraries, and encouraging community groups to use their local library especially during Libraries Extra
 - Effective engagement of more volunteers in appropriate activities
 - Deliver core Universal Libraries Offers across the city
 - Increase commercial income – retail, room hire and tenancies
 - Increase project funding from fundraising – donations and grants
 - Review and amend senior staffing to align with new strategy
 - Amend staff recruitment to bring libraries' staffing more in line with city profile
 - Staff development programme that meets the strategic needs of the service
 - Effective evidence gathering to measure impact and performance of Libraries Services
- 3.11 In the Libraries Strategy, the priorities identified have been placed into a framework of six aims and related objectives for the Library Services and linked these to corporate plan priorities.

Aims	Objectives	Outcomes	Council Plan Priorities
Reading, learning and creativity through libraries	Implement the new Stock Policy, building the collection of books, e-books, and other materials to meet community needs Offer opportunities for all ages and needs that spark curiosity, nurture learning and develop creative and critical thinking Develop constructive activities for children and young people Provide space for study, work, and creativity Promote enjoyment of reading for all	Increased reading and literacy Helping everyone achieve their full potential	A growing and learning city
Libraries as community hubs	Delivering council and community services Providing digital services and inclusion Enabling cultural and creative opportunities Encouraging inclusive community interaction and understanding	Stronger more resilient communities Improved digital access and literacy Cultural and creative enrichment	A stronger city
Libraries supporting community wealth building	Deliver support to local small or new businesses and through the Business and IP Centre Support adult learning Provide trainee and apprenticeship opportunities Work with schools and colleges to support children learning	Greater prosperity	A city working for all
Libraries supporting health and well-being	Develop targeted services to reach those most in need Provide home delivery services to those restricted at home or in residential units Link services to council priority issues, working collaboratively with other service providers	Healthier and happier lives	A healthy and caring city

Sustainable and innovative libraries services	Develop and promote Libraries Extra Make best use of volunteers Collaborate with other partners in service development and delivery Increase Income generation Extend fundraising to support projects and activities Regularly upgrade library technology Expand digital services Develop the library workforce	Efficient and effective use of resources delivering value for money Happier and productive workforce (staff and volunteers) Increased effectiveness through collaborative working	A modernising council Working in partnership
High visibility of library services delivered to a high standard	Effective publicity for library service offers Marketing of targeted services to specific communities Clear customer service standards for libraries to provide a high-quality user experience Deliver consistent Universal Library Offers across the city Effective evidence gathering to measure impact and performance of Libraries Services	More residents able to benefit from high quality library services and resources	Our customer promise

The strategy contains case studies to illustrate impact, and an implementation plan (appendix 1).

3.12 The Libraries Stock Policy 2021 (in appendix 2) aims to:

- support the Libraries Strategy and corporate policies and priorities of Brighton & Hove City Council
- provide for continually changing educational, information, cultural, lifelong learning, and recreational needs by listening to customers and communities
- enable the greatest number of people to have access to the widest range of resources, in the most appropriate formats balancing customer needs and service requirements with environmental impact by:
 - providing books in a wide range of formats, including electronic, to meet the needs and interests of local communities and of people of all ages and backgrounds
 - providing and enhancing access to information in print and electronic format and promoting an awareness of its value in sustaining the highest possible quality of life
 - working with groups and individuals who are unable to have full access to library services and to be active in working for social inclusion
- support, where appropriate, national initiatives stemming from central government and other organisations (for example, the Universal Library Offers)

- to achieve Best Value for the Library Service by: -
 - obtaining library materials in the most cost-effective way
 - ensuring the efficient and effective use of library materials, and consistency in stock management through a service wide approach to selection, development, and maintenance

3.13 Brighton & Hove Libraries purchase more books (122) per 1000 population per year than average (89) for our comparator authorities (CIPFA statistics for 2019-20 latest available). The number of books bought each year varies depending on book prices, numbers published, size of budget and other circumstances. For instance, more e-books and less hard copy books were bought during Covid-19 pandemic. Broadly speaking there is a trend to buying more e-books and e-audiobooks, however, we have had generally steady numbers of hardcopy books purchased each year up until the pandemic.

	2018-19	2019-20	2020-21
Book acquisitions	35,582	35,525	19,640
Audio-visual (includes talking books)	1,777	1,660	560
E-books	7,865	7,698	10,036
E-audio and e-audio-visual (includes e-talking books)	2,109	5,791	7,811

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The last Libraries Plan covered 2016 to 2020. The 'do nothing' option of not producing a new library plan would leave the Library Service without any strategic framework for its operation or development and would fail to meet the council's constitution which requires a council approval for library development plans. This option has been discounted for these reasons.
- 4.2 The proposed Libraries Strategy will provide a framework for the future of the service, so that libraries can continue to meet the needs of local people and support the priorities of the council plan.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Brighton & Hove Library Services has consulted with the public and key stakeholders to find out their views on Library Services and library stock in general, as well as their experience of using libraries in Brighton & Hove, both before and during the Covid pandemic. The methods used were:
- Public surveys – three versions targeted at people 0-12 years, 13-19 years, and adults 20 years and above
 - Focus groups to gather more qualitative feedback from specific groups, and to reach those less likely to complete an online survey
 - Survey of partner organisations
 - Staff survey and workshops
 - Councillors' survey and workshops
- 5.2 The results of all the consultation and engagement was overwhelmingly positive, giving good indications of what is working well, and with detailed suggestions on how to improve and develop library services.

5.3 Customer service standards and ease of use

All the surveys gave great results for the two corporate performance measures, and good results from similar questions to partner organisations and staff.

	Services were very or fairly easy to use	Standards of customer service were very or fairly good
Adult survey	92%	93%
13-19 years survey	100%	96%
0-12 years survey	98%	98%
Partner organisations described their experience of working with library services as very or fairly good		86%
Staff were asked how proud they are of the customer experience in libraries, on a scale of 1-5 with 1 being extremely proud and 5 being not proud		1 (extremely proud) 35% 2 43% 3 22%

5.4 General summary of feedback

- Most people use more than one library and visit at least once every three weeks, and most people walk to the library.
- The traditional services of borrowing, reading in the library, and finding information, remain the most important services for many users. The most important stock remains printed fiction and non-fiction, followed by online information.
- The library as an important provider of space to study, read, and meet people, in a safe and welcoming environment, with helpful staff, is evidenced by the survey results. The top three most important things to respondents are opening hours, the library as a safe place to visit and seating areas. When asked what they would most like to see changed, longer opening hours was the most suggested change, with many mentioning that they want to see more staffed hours.

5.5 Areas for improvement and development

There were common areas for improvement that emerged from the public surveys (all age groups), focus groups, partner survey, and staff survey. They asked for:

- Better, more effective promotion of library services, to targeted groups and to partners who often do not know what libraries have to offer, with less reliance on social media.
- Better, more accessible signage, and guides on how to use the library, especially how to use the various technologies like self-service kiosks, printers, and computers. The website was criticized for being too wordy and difficult to find what you need.
- More and better stock; seating/study space; events and activities; IT and digital resources.

- Improvements in some specific areas of stock, such as books in languages other than English, and bilingual books.

6. CONCLUSION

- 6.1 The process of consultation and engagement has produced a wealth of information which Libraries Services can use to develop and improve services to meet local needs. The Libraries Strategy has set out a framework for action, identifying priorities and linking library services into the delivery of the corporate plan.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The financial implications are set out in the body of the report.

Finance Officer Consulted: Michael Bentley

Date: 04/11/21

Legal Implications:

- 7.2 The Libraries Plan is required by law to be adopted by Full Council. Other legal implications are set out in the body of the report.

Lawyer Consulted:

Alice Rowland

Date: 21/10/21

Equalities Implications:

- 7.3 An Equalities Impact Assessment has been completed. The Libraries Strategy aims and priorities impact positively on many people with protected characteristics to help support those facing inequality.

Sustainability Implications:

- 7.4 The ethos behind public libraries is sustainability, with books and other resources being shared by everyone rather than individually owned. Libraries continues this ethos in the sharing of access to digital equipment. New or refurbished libraries will produce more sustainable buildings, and library practices will be regularly reviewed to reduce libraries carbon footprint.

Brexit Implications:

- 7.5 None.

Any Other Significant Implications:

Crime & Disorder Implications:

- 7.5 None.

Risk and Opportunity Management Implications:

- 7.6 None.

Public Health Implications:

- 7.7 Support to health and wellbeing is a key Libraries Universal Offer: To promote healthy living, provide self-management support and effective signposting and

information to reduce health, social and economic inequalities. To offer a range of creative and social activities which engage and connect individuals and communities, reduce stigma, combat loneliness, and improve wellbeing.

Corporate / Citywide Implications:

- 7.8 Libraries are a highly valued statutory service in the city and protecting libraries is a current administration commitment. Libraries support the delivery of corporate plan priorities in many ways:
- Libraries new Business and IP Centre supports local small business and entrepreneurs to start and develop their businesses and recover from the economic impacts from Covid and austerity
 - Libraries continue to provide essential resources for adult and community learning, and have essential free digital access
 - Libraries have a long track record of supporting children and young people's learning and development
 - Libraries support to health and wellbeing has been outlined in 7.7 above
 - Libraries can promote environmental and sustainability awareness through information, events, and exhibitions

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 Libraries Strategy 2022-25

Appendix 2 Libraries Stock Policy 2021

Background Documents: None

A photograph of a woman with long brown hair, wearing a black top, sitting and reading a book to a young child with blonde hair. The child is wearing a brown sweater and blue jeans. They are in a library setting with bookshelves in the background. The book they are reading has a red cover with the title 'HOW MONEY FOUND HIS MAGIC' and an illustration of a man in a top hat. The image is overlaid with a large, semi-transparent 'DRAFT' watermark. The bottom right corner of the image has a solid purple background.

Brighton & Hove City Council Libraries Strategy 2022-25



Brighton & Hove
City Council

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Foreword

It's with great pride and pleasure that I introduce Brighton & Hove's Library Strategy at such a challenging time.

The Covid-19 pandemic has had profound impacts on our communities and the services that support them, and I am immensely proud of the work that Library Services have done to support local people during this difficult time.

Even when lockdown restrictions prevented libraries from fully opening their doors, they were able to offer digital services online and for most of the pandemic provided Home Delivery Services to those isolated at home.

As the city starts to recover from the pandemic, libraries will be in the forefront of supporting this recovery, by providing help to children and parent carers catching up with learning and child development; by supporting local businesses and entrepreneurs through the Business and Intellectual Property Centre (BIPC); by supporting people struggling with isolation, anxiety, or other health issues by providing social contact in a safe environment; and by providing reading material and a range of other resources to support and encourage adult learning.

There are 5 essential requirements for a successful library service in Brighton & Hove – attractive, welcoming spaces; support from trained and dedicated professional staff and volunteers; quality book stock; accessible IT; and a programme of activities and events for existing and new customers.

Our Brighton & Hove libraries are more than a collection of books – they are a vibrant and accessible community asset that contain the resources and tools to support individuals and communities to thrive and prosper. Library staff have developed many active partnerships with other organisations and together they have achieved successful funding bids to enable projects to extend the range and quality of the library offer.

Jubilee Library remains nationally successful as it is the fourth most popular library in the country, with 936,633 visits per year pre-Covid. While current numbers are still below this level, they are recovering a little faster than average across the county.

Brighton & Hove Libraries are no strangers to innovation and, by successfully establishing 'Libraries Extra' offer, residents can access most of their local libraries 7 days a week. The extensive consultation carried out by the library service has revealed the high value that people in the city place on their local libraries and provided important feedback to enable Brighton & Hove Libraries to develop and improve their services going forward.

This strategy consolidates and builds on all the changes that have gone before. It sets out our ambitions for the next three years with the aim of ensuring that our library service continues to be at the heart of our communities, to support the delivery of corporate priorities, and to remain fit for the future.



Councillor Steph Powell,
Co-chair of the Tourism, Equalities,
Communities & Culture committee

1 Introduction

Brighton & Hove Library Services have been highly successful over recent decades, including the continuing popularity of the award-winning Jubilee Library which is the fourth most visited public library in the country. This strategy provides a framework for the future of the service, so that libraries can continue to meet the needs of local people and support the aims and priorities of the council and the city.

The strategy has been informed by extensive consultation with the public, partner organisations, council members and library staff from March to July 2021. It sets the vision and priorities for Brighton & Hove Library Services for 2022-2025, aligning with the corporate plan, and provide the framework for more detailed service planning in this period.

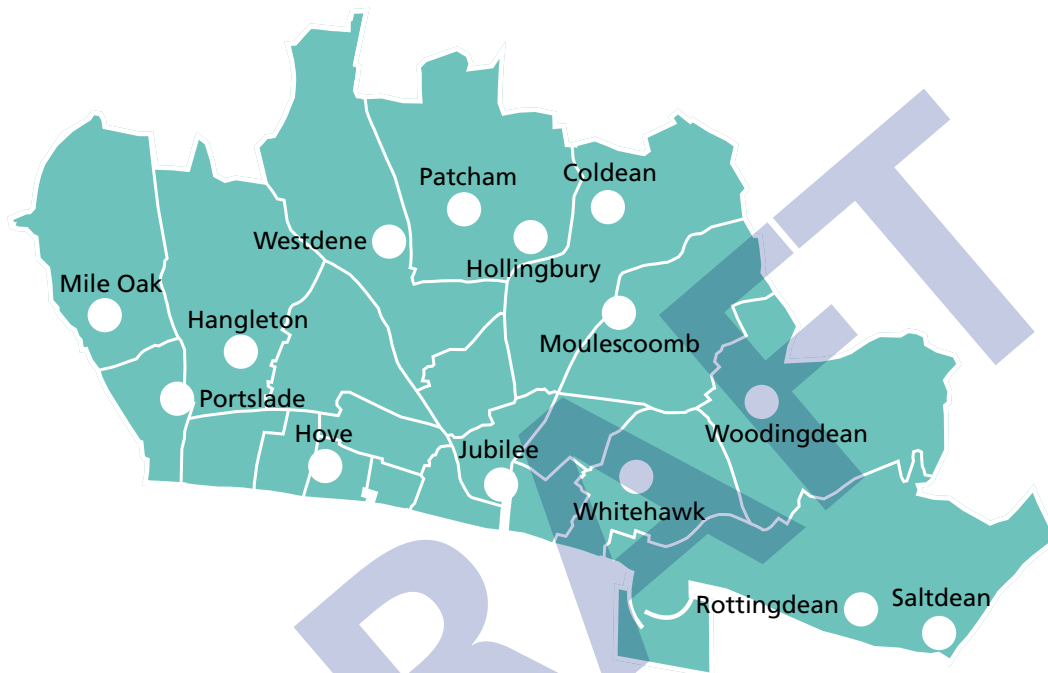
The strategy will guide the city's libraries to achieve key outcomes for local people, helping them achieve their full potential through reading, learning, culture, digital access, and support to health and wellbeing, and local business development.





2 About Brighton & Hove Libraries - celebrating success!

14 public libraries in the city. Jubilee Library, Hove Library, and 12 community library locations



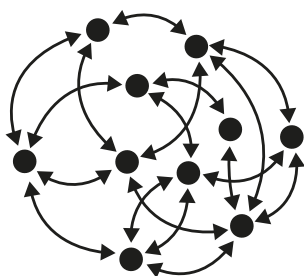
Jubilee Library

award winning hub of the library network and fourth most popular library in the country, with 936,633 visits p.a. (average* 374,211). Delivers around 50% of the total library services for the city.



Community Hubs

bringing community services together through 9 libraries co-located with GP surgery, housing office, social services, children's centres, community centres, museum and art gallery, and a lido, with plans for a new community hub bringing leisure, health, youth services and a community centre together in Moulsecoomb



224 partner organisations

working locally with libraries, covering equalities, LGBTQ+, older people, carers, disabilities or mental health issues, English as an additional language, homeless community, Black and minority ethnic groups, asylum seekers, poverty, health, community and voluntary sector, arts and culture, education, and learning.



Digital Support

1,628 hours of one-to-one support provided by Libraries Connect volunteers, in 599 sessions with 717 attendees. Libraries are founding member of Digital Brighton & Hove who provide digital support, equipment, and internet access



420,000 items of stock

318,980 books; 34,535 audio/visual; 19,873 e-resources; and 46,000 rare books



715 library opening hours per week

52% staffed, 48% Libraries Extra unstaffed



1,461,199

visits in person to libraries p.a.
incl. 38,356 during Libraries Extra



1,508,114

web visits



978,221

total loans, incl. 103,665 e-loans



105,098

hours of public use of computers



55,213

people engaged in events and activities



22 residential units

receiving Equal Access Services (EAS) delivery of library items



110 clients

receiving Home Delivery Service (HDS)

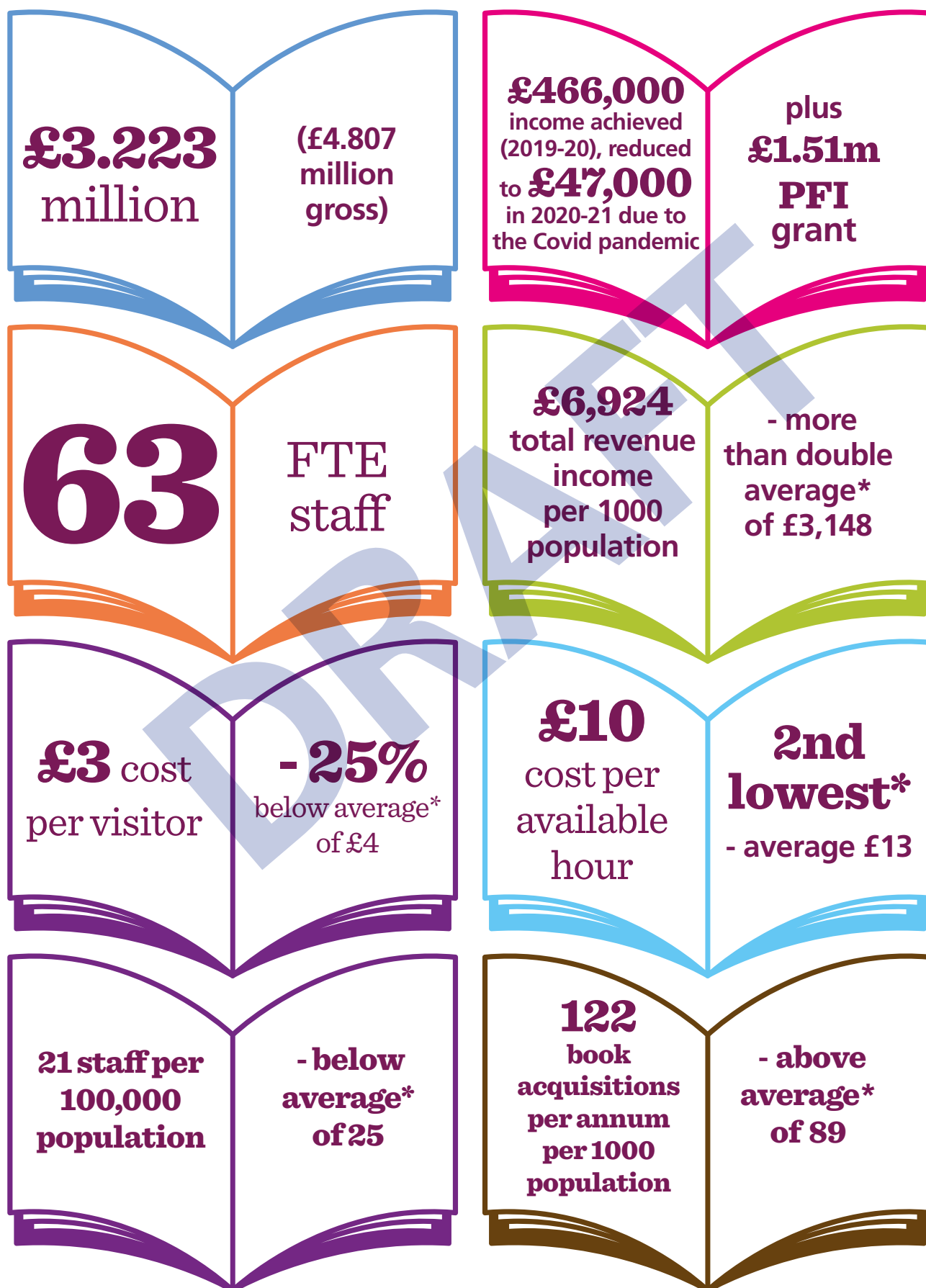


9,503 hours

gifted by 204 volunteers

All figures above from 2019-20 as last year of pre-Covid data

Resources and performance data



*Of comparator authorities in CIPFA returns 2019-20

The Jubilee Library was built using a Private Funding Initiative (PFI) contract which attracts £1.505 million government grant. This grant effectively subsidises library services across the city. The PFI contract covers the running and maintenance of Jubilee Library plus the bibliographic services and procurement of all library stock across the city's network of libraries. The council pays back a proportion of the capital used to build Jubilee Library each year out of the library service revenue budget and the contract ends in 2029.

Opportunities and challenges

Jubilee Library PFI (Private Finance Initiative)

Like many other services, libraries face some difficult challenges and some opportunities:

- **Covid-19 pandemic.** Library buildings closed during the lock downs, but libraries increased the digital offer; in-library services were restricted for safety reasons, but home delivery services were increased to reach more people isolated at home. Recovery from the pandemic remains challenging, with footfall in September 2021 at only 45% of the September 2019 figure, and income still 40% below normal. This strategy sets out not only how libraries will recover, but also how libraries can support the city's recovery.
- **Budget challenges.** Libraries have made £903k savings in the past six years which represents nearly 41% of the current net budget excluding the PFI expenditure and government grant (28% of the net budget with PFI expenditure and grant included). At the same time, Libraries have significantly improved efficiencies, doubling library opening hours, introducing Libraries Extra and greater collaboration with partner organisations and volunteers.
- **Having made significant efficiencies,** including reductions to the PFI budget and reductions in staff at all levels, any further savings will result in reduced services and reduced accessibility of libraries across the city. Delivering the Library Strategy depends on a steady state budget, so any proposals for savings will have to include identification of which libraries services will cease.
- **Increasing income** is a potential for the future, but this can only happen after pre-Covid levels of income have been achieved. It will take time to attract back room hire clients and retail sales to pre-Covid levels before additional income can be achieved.
- **Information technology** continues to change at a pace, requiring upgrades to remain safe and operational. It also creates opportunities to introduce new digital services that bring benefits to library users and deliver efficiencies.
- **Staff and volunteers** need to develop new skills in response to technology changes and increasing numbers of library users experiencing disadvantages of various kinds, who need our support.
- Libraries are developing as local community hubs, which requires collaborating with other service providers, integrating technologies, changing ways of working, making services more accessible, and increasing the reach into local communities.
- There are some **significant health and social care needs** facing the city, and libraries can help support people through the development of more targeted services.
- **Volunteering** in Libraries provides varied and supported opportunities to help others in their community.
- **Accessibility.** Some library locations in the city are no longer as accessible as they were, so need to be changed to ensure libraries remain fully accessible to all.

3 Feedback, consultation and engagement

Brighton & Hove Library Services has consulted with the public and key stakeholders to find out their views on Library Services and library stock in general, as well as their experience of using libraries in Brighton & Hove, both before and during the Covid pandemic. The methods used were:

- Public surveys – three versions targeted at people 0-12 years, 13-19 years, and adults 20 years and above
- Focus groups to gather more qualitative feedback from specific groups, and to reach those less likely to complete an online survey
- Survey of partner organisations
- Staff survey and workshops
- Councillors' survey and workshops

The results of all the consultation and engagement were overwhelmingly positive, giving good indications of what is working well, and with detailed suggestions on how to improve and develop library services.

Customer service standards and ease of use

All the surveys gave great results for the two corporate performance measures, and good results from similar questions to partner organisations and staff.

	Services were very or fairly easy to use	Standards of customer service were very or fairly good
Adult survey	92%	93%
13-19 years survey	100%	96%
0-12 years survey	98%	98%
Partner organisations described their experience of working with library services as very or fairly good		86%
Staff were asked how proud they are of the customer experience in libraries, on a scale of 1-5 with 1 being extremely proud and 5 being not proud		1 (extremely proud) 35% 2 43% 3 22%

General summary of feedback

Most people (66%) use more than one library and 50% visit at least once every three weeks, and most people (77%) walk to the library.

The traditional services of borrowing, reading in the library, and finding information, remain the most important services for many users. The most important stock remains printed fiction and non-fiction, followed by online information.

The library is an important provider of space to study, read, and meet people, in a safe and welcoming environment, with helpful staff, is evidenced by the survey results. The top three most important things to respondents are opening hours, the library as a safe place to visit and seating areas. When asked what they would most like to see changed, longer opening hours was the most suggested change, with many mentioning that they want to see more staffed hours.

Eleven focus groups were commissioned to provide some qualitative information on library services. 131 people took part in groups that were targeted at people who experienced barriers to participation in the general consultation and libraries themselves. There was an overwhelmingly positive view of libraries in general with people viewing them as places of sanctuary, where trusted information could be accessed. The welcoming nature of staff was considered a key component of this trust. All groups were impressed by the array of library services, and many felt poorly informed about these. There was a range of detailed suggestions that could be implemented to make libraries more accessible and become more valuable community resources for those more likely to experience barriers in using them.

Areas for improvement and development

There were common areas for improvement that emerged from the public surveys (all age groups), focus groups, partner survey, and staff survey. They asked for:

- Better, more effective promotion of library services, to targeted groups and partners who often do not know what libraries have to offer, with less reliance on social media.
- Better, more accessible signage, and guides on how to use the library, especially how to use the various technology like self-service kiosks, printers, and computers. The website was criticized for being too wordy and difficult to find what you need.
- Improvements in seating/study space, and to keep up to date with IT and digital resources.
- More events and activities, for all age groups, and many people indicated their willingness to pay a small fee to attend in appropriate circumstances.
- More and better stock for all age groups, and improvements in some specific areas, such as books in languages other than English, and bilingual books.

4 Local context

Libraries support corporate and city-wide priorities

A city working for all

Business and Intellectual Property Centre (BIPC) in Jubilee Library is part of a national network of 16 libraries across the country offering a range of support services to business. Working in collaboration with local business support organisations and intellectual property specialists the centre has become a hub for events, workshops, peer to peer activities and networking opportunities aimed at helping business to grow and build resilience.

A growing and learning city

Libraries support learning and development at all ages. Libraries provide Bookstart services to early years settings, together with neighbourhood-based access to books, digital resources, and activities to support child development, parents, and carers. Class visits, Summer Reading Challenge, events, and activities support school age children. Libraries support adult learning through resources, space to study, and helping establish a new learning hub.

A healthy and caring city

Libraries provide Reading Well Books on Prescription services, which focus on providing information and self-management support through books chosen and prescribed by health professionals, covering 5 areas of: mental health; dementia; long-term conditions; young people; and children. Libraries work with social prescribing providers to extend range of resources on offer and promote healthy lifestyles. Libraries Home Delivery Services provide books and social contact to people restricted to their own homes, and Libraries regularly deliver books to people living in residential units.

A stronger city:

Libraries are important to local people as safe and welcoming community spaces in their local neighbourhoods. During a lot of the pandemic, libraries were some of the few community spaces open to local people for access to books, social (distanced) contact, and free internet access. Library services were awarded 'Libraries of Sanctuary' status in 2020 and continue to provide support to refugees and asylum seekers in the city.

Joint Strategic Needs Analysis

There are some significant health and social care needs in the city that have been identified in the [Joint Strategic Needs Analysis March 2021](#). Library services contribute to addressing some of these issues:

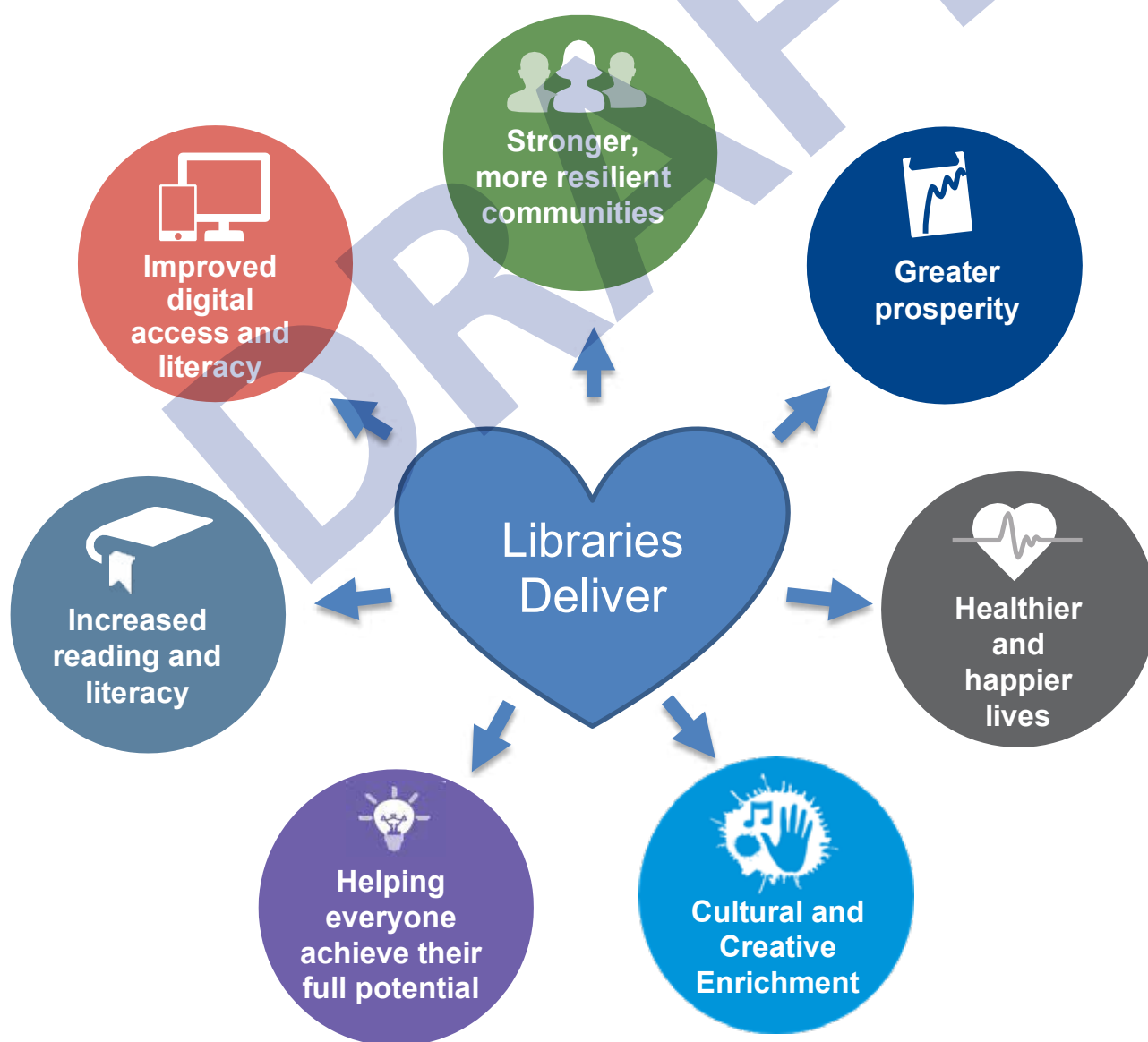
Issue	Libraries offer
Homelessness and rough sleeping	Information on support; free access to library resources, computers and the internet, and a safe place to be during the day
Unemployment, healthy workplaces, and sustainable business	Resources to help with job applications, CV writing, and internet access (computers and free wifi) to enable job and benefit applications. The BIPC (Business and IP Centre) in Jubilee Library supports entrepreneurs, inventors, and small businesses across Sussex, through expert advice and access to a wealth of free information - business databases, market research reports, company data and information on intellectual property.
Social isolation and loneliness	Sited in neighbourhood locations, libraries provide a safe and welcome place to interact with other people, providing events, activities, and support groups. Volunteers with the Home Delivery Service take books to and have a chat with people mainly restricted to their homes. Libraries free wifi and computers enable people to connect to friends and family, and Libraries Connect volunteers help people learn how to use these resources.
Healthy lifestyles / prevention	Libraries help promote healthy lifestyles through trusted information and events on key issues such as smoking, drinking, drug misuse, cancer screening, immunisations, sexual health, domestic and sexual violence. Jubilee Library has installed a vending machine dispensing free STI/HIV testing kits, has hosted quit smoking support sessions, Living Library events on domestic abuse, and is handing out LFT covid testing packs.
Emotional wellbeing and mental health	Reading Well Books on Prescription services target key areas of concern for the city, with the focus on mental health, especially for children and young people, dementia, and other long-term conditions. Reading for pleasure has been proven to have a beneficial effect on people suffering from stress.

5 National context

Public libraries are a statutory service under the **Public Libraries and Museums Act 1964**. The Act requires library authorities to provide a 'comprehensive and efficient service' for people who live, work or study within the authority area. In addition, councils are required to 'encourage both adults and children to make full use of the library service and provide advice as to its use'.

In 2016, the national Libraries Taskforce published '**Libraries Deliver: Ambition for Public Libraries in England 2016-2021**'

in which it sets out the strategic vision and commitment to public libraries in England. The Libraries Taskforce recognises that local libraries provide a unique 'cradle-to-grave service', offering significant reach into local communities and a cost-effective way of ensuring that people are connected to local services. The Libraries Taskforce identifies seven outcomes that library services should contribute to at a local level:



Universal Library Offers

Public libraries across the country have worked together through **Libraries Connected** to develop a set of six Universal Library Offers to cover the areas of service which public libraries stakeholders see as essential to a 21st century library service. Libraries Connected is a member organisation made up of every library service in England, Wales, and Northern Ireland, and is partly funded by Arts Council England as the Sector Support Organisation for libraries.



Children's Promise

That every child and young person in libraries is inspired to read for pleasure, has access to a diverse range of materials, can engage in a variety of digital activities and can take part in activities that improve their well-being.



Culture and Creativity

To enable local communities to access and participate in a variety of quality and diverse arts and cultural experiences through local libraries.



Health and wellbeing

To promote healthy living, provide self-management support and effective signposting and information to reduce health, social and economic inequalities. To offer a range of creative and social activities which engage and connect individuals and communities, combat loneliness and improve wellbeing.



Information and digital

To provide quality information and digital support. To help children and adults to engage and feel safe online. To ensure resources and opportunities are accessible, and to embrace creative and innovative technology.



Reading

To build a literate and confident society by developing, delivering, and promoting creative reading activities in libraries. To encourage individuals of all ages to read for pleasure and purpose to increase their understanding of the world, stretch their imaginations and think differently.



Six steps promise

That the almost 2 million blind and partially sighted people in the UK can visit a fully accessible library service, that has a local collection of accessible reading materials and information in physical or digital forms.

6 Purpose and vision for Brighton & Hove Libraries

The vision and purpose for library services in Brighton & Hove have been developed by the senior team in the service. They reflect the breadth of what libraries do, and the role libraries play in helping people improve their lives.

Our purpose: 'Public libraries connect our communities to culture, reading, learning, and each other.'

What we do: 'We provide impartial and inclusive access to library resources and services to inspire learning, development, discovery, creativity, and enjoyment, in welcoming, safe, supportive, and accessible places.'

Our vision for the future: 'We aspire to strengthen communities, promote inclusion, and inspire people to improve their lives, making libraries a cornerstone for our community's economic, social, and cultural wellbeing.'





7 Strategic aims for library and information services

The aims and outcomes have been informed by the national Library Taskforce proposals, the main messages coming out of the

consultation process, and the discussion about key issues and priorities that took place in the councillor's workshops.

Aim 1: Reading, learning and creativity through libraries

To support and develop literacy skills, reading, creativity and innovation to help children and adults in the city realise their potential.

At the centre of our library services is the commitment to reading, literacy, creativity and learning for people of all ages and abilities:

Objectives/How

- Implement the new Stock Policy, building the collection of books, e-Books, and other materials to meet community needs
- Offer opportunities for all ages and needs that spark curiosity, nurture learning and develop creative and critical thinking
- Develop constructive activities for children and young people
- Provide space for study, work, and creativity
- Promote enjoyment of reading for all

Outcome: Increasing reading and literacy

Libraries give everyone free access to books and literature regardless of age, disability, wealth, or education, and hold activities and events in partnership with others to encourage improved and wider reading and literacy skills. Research suggests that both children and adults who read for pleasure are healthier, happier, and more confident than those who don't. Adult education in literacy has been shown to **reduce depression levels**.

Local case study

Brighton & Hove Libraries worked with professional animators Press Play Films to deliver the workshops aimed at local families. In the session, children created their own Claymation characters and then planned and filmed a short animation using animation cameras. There were 18 workshops and 145 children attended together with 70 adults. The workshops took place at Jubilee, Hangleton, and Whitehawk libraries. Children from over 20 schools took part.

'This is my dream come true' - 7 years old

'My son absolutely loved the animation workshop last Sunday! Thank you for organising'

Outcome: Helping everyone achieve their full potential

Libraries raise people's aspirations and promote lifelong learning, supplementing formal education. Libraries offer free resources for learning, including online resources and quiet spaces for study that people may not have at home.

Local case study

Summer Reading Challenge runs every year in all Brighton & Hove Libraries, and national research, in which some local schools have participated, have found that children who participate are more likely to maintain or improve their reading performance over the holidays. 992 children took part in the Summer or Winter Reading challenge in 2020, despite Covid-19 restrictions. The previous year saw 2,544 children participate.



Olive at animation workshop



Storytime with Debs

Aim 2: Libraries as community hubs

Putting libraries at the heart of local communities:

Objectives / How

- Delivering council and community services
- Providing digital services and inclusion
- Enabling cultural and creative opportunities
- Encouraging inclusive community interaction and understanding

Outcome: Stronger more resilient communities

Libraries are open to everyone and are trusted by local people to provide reliable information and support on a wide range of issues;

and can help other services reach out into communities. Libraries bring people together in welcoming community hubs which host local events and provide a shared sense of place.

Outcome: Improved digital access and literacy

Public libraries provide a trusted network of accessible locations with free Wi-Fi, computers, and other technology. A 2014 BT report estimated the value of digital inclusion to a new user at around £1,064 a year. Digital literacy gives people access to services more easily, to learn and interact with others, and improve employability.

Local case study

Libraries Connect sessions delivered by library volunteers provide free access to a series of one-to-one support sessions for people who need help with digital. In 2019-20 1,628 hours of Libraries Connect volunteer support was provided to 717 people in 599 sessions.

A staff quote: "I was helping an older gentleman on a PC, and he wanted to make sure he was printing his boarding passes for a flight abroad correctly, so I checked it was all fine, and printed them out for him. He was very grateful, and said I'd been very friendly and patient, and he got a bit emotional and told me that the reason he's travelling is to see a friend who is terminally ill, who he wants to see one more time, and he was so nervous about making sure he had the boarding pass information all in order and was so grateful for my help. I was so pleased I had managed to put his mind at ease and wished him a safe journey."

Outcome: Cultural and creative enrichment

Libraries are well-placed to extend cultural engagement and are becoming established as focal points for community cultural life, hosting and running activities and events in partnership with amateur and professional groups. Libraries also point people to wider cultural activities and encourage individuals to explore different cultural experiences and to create things themselves.



Local case study

The Network of International Women for Brighton & Hove meet weekly at Jubilee Library in Brighton, providing a platform for women from diverse cultures and backgrounds to meet, share experience and knowledge and support one another. At the library they sew, make crafts, get information, support, and make friends. They also practice their English through conversation and translate for each other if there is a communications barrier.

Isra has been in Brighton & Hove for 2 ½ years. She arrived in the city with her husband and two children but didn't know anyone else. For the first year she stayed at home, she was very isolated.

"I was lonely, bored with no friends, no one to talk to. My husband heard about the international women's group meeting at the library and his wife met me and took me to the library. The other women ask me - where are you from? I was so happy. I thought no one is interested in me or my country and we talked. I enjoy the group. Then I heard about volunteering at the library. It's so wonderful it helps me to continue with my life."

Isra has become an important advocate for libraries, visiting other groups to promote what we do and encouraging people from the refugee and asylum seekers community to come in.

"I talk to other women about the library and say they must come, it is our sanctuary, it is a beautiful place with space for children. Now I bring my daughter and son to do their homework and for the books."



Network of International Women

Aim 3: Community wealth-building through libraries:

Develop library services to support business enterprise, improve skill levels and help more people into work:

Objectives / How

- Deliver support to local small or new businesses and through the Business and IP Centre
- Provide trainee and apprenticeship opportunities
- Work with schools and colleges to support children learning

Outcome: Greater prosperity

Libraries can contribute to the improved prosperity of an area by supporting businesses to start up and grow by providing information and working with economic development organisations to signpost businesses to sources of support and advice. Libraries also help individuals into work, supporting back to work programmes, and job clubs, and enabling free digital access and skills development.

Outcome: Improved digital access and literacy

Public libraries provide a trusted network of accessible locations with free Wi-Fi, computers, and other technology. A 2014 BT report estimated the value of digital inclusion to a new user at around £1,064 a year. Digital literacy gives people access to services more easily, to learn and interact with others, and improve employability.

Local case study

Jubilee Library has become one of the latest local Business and Intellectual Property Centres (BIPC) supported by the British Library. The Reset. Restart programme provided support, advice and the confidence and push to grow their business. This was the case for Keira Simpson, owner and founder of **Daisy Days Virtual Assistant**. She provides PA and administration support to small businesses, helping them to save time so they can focus on their core business operations. It was through one of the small businesses that she was assisting at the time, that she discovered the BIPC. "My client wanted me to research the BIPC and to find out what support and services they could offer to help with the set-up of her Community Interest Company (CIC). This is why I love what I do, I get an insight to so many networks, and I get to experience the fabulous support and services that they offer."

Keira began by attending **BIPC Sussex's** free Reset. Restart webinar – Tools for the Job. This gave her an insight into what digital platforms and software was available to grow her business. Like Oliver, it also provided an opportunity for her to connect with other start-ups and share her knowledge and tips, building her confidence in her business. "I gained an insight to other platforms and gained confidence in how I can support my business. The people that I have had the pleasure in talking to from the BIPC, whether that be from the webinars they offer or via email with a question that has arisen, have been so helpful and supportive. They also offer ideas and information - like speaking to a representative from the centre for advice on your business, to other topics which will steer you in the right direction."

Keira Simpson, owner and founder
of Daisy Days Virtual Assistant



IP Centre
Brighton
& Hove

BRIGHT IDEAS

City Council

**BRIT
ART**

Business & IP Centre in Jubilee Library

INSPIRING PEOPLE



Aim 4: Libraries supporting health and wellbeing

Use libraries' trusted brand to deliver services that ensure residents are healthier, have a better quality of life and remain independent for as long as possible

- Develop targeted services to reach those most in need
- Provide home delivery services to those restricted at home or in residential units
- Link services to council priority issues, working collaboratively with other service providers priorities and needs as identified above

Outcomes: Healthier and happier lives

Libraries contribute to the health and wellbeing and social care of local communities by:

i) Supporting people with dementia and mental health issues:

Libraries deliver the national Reading Well Books on Prescription scheme which is part of the national health offer for libraries. The scheme consists of a list of books that is curated and endorsed by health professionals

and provides support for those suffering from common mental health conditions (anxiety, depression, phobias, and some eating disorders) and dementia. Using the lists, GPs and health professionals can recommend reading materials to patients, which encourages self-management, and can help reduce the need for costly interventions. In the case of dementia, the scheme also provides practical support for carers.

ii) Contributing to the preventative health agenda:

Libraries provide access to health and social care information and signpost customers to online information and specialist agencies. Libraries play an important role in boosting health literacy, a person's knowledge and understanding about how to find and use information so they can act to support and improve their own health and wellbeing. Libraries offer stimulating community events and activities to help combat loneliness and social isolation, and host public health services such as stop-smoking sessions, health walks and access to health checks.



Local case study

Brighton & Hove Libraries is working with the Robin Hood Health Foundation, Hera and the Hangleton & Knoll Project on **Prescribe to Thrive** an initiative to promote Social Prescribing in West Hove and Portslade. Art and writing taster sessions which have been prescribed, or to which residents have referred themselves, are taking place in Hangleton and Portslade Libraries. **Reading Well** book collections have been lent to Brighton Health and Wellbeing Centre and Preston Park Recovery Centre to support people in managing a range of mental health conditions.

Local case study

During the pandemic, library staff kept in regular telephone contact with 72 Home Delivery Service (HDS) clients who were shielding and/or isolated to check that on their wellbeing and to reduce isolation. As well as providing a friendly voice and an empathetic conversation, staff were able to signpost clients to other sources of support and/or contact other providers on their behalf to ensure that they had everything they needed to enable them to get through the pandemic.

"When the libraries closed in March it was a big blow to me so when I was offered the chance of having books delivered, I jumped at it! I have been introduced to many authors I would not normally have looked at. I want to say a big 'THANK YOU' to all the people who have delivered the books plus the library staff themselves. They have been amazing. '(J. in Hangleton)

Receiving books during this Covid period has kept me sane. I am in constant pain and don't sleep well. The books take my mind off it." (CN)



Vi- receives visits from Home Delivery Service volunteer.

Aim 5: Sustainable and innovative libraries

Build on the range of delivery models already used within the service to secure a sustainable future for public libraries in the city.

Objectives / How

- Develop and promote Libraries Extra
- Make best use of volunteers
- Collaborate with other partners in service development and delivery
- Increase income generation
- Extend fundraising to support projects and activities
- Regularly upgrade library technology
- Expand digital services
- Develop the library workforce

Outcome: Efficient and effective use of resources delivering value for money

Increased income through commercial activities (retail and room hire); attracting charitable giving (donations); applying for grants and seeking opportunities to be commissioned to support the delivery of other services (increased income to provide services that meet local needs).

Effective use of new technology to enable service users to self-serve as far as possible, whilst providing digital and phone support and remote monitoring during Libraries Extra services in community libraries (reducing revenue costs).

Introducing online and card-based transaction options with the introduction of new self-service kiosks, for easier collection of libraries charges (savings through efficiencies in collecting income).

Outcome: Happier and productive people engaged (staff and volunteers)

Whole service approach to staff deployment, for maximum efficiency and greater consistency of service standards

Effective use of volunteers to enhance library activity, supporting library staff, not replacing them. (Providing added value)

Outcome: Increased effectiveness through collaborative working

Increased community use of libraries as community hubs, encouraging local groups and organisations to use the library building and resources as a community facility (increasing value of library services through greater community use, potentially reducing costs of other building and resource provision)

Increasing collaboration with other service providers to provide more strategic activity in priority service areas such as health and well-being, children and young people, equality and diversity, community cohesion and wealth-building (resource efficiencies through collaboration).

Local case study

in addition to the Home Delivery volunteers, Library Services have stock volunteers who work in libraries across the city to help with shelving stock, tidying shelves and putting together displays of books.



Local case study

Libraries are working in partnership with Hollingdean Community Association to provide a collection of books in their centre to increase access to library materials in their area.

Library services have also provided a computer and Wi-Fi access for people using the centre. A local resident volunteers to supports the collection and liaise with library staff.



Aim 6: High visibility of library services delivered to a high standard

Raise awareness of library services and their benefits to ensure wider community engagement.

We have received strong and clear feedback during public consultation and engagement that we need to do more to raise awareness of these services across the city, so that more residents understand our full library offer and choose to use and benefit from our services now and in the future.

Objectives / How

- Effective publicity for library service offers
- Marketing of targeted services to specific communities
- Clear customer service standards for libraries to provide a high-quality user experience
- Deliver consistent Universal Library Offers across the city
- Effective evidence gathering to measure impact and performance of Libraries Services

Outcome: More residents able to benefit from libraries services and resources

More people aware of the services, facilities and support that libraries can offer, and that they are mostly freely available in local libraries. This can be achieved by a more imaginative and professional approach to service promotion, and high standards of service which will encourage word-of-mouth recommendations.

Libraries can help more people with key challenges that have been identified by the council, such as homelessness, unemployment, social isolation and loneliness, and many aspects of health and wellbeing, as well as supporting learning and personal development.

Local case study:

Libraries staff worked with a marketing specialist to develop a more segmented approach to reaching different types of customers, and persona cards were created, each with details of how best to reach a customer group. These were used to pilot to use a new approach to raise awareness of Whitehawk Library during Libraries Week 2021. Instead of relying on social media, traditional marketing assets were used, such as pavement stencils, banners, and flyers, all differentiated to reach certain personas. As a direct result of these efforts, there has been an increase of after school borrowing, the return of local customers and a flurry of new members. This work will be a marketing blueprint to apply to other communities within the city.



8 Priorities for action

A clear priority is supporting the city recovering from Covid.

Covid-19 pandemic – how library services can support the city's recovery

Library services can contribute to the city's recovery from the Covid-19 pandemic in five ways:

- Supporting children catching up with learning and development. In particular, babies and children up to 4 years old. The National Literacy Trust has reported that the lack of language and social interaction for this age group will need two decades of sustained support to each individual through childhood to redress this, with the disadvantaged being hit harder than others. Libraries are core to this recovery being sustained, locally delivered, and driven to provide support.
- Supporting new or recovering small businesses through the Business and IP Centre, with targeted support for women and black and minority ethnic developing new enterprises.
- Supporting unemployed people through information to help with job applications, access to digital resources to apply for jobs and access benefits.
- Supporting local communities to recover by providing a safe and welcoming place for social interaction and community development.
- Supporting people affected by Covid-19 through access to trusted information, self-help resources, and recreational reading to help with social isolation.

Other Priorities:

Other priorities for action have emerged during the development of the strategy and the analysis of the results of the consultation and engagement process:

- Effective marketing and promotion to get people back into libraries and enable those who would benefit most from libraries are reached
- Accessibility of libraries services – ensuring all buildings and services are appropriately located and fully accessible
- Targeted services for those most in need
- Community use of libraries – enabling access to other services through libraries, and encouraging community groups to use their local library especially during Libraries Extra
- Effective engagement of more volunteers in appropriate activities
- Deliver core Libraries Universal Offers across the city
- Increase commercial income – retail, room hire and tenancies
- Increase project funding from fundraising – donations and grants
- Review and amend senior staffing to align with new strategy
- Amend staff recruitment to bring libraries' staffing more in line with city profile
- Staff development programme that meets the strategic needs of the service
- Effective evidence gathering to measure impact and performance of Libraries Services

The priorities identified have been placed into a framework of six aims and related objectives for the Library Services and linked these to corporate plan priorities. These have been brought together in a strategy implementation plan.

10 Implementation Plan

More detailed actions will appear in the annual Libraries Services business plans produced each year in line with council business planning process.

Aim 1: Reading, learning and creativity through libraries

Objectives	Actions linked to Libraries strategic priorities	Timescales	Outcomes
1.1 Build the collection of books, e-Books, and other materials to meet community needs.	Create a stock action plan to ensure library stock is in line with new policy, including prioritising resources for those in most need	Stock plan in place by March 2022	Increased reading and literacy Helping everyone achieve their full potential
1.2 Offer opportunities for all ages and needs that spark curiosity, nurture learning and develop creative and critical thinking Develop constructive activities for children and young people. Promote enjoyment of reading for all	Identify priority target groups – linking to other council initiatives e.g., disadvantaged children, people with disabilities, Develop engagement plans for children, young people, and adults, with specific plans for targeted groups Deliver the Universal offers: Reading, Culture and Creativity, and Children's Promise	Identified priority groups by March 2022 Engagement plans delivered on a rolling year basis Universal Offers delivered 2022-25	
1.3 Provide resources and space for study, work, and creativity.	Provide stock and facilities to support lifelong and self-directed learning Support the new Adult Learning hub Work with schools, colleges, and universities to support reading and learning, especially supporting disadvantaged people	Establish service level agreement with Adult Learning March 2022 Regular engagement with 80% of education providers by 2025	

Aim 2: Libraries as community hubs - putting libraries at the heart of local communities

Objectives	Actions linked to Libraries strategic priorities	Timescales	Outcomes	Council Priorities
2.1 Delivering council and community services	Work with other service providers to enable access to council services in Libraries in appropriate ways e.g., digital access; support activities; signposting and referral	2022-23	Stronger more resilient communities	A stronger city
2.2 Providing digital services and inclusion	Provide digital inclusion support in local neighbourhoods through Libraries Connect and work with partners in Digital Brighton & Hove Build on existing digital facilities in libraries to meet changing local needs, including plug-in / charging spaces for own devices, and devices to access new digital resources	Libraries Connected support in all libraries by December 2022 New digital facilities in place by 2024	Improved digital access and literacy Cultural and creative enrichment	
2.3 Enabling cultural and creative opportunities	Encourage and work with partners to make use of libraries as venues for cultural and creative activities, targeting priority groups	2022-25		
2.4 Encouraging inclusive community interaction and understanding	Encourage community groups to use libraries for inclusive activities to bring local people together Use libraries to promote inclusivity and understanding through displays, stock, and activities	2022-25		
2.5 Providing accessible, fit for purpose modern community libraries to meet local needs	Consolidate Hollingbury Library into the Old Boat Corner Community Centre and vacate the room in Carden Hill school for school use. Improve access to Mile Oak Library for local people, to reduce the impact of increased safeguarding security at PACA school Complete refurbishment of Saltdean Library as part of the Lido development Complete development of new library as part of Moulsecoomb hub	Consolidate Hollingbury library by December 2022 End of 2022 Open Saltdean Library 2023 2024/25		

Aim 3: Libraries supporting community wealth building: developing library services to support business enterprise, improve skill levels and help more people into work

Objectives	Actions linked to Libraries strategic priorities	Timescales	Outcomes	Council Priorities
3.1 Deliver support to local businesses through the Business and IP Centre	Provide information and signposting businesses to sources of support and advice. Support back to work programmes, job clubs, and enabling free digital access and skills development Expanding the BIPC network to the Sussex region	Deliver BIPC services in the city 2022-24 Expand to East and West Sussex by 2022	Greater prosperity	A city working for all
3.2 Help people into work	Support the Youth Employment Hub Provide resources including digital access for those applying for job and developing skills	2022-25		
3.3 Provide trainee and apprenticeship opportunities	Offer training opportunities e.g., Kickstart, work placements Develop a library apprenticeship programme	2022-25 Library apprenticeships by 2023		

Aim 4: Libraries supporting health and well-being: use libraries' trusted brand to deliver services that ensure residents are healthier, have a better quality of life and remain independent for as long as possible

Objectives	Actions linked to Libraries strategic priorities	Timescales	Outcomes	Council Priorities
4.1 Develop targeted services to reach those most in need	Identify priority target groups – linking to other council initiatives e.g., disadvantaged children, people with disabilities, Develop a specific offer to each group	Identified priority groups by March 2022	Healthier and happier lives	A healthy and caring city
4.2 Provide home delivery services to those restricted at home or in residential units	Develop home delivery data system to manage growing number of volunteers Recruit more volunteers	Implement volunteer system by December 2022		
4.3 Link services to council priority issues, working collaboratively with other service providers	Develop a targeted offer for each identified priority group (e.g., disadvantaged children, people with autism, people with dementia, etc), working with relevant service providers	Identified priority groups by March 2022 Develop specific offers 2022-25		

Aim 5: Sustainable and innovative libraries services: build on the range of existing delivery models to secure a sustainable future for public libraries in the city

Objectives	Actions linked to Libraries strategic priorities	Timescales	Outcomes	Council Priorities
5.1 Develop and promote Libraries Extra	Expand Libraries Extra to Hollingbury Library Promote Libraries Extra to all library users including those at Jubilee and Hove libraries	2022 2022-23	Efficient and effective use of resources delivering value for money	A modernising council
5.2 Increase income generation	Develop online retail sales Maximise income from room hire and tenancies	Online retail / room hire 2022		
5.3 Develop for new projects	Identify suitable projects for fundraising activity	Fundraising 2022-25		
Regularly upgrade library technology	Complete the self-service kiosk upgrade	2022		
	Introduce hand-held devices for floor-walking staff Expand plug-in spaces and introduce charging points for library users	2022-23 2022-23		
5.4 Expand digital services	Develop digital newspapers and magazines offer Investigate other new digital services	2022-25		
5.5 Collaborate with other partners in service development and delivery	Build on existing extensive links to partner organisations and establish more strategic partnership arrangements	2023-24	Increased effectiveness through collaborative working	Working in partnership

5.6 Develop the library workforce	Hold regular all staff development days to improve staff engagement and consistency of service Review of key skills and capabilities needed, revising person specifications, and develop training programmes for each grade of staff Review and restructure the workforce to deliver the priorities in the Libraries Strategy 2022-25 more effectively	2022-25	Happier and productive workforce (staff and volunteers)	Our People Promise
5.6 Make best use of volunteers	Introduce more effective management and support of volunteers Recruit volunteers to support Libraries Extra	2022 2023		

Aim 6: High visibility of library services delivered to a high standard

Objectives	Actions linked to Libraries strategic priorities	Timescales	Outcomes	Council Priorities
6.1 Raise awareness of library services and their benefits to ensure wider community engagement	Develop more effective marketing and promotion activities to reach the people who would most benefit from library services	2022-25	More residents able to benefit from high quality libraries services and resources	Our customer promise
6.2 Deliver core Universal Library offers consistently and to a high standard	Establish the details of what customers can expect in Brighton & Hove under the Universal Library Offers and promote these.	2022-25		
6.3 Establish and deliver library customer service standards	Establish detailed customer service standards as they apply in libraries and train staff to deliver at this level	2022-25		
6.4 Effective evidence gathering to measure impact and performance of Libraries Services	Research and implement a new evidence gathering regime to capture qualitative impacts as well as quantitative data	2022-23		

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Brighton & Hove Libraries Stock Policy 2021

1. INTRODUCTION

1.1 Stock is at the heart of the public library service, and should provide an unbiased, wide ranging resource freely accessible to all those who live, work or study in Brighton & Hove. The selection and maintenance of stock are essential to meet the requirements of the 1964 Public Libraries and Museums Act under which Brighton & Hove City Council has a statutory duty to provide a comprehensive and efficient library service. It is also necessary to meet the requirements of standards laid down by the Department for Culture, Media, and Sport.

1.2 This policy defines stock as being all the materials, both printed and electronic, acquired or borrowed by the Library Service to meet the needs of the community it serves. Materials are provided in a variety of formats, but increasingly current information is provided electronically rather than in print. Online and other electronic resources are being made available via libraries and the library website.

1.3 By law the core lending service is provided free of charge to all who live, work or study in Brighton & Hove. However, there is statutory provision for libraries to charge for reservations and the loan of certain non-book materials.

1.4 This Stock Policy aims to:

- support the Libraries Strategy and corporate policies and priorities of Brighton & Hove City Council
- provide for continually changing educational, information, cultural, lifelong learning, and recreational needs by listening to customers and communities.
- enable the greatest number of people to have access to the widest range of resources, in the most appropriate formats balancing customer needs and service requirements with environmental impact by:
 - providing books in a wide range of formats, including electronic, to meet the needs and interests of local communities and of people of all ages and backgrounds
 - providing and enhancing access to information in print and electronic format and promoting an awareness of its value in sustaining the highest possible quality of life
 - working with groups and individuals who are unable to have full access to library services and to be active in working for social inclusion
- support, where appropriate, national initiatives stemming from Central Government and other organisations (for example, the Universal Library Offers).
- To achieve Best Value for the Library Service by:
 - Obtaining library materials in the most cost-effective way
 - Ensuring the efficient and effective use of library materials, and consistency in stock management through a service wide approach to selection, development, and maintenance.

1.5 This Stock Policy informs the Stock Plan which will be regularly reviewed and updated to keep up with changing demand.

2. FREEDOM OF CHOICE

2.1 An important strength of the public library service is its neutrality and impartiality at the centre of the community it serves. It is not the role of the Library Service to act as censor or to promote particular campaigns or sectional views to the disadvantage of others.

2.2 The Library Service adheres to the following statement made by the Chartered Institute of Library and Information Professionals (CILIP): -

The function of a library service is to provide, so far as resources allow, all books, periodicals, etc. other than the trivial, in which its readers claim legitimate interest. In determining what is a legitimate interest the librarian can safely rely upon one guide only. the law of the land. If the publication of such matter has not incurred penalties under the law it should not be excluded from libraries on any moral, political, religious, or racial ground alone, to satisfy any sectional interest.

The public is entitled to rely upon libraries for access to information and enlightenment upon every field of human experience and activity. Those who provide library services should not restrict this access except by standards which are endorsed by law.

2.3 A key element of this Stock Policy is to ensure that library service stock reflects all shades of legitimate opinion. Publications that are legally available will not be excluded. Each will be evaluated and judged by the standards and selection criteria as set out elsewhere in this policy.

3. STOCK PROVISION

3.1 Brighton & Hove Libraries will provide a cost effective and high-quality service through continual review and staff development; responding to the ever-changing needs of the diverse communities it serves. Community and stock profiles help to identify the specific requirements of individual libraries. Local knowledge of groups and organisations, together with feedback from users are used in the stock development process. Information to inform stock decisions are gathered through:

- talking to customers
- feedback from surveys, focus groups, comments, complaints
- analysing stock performance
- reviewing reader reservations and suggestions
- community profiling to identify specific needs for individual branches

3.2 Brighton & Hove Libraries will aim to meet the needs of communities, subject to budgetary constraints, through the provision of

- a varied, balanced up-to-date stock reflecting diversity among ages, abilities, disability, gender, identity, backgrounds, nationalities, culture, and lifestyles, sufficient to cater for most everyday demands.
- a comprehensive subject coverage, relevant to the reading tastes and information needs and interests of communities served

- a reservation system to access stock from any Brighton & Hove library as the amount of stock held locally in each library varies according to its size and catchment population, but all are part of the library service network, and none are expected to be individually self-sufficient
- a reservation system to enable items not available in Brighton & Hove Libraries to be requested from alternative UK sources, particularly through the council's membership of the SELMS consortium which is Europe's largest consortium of public libraries.

3.3 Stock Selection

Brighton & Hove Libraries will continue to provide a comprehensive range of fiction and non-fiction titles in printed format to meet the needs and interests of communities. Selection based upon known demand is a primary consideration which is to be balanced with acquiring the maximum range.

3.3.1. Stock selection involves staff and library suppliers using community and stock profiles supplemented by management information. The profiles are prepared using information obtained from the latest census results and the Brighton & Hove Community Insight Library Catchment Area Dashboard. Statistical information is extracted from the Library Management system to help identify popular genre and subject areas for each library. The information is presented in reports giving detailed information for each library.

Selection methods include collections of newly published titles, electronic data (i.e. suppliers' selection tools and reviews posted on the internet), reviews, visits to contracted suppliers and local booksellers, publishers' lists, recommendations from staff with specialist subject interests, and readers' requests, readers' comments, consultation with front-line staff, and stock gap information collected from readers are also taken into account.

3.3.2. Evaluation is made at five levels with the following being taken into account:

- *Content* Educational and/or recreational value, currency, reliability, authority of the author, standing of the publisher, availability of the information elsewhere, and the legality of the item.
- *Format* The quality of production and its durability in terms of library use. The most suitable format available is chosen to benefit the library service in general. Unsuitable formats include spiral or loose-leaf bindings, and workbooks with fill in sections for personal use are generally not purchased
- *Coverage* Consideration is given to the existing coverage of a subject, and whether an item adds something new.
- *Price* If an item is satisfactory in terms of content and format then the price is taken into consideration. It will only be purchased if it represents good value for money.
- Anticipated demand through analysis of current demand for similar material, feedback from customers and partners and any identified local interest or need.

3.3.3 In keeping with library practice across the country, library suppliers choose approximately 80% of all newly published stock using a set of guidelines supplied by the library authority, including community and stock profiles which will be regularly reviewed and updated to reflect changing local needs. The guidelines instruct how many of each new book in each category of new publications to purchase for which libraries in the city.

- For example, one of our suppliers uses a rating system for each new publication, ranging from super seller, to one star. This rating is linked to previous author sales and is designed to ensure that we get enough copies of new books from authors that we are very confident will be popular with library borrowers.
- For instance, the instructions might require that two copies of each super-seller be bought for Jubilee and Hove Libraries, and one copy for each community library. Numbers will also vary dependent on whether the publication is hard back or paperback, as there needs to be a balance between longevity and price.
- Brighton & Hove libraries are divided into four categories to help allocate which Library gets which book. Jubilee is category 1, Hove category 2, six community libraries are in category 3 and six in category 4. Libraries in categories 3 and 4 have a geographical spread to try and ensure that if a new item is not in a resident's local library there will be one not too far away.
- The suppliers might be told, for example, to send one copy of each four-star adult fiction paperback to Jubilee and Hove libraries, and one copy to three branches in in category 3 and category 4. This will result in a spread of books of popular titles across branches.
- Library staff also monitor reservations to help identify popular titles that may not have initially been recognised as such and purchase more copies when the number of reservations warrant.
- The supplier selectors are experienced in buying stock for libraries and will use their knowledge to allocated books to multiple branches when there may have been no previous sales. For example, they will purchase multiple copies of books by new, high profile, authors or if works are likely to receive a lot of publicity.
- The lists of books selected by supplier selection are sent to library staff for approval before final purchases are made. Library staff will use their knowledge and experience to adjust allocations where they deem necessary.
- 20% of library stock is chosen directly by library staff, to ensure local needs are met, and to fill gaps in subject areas, following customer and staff suggestions and to replace popular lost and tatty items.

3.3.4 Fiction

The provision of fiction is also a core function of the public library service. Brighton & Hove Libraries cater for a broad spectrum of reading tastes by providing an extensive range of titles including: -

- First novels by new authors
- New novels by established authors
- Novels by established authors still available in print, including the classics.
- Novels published only in paperback.
- English translations of novels from other languages.
- Fiction in languages appropriate to the local ethnic communities
- Graphic novels
- Novels in formats designed to appeal to adults with literacy issues.

- Multiple copies of popular authors are bought in Large Print, but only one copy of less popular titles is added to stock. These are circulated as part of the regular stock rotation plan.

3.3.5 Range of stock provided and stock guidelines for children

Libraries provide a range of resources for children and young people aged from 0 to 19 years of age within designated areas of each library. A balance between fiction and non-fiction is maintained.

The stock is selected with the aims of: -

- Encouraging reading for pleasure.
- Cultivating the use and understanding of language.
- Supporting and promoting literacy
- Supporting emotional and intellectual development.
- Supporting the National Curriculum
- Helping children and young people pursue their interests.
- Meeting the needs of specific client groups e.g. ethnic minorities, children with special needs, LGBT families.
- Reflecting the positive values of a multi-cultural and diverse society.

3.3.6 Reference Collections

- Reference works are purchased to provide factual information in hard copy and electronic resources. Brighton & Hove Libraries will continue to develop the range of electronic resources as well as providing hard copy resources to cover areas not adequately covered by electronic resources.
- Brighton & Hove Libraries will provide reference materials specifically to support the work of the Business & IP Centre in supporting local entrepreneurs and small to medium sized business to develop and grow their business.

3.3.7 eBook & eAudio

eBooks and eAudio enable library services to meet the needs of customers unable to visit in person and is a greener alternative to the production of hard copy books. Brighton & Hove Libraries will continue to develop the range of items available within the constraints of the agreements between publishers and online providers. Online service providers will be continually monitored and reviewed to ensure the most efficient and effective service is delivered and maintained.

3.3.8 Spoken Word – Audio CDs

A selection of popular books in CD Spoken word format will be made available in all adult and children's sections in all branches in addition to the eAudio titles available electronically.

3.3.9 Film

DVDs were traditionally a source of income generation for libraires, however there has been a 71% drop in issue figures during the decade up until April 2020. Brighton & Hove

Libraries recognise the importance of film within culture and society and will continue to develop an offer based on alternative, greener, film delivery methods.

A smaller collection of adult and children's DVDs will be available in Jubilee, Hove, Hangleton and Patcham and the Home Delivery Service to reach target audiences. Usage will be continually monitored and reviewed in line with budgetary constraints and falling issue figures.

3.3.10 Music

CDs were traditionally a source of income generation for libraries but with issues decreasing by 70% during the decade up until April 2020 and with only 3.1% of CD stock on loan on a typical day it is no longer viable to offer a comprehensive CD lending service.

However, Brighton & Hove Libraries recognise the importance of music within culture and society and alternative, greener music delivery methods are being implemented to replace most of the physical CD stock.

The exception will be to provide CDs produced by local bands and labels, to promote local culture and local businesses. Usage will be continually monitored and reviewed in line with budgetary constraints and falling issue figures.

4 Special Collections

- Brighton & Hove Libraries have a wide-ranging collection of rare books and archive material comprising of books, manuscripts, pictorial ephemera, and individual collections donated by local benefactors.
- Brighton & Hove Libraries will continue to provide access to these collections by appointment.

5. STOCK RETENTION AND DISPOSAL GUIDELINES

5.1 All items of stock are purchased for the benefit of the Library Service at large, and maximum use is achieved by regular rotation throughout its life, as appropriate.

5.2 All areas of stock are reviewed regularly to ensure: -

- That stock is maintained in good condition.
- That stock is still relevant to community needs.
- That content and information is still current and accurate.
- That usage justifies retention.

5.3 Adult Lending and Children's Stock

5.3.1 Careful consideration is given to the last copy of a title according to the following criteria:

- If it is a definitive work
- The content is likely to be of historic or local interest
- The plates/drawings/illustrations are especially good
- Coverage of the subject area is very limited and cannot be obtained elsewhere
- The title is a classic/standard work currently not available in print

5.3.2 Stock falling outside the retention policy is withdrawn and disposed of as appropriate, generating income or being recycled wherever possible.

5.4. Local Studies and Special Collections

5.4.1 Because of the nature of the collections concerned it is not policy to discard material, much of which is irreplaceable. The Library Service has a responsibility to preserve as much as possible for future generations.

6 WITHDRAWAL GUIDELINES

6.1 Maintaining stock to a high quality and ensuring maximum relevance and use is an ongoing process, which requires constant editing, revision, and circulation of stock.

6.2 Stock should normally be withdrawn under the following circumstances:

- when in poor physical condition
- when unsuitable for binding or repair
- the content is out-of-date
- a later edition or better alternative is available

6.3 Careful consideration on the withdrawal of stock should be given in every case. Age of stock is a significant factor in continued use and therefore all titles acquired should be re-evaluated against withdrawal criteria. The age when stock is due for review varies for different genre.

6.4 Physical Condition

- All books should be clean inside; where pages are torn, stained, defaced, or very discoloured, books will be removed from the shelves.
- Binding should be in good condition; books with loose pages or damaged spines may be repaired or rebound as appropriate.
- Dirty or damaged jackets and wallets will be cleaned or replaced if the condition of the book warrants it.
- Audio-visual materials should be properly packaged; damaged or scratched cases will be replaced subject to resources
- Damaged or faulty AV materials will be removed for checking and replacement if appropriate
- Faded or worn labelling on covers and cases will be replaced if the condition of the item warrants it.

6.5 Content

6.5.1 Adult fiction and non-fiction

- Titles that have not been issued in the last six or for more than three times in three years should be considered for withdrawal or relocation, depending on the physical condition and the specialisation of the content.
- Superseded editions with outdated or inaccurate information should be withdrawn and replaced where necessary.
- Tourist guides over three years old should be removed if not already replaced.

6.5.2 Children's and young people's stock

- Content will be reviewed for relevancy, accuracy, bias and need, especially in information books that are five or more years old or on subjects that date quickly e.g. information technology, communications and TV tie-ins
- Non-fiction items eight years old should be removed.
- Items in a dull or outmoded style will be removed.
- Withdrawn items should be disposed of to avoid outdated material from libraries finding its way into schools and homes.

6.5.3 Reference

- Reference stock needs to be edited to ensure currency and accuracy; stock containing out of-date or misleading information will be removed.
- Standing orders will be used to ensure relevant annuals and directories are updated as soon as a new edition becomes available.
- Annuals and directories over three years old will not generally be retained.
- Stock will be considered for withdrawal when its content is more practically available in another format.
- Duplication of specialised items with other accessible local information providers will be avoided.
- Tourist books for reference containing listings and prices will be removed if over three years old.

7 DISPOSAL

7.1 Stock identified as surplus to requirements through the withdrawal criteria should be offered for reuse or recycling whenever possible.

7.2 Some stock will be offered for sale either directly to the public through library organised sales

7.3 Any stock remaining or that is such a physical condition that it is not suitable for offer or sale will be offered to recycling agencies. This generates a small income for the service.

7.4 Every effort will be made to recycle stock so that there is no need for landfill disposal.

Brighton & Hove City Council

Council

Agenda Item 69

Subject: **White Ribbon UK Accreditation** - Extract from the Proceedings of the Tourism, Equalities, Communities & Culture Committee meeting held on the 25th November 2021

Date of meeting: 3 February 2022

Report of: Executive Director for Governance, People & Resources

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

Ward(s) affected: All

For general release

Action Required of the Committee / Council:

To receive the report from the Tourism, Equalities, Communities & Culture Committee for consideration and the recommendations for approval.

Recommendations:

That an application by officers for White Ribbon Accreditation be agreed.

BRIGHTON & HOVE CITY COUNCIL

TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE

4.00pm 25 November 2021

MINUTES

Present Councillors Powell (Chair), Osborne (Co-Chair), Grimshaw (Joint Opposition Spokesperson), Evans (Joint Opposition Spokesperson), Simson (Opposition Spokesperson), Rainey, Littman, Ebel, Childs, and Brown

Co-Optees: Joanna Martindale (Community Voluntary Sector), Nick Dias (Sussex Police), Stephanie Prior, and Harpreet Kaur (BHCC CCG).

PART ONE

43 WHITE RIBBON UK ACCREDITATION

43.1 Anne Clark introduced the item starting on page 49 on the Agenda.

43.2 Councillor Brown was informed that:

- Purple Flag status for a city means that crime rates are lower, and it is deemed safer for people.
- There are 4 factors to work on to achieve this status including strategic leadership, including men and boys in the conversation, changing the culture, and raising awareness of violence.

43.3 Councillor Osborne raised that the culture around violence against women and girls is important to mention in the plan, given that 99% of the perpetrators are men, and that he would be more than happy to be one of the 4 ambassadors for the White Ribbon campaign.

43.4 RESOLVED:

- (1) That full Council be recommended to agree that officers should apply for White Ribbon Accreditation;
- (2) That the action plan as set out in appendix 1 to the report be agreed.

Subject:	White Ribbon UK Accreditation		
Date of Meeting:	3 February 2022 25 November 2021 – Tourism, Equalities, Communities & Culture Committee		
Report of:	Executive Director of Housing Neighbourhoods & Communities		
Contact Officer:	Name:	Anne Clark	Tel:
	Email:	Anne.Clark@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report updates the Committee on White Ribbon UK (WRUK) and the actions required for Brighton and Hove City Council (BHCC) to achieve White Ribbon UK Accreditation.

2. RECOMMENDATIONS:

That the Tourism, Equalities and Culture Committee:

- 2.1 Recommends to Full Council that it agrees officers should apply for White Ribbon Accreditation.
- 2.2 Agrees the action plan set out in Appendix 1.

That Full Council:

- 2.3 Agrees officers should apply for White Ribbon Accreditation.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 White Ribbon UK is part of an international movement to engage men in tackling violence against women and girls (VAWG). The White Ribbon Campaign began in Canada in 1991. White Ribbon's mission is for all men to fulfil the White Ribbon pledge to never commit, excuse or remain silent about male violence against women and act as a catalyst, encouraging people, and especially men and boys, individually and collectively to take action against violence against women.
- 3.2 VAWG is an umbrella term which encompasses a range of serious violence crime types which are predominantly but not exclusively experienced by females including:

- Crimes in the name of “Honour”
 - Domestic abuse
 - Harmful Practices including Female Genital Mutilation and Forced Marriage
 - Sexual Violence, abuse and exploitation including rape and forced prostitution
 - Sexual harassment and bullying
 - Stalking
 - Trafficking and Modern Slavery
- 3.3 White Ribbon UK work together with their supporters, ambassadors, champions, organisations, and policy makers, to raise awareness, educate and campaign to bring about change. These partners are working across England and Wales engaging with many thousands of people to change the attitudes that underpin domestic abuse and other forms of violence against women and girls.
- 3.4 Undertaking White Ribbon UK Accreditation demonstrates an organisation’s commitment to ending VAWG and ensures all policies and programmes are aligned with the Home Office Violence Against Women and Girls National Statement of Expectations¹. Public sector bodies achieving White Ribbon status demonstrates their organisation’s commitment to:
- Drive social change to strengthen gender equality and stop violence against women
 - Improve organisational culture, safety, and morale
 - Increase staff knowledge and skills to address violence against women
- 3.5 White Ribbon Accreditation is achieved through the development of a three-year organisation wide action plan covering, strategic leadership, engaging men and boys, raising awareness, and changing culture. Key features include that a strong commitment to White Ribbon UK Accreditation is made by the senior leaders in an organisation, that there is a whole organisation approach, and that the action plan is led and monitored by a designated team.
- 3.6 A key aspect of supporting White Ribbon is to take the pledge ‘to never commit, excuse or remain silent about violence against women’ and wearing a white ribbon amongst staff (encouraging all staff to wear one) and more widely (customers, community partners, businesses). BHCC will need to endorse and promote signing the White Ribbon UK promise.
- 3.7 Historically, Brighton and Hove have demonstrated a firm commitment to White Ribbon UK having achieved accreditation status in 2013, 2015 and 2017. More recently, the Joint Unit for Domestic Abuse, Sexual Violence and Violence Against Women and Girls (DVA/SVA/VAWG) have promoted ‘White Ribbon’ during the 16 days of action against gender-based violence (running from 25th November to 10th December annually).

1

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/57466/5/VAWG_National_Statement_of_Expectations_-_FINAL.PDF

- 3.8 Appendix 1 depicts the local authority action plan template with details of all actions that will need to be completed. If the Tourism, Communities, Equalities and Culture Committee is supportive of the proposal, the Commissioner for Domestic Abuse, Sexual Violence and Violence Against Women and Girls (DVA/SVA/VAWG), will populate the action plan and look to start implementation in December 2021.
- 3.9 The multi-agency and partnership strategic work that has already been conducted by the Joint Unit helps to meet several of the objectives. This includes the Pan Sussex DVA/SVA/VAWG Strategy and delivery action plan, together with the wide range of DVA/SVA/Stalking and Harassment services delivering support in Brighton and Hove.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 This report is intended to provide an update on White Ribbon UK Accreditation. Currently, there is not an alternative or equivalent to White Ribbon UK Accreditation

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Joint Unit for Domestic Abuse, Sexual Violence and Violence Against Women and Girls (DVA/SVA/VAWG) continue to support and promote White Ribbon during the 16 days of action against gender-based violence. This includes community engagement activities, however, there has not been any specific community engagement and/or consultation on White Ribbon UK Accreditation.

6 CONCLUSION

- 6.1 This report is to provide information regarding White Ribbon UK Accreditation and is seeking a decision on the appointment of Members to become White Ribbon Champions and for Brighton and Hove City Council to undertake White Ribbon UK Accreditation.

7 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 For an organisation the size of BHCC accreditation costs £600 annually which will be met from within current budget resources.

Finance Officer consulted: Mike Bentley

Date: 10/11/21

Legal Implications:

- 7.2 The decision to apply for accreditation must be taken by Full Council as the Council's Constitution requires this where the decision is to endorse, approve or commit the the Council to any charter, alliance or pledge.

Lawyer Consulted:

Alice Rowland

Date: 10/11/21

7.3 Equalities Implications:

White Ribbon UK accreditation provides a framework for organisations to promote gender equality.

7.4 Sustainability Implications:

None identified.

SUPPORTING INFORMATION

Appendix 1

Appendix 1

1. Strategic Leadership
Identify member/s of senior leadership/executive to be the strategic lead for White Ribbon Status and White Ribbon Champion or Ambassador.
Governance body/Executive agree WRUK commitment.
Nominate a lead officer to oversee development and implementation of WRUK strategy, monitoring progress and reporting back to WRUK. This person should be a White Ribbon Ambassador or Champion.
Establish a WRUK Steering Group to oversee the agreed action plan. Lead members of the steering group should be White Ribbon Ambassadors or Champions.
Ensure policies are in place that cover male violence against women & domestic abuse, including within HR policies for staff.
Develop a staff training strategy that includes male violence against women (including sexual violence, coercive control, consent, and domestic abuse).
Ensure all policies and programmes are aligned with the Home Office VAWG <i>National Statement of Expectations</i> .
Build White Ribbon Accreditation as a social value indicator into the commissioning process.
Work with key local partners including education, emergency services and health to develop a joint strategic approach to ending male violence against women.
Ensure adequate support and housing services for women and children experiencing/fleeing domestic abuse.
2. Engaging Men & Boys
Appoint at least 4 male ambassadors within your organisation. All White Ribbon Ambassadors are required to complete WRUK online training.
Promote signing the WRUK promise and wearing a white ribbon amongst staff and more widely (customers, community partners, businesses)
Provide opportunities for ambassadors and champions to become well informed about their role and confident about what men and boys can do to challenge violence against women and girls. Such as providing training.
Ensure that education programmes about domestic abuse and healthy relationships, specifically directed towards boys, within the PSHE curriculum.
Identify opportunities to engage with men and boys, such as through community programmes.
3. Changing Culture
Ensure that all staff do not behave in sexist, harassing or abusive behaviours, through staff induction, training, and ongoing communication.
Develop a zero-tolerance approach to sexist, harassing or abusive behaviours from service users.
Develop a clear system for reporting, assessing, dealing with, and reporting incidents of sexism, harassment, abuse, sexual assault, or violence.
Ensure that no organisational promotional materials use abusive or sexist imagery.
Work towards a zero-tolerance policy on Sexual Entertainment Venues.
Work towards the development of a RESPECT-accredited perpetrator programme.
Consider working towards achieving Purple Flag Status.
Staff at venues to be trained to handle incidents and reports of abuse. If this includes venues where alcohol is served to include training on drink spiking.
4. Raising Awareness
Develop a comprehensive communications plan for staff and customers that identifies engaging with men and boys against violence against women and girls as a key goal.
Ensure that information about where people can get help, support and advice is communicated, accessible & displayed.
Display the WRUK commitment & logo in a wide range of settings such as website, signage, & promotional materials.
Encourage all staff to wear the white ribbon.
Display & utilise White Ribbon awareness raising materials such as posters & videos on customer information screens.
Mark the following dates: November 25 th : White Ribbon Day- The International Day to End Male Violence Against Women. November 25 th – 10 th December: The following 16 days of action.
Maximise opportunities to raise awareness in local communities, such as street stalls, meetings, and open days.
Work with local sports clubs to encourage accreditation.
Work with local music venues to encourage accreditation.

Brighton & Hove City Council

Council

Agenda Item 70

Subject: **Review of the council's constitution** - Extract from the Proceedings of the Policy & Resources Committee meeting held on the 2 December 2021

Date of meeting: 3 February 2022

Report of: Executive Director for Governance, People & Resources

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

Ward(s) affected: All

For general release

Action Required of the Committee / Council:

To receive the report from the Tourism, Equalities, Communities & Culture Committee for consideration and the recommendations for approval.

Recommendations:

- (1) That the proposal to make changes to the Council's Procedure Rules in Part 3.2 of the Council's Constitution indicated in paragraphs 4.1, 4.2, 4.4, 4.5 and Appendix 1 to the report, but not the changes indicated in paragraph 4.3 which Policy & Resources Committee recommends are not adopted be approved;
- (2) That the proposal outlined in para 4.8 to transfer responsibility to manage authorised and unauthorised encampments (including all activities incidental to the Council's functions of Gypsies, Roma and Travellers and Van dwellers) to the Housing Committee from the Environment, Transport & Sustainability Committee be agreed;
- (3) That it be noted that the disability representative agreed by the Policy & Resources Committee at its meeting on 2 May 2021, would attend Environment, Transport & Sustainability Committee and has the status of a standing invitee, the appointment of which is a matter for Policy & Resources Committee;
- (4) That both the proposal to make changes to Part 8.5 and the amendments to the rules on future changes to that Part outlined in para 4.21 of the report be approved;
- (5) That the proposed changes referred to in paras 2.1 (Appendix 1) of the report be approved;
- (6) That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental for the implementation of the changes agreed by the

Policy & Resources Committee and by Full Council and authorises the Monitoring Officer to amend and re-publish the Council's constitutional documents to incorporate the changes.

- (7) That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

BRIGHTON & HOVE CITY COUNCIL

POLICY & RESOURCES COMMITTEE

4.00pm 2 DECEMBER 2021

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Mac Cafferty (Chair) Druitt (Joint Deputy Chair), Gibson (Joint Deputy Chair), Allcock (Joint Opposition Spokesperson), Appich (Joint Opposition Spokesperson), Bell (Group Spokesperson), Clare, Evans, Miller and Yates.

Also present: Dr Anusree Biswas Sasidharan, Standing Invitee

PART ONE

74 REVIEW OF THE COUNCIL'S CONSTITUTION

- 74.1. The Executive Lead Officer for Strategy, Governance & Law introduced the report which outlined the recommendations of the Constitution Working Group for changes to the Council's Constitution. He drew the Committee's attention to various changes that were being put forward and thanked the Working Group for their work. He also drew the Committee's attention to an error in the report and the need for the reference at 36.39 to refer to the Executive Director for Housing, Neighbourhoods & Communities rather than the Executive Director for Economy, Environment & Culture.
- 74.2. Councillor Evans moved an amendment on behalf of the Labour Group which was formally seconded by Councillor Allcock. She welcomed the report and thanked the Working Group and the officers for their work and noted that the amendment was being brought to maintain the essential part of the democratic process of full Council but also noted the aim for the number of written questions to be kept at a reasonable level.
- 74.3. Councillor Clare thanked her colleagues for their work on the Working Group and noted that the aim had been for any proposed changes to be raised with the respected Groups prior to each meeting of the Working Group, in order to enable an informed debate at the Working Group. She was therefore disappointed to see the amendment and hoped that in the future there would be a greater clarity of views brought to the Working Group. She also suggested that rather than one written question per Member the proposal could be changed to two written questions per Member.
- 74.4. Councillor Appich noted the comments and stated that the Labour Group had been unable to consider the proposals ahead of the Working Group

and whilst the intention to reduce the number of written questions at full Council was supported, it was felt that there was a need to wait until the Member casework system was rolled out and became an effective resource for councillors.

- 74.5. Councillor Allcock stated that there was a need for Members to be able to represent the concerns of residents at full Council and therefore until other avenues for raising matters improved, it was important to retain the ability to submit questions to the Council.
- 74.6. The Chair noted the comments and put the Labour amendment to the vote, which was carried by 4 votes to 0, with 5 abstentions.
- 74.7. The Chair then put the recommendations as amended to the vote which were carried by 8 votes to 0, with 1 abstention.
- 74.8. **RESOLVED:**

- (1) That the resources described at paras 4.6 & 4.7 and attached at Appendices 2 & 3 be approved and that the Monitoring Officer be given delegated authority to review and update those as necessary in future;
- (2) That the proposals to make changes to the Council's Member Working Groups and Advisory Bodies in Part 4 of the Council's Constitution as set out in paragraph 4.9, with the following underlined changes made to clause (ii) to bring it in line with clause (iii) be agreed:

That approval is given in principle to changing the Terms of Reference of the Stanmer Park Working Group to remove the requirement that its members be appointed from its parent Committee: a provision which is not included in the Terms of Reference of such other Groups as the Strategic Delivery Board and the Housing Supply Board. It is proposed that instead express provision be made to allow this aspect of the Terms of Reference to be for the parent Committee to decide.

- (3) That the proposals to make changes to the Council's Member Working Groups and Advisory Bodies in Part 4 of the Council's Constitution as set out in paragraphs 4.9 (as amended in (2) above) to 4.14 inclusive and Appendix 4, including (but not only) by disbanding the Orbis Joint Committee and substituting a new Orbis Partnership Oversight Board be agreed;
- (4) That it be agreed to delegate to the Chief Executive the power to appoint an individual as disability representative in accordance with recommendation 3 to council below (and any other appointment of individuals as co-optees or standing invitees where the principle of the appointment has been agreed by the relevant committee or Council) following consultation with Group spokespersons for the relevant committee;

- (5) That the re-appointment for a period of 12 months of the Council's two Black and Minority Ethnic standing invitees (to Policy & Resources Committee and Tourism, Equalities, Communities & Culture Committees respectively) as specified in paragraph 4.15 of the report be agreed;
- (6) That the proposals to make the changes to the Scheme of Delegations to Officers in Part 6 of the Council's Constitution (paragraphs 4.17 to 4.20 inclusive and 4.23 and Appendices 5 and 6) be agreed;
- (7) That the Parents and Carers Leave Policy for Members (as outlined in para 4.22 and Appendix 7) of the report and the revised Indemnity for Members (para 4.24 and Appendix 8) of the report be agreed;

74.9. RESOLVED TO RECOMMEND:

- (8) That the proposal to make changes to the Council's Procedure Rules in Part 3.2 of the Council's Constitution indicated in paragraphs 4.1, 4.2, 4.4, 4.5 and Appendix 1 to the report, but not the changes indicated in paragraph 4.3 which Policy & Resources Committee recommends are not adopted be approved;
- (9) That the proposal outlined in para 4.8 to transfer responsibility to manage authorised and unauthorised encampments (including all activities incidental to the Council's functions of Gypsies, Roma and Travellers and Van dwellers) to the Housing Committee from the Environment, Transport & Sustainability Committee be agreed;
- (10) That it be noted that the disability representative agreed by the Policy & Resources Committee at its meeting on 2 May 2021, would attend Environment, Transport & Sustainability Committee and has the status of a standing invitee, the appointment of which is a matter for Policy & Resources Committee;
- (11) That both the proposal to make changes to Part 8.5 and the amendments to the rules on future changes to that Part outlined in para 4.21 of the report be approved;
- (12) That the proposed changes referred to in paras 2.1 (Appendix 1) of the report be approved;
- (13) That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental for the implementation of the changes agreed by the Policy & Resources Committee and by Full Council and authorises the Monitoring Officer to amend and re-publish the Council's constitutional documents to incorporate the changes.
- (14) That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

Subject:	Review of the Council's Constitution
Date of Meeting:	3 February 2022 2 nd December 2021
Report of:	Executive Lead Officer for Strategy, Governance & Law (Monitoring Officer)
Contact Officer:	Name: Abraham Ghebre-Ghiorghis
	Email: abraham.ghebre-ghiorghis@brighton-hove.gov.uk
Ward(s) affected:	All

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT:**

- 1.1 This report proposes changes to the Council's Constitution for approval by Policy & Resources Committee and (where relevant) Full Council. The proposals set out in the Report have been considered by the cross-party Constitutional Working Group (CWG), which has approved them either unanimously or on a majority basis.

2. RECOMMENDATIONS:**Policy & Resources Committee:**

- 2.1 Recommends to Full Council the proposal to make changes to the Council's Procedure Rules in Part 3.2 of the Council's Constitution indicated in paragraphs 4.1 - 4.5 inclusive and Appendix 1.
- 2.2 Approves the resources described at paras 4.6 & 4.7 and attached at Appendices 2 & 3 and gives the Monitoring Officer delegated authority to review and update those as necessary in future.
- 2.3 Agrees the proposals to make changes to the Council's Member Working Groups and Advisory Bodies in Part 4 of the Council's Constitution as set out in paragraphs 4.9 to 4.14 inclusive and Appendix 4, including (but not only) by disbanding the Orbis Joint Committee and substituting a new Orbis Partnership Oversight Board.
- 2.4 Recommends to Full Council the proposal outlined in para 4.8 to transfer responsibility to manage authorised and unauthorised encampments (including all activities incidental to the Council's functions of Gypsies, Roma and Travellers and Van dwellers) to the Housing Committee from the Environment, Transport & Sustainability Committee.
- 2.5 Recommends that Full Council note that the disability representative it agreed would attend Environment, Transport & Sustainability Committee at its meeting in

May 2021 has the status of a standing invitee, the appointment of which is a matter for Policy & Resources Committee.

- 2.6 Agrees to delegate to the Chief Executive the power to appoint an individual as disability representative in accordance with para 2.5 above (and any other appointment of individuals as co-optees or standing invitees where the principle of the appointment has been agreed by the relevant committee or Council) following consultation with Group spokespersons for the relevant committee.
- 2.7 Approves the re-appointment for a period of 12 months of the Council's two Black and Minority Ethnic standing invitees (to Policy & Resources Committee and Tourism, Equalities, Communities & Culture Committees respectively) as specified in paragraph 4.15 of the report.
- 2.8 Agrees the proposals to make the changes to the Scheme of Delegations to Officers in Part 6 of the Council's Constitution (paragraphs 4.17 to 4.20 inclusive and 4.23 and Appendices 5 and 6).
- 2.9 Recommends to Full Council both the proposal to make changes to Part 8.5 and the amendments to the rules on future changes to that Part outlined in para 4.21.
- 2.10 Approves the Parents and Carers Leave Policy for Members (as outlined in para 4.22 and Appendix 7) and the revised Indemnity for Members (para 4.24 and Appendix 8).

Full Council:

- 2.11 Approves the proposed changes referred to in paras 2.1 (Appendix 1), and 2.4 to 2.7 above.

Policy & Resources Committee and Full Council:

- 2.12 Authorises the Chief Executive and Monitoring Officer to take all steps necessary or incidental for the implementation of the changes agreed by the Policy & Resources Committee and by Full Council, and authorises the Monitoring Officer to amend and re-publish the Council's constitutional documents to incorporate the changes.
- 2.13 That the proposed changes come into force immediately following their approval by Policy & Resources Committee or adoption by Full Council, as appropriate.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Council is required to keep its Constitution under review with a view to achieving efficiency, economy and effectiveness. The cross-party Constitutional Working Group (CWG) was set up to assist with this by considering proposals and advising the Council on proposed changes to the Constitution. The current members of the CWG are Councillors Clare (Chair), O'Quinn and Nemeth. The proposals set out in the report were discussed by the CWG, the members of which approved them in principle either unanimously or on a majority basis.

4. PROPOSALS

Changes to the Council's Procedure Rules – Part 3.2

- 4.1 Changes to the rules governing the conduct of the council's meetings are proposed as described below. Tracked changes version of the proposals described at para 4.4 are attached as Appendix 1.

4.2 Notices of motion

Currently each Group may submit a maximum of two Notices of Motion to each meeting of Full Council, plus also a maximum of two Joint Notices of Motion with another Group. To enable Full Council to manage its agenda and maintain its focus on scheduled items of business, it is proposed to reduce the total number of Notices of Motion submitted. It is proposed that the Rules continue to permit each individual Group to submit two Notices of Motion but that the number of joint Notices of Motion each Group may submit be reduced down to one. If the proposal is agreed then the total number of Notices of Motion that each Group would be able to submit to each full Council meeting would be two Notices of Motion submitted solely by each individual Group, plus one Notice of Motion submitted jointly with another Group.

4.3 Written Questions to Full Council

It has been noted that the lack of any limit on the number of Questions which each Member may submit to Full Council has resulted in some Members posing multiple Questions. This diverts officer resource and directs a disproportionate amount of focus away from other key items considered at the meeting. It is therefore proposed that each individual Member of the Council be permitted to ask one Question only at each Full Council meeting: a provision which - if agreed - would bring the provisions on Oral Questions in line with those which govern Written Questions.

4.4 Criteria for convening an Urgency Sub Committee

The current criteria for convening an Urgency Sub Committee – which refer to “practicability” rather than “reasonable practicability” – are considered to be overly restrictive. Alternative wording is suggested in order to clarify and to flesh out the rationale to be applied by the Committee Chair when considering whether to convene an Urgency Sub Committee. It is proposed that - for completeness - express reference to the Committee's discretion to decide to convene an Urgency Sub Committee if it so wishes be made in the Rules. The suggested proposals are provided at Appendix 1.

4.5 Committee Report writing, including accessibility of information

In a context where the requirements which apply to how public authorities present information have recently been updated, the work of ensuring that all of the council's information is presented in as accessible a way as possible is ongoing and is a key part of the council's direction of travel. So too is the project of continually reviewing the information the council uses to make decisions in order to ensure that decision-making is as rigorous and robust as possible.

- 4.6 A series of key resources have been drafted to ensure that appropriate standards are met, and consistency achieved in Committee report writing. Those include an updated Committee report template & guidance for officers, which includes more detail on reviewing equalities and sustainability considerations. It also explicitly prompts consideration of social value implications in Committee reports on procurement or property-related matters. The revised report template is provided at Appendix 2, while a new checklist is attached at Appendix 3 which it is proposed will sit behind the template to assist report writers in ensuring that sustainable development considerations have been fully reviewed. This checklist has been developed by the Carbon Neutral Officer Group.
- 4.7 Approval is sought for the corporate roll out of the above to report writers as a means of ensuring consistency and robustness in future decision-making. In addition to approving the resources, Committee is asked to delegate to the Council's Monitoring Officer the power to make updating changes to the documents in the future, as considered necessary.

Changes to the Terms of Reference of the Council's existing Committees and Member Working Groups - Part 4

- 4.8 Responsibility for authorised and unauthorised encampments currently sits in the delegations to the Council's Environment, Transport & Sustainability Committee. As well as the management of authorised and unauthorised encampments, this includes all activities necessary or incidental to the Council's performance of its responsibilities in relation to Gypsies, Roma and Travellers and Van dwellers. It is proposed that the function instead be moved to the Council's Housing Committee, on the basis that this area has a logical relationship to that Committee's other key functions. This would align the delegations to Committees with the delegations given to the Council's Chief Officers under the Scheme of Delegations to Officers.
- 4.9 The following changes are proposed in relation to existing Member Working Groups:
- (i) That the name of the Member Development Working Group be changed to the Supporting Members Working Group, so as to more accurately reflect the remit of the Group.
 - (ii) The Terms of Reference of the Stanmer Park Working Group be changed to remove the requirement that its members be appointed from its parent Committee: a provision which is not included in the Terms of Reference of such other Groups as the Strategic Delivery Board and the Housing Supply Board.
 - (iii) That approval is given in principle to changing to the template Terms of Reference for new Member Working Groups to remove the expectation that members must be on the parent Committee. It is proposed that instead express provision be made to allow this aspect of the Terms of Reference to be for the parent Committee to decide.

Disband the Orbis Joint Committee, substituting a new Orbis Partnership Oversight Board – Part 4

- 4.10 This proposal is made following recent changes to the number of services provided by Orbis and, more importantly, to the change in emphasis of the shared service arrangement from being partnership-led to service-led.
- 4.11 Following the withdrawal of a number of services from the Orbis partnership, including HR, Finance and Business Operations, the services now remaining are IT&D, Procurement, Internal Audit and some elements of Finance (Insurance, Treasury & Taxation). Services have been withdrawn because there was clear divergence in the sovereign service demands and requirements for these services which meant that integrated structures and common standards, processes and systems could not be achieved or implemented for these services.
- 4.12 Those services remaining in Orbis are those where there is a strong alignment of service needs and a common direction of travel. However, with a smaller scale to the partnership, the aim is to reduce administrative and management costs and the amount of time required to support the partnership.
- 4.13 Orbis Joint Committee members have been consulted and the Joint Committee has recommended the approval of proposals to realign member involvement in the partnership to reflect its smaller scale, as a service led approach supported by the service management teams and the Joint Management Board. In terms of member oversight, it is proposed that the formal Joint Committee be dissolved and replaced with an Orbis Partnership Oversight Board, with two members appointed to it from each participating authority. The Orbis Partnership Oversight Board would receive annual reports on the performance of the ongoing Orbis partnership and its services.
- 4.14 It is understood that the other authorities in the Orbis partnership have approved the above proposals, namely to approve the dissolution of the Orbis Joint Committee and the introduction of a new Orbis Partnership Oversight Board with the attached Terms of Reference (Appendix 4).

Co-optees appointed to Council Committees

- 4.15 The Council's two Black and Minority Ethnic standing invitees to the Council's Policy & Resources Committee and its Tourism, Equalities, Economy & Culture Committees were each appointed for a 12-month term which has recently expired. This Committee's formal approval is now sought to extend the terms of those individuals for an additional twelve-month period, after which the appointment will be subject to further review.
- 4.16 The Committee is further asked to note that the recruitment of a disability standing invitee (not a co optee) to the Council's Environment, Transport & Sustainability Committee is being progressed using the process and principles previously followed during the recruitment of the above individuals. That process will involve an open callout as a means of maximising the potential for eligible individuals to consider applying. For the avoidance of doubt: where standing invitees are invited to attend the Council's Committees on an ongoing as

opposed to ad hoc basis, that is properly a matter for the Policy & Resources Committee. The Committee is also asked to delegate to the Chief Executive the task of appointing an individual to this role, following cross party input from lead Members from each of the three Groups.

Changes to the Scheme of Delegations to Officers – Part 6

Qualified Person designation

- 4.17 It is proposed that express reference be made in the Council's constitutional arrangements to the role of the Council's statutory Monitoring Officer as the designated person who normally acts as 'Qualified Person' for the purposes of section 36 of the Freedom of Information Act. That section of the Act provides that public bodies may – provided doing so is in the public interest – withhold certain types of information otherwise disclosable under the Freedom of Information Act, subject to the reasonable opinion of the authority's Qualified Person. While this exemption is applied relatively infrequently, it is considered that enhanced transparency will be achieved by referencing the designation of the Monitoring Officer as Qualified Person: a matter which is not for the authority to decide but is instead the subject of a ministerial authorisation, which provides that the Monitoring Officer and Chief Executive are both designated. It is proposed at the same time to make reference in the Scheme to the Monitoring Officer's nominated Deputy as the person formally designated by the Monitoring Officer to act as Qualified Person in the Monitoring Officer's stead, as the need arises.

Trading Standards delegations

- 4.18 It is proposed to update the delegations provided to the Executive Director – Housing, Neighbourhoods & Communities insofar as the Council's trading standards functions are concerned. It is proposed that money laundering (a function understood as falling under the heading of trading standards) be explicitly referenced as a matter of best practice. Additional proposed changes explicitly reference the enforcement activities which form a key part of the trading standards function. Finally, it is considered that the description provided of the trading standards function is sufficient on its own, and that the list of legislation (currently provided in Schedule 3) may be deleted in its entirety. The proposed changes are as indicated in Appendix 5.
- 4.19 It is further proposed that the Monitoring Officer be given delegated powers to enter into limited timebound agreements under section 101 of the Local Government Act 1972 in relation to the enforcement of specified trading standards investigations only. It is proposed that this power be exercised only where considered to be appropriate as part of a specific investigation carried out by an enforcing authority which has identified potential criminal conduct in the area of Brighton & Hove. The aim is to allow other enforcement authorities to follow to conclusion specific investigations originating in another area in situations where utilising this Council's delegated powers is the only means available of safely following through with enforcement action within the law.

Planning delegations, including changes to Part 8.5

- 4.20 The Planning Committee Working Group has proposed amendments to the delegations of the Executive Director – Economy, Environment & Culture to remove any current lack of clarity around the rules. The objective is to be as clear as possible that either the Chair of Planning Committee and/or any of the Opposition Spokespersons may require any major application to be determined by Committee, whether or not any objections have been received in relation to an application. For the avoidance of doubt: this process is in addition to that whereby ward members may call-in a planning application.
- 4.21 Further changes not limited to the Scheme of Delegations were also proposed by the Planning Committee Working Group and are also indicated in Appendix 6 attached. There is firstly a suggestion that amendments be made to the criteria whereby site visits may be made to a property which is the subject of an application. Secondly it is proposed that the rules on amending the Constitution be changed to provide that any future changes to the criteria for site visits (Part 8.5 of the Constitution) be made by Planning Committee (as the Committee best placed to consider them) without any need for consideration by any other body.

Parental & Carers Leave Policy for Members

- 4.22 The obstacles to ensuring representation from across all of the city's communities were noted in recent Reports compiled in response to the Women in Local Government Report produced by the Fawcett Society. The Council does not currently have a dedicated policy applicable to those members whose personal circumstances may require them to step back from their Council responsibilities for a period of time of less than six months duration. (Note: this is a threshold implicitly endorsed by legislation which provides that members failing to attend meetings for six or more consecutive months will be deemed to have vacated their office by reason of absence - see following paragraph). Adopting a Policy on Member Leave is considered to be a way of promoting a more visibly inclusive, family-friendly approach and thereby encouraging greater participation by under-represented groups. A draft Policy is attached at Appendix 7.

Delegation to determine applications to permit absence of six months or more

- 4.23 A separate proposal arises from the provisions in section 85 of the Local Government Act 1972, which provide that elected members will be deemed to have vacated their office by reason of absence if they do not attend any Council meetings for six or more consecutive months. It is noted that provision is made in the legislation for the Council to authorise member absence of a duration of six months or more, provided that the member applies in advance of the expiry of the six-month period. With this in mind, it is suggested that the Council's Monitoring Officer be given delegated authority to determine any such application received by a member, so that if such application is ever made, there is the option of considering it without calling a meeting of Full Council. It is proposed to develop an advisory protocol or guidance, following consultation with Group Leaders, on the criteria to be used in dealing with such applications.

Revised Indemnity Policy for Members

- 4.24 The Council currently has in place an indemnity policy which aims to protect members appointed to outside bodies by the Council. It is proposed that the current policy be updated and extended so that it applies whenever members are acting in good faith in their capacity as elected members; in other words so that it is not limited to situations where members are appointed to external bodies. The proposed Policy has been further extended to cover the Council's Independent Persons as well as its formally co-opted voting members and is provided at Appendix 8.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 5.1 The Committee or Council could - if it wished - decide not to implement the changes set out in this Report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 6.1 The proposals in this Report have been reviewed in detail by elected Members in the Constitution Working Group and Leaders Group. The proposals do not represent changes to the decision-making structure or framework and due to the procedural nature of the changes that are proposed it is not considered that community engagement would be appropriate.

6. CONCLUSION

- 7.1 The proposals reflect the Council's ongoing efforts to review its Constitution to ensure that it is reflective of current practice and priorities and to achieve clarity and increased efficiency. As a result, it is recommended that the proposals in this Report be approved.

8. FINANCIAL & OTHER IMPLICATIONS:

8.1 Financial Implications:

There are no material financial implications arising from this report. Where costs do occur it is expected that these would be contained within existing resources.

Finance Officer Consulted: Peter Francis Date:11/11/2021

8.2 Legal Implications:

Policy & Resources Committee and, where specified in this report, full Council have the authority to make the changes to the Council's Constitution which are set out in the report. The intention is for the proposals to be implemented with immediate effect following the decision of the decision-making body, unless expressly stated to the contrary.

Lawyer Consulted: Victoria Simpson Date: 10/11/21

8.4 Equalities Implications:

The Council has a public sector equality duty under s149 of the Equality Act 2010. In the exercise of its functions the Council must have due regard to the

need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those that do not.

The Council's public sector equality duty has been considered by officers and the proposals of this report have been assessed for their equalities impact. The Council's arrangements in relation to standing invitees invited to key decision-making bodies reflects its desire to ensure specialist input in areas relevant to BAME and disability individuals. In addition, the introduction of a dedicated Parents and Carers Leave policy for Members aims to enhance the Council's offer further, including to those individuals who have caring responsibilities.

Sustainability Implications:

None

Brexit Implications:

None

Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 – Part 3.2 – Urgency Sub Committee
Appendix 2 – Officer reports template & guidance
Appendix 3 – Sustainable development checklist
Appendix 4 – Part 4 – Orbis Partnership Oversight Board
Appendix 5 – Part 6 – Trading Standards delegations
Appendix 6 – Part 6 – Planning delegations
Appendix 7 – Parental and Carers Leave Policy
Appendix 8 – Indemnity Policy

Background Documents

None

Urgency Sub Committees (Part 3.2)**Rule 22: Urgency Sub Committees**

22.1 Each Committee of the Council shall appoint an Urgency Sub-Committee to exercise its powers. The membership of such Urgency Sub-Committee shall normally consist of the Chair of the Committee, as well as two other Members nominated by the Group Leader or Leaders as appropriate to meet the requirements for the allocation of seats between Political Groups.

22.2 A meeting of the Urgency Sub Committee may be called if the Committee Chair takes the view that it is not reasonably practicable to convene a full Committee meeting, having had regard to the importance of the business to be considered, the urgency of the decision and the need to avoid disproportionate inconvenience. A meeting of the Urgency Sub Committee may also be called where a majority of members decide to do so at an Ordinary or Special Committee meeting.

22.222.3 ~~Such~~ Urgency Sub-Committees so called may exercise the powers of the Committee. ~~ir powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Committee.~~ Every decision of each Urgency Sub-Committee shall be reported for information to the next Ordinary Meeting of the Committee ~~as appropriate.~~

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Appendix 2

[Insert] Committee

Agenda item

Brighton & Hove City Council

Updated Committee Report Template & Officer Guidance

Before you complete this report template, read the [Writing Committee Reports Guide](#) [insert as link].

Subject: [Report title]

Date of meeting: [Include all meetings where the report will be considered]

Report of: [Relevant Executive Director]

Contact Officer: Name: [Report author]
Tel: 01273 29
Email: [Report author email]

Ward(s) affected: All [If not All, insert affected wards]

Notes to assist in completing this template are in blue. Delete these notes once you are ready to submit your report. **Do not** amend the black template headings.

For general release or Not for publication delete one

Include the following paragraph if the report is not for publication (i.e. if it is confidential). Legal or Democratic Services can assist with this.

Note: Exempt information

The public are likely to be excluded from the meeting during consideration of this report as it contains exempt information as defined in paragraph (X) of schedule 12A, Part 1, to the Local Government Act 1972 (as amended). [Delete if not applicable.](#)

All reports and appendices must be released as final versions on the [report management system](#) [insert as link to guide] by 10am seven working days before the meeting. Reports submitted after this time will require agreement from the Chair to be included as a late item. A late report must have both of the following two paragraphs completed.

Note: Urgency

By reason of the special circumstances below, and in accordance with section 100B(4)(b) of the 1972 Act, the Chair of the meeting has been consulted and is of the opinion that this item should be considered at the meeting as a matter of urgency. [Delete if not applicable.](#)

Note: Reasons for urgency

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 [insert here the reason why it is urgent to take the item at this meeting]. Delete if not applicable.

1. Purpose of the report and policy context

Add a very brief one or two paragraph summary of what you are asking the decision maker to do and why.

1.1

2. Recommendations

Recommendations should state exactly what you're asking the decision makers to do and should make sense as a stand-alone sentence. The wording should result in a clear decision that is self-contained. If reference is made to the report, specify the relevant paragraph or Appendix. Each recommendation must have a separate paragraph number.

2.1 That Committee [agrees/notes/delegates authority to ...]

2.2 That Committee [agrees/notes/delegates authority to ...]

3. Context and background information

This is the main body of the report:

- include relevant background information;
- include the context of relevant council policies, priorities and previous Committee decisions;
- the length of report should not be more than 4 sides of A4;
- avoid jargon and acronyms;
- use a new paragraph for each point and sub-headings if necessary.

3.1

4. Analysis and consideration of alternative options

Include arguments for and against the recommendations and details of any alternative options considered and why they are not recommended.

4.1

5. Community engagement and consultation

It is essential to build in sufficient time to consult relevant councillors, officers and other interested parties (e.g. lead members, ward councillors, partners, businesses, local residents, communities of interest, community and voluntary sector groups and organisations, staff/union representatives) as appropriate.

The relevant Committee Chair should be consulted at an early stage. Their views on what consultation is necessary will be relevant. If the report affects a particular ward, it will be necessary to consult the ward councillors.

State whether you've used the Community Engagement Framework and Standards [insert link], what forms of engagement have been done or planned, and how

you've incorporated any feedback and results into the content of the report. If you have not done any community engagement or consultation, please say why not.

If you have any questions on community engagement, please email communitiesteam@brighton-hove.gov.uk.

5.1

6. Conclusion

Summarise the key reasons for the decision you seek, justifying why the recommendations should be approved and the recommended course of action.

6.1

7. Financial implications

Use the report management system to send the report to your finance officer to ensure that this section is completed by them before you release the report as final on the system.

Include all capital and revenue financial and property implications arising out of the report proposals

7.1

Name of finance officer consulted: Date consulted (dd/mm/yy):

8. Legal implications

Use the report management system to send the report to your legal officer to ensure that this section is completed by them before you release the report as final on the system.

8.1

Name of lawyer consulted: Date consulted (dd/mm/yy):

9. Equalities implications

As a public authority we must have due regard to the need to:-

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity
- foster good relations between people who share a protected characteristic and those who do not.

Our assessments of impact on equality must:

- contain enough information to show the Council's due regard to the aims of the equality duty in our decision-making
- consider ways of mitigating or avoiding any adverse impacts.

To assist you in completing this section, please refer to the [Equalities Impact Assessment template and guidance notes](#). The checklist at page 3 will assist you to consider how your proposals may impact on different groups. You can attach the completed EIA or summarise the information in it.

Please contact equalities@brighton-hove.gov.uk for further advice, including support on completing Equality Impact Assessments.

9.1

10. Sustainability implications

Complete the Sustainability Checklist for report writers [insert as link] to identify the positive and negative impacts on sustainability and any mitigation measures. Consult the Sustainable Procurement Policy [insert as link] where relevant. Summarise here the impacts and mitigations you have identified from the checklist.

Please contact sustainability@brighton-hove.gov.uk for further advice.

10.1

10.2

11. Other Implications [delete any or all that are not applicable]

Social Value and procurement implications

For all property and procurement matters, Social Value considerations should be addressed. [Social Value](#) guidance is available on The Wave.

Please contact the Social Value and Sustainability Procurement Manager for further advice [link to email]

For all procurement matters also include the outcome from the Procurement Advisory Board (PAB) if the matter has been before PAB. This can be a summary or an extract from the PAB minutes added as an Appendix. If a procurement matter has not first been considered at PAB, explain why. [Contact your Strategic Procurement Manager](#) for further advice.

11.1

Crime & disorder implications:

All councils are subject to a statutory duty (s17 Crime and Disorder Act 1998) to do all they can to reasonably prevent crime and disorder in their area across the range of services delivered within their communities. Please consider whether the decisions contemplated, or activities reported have potential to impact on community safety and, if relevant, include here a summary of the impact. Focus on measures that will help to prevent crime and disorder, including the misuse of substances and re-offending.

11.2

Public Health implications:

The Council is committed to improving public health and wellbeing and to reducing inequalities across the city. The health, equalities & wellbeing tool kit is available to help report writers complete this section. Consider the effect of the proposals on the council's duty to promote the public health and wellbeing of people in its area

Supporting Documentation

1. Appendices [delete if not applicable]

Reference your appendices in the main body of the report. Upload them as separate documents to the report in the report management system.

- 1.
- 2.

2. Background documents [delete if not applicable]

Background documents are documents relating to the subject matter of the report which:-

- a) disclose any facts or matters on which the report, or an important part of the report, is based and
- (b) have been relied on to a material extent in preparing the report.

Listed background documents must be made available to inspection by the public. Exempt or confidential documents are not required to be listed as background documents. Documents which are already published are not required to be listed.

- 1.
- 2.

Writing Committee reports

This guidance helps you write concise and easy to understand Committee reports.

1. Submitting your report

The Submitting Committee Reports Guide [insert as link] tells you how to submit reports using the electronic report management system. When you enter a report title, it creates a template report with guidance on what to include in each section of the report.

2. Digital publication of reports

We publish all reports electronically. Democratic Services convert all documents to PDF to distribute to Councillors and officers. As this may change the format of the document, upload your document having first converted it to PDF if you wish it to retain its exact format (for example, if you would like suggested changes to a draft document to show as tracked changes in an appendix).

When the reports are published to the Council website or the Wave intranet, they are converted to HTML in line with digital accessibility regulations.

3. Length of reports

Write your report succinctly so it's no longer than 4 sides of A4. Include detailed information as an appendix, where necessary.

4. Clarity and consistency

We must comply with legislation and government guidance on accessible content design to ensure everyone can understand the content of the report. At the foundation of accessible content design is writing in plain English. The [Plain English Campaign](#) have free guides on how to write in plain English including a useful A-Z of alternative words to use. All report authors should attend the Council's digital accessibility training [insert as link]. A summary of key points is set out below.

- **Write for the reader**

Think about your audience and their needs, balanced against what you want to achieve. Design your content to answer their questions. Elected members and co-optees to Committees, as well as members of the public and press, need to be able to understand Committee reports.

- **Use everyday language and avoid jargon**

Say exactly what you mean, using the simplest words that fit. This means writing words the reader can understand. Avoid specialist jargon. Explain all abbreviations and acronyms, unless they are well known and commonly used e.g. UK, EU, VAT.

- **Write short sentences and paragraphs**

Aim for between 15-20 words in each sentence. It doesn't mean making all sentences the same length. Mix it up, so it's punchy. Stick to one idea in a sentence. Long paragraphs are off putting to the reader – keep them short.

- **Use headings and lists**

We know that users scan digital content, and headings and lists help break up a page and make it easier to read and scan. Make sure your headings are meaningful.

Write in sentence case, which means the first letter is capitalised, and the rest are lower case.

Lists are great for presenting multiple pieces of information.

- **Use tables for data**

Use tables for data, not words. Often you can replace a table with a bulleted list, which is easier for people to read on their phones.

- **Write meaningful links**

Use unique and descriptive link text. Links that are not meaningful do not work for people using screen readers. Eg

Inaccessible link example

[Click here](#) for our report writing guide

Accessible link example

Download our [report writing guide](#)

- **Don't use different fonts and colours, italics, underlines or colours to convey meaning**

Use one black font (Arial). Readers with cognitive disabilities struggle to read bold, different colours, italics and capitalised words.

Underlining denotes links in the digital world, and we use them only in link text.

5. Responsibility for the report

Reports must be in the name of one or more members of the Executive Leadership Team (ELT). The author of the report is the identified contact officer. The responsible ELT member must be included in the reviewer list so that they can give final approval before a report is released and it is submitted for decision.

6. Confidentiality

If your report, or part of it is confidential and not for public release, you must say why it's confidential. Describe what is exempt and why it applies – see [Access to Information](#).

If it is only part of a report that is exempt, you can put the exempt part as an Appendix in Part 2 of the agenda.

7. Implications paragraphs

The report template [insert as link] provides guidance on how to fill in the implications paragraphs in reports. You must give legal and finance officers at least 5 working days before the report deadline to review reports. Follow the specific detailed guidance if your report has equalities and sustainability implications.

8. Reports – timing and urgency

The Head of Democratic Services circulates details of deadlines for each meeting. The report will need to be considered at pre-meetings including ELT, Chairs and Cross-Party pre-meetings before Committee. It is important that you circulate your reports in time for each stage, so there is enough time for any necessary subsequent revisions to the report.

Make sure final reports are with Democratic Services at least 7 working days before the Committee meeting. If there are less than 5 clear working days between publication and the meeting, the Chair will first need to agree to take the report as a late item. In this situation, you must also include a statement of the special

circumstances and specific reasons for lateness that apply in the report, and why it is not possible to defer the matter to the next meeting.

Appendix 3

Brighton & Hove Sustainability Implications checklist for report writers

This guidance is to support project managers when assessing their projects for sustainability and climate impact and to ensure projects are supporting the wider goals of the city's Carbon Neutral 2030 commitment.

Proposal/advice title:	Directorate:	Date:

Sustainability theme	Consideration	Relevant Yes/No?	If 'Yes', is impact positive or negative?	Briefly describe	If negative, briefly describe mitigation measures
Energy	✓ Use renewable sources of energy (renewables that are alternatives to combustion), including clean energy providers ✓ Consider potential for generating renewable energy ✓ Minimise energy consumption				
Sustainable travel and transport	✓ Travel is kept to a minimum but where necessary active and sustainable travel is prioritised for people and deliveries/freight, meaning walking and cycling, public transport, car sharing,				

Appendix 3

Brighton & Hove Sustainability Implications checklist for report writers

	electric or low emission vehicles including e-cargo bikes and sustainable logistics solutions ✓ Consider use of shared mobility scheme options, like BTN BikeShare, car clubs, vehicle leasing ✓ Consider practices that eliminate or minimise the need to travel, like homeworking and local co-working hubs, remote access to services, like education, health ✓ Any new Controlled Parking Zone should consider the provision for electric vehicle charging infrastructure				
Sustainable procurement	The council requires its suppliers to conduct their operations in a sustainable manner, in line with our own priorities and commitments. These can be found in our Sustainable Procurement Policy. To ensure that our suppliers share our commitment to reducing the impact of the products and services they provide you can:				

Appendix 3

Brighton & Hove Sustainability Implications checklist for report writers

	✓ read the council's Sustainable Procurement Policy ✓ have a look at the council's Social Value Framework on p13 to 15 which lists Environmental Sustainability examples in the last column ✓ detail any sustainability requirements you want the winning bidder to follow and/ or deliver as part of the contract in your specification ✓ include a sustainability quality question in your tender ✓ consider adding a Key Performance Indicator (KPI) that is linked to reducing environmental impact ✓ if you're buying food for the council or procuring a catering contract, read the council's Buying Standards for Catering Contracts; and include these requirements in your specification				

Appendix 3

Brighton & Hove Sustainability Implications checklist for report writers

	For further help and advice, please contact the BHCC Procurement Team				
Circular waste management practices and procurement	✓ Consumption and use of virgin materials is eliminated or kept to an absolute minimum ✓ Consider leasing of equipment, materials, resources and property rather than purchasing or building new ✓ Use of 100% reused / repurposed materials ✓ Packaging and wasted materials are eliminated, kept to a minimum and made from renewable materials ✓ Ensure food waste is minimised or re-distributed to benefit local communities				
Sustainable economy	✓ Support local economy and local employment ✓ Consider impact to local businesses and high streets ✓ Consider opportunities for quality green skills development and training				

Appendix 3

Brighton & Hove Sustainability Implications checklist for report writers

	✓ Consider circular principles that are outlined in the BHCC Circular Economy Route Map				
Health, safety, wellbeing and local communities	✓ Promote healthy, safe and secure environments in which to live and work ✓ Consider impact of noise, stress and air quality to local residents, building occupants and communities				
Sustainable water	✓ Minimise water consumption and ensure water efficiency measures are in place ✓ Consider water harvesting and reuse ✓ Consider impact to water pollution from chemicals use, particularly in relation to vehicle use, cleaning and maintenance ✓ Consider use of sustainable urban drainage for minimising impact of water pollution and surface water flooding, in particular, permeable surfaces ✓ Use drought tolerant, native planting schemes to				

Appendix 3

Brighton & Hove Sustainability Implications checklist for report writers

	minimise irrigation requirements				
Biodiversity and nature conservation	✓ Seek to protect, enhance and create natural habitats to support local species and wildlife ✓ Ensure pesticides and herbicides are not used unless in exceptional circumstances ✓ Consider ecosystem service impacts and appropriate mitigation ✓ Consider use of nature-based solutions ✓ Support the ambitions and aspirations of The Living Coast Biosphere ✓ Consider how local communities can be engaged and benefit from improvements to their natural environment				

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 71

Subject: Arrangements for Council and Committee Meetings

Date of meeting: 3 February 2022
Policy & Resources Committee 27 January 2022

Report of: Executive Director Governance, People & Resources

Contact Officer: Abraham Ghebre-Ghiorghis
Tel: 01273 291500
Email: abraham.ghebre-ghiorghis@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 This report proposes arrangements for holding Council and Committee meetings during the pandemic to minimise the risk to the public, Members and Officers. It is intended to cover the period up to Annual Council but may be reviewed before then.

2. Recommendations

- 2.1 That Committee agrees the proposals set out in this report regarding arrangements for Council and committee meetings (except paragraph 3.11 dealing with attendance numbers) and recommends them to Council for approval.
- 2.2 That the Committee agrees option A (14) or option B (40) regarding number of attendees at full Council meetings as set out in paragraph 3.11 and recommend them to full Council for approval.

3. Context and background information

- 3.1 The Covid-19 pandemic, especially the new Omicron variety, continues to pose significant risk to public health and safety. The Council has a duty under the Health & Safety at Work Act 1974 to make sure that the arrangements for the discharge of its functions ensure the health and safety of the public, including Members and Officers. It is therefore necessary to review and keep under review the arrangements for meetings of full Council and Committees and sub-committees.
- 3.2 Although there have been calls to reintroduce the ability to have Council meetings virtually, the enabling legislation has not been made and it does not seem that such legislation will be made in the near future. The proposals

below therefore provide measures to mitigate the risk of infection and enable the Council's business to be transacted in a safe way.

- 3.3 **Venue for meetings:** it is proposed to hold full Council meetings at Hove Town Hall for the time being while continuing to explore improvements to Brighton Town Hall. The Brighton Centre will be available for the budget Council meeting on 24th February. We have been able to secure a competitive price with sufficient space for the main meeting and breakout rooms for each of the political groups and the Independents. We will use the Centre's facilities and our equipment to hold the meeting and webcast the proceedings reduce costs. However, the centre will not be available for future meetings, especially during the spring and summer season, because of prior bookings. No other suitable alternative venue has been identified.
- 3.4 **Public and Member Engagement Session:** this was trialed at the last Council meeting and it is proposed to continue the practice for ordinary Council meetings. The session will take place virtually and no Members will be required to attend in person.
- 3.4.1 The items of business to be dealt with in the Public and Member engagement session are:
- (1) Presentation of petitions (this will not include petitions for debate which will be dealt with in the Council meeting.)
 - (2) Deputations
 - (3) Public Questions
 - (4) Members' Oral questions
- 3.5 Members will see that these are items that are dealt by the Leader or Chairs of Committees and there is nothing active for other members to do during the engagement session other than to present oral questions. This therefore avoids the need for attendance in person.
- 3.6 People who present petitions, deputations or questions and Members who ask Oral Questions will be able to do so virtually. In exceptional circumstances, such as when a member of the public has some special need, a facility will be made available for Members or members of the public to present their questions, petitions etc. in person via a link at Hove Town Hall which will be relayed via Teams but the Member answering the question or responding to the petition/deputation will not be required to attend in person.
- 3.7 The public and member engagement sessions are not part of a formal council meeting and the meeting shall not have the status of a local authority or committee meeting for the purposes of the Local Government Act 1972.
- 3.8 **Timings:** the following arrangements will be adopted
- the Public and Member engagement session will start at 4:30 PM

- The main Council meeting (with attendance in person) will start at 6:30pm or after a 30-minute break following the conclusion of the engagement session, whichever is later;
- The public engagement sessions will be chaired by the Mayor.

3.9 Petitions for Public Debate

3.9.1 These will be dealt with in the normal way in the main Council meeting. The Mayor has the discretion to arrange debates on related petitions to be taken together or with a related report or Notice Motion. If this happens, the Mayor will have the discretion to modify the restriction on timing or number of speakers.

3.10 Oral Questions from Members

3.10.1 In line with the recommendations of the Constitutional Working Group and Group Whips, it is proposed that:

- Members ask their questions briefly (not read out a speech) and that questions are such that they should be on general policy, not requiring specialist knowledge, technical information or require briefings from officers
- Members answering questions should provide brief answers and not read out text prepared by officers. There will be no officer briefings on oral questions.
- As a general guide, questions should not take more than a minute to ask and answers should not take longer than 3 minutes.

3.10 Committee reports to Council

3.10.1 It is proposed that Committee reports which are for noting or where there is broad consensus are not called. Group Leaders and/or Whips should agree the items be debated in advance so as to reduce the number of items debated and minimize the length of the meeting.

3.10.2 Where items are called, the number of speakers should generally be limited to 1 speaker from each group with the Chair introducing the item and responding to the debate before the vote. The Mayor will have the discretion to invite Independent Members to speak but not necessarily on every item.

3.11 Notices of Motion

3.11.1 Notices of Motion are either declaratory or, where they require action, they need to be referred to the Committee which debates the motion and makes a decision. It is proposed that as many of the NOMs as possible are “passported” to the relevant committee to leave, as an indicative target, one Notice of Motion per group to be debated at full Council. The number of speakers is proposed to be restricted to 1 per group. The Committee to whom a NOM is referred will have full authority to make a decision on it to the extent that the matter is not by law reserved to full Council. The member who moved the motion will be invited to the relevant committee to present the motion.

3.11.2 When a Notice of Motion is passported to a Committee, it shall be deemed to have been moved and seconded and there shall be no requirement for a member of the Committee to move or second the motion.

3.12 Attendance- numbers

3.12.1 For the budget Council meeting on 24 February, we are anticipating a full attendance of all 54 Councillors. For other full Council meetings, Members are recommended to consider reduced attendance. Reduced attendance can only be implemented by voluntary agreement. If there is no agreement, each Member and each group will have to decide for themselves. Given the restriction on available seating and lack of suitable alternative venues, Members are recommended to adopt options A or B from the following options:

A. Minimum attendance to meet the requirement for a quorum

The quorum for full Council meetings is 14. If the 14 seats were allocated proportionately to the Groups and the Independents, the party split would be:

Greens:	5
Labour:	4
Conservative:	3
Independents:	2

B. Reduction to accommodate 40 Members in the main Chamber- This would mean about 40 Members attending in the main chamber with no members in the public gallery. If this were agreed, the party split would be:

Greens:	15
Labour:	11
Conservative:	10
Independents:	4

C. Reduction to 46 with 6 Members sitting in the public gallery-We have had an update from security that, if Members are to be seated in the public gallery alongside members of the public, they would have concern. There are also complications on the selection of members and suitability of the seating area. Relocating the seating for the press may release 2 seats on the ground floor, but it would still be not very convenient. If this option were adopted, the proportional party split would be:

Greens 17
Labour: 13,
Conservatives: 11
Independents 5.

D. Full Attendance

It would be possible to provide seating for all members with the minimum social distancing and screening provided. But this is an option that is not recommended.

3.13 Wearing of Masks and LFT

3.13.1 In line with recommendations of the officer working Group, it is proposed that all attending Council meetings should wear masks and that all Member

and Officers attending should confirm with Dem Services that they have taken LFT. Suitable masks will be made available for Members and emergency supply for members of the public.

3.14 COMMITTEE MEETINGS

3.14.1 There are a number of committee meetings taking place over the following months and it is proposed that Committee Chairs, following consultation with opposition spokespersons and Officers are encouraged and authorized to adopt the following proposals.

3.14.2 **Reduce items coming the Committee:** reports coming to committee should be essential business and, unless there is good reason, reports for information or noting should generally be avoided.

3.14.3 **Engagement sessions:** If none of the reports coming before the committee require an actual decision, Members should consider, instead, holding a virtual engagement session. Where this is agreed, it is important to note that the meeting will not have the status of a committee meeting and it should not be described as such. It will be an engagement session with members of the committee attending virtually.

3.14.4 **A mixed arrangement:** Members could agree to take the public engagement items that do not require a decision (public and member questions) and items for information only in an engagement session before the main meeting limiting the in-person attendance to matters that require decisions or are required by law to be considered by the Committee.

3.14.5 **Limiting speakers:** it is proposed that on matters debated at the main meeting, the number of speakers be generally limited to one per group.

3.14.6 **Decision-making process for the above:** It is proposed that the above arrangements, if applied, are agreed by the Chair following consultation with opposition spokespersons and advice from officers. Where the Chair so decides, it may involve moving the whole meeting to an engagement session or transferring some items of business to the engagement session to be dealt with virtually.

3.14.7 It should be noted that any matter that requires a decision or is required by law to be considered by full Council or a Committee cannot be dealt with at the engagement session and has to be discussed at the in person meeting of Council or Committee.

3.15 Enhanced Officer Delegations

3.15.1 Given the increased risk and the need to minimise the length of meetings, it is proposed to introduce an enhanced officer delegations scheme. The delegated powers will be in addition to existing normal and urgency powers and are exercisable after consulting the Chair and Opposition spokespersons in each committee. This requires P&R approval and a separate report on the matter is on the agenda. In summary, the proposals are as follows:

- (1) Subject to first consulting with relevant Group Spokespersons, Executive Directors or Members of EL^T with delegated powers shall have

enhanced delegated authority to make decisions on all matters related to their area of responsibility. This is in line with government advice and reflects the need to reduce the duration of meetings.

- (2) To facilitate consultation with members of all groups, such consultation may take place during committee pre-meetings, or separately if necessary.
- (3) To comply with legal requirements such delegation shall be unfettered and, although the Officer is required to consult with Group Spokespersons on the issue of whether delegated powers should be used and the merits of the proposed action, he/she shall not be obliged to follow the views of the consultees on the substantive decision.

3.16: Duration and status of protocol

3.16.1 The above proposals, once agreed, will form the binding protocol for Council and Committee meetings. The Council's Standing Orders shall be applied subject to the above modifications to the extent that is necessary. Without prejudice to the powers of the Mayor or relevant Chair to make a ruling at the meeting, the Chief Executive, after consulting the Monitoring Officer, shall be authorised to rule on the interpretation and application of the rules where there is ambiguity or disagreement. The ruling of the Chief Executive shall be final.

3.16.2 The Council Procedure Rules shall be applied subject to the modification to reflect the above arrangements.

3.16.3 These arrangements shall remain in force until annual Council but may be modified at any time before then, especially if there is change in the levels of risk posed by the Covid-19 pandemic.

4. Analysis and consideration of alternative options

4.1 The Council has the option of continuing without the special arrangements proposed in this report. But given the level of risk that is not recommended. The option of hiring bigger venues was considered, but these were either not available, or not suitable or too expensive.

5. Analysis and consideration of alternative options

5.1 The Council has the option of continuing without the special arrangements proposed in this report. But given the level of risk that is not recommended. The option of hiring bigger venues was considered, but these were either not available, or not suitable or too expensive.

6. Community engagement and consultation

6.1 Given the nature of the issue (which is mainly about the Council's internal processes) and the limited time, there was no consultation with the public.

7. Conclusion

- 7.1. For the reasons set out in the report, the proposed measures would be a proportionate way of reducing the risk of infection and protecting the health and safety of Members, staff and the public.

8. Financial implications

- 8.1 There are no material financial implication arising from this report. It is expected that costs arising from the arrangements for the meetings, given that council buildings will be used, will be covered by existing resources.

Finance officer consulted: Peter Francis Date consulted 14/01/22

9. Legal implications

- 9.1 The proposals in the report comply with the requirements of the Local Government Act 1972 and the Council's obligation under the Health & Safety at Work Act 1974.

Lawyer consulted: Abraham Ghebre-Ghiorgis Date consulted 12/01.2022

10. Equalities implications

- 10.1 There are no adverse equalities implications arising from this report. The ability of the public to present questions, petitions or deputations are preserved. Where any reasonable adjustments are necessary to enable an individual to take part or follow the proceedings, that will be accommodated.

11. Sustainability implications

- 11.1 Enabling matters to be dealt with in the virtual engagement sessions will have a beneficial impact by reducing the need to travel.

12. Public health implications

- 12.1 The proposals will have a positive impact by reducing the likelihood of the spread of infection.

Supporting and Background documents

None

Brighton & Hove City Council

Council

Agenda Item 72

Subject: Budget Setting Protocol

Date of meeting: 3 February 2022

Report of: Executive Director for Governance, People & Resources

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

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 To agree the protocol for setting the council's budget and council tax including proceedings at the February Policy & Resources Committee and Budget Council in order to facilitate the decision-making process.

2. Recommendations

- 2.1 That the budget protocol outlined in appendix 1 be approved for use at the Policy & Resources Committee on 10 February 2022 and the Budget Council meeting on the 24 February 2022.

3. Context and background information

- 3.1 Budget council is a special meeting of the Authority to set the Council Tax for each year and approve the General Fund and Housing Revenue Account budgets for the year ahead. In order to help councillors and members of the public with the process and running of the meeting a protocol has been previously adopted requiring the suspension of Standing Orders in so far as it is required to adhere to the protocol.
- 3.2 The protocol is being put to the Council ahead of the budget meeting so that all Members can be fully aware of the procedure that will be followed should the protocol be approved.
- 3.3 Similarly, the budget proposals are first considered by Policy & Resources Committee for recommendation on to Budget Council. Under normal procedure rules amendments can be submitted up to 10:00am of the morning of the meeting. However, in the case of amendments that impact the budget proposals, this is not appropriate as such amendments would be highly likely to be disallowed due to the lack of time to undertake the necessary checks, including by the Chief Finance Officer and Monitoring Officer. The protocol therefore suggests both a limitation as to the number of amendments that directly impact the budget proposals and a longer timeline for their clearance similar to the protocol for Budget Council.

4. Analysis and consideration of alternative options

- 4.1 Without the proposed protocol, the budget council meeting will need to follow the usual process for its meetings, and this may prove difficult and lead to lengthy adjournments and points of clarification. As such the use of the protocol is recommended.
- 4.2 Similarly, without the recommended protocol for the February Policy & Resources Committee, there is a potential for a high number of budget amendments to be submitted which could disrupt the budget process and distract officer capacity at the very point when the substantive budget proposals are being finalised.

5. Community engagement and consultation

- 5.1 The council has provided budget information and a short presentation on the website to inform members of the public how the budget is formulated and set.

6. Conclusion

- 6.1 The budget protocol has been used successfully at previous budget meetings and is supported by the Leaders of the Groups.

7. Financial implications

- 7.1 There are no direct financial implications as the proposals are aimed at facilitating a smooth but robust procedure for facilitating the budget setting process through both Policy & Resources Committee and Budget Council.

Finance officer consulted: Nigel Marvel

Date consulted 26.01.22

8. Legal implications

- 8.1 The legal implications of not setting a budget are outlined in appendix 2 to the report and will need to be borne in mind at the Budget council meeting on the 24 February 2022.

Lawyer consulted: Abraham Ghebre-Ghiorghis

Date consulted 24.01.22

9. Equalities implications

- 9.1 The protocol has been drawn up to enable a full discussion of the budget and for all Members who wish to participate in the debate and budget setting process.
- 9.2 The budget reports that will be considered at the meeting will include equalities impact assessments.

10. Sustainability implications

- 10.1 The protocol is proposed to ensure the smooth running of the budget council meeting and to enable the budget to be set rather than having to reconvene the meeting on another day which would then have an impact in terms of the resources required for a further meeting.

11. Crime & disorder implications:

- 11.1 There are no crime & disorder implications associate with the report.

Public health implications:

- 11.2 There are no public health implications associated with the report.

Supporting Documentation

1. Appendices

- 1. Budget protocol for 10 February 2022 Policy & Resources Committee and 24 February Budget Council meeting
- 2. Setting a lawful budget for 24 February 2022 Budget Council meeting

Budget Council 24 February 2022

Procedural Note: Setting a lawful budget for 2022/23

Introduction

Under section 30 (6) of the Local Government Finance Act 1992 the Council has a duty to set the **Council Tax by 10 March 2022**. A failure to set the Council Tax does not in itself invalidate the tax demands but it has other adverse consequences including the potential loss of income to the council.

The legal obligations for setting the budget mean in practical terms that:

- Members should not put forward proposals that would mean setting an unlawful budget and therefore need to take officer advice in particular from legal and finance officers to ensure that proposals are in order;
- although the council corporately sets the budget, the council acts through Members collectively; each and every Member is therefore jointly and severally responsible for the setting of the budget and Council Tax; and
- wherever possible, Members are expected to facilitate rather than frustrate the setting of a lawful budget.

Before Budget Council

FOR POLICY & RESOURCES COMMITTEE ON 10TH FEBRUARY 2022

Each Group may submit up to two budget amendments ¹ to the Policy & Resources Committee meeting taking place on the 10 February 2022. Any such amendments will need to have been cleared by Finance Officers and submitted no later than 10.00am on Tuesday 8 February 2022.

FOR BUDGET COUNCIL

- The Administration's budget proposals will have been worked up including all successful amendments from the February Policy & Resources Committee with full service, financial and legal implications. They will have been incorporated in full into the main papers despatched for Budget Council.
- Each group may submit up to six budget amendments. All Groups' amendments will also have been evaluated by finance officers to determine the service, financial and legal implications of implementing those proposals. The proposals will have been held confidentially from the other political parties by the finance officers involved and all proposals had

¹ A 'budget amendment' means an amendment that has a financial impact on the budget proposals or the proposed Council Tax level.

to have been **“signed off” by finance officers no later than 12 noon 5 working days before Budget Council. (i.e. by 12 noon Thursday 17 February 2022).**

- The Independent Members may also submit up to two amendments in total. These will also need to have been evaluated by finance officers to determine the service, financial and legal implications of implementing those proposals. The proposals will have been held confidentially from the other political parties by the finance officers involved and all proposals had to have been **“signed off” by finance officers no later than 12 noon 5 working days before Budget Council. (i.e. by 12 noon Thursday 17 February 2022).**
- Only the Chief Executive and the Chief Finance Officer (with appropriate officers from the finance team) will have been made aware of the full range of amendments being proposed and they will not be shared with any parties until after they had been given to the Group Leaders on Monday 21 February.
- The Chief Executive shall have a “brokering” role if this would appear to facilitate agreement on particular amendments or proposals.
- The mayor will refuse to accept any amendment subsequently moved that has not been “signed off” by the council’s Chief Finance Officer).
- All amendments are shared **at 12noon on Monday 21 February** between the Group Leaders by the Head of Democratic Services.
- There will be a Whips’ meeting **at 2.00pm on Monday 21 February** with the Monitoring Officer and Head of Democratic Services so that any matters relating to the Budget Council meeting on the 24th and the recently circulated amendments can be discussed.
- There will be a meeting of Group Leaders (attended by the Chief Executive, the Chief Finance Officer and other relevant officers) **at 3:00pm on Wednesday 23 February** with a view to exploring agreement on proposed amendments.
- There will be a second meeting of Group Leaders, with relevant Officers as mentioned above, on **Thursday 24 February at 10:00 am**, unless the Chief Executive considers that, given any progress made on 23 February, it is not needed.
- Any variations to the amendments or any new amendments arising from the Leaders’ meetings shall be limited to grouping and repackaging of amendments or other changes providing that they do not, in the opinion of the Chief Finance Officer, involve significant costing or evaluation that cannot reasonably be done within the available timescale.

Should Council fail to set the Council Tax on the 24 February 2022, a further meeting will need to be held prior to 10 March and a reserve date of **Tuesday 1 March** is being held for this purpose. There is one significant practical implication; the contractor who prints and sends out the Council Tax bills has a slot booked to process the city council's bills on the 26 February and a delay in setting the Budget before then would significantly affect this process.

Abraham Ghebre-Ghiorghis
Executive Director, Governance,
People & Resources
(Monitoring Officer)

Nigel Manvell
Chief Finance Officer

Budget Protocol

Budget Council 24 February 2022:

Setting a Lawful Budget for 2022/23

Introduction

Under section 30 (6) of the Local Government Act 1992 the Council has a duty to set the Council tax before the 10 March 2022. A failure to set the tax then does not in itself invalidate the tax demands but it has other adverse consequences including the potential loss of income to the Council. In practical terms this means the Council needs to reach a final position to meet billing deadline requirements before the 4 March 2022.

The legal obligations for setting the budget mean in practical terms that:

- Members should not put forward proposals that would mean setting an unlawful budget and need to take officer advice in particular from legal and finance to ensure that their proposals are in order;
- Although the Council corporately sets the budget the Council acts through Members collectively, each and every Member is therefore jointly and severally responsible for the setting of the budget and Council Tax; and
- Wherever possible Members are expected to facilitate rather than frustrate the setting of a lawful budget.
- The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 impose an obligation on the Council to amend standing orders to require the vote of Members on the budget to be recorded. The votes on the amendments and the substantive budget will be conducted by electronic voting and the individual votes will be reflected in the minutes.

Please also note that the formal council tax resolution will incorporate the following recommendations:

That Council notes:

- 1) That for the avoidance of doubt, all Amendments considered and approved by the council represent resourcing decisions only. Where possible, the necessary lead-in time to undertake statutory and/or other appropriate consultation with staff and/or service users, together with appropriate one-off resources, has been identified in support of each Amendment, however, even where this has not been possible this does not absolve the council from undertaking statutory or other appropriate consultation before proposals can be implemented;
- 2) The Equalities Impact Assessments to cover all budget options and their cumulative effect as set out in Appendices to the General Fund budget report;

Budget Council 24 February 2022

To help Members at Council on 24 February 2022 the procedure to be followed in respect of the Budget debate, (subject to Council approval) is set out below:-

75. Declarations of Interest.

76. Mayor's urgent communications:

Adoption of Special Procedures

The Mayor will draw the Council's attention that procedural rules will be suspended in accordance with council procedural rule 1.7 to the extent that it is necessary to enable the business of the meeting to be dealt with as set out in agenda items **83 – 85 below**; in accordance with the protocol approved on the 3 February 2022.

83. General Fund Revenue Budget, Capital and Treasury Management Strategy 2022/23

84. Supplementary Financial Information for Budget Council

85. Housing Revenue Account (HRA) Budget & Capital Investment Programme 2022/23 and Medium-Term Financial Strategy

A. The Administration's Budget Proposal based on a 2.99% Council Tax Increase incorporating a 1% Adult Social Care precept:

- (i)** The **Mayor** will invite **Councillor Mac Cafferty** and **Councillor Gibson** to move and second the Administration's Budget based on a 2.99% Council Tax increase incorporating a 1% precept for Adult Social Care.

Councillor Mac Cafferty will have unlimited time and Councillor Gibson will have 5 minutes within which to move and second the budget proposals, and to refer to the prevailing financial conditions in relation to the budget.

B. The Labour Group's Response and Amendments:

- (ii)** The **Mayor** will invite **Councillor Appich** and **Councillor Allcock** to move and second the Labour Group's **?** amendments to the budget proposals.

Councillor Appich will have unlimited time and Councillor Allcock will have 5 minutes within which to move and second the amendments and to refer to the prevailing financial conditions in relation to the budget.

[The Chief Finance Officer / Monitoring Officer shall have discretion at any stage to remind Members of the proposed substantive budget motion and its implications following acceptance of any amendments.]

C. The Conservative Group's Response and Amendments:

- (iii) The **Mayor** will invite **Councillor Miller**, and **Councillor Bell** to move and second the Conservative Group's amendments to the budget proposals.

Councillor Miller will have unlimited time and Councillor Bell will have 5 minutes within which to move and second the amendments and refer to the prevailing financial conditions in relation to the budget.

[The Chief Finance Officer / Monitoring Officer shall have discretion at any stage to remind Members of the proposed substantive budget motion and its implications following acceptance of any amendments.]

D. Council Debate:

- (iv) The **Mayor** will then allow Councillors to debate the 2022/23 Budget proposals for the General Fund Revenue Budget, Capital & Treasury Management Strategy 2022/23 and the Housing Revenue Account Budget & Capital Investment Programme and Medium-Term Financial Strategy; based on a Council Tax increase of 2.99% (items 83 - 85), and the amendments (as detailed in the addendum papers).

NOTE: Speakers are limited to three minutes each unless otherwise specified or extensions granted.

[The Chief Finance Officer / Monitoring Officer shall have discretion at any stage to remind Members of the proposed substantive budget motion and its implications following acceptance of any amendments.]

E. Administration's Right of Reply:

- (v) At the conclusion of the debate the **Mayor** will invite Councillor **Mac Cafferty** to give a final right of reply on behalf of the Administration and he will have up to 5 minutes in which to respond.

Following this,

- (i) The Mayor will request that all Members are logged into their microphones so that they can use the voting facility and the outcome of the voting can be recorded.
- (ii) There will be a slight delay between each vote to enable the results of the previous item to be recorded into the system for the minutes once they have been shown on the screens.

F. Voting on the amendments:

- (vi) The Mayor will then put the amendments to the vote (up to a maximum of 6 separate votes) in the following order:
- (i) The Green Group's amendments (maximum of 6)
 - (ii) The Labour Group's amendments (maximum of 6)
 - (iii) The Conservative Group's amendments (maximum of 6);

Following the conclusion of the voting on the amendments, the Chief Finance Officer will confirm how the individual amendments that have been carried affect the council tax proposal as necessary.

There may be a need for a short adjournment to allow for the preparation of the council tax resolutions to reflect the budget proposals as amended / if amended to be printed and circulated prior to the substantive vote.

G. Substantive Votes:

- (vii) The **Mayor** will put the substantive motions (as amended) (if amended) relating to the General Fund Revenue Budget, Capital & Treasury Management Strategy 2022/23 to the vote as follows:

1. Budget 2.99% with a 1% Precept for Adult Social Care

- 1.1** The Chief Finance Officer will clarify the amendments that have been agreed and how they affect the budget proposal which will then be put to the vote.
- 1.2 Item 78** General Fund Revenue Budget, Capital & Treasury Management Strategy 2022/23 based on a budget and council tax increase of 2.99% (incorporating a 1% precept for Adult Social Care); recommendations (1) to (10); as detailed in the extract from the Policy & Resources Committee;
- together with;**
- Item 79** Supplementary Financial Information for Budget Council recommendation (2.1); and the council tax resolution on pages 29 - 30 of the addendum or as circulated;
- 1.3 Note:** Should the budget and Council Tax be approved, then the Mayor will move to Item 85 on the agenda.
- 1.4** If the vote on the Budget is carried the Mayor will then put the Housing Revenue Account Budget and Medium-Term Financial Strategy to the vote as detailed in (2) below.
- 1.5** If the vote on the budget is lost, then the Chief Finance Officer and/or the Monitoring Officer will outline the Council's position and consult the Mayor.

1.6 Note: There may then be a need for an adjournment.

Followed by:

(viii) The **Mayor** will put the substantive motions (as amended) (if amended) relating to the Housing Revenue Account Budget & Capital Investment Programme 2022/23 and the Medium-Term Financial Strategy to the vote as follows:

2. Housing Revenue Account Budget & Capital Investment Programme 2022/23 and Medium-Term Financial Strategy

2.1. The Chief Finance Officer will clarify the position should the amendment have been agreed and how it affects the budget proposal which will then be put to the vote.

2.2. Item 85 Housing Revenue Account Budget & Capital Investment Programme 2022/23 and Medium-Term Financial Strategy recommendation (1) as detailed in the extract from the Policy & Resources Committee and appendix 1 to the report.

H. Close of Meeting:

(ix) The Mayor will then close the meeting.

Note: The Mayor may adjourn the meeting at any time.

Abraham Ghebre-Ghiorghis
Executive Director, Governance
People & Resources (Monitoring Officer)

Nigel Manvell
Chief Finance Officer

Brighton & Hove City Council

Council

Agenda Item 73

Subject: **Re-procurement and Appointment of External Auditors -**
Extract from the Proceedings of the Audit & Standards
Committee meeting held on the 25 January 2022

Date of meeting: 3 February 2022

Report of: Executive Director for Governance, People & Resources

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

Ward(s) affected: All

For general release

Action Required of the Committee / Council:

To receive the report from the Audit & Standards Committee for consideration and the recommendations for approval.

Recommendations:

1. That the Council's opt-in to the national scheme and its adoption of PSAA as the appointing person for the Council for the appointment of auditors for the period 2023/24 to 2027/28 be approved; and
2. That the Chief Finance Officer be granted delegated authority to take all steps necessary or incidental to give effect to the decision in (1) above.

BRIGHTON & HOVE CITY COUNCIL

AUDIT & STANDARDS COMMITTEE

4.00pm 25 January 2022

DRAFT MINUTES

Present Councillors Yates (Chair), Hugh-Jones (Group Spokesperson), Hamilton, Meadows, Moonan, Peltzer Dunn, Phillips and Shanks.

PART ONE

39 Re-procurement and Appointment of External Auditors

39.1 Resolved:

- (1) That the requirements relating to the appointment of an External Auditor to the Council for the 2023/24 audit be noted;
- (2) That the letter of invitation from PSAA for the Council to opt-in to the national scheme for auditor appointments (Appendix 1) be noted;
- (3) That the Council be recommended to formally agree to opt-in to the national scheme and adopt PSAA as the appointing person for the Council for the appointment of auditors for the period 2023/24 to 2027/28; and
- (4) That the Council delegates to the council's Chief Finance Officer the authority to take all steps necessary or incidental to give effect to the decision in para (3) above.

Brighton & Hove City Council

Council

Agenda Item 73

Subject: Re-procurement and Appointment of External Auditors

Date of meeting: 3 February 2020:
25 January 2022: Audit & Standards Committee

Report of: Chief Finance Officer

Contact Officer: Name: Nigel Manvell
Tel: 01273 293104
Email: nigel.manvell@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1 Purpose of the report and policy context

- 1.1 The Local Audit and Accountability Act 2014 brought to a close the Audit Commission service and established transitional arrangements for the appointment of external auditors and the setting of audit fees for all local government and NHS bodies in England.
- 1.2 At its meeting on 10 January 2017, the Audit & Standards Committee considered a report outlining three options for the procurement of future audit arrangements, namely: to make a Direct Appointment, to make a Joint Appointment with another public sector body, or to opt-in to a national, sector-led scheme through Public Sector Audit Appointments Ltd, a special purpose company of the Local Government Association (LGA). The Audit & Standards Committee approved the preferred option of opt-in to the sector-led body and recommended this course of action to Full Council on 26 January 2017.
- 1.3 This was approved and the Council formally opted-in to the tender process leading to the appointment of the external auditor on a five-year term. The initial five-year term concludes with the audit of accounts for the financial year 2022/23 and therefore it is necessary to put in place arrangements to run the procurement and appointment process for the 2023/24 audit with appointments being made on or before 1 April 2023.

2 Recommendations

That Audit & Standards Committee:

- 2.1 Notes the requirements relating to the appointment of an External Auditor to the Council for the 2023/24 audit.
- 2.2 Notes the letter of invitation from PSAA for the Council to opt-in to the national scheme for auditor appointments (Appendix 1).
- 2.3 Recommends that Council formally agree to opt-in to the national scheme and adopt PSAA as the appointing person for the Council for the appointment of auditors for the period 2023/24 to 2027/28.

- 2.4 Recommends that the Council delegates to the council's Chief Finance Officer the authority to take all steps necessary or incidental to give effect to the decision in para 2.3 above.

That Council:

- 2.1 Formally approves the Council's opt-in to the national scheme and its adoption of PSAA as the appointing person for the Council for the appointment of auditors for the period 2023/24 to 2027/28; and
- 2.2 Delegates to the council's Chief Finance Officer the authority to take all steps necessary or incidental to give effect to the decision in para 2.1 above.

3 Context and background information

- 3.1 By virtue of section 7 of the Local Audit and Accountability Act 2014 (the Act), the Council is required to appoint an independent auditor to audit its accounts for a financial year not later than 31 December in the preceding year. Such an appointment can be for more than one year but the maximum term of the appointment is five years. The current contract arrangements end with the audit of the 2022/23 financial statements and therefore the first financial year subject to a new contract will be the financial year 2023/24.
- 3.2 The Act and the Local Audit (Appointing Person) Regulations 2015 (the Regulations) enable authorities to choose to allow another body (specified by the Secretary of State) to make the auditor appointment to the authority. If the Council elects to use (i.e., opt-in to) a specified body to make its local auditor appointment, the authority must, within 28 days of being notified of the appointment, publish a notice containing specified details of the appointment.
- 3.3 Working with government, the Local Government Association (LGA) has managed this process through creation of its Public Sector Audit Appointments Ltd (PSAA) company, a not for profit organisation set up to manage the current appointment arrangements, which saw audit arrangements transition from the outgoing Audit Commission in 2017. PSAA now manage the vast majority of audit contracts in England for both the NHS and Local Government.
- 3.4 In considering the appointment options back in 2017, three options were available and the advantages and disadvantages of each were considered by the Committee. The options included Direct Appointment, Joint Appointment with another public sector body, or opt-in to the national, sector-led scheme through Public Sector Audit Appointments Ltd. To recap, the advantages and disadvantages of the recommended option (i.e., to opt-in to the national scheme) were and remain as follows:

Advantages/Benefits of Opt-in to the Sector-led Appointment

- 3.5 The significant costs of setting up the appointment arrangements, drawing up the detailed specification (which has now changed substantially) and negotiating fees is shared across all opt-in authorities. 98% of all authorities (well over 300) opted-in last time around.

- 3.6 By offering large, nationwide contract values, the audit firms are able to offer better rates and lower fees than would be likely to result from local, direct or joint appointment.
- 3.7 Any conflicts at individual authorities would be managed by the sector-led body who would have a number of contracted firms to call upon to undertake independent reviews or remedies.
- 3.8 The appointment process would be led by a specialist, dedicated body set up to act in the collective interests of the 'opt-in' authorities.

Disadvantages/Risks of Opt-in to the Sector-led Appointment

- 3.9 Individual elected members will have less opportunity for direct involvement in the appointment process other than through LGA and/or stakeholder representative groups.
- 3.10 In order for the sector-led body to be visible and to be placed in the strongest possible negotiating position, the sector-led body will need councils and other authorities to indicate their intention to opt-in before final contract prices are known.

Changes to the Appointment Process

- 3.11 Since the last appointment process there have been two main changes to the Appointing Person Regulations laid before Parliament on 21 October 2021. The first is that PSAA must notify local authorities of their individual Scale Fees by 30 November each year preceding the year of audit; previously this was much later on 31 March.
- 3.12 Secondly, the regulations give PSAA much greater control over fee variations. Previously, any new or changed financial reporting or audit standards that resulted in additional testing by the auditor could be charged for by the auditor outside of the national contract arrangements. This often led to high additional charges, unregulated by PSAA and with limited oversight. The new regulations allow PSAA to negotiate fee variations for changes in requirements affecting the whole sector. This should result in much lower price variations.

Improving the Quality of Local Government Audit

- 3.13 There has been some negative press in recent years regarding the quality of Local Government audits by external audit firms. In 2018/19 approximately 57% of audits were completed by the statutory publication date but this reduced to 45% in 2019/20 and just 9% in 2020/21. The pandemic has almost certainly affected performance in the latter years, however, locally the experience has been more positive as follows:
 - The accounts were completed and certified by the publication date in 2018/19 (31 July).
 - Despite the pandemic, in both 2019/20 and 2020/21 the Statement of Accounts were also considered by the Audit & Standards Committee prior to, and were published by, the statutory publication date (30 November and 30 September respectively). Although there were a small number of audit queries outstanding at the reporting and publication dates, these were

resolved satisfactorily shortly after the publication dates and did not result in any material changes to the statement of accounts in either year.

- 3.14 In June 2019, Sir Tony Redmond was asked to undertake an independent review of the effectiveness of the new local audit arrangements and the transparency of local authority financial reporting. The guiding principles for the review were ones of accountability and transparency. The findings and outcome of the Redmond Review were reported to the Audit & Standards Committee on 12 January 2020. Some of the recommendations are still under consideration by the Government, however, one of the key findings was that the fee structure needed to be revised to reflect the true cost of audit to audit firms. The Government recognized this and provided £15 million nationally in 2021/22 (and ongoing) to support an improved quality of audit and cover changes to audit requirements and the new Value for Money (VFM) testing regime. BHCC has received £62,935 from this allocation which closely matches the auditor's fee variation of £65,000 for the 2020/21 audit.

4 Analysis and consideration of alternative options

- 4.1 A full analysis of the three appointment/procurement options is provided at Appendix 2. In such a highly regulated market where only the larger firms are likely to be able to meet the requirements of the appointment process and specification, having a sector-led body negotiating on behalf of all opted-in authorities provides a much greater opportunity to manage and influence the market and negotiate prices and standards.
- 4.2 Note, there is no 'in-house' option available as external auditors must be independent from the authority.

5 Community engagement and consultation

- 5.1 No specific consultation has been undertaken locally in relation to the appointment options, however, the LGA and PSAA Ltd have undertaken various surveys and consultations with local authorities and have shared the results of these with the Chairs of Audit & Standards Committees and Chief Finance Officers. These have generally focused on obtaining feedback and views from local authorities aimed at improving the appointment process, strengthening contract management and improving the quality of audits.
- 5.2 The likely value of the contracts is unknown but could be around £175,000 per annum (including rebates) or around £875,000 over the 5 years. This is below the Member Procurement Advisory Board (PAB) threshold of £1m. However, even had the value exceeded £1m, Audit & Standards Committee is considered to be a more appropriate body to consider the options as it has both a relationship with and understanding of the work of the external auditor, including receiving reports on the outcome of the annual audit process and approval of the Statement of Accounts. It also previously determined the appointment route in 2017.

6 Conclusion

- 6.1 The Local Audit and Accountability Act 2014 allows another body to make auditor appointments on behalf of local authorities if preferred. PSAA Ltd, an LGA company, provides a sector-led procurement and appointment process that is expected to achieve considerably better value for money than a local

appointment process and at considerably lower cost to the council. The appointment would be for 5 years for the period 2023/24 to 2027/28.

- 6.2 Given that 98% of authorities previously opted-in, which therefore provides substantial influence and negotiating power over the market to PSAA Ltd, the council is recommended to continue to opt-in to the national, sector-led appointment process.

7 Financial implications

- 7.1 There is a risk that current external fee levels could increase significantly when the current contracts end in 2023. Remaining opted-in to the national collective scheme is expected to provide the best opportunity to secure value for money by ensuring fees are as competitive as possible through the large scale, collective procurement arrangement.
- 7.2 If the national collective scheme is not preferred, additional resources will be required to establish a Local Auditor Panel and conduct a local procurement. Until a procurement exercise is completed it is not possible to predict with any accuracy what additional resources or costs may be incurred for a local procurement.

Finance officer consulted: James Hengeveld Date consulted: 23/12/21

8 Legal implications

- 8.1 Section 7 of the Local Audit and Accountability Act 2014 requires every council to appoint a local auditor to audit its accounts for a financial year not later than 31 December in the year before the financial year which will be audited. Section 8 governs the procedure for appointment, including by providing that the Council must consult and take account of the advice of an Auditor Panel on the selection and appointment of a local auditor. Opting-in to the national collective appointment scheme in accordance with the recommendation of this report removes the necessity for a local Audit Panel.
- 8.2 If the Council fails to appoint a local auditor then the Secretary of State may direct the Council to appoint the auditor named in the direction or appoint a local auditor on behalf of the Council.
- 8.3 The recommendations in the report are proposed with a view to ensuring that the Council's duties to appoint an external auditor are met in the most efficient and cost effective manner, in compliance with the requirements of the Local Audit and Accountability Act 2014.
- 8.4 While Audit & Standards Committee's delegated functions mean that it is the most appropriate Council body to consider these proposals and make recommendations, the above Act requires that the appointment of a local auditor must not be delegated, but must instead be made by Full Council.

Lawyer consulted: Victoria Simpson Date consulted: 11/01/22

9 Equalities implications

- 9.1 There are no known equalities implications arising from this report.

10 Sustainability implications

- 10.1 Sector-led procurement is both efficient and economical and is likely to result in the best use of resources compared to over 300 authorities all procuring separately. Although sustainability implications are likely to be modest, there will be some benefits accruing from the massively reduced number of contract documents (electronic or otherwise), meetings (virtual or otherwise), legal engagements and paperwork (electronic or otherwise) and so on.

11 Other Implications

Social Value and Procurement Implications

- 11.1 The organisation procuring the framework, PSAA, is responsible for ensuring the process is compliant with the Social Value Act. However, the provision of external audit to public authorities is so tightly regulated that the scope for achieving wider value may be somewhat restricted.
- 11.2 Although the procurement is likely to make awards to larger audit firms with the necessary accreditations, due to their scale many of these firms are able to support strong social value policies including:
- Many have charitable objectives alongside their core business, for example, pro bono commitments to helping develop measures of and accounting for public value creation;
 - In particular, many support significant opportunities for apprenticeships, internships and other vocational experience programmes;
 - With the advent of remote working, many are diversifying their staffing base which is becoming less London-centric;
 - By the same token, a significant number of people living in Brighton & Hove work for the large London-based audit and accountancy sector, which contributes to local prosperity and the local economy.

Crime & disorder implications:

- 11.3 There are no known crime and disorder implications arising from this report.

Public health implications:

- 11.4 There are no known Public Health implications arising from this report.

Supporting Documentation

Appendices

1. Invitation to Opt-in to the National Appointment Process
2. Analysis of appointment options

Background Documents

1. Link to the report and decision by Full Council on 26 January 2017 to Opt-in to the National Scheme for Auditor Appointments. Please see agenda item 65:
<https://present.brighton-hove.gov.uk/ieListDocuments.aspx?CId=117&MId=6131&Ver=4>

22 September 2021

To: Mr Raw, Chief Executive
Brighton and Hove City Council

Copied to: Mr Manvell, S151 Officer
Councillor Littman, Chair of Audit Committee or equivalent

Dear Mr Raw,

Invitation to opt into the national scheme for auditor appointments from April 2023

I want to ensure that you are aware the external auditor for the audit of your accounts for 2023/24 has to be appointed before the end of December 2022. That may seem a long way away but, as your organisation has a choice about how to make that appointment, your decision-making process needs to begin soon.

We are pleased that the Secretary of State has confirmed PSAA in the role of the appointing person for eligible principal bodies for the period commencing April 2023. Joining PSAA's national scheme for auditor appointments is one of the choices available to your organisation.

In June 2021 we issued a draft prospectus and invited your views and comments on our early thinking on the development of the national scheme for the next period. Feedback from the sector has been extremely helpful and has enabled us to refine our proposals which are now set out in the [scheme prospectus](#) and our [procurement strategy](#). Both documents can be downloaded from our website which also contains a range of useful information that you may find helpful.

The national scheme timetable for appointing auditors from 2023/24 means we now need to issue a formal invitation to you to opt into these arrangements. In order to meet the requirements of the relevant regulations, we also attach a form of acceptance of our invitation which you must use if your organisation decides to join the national scheme. We have specified the five consecutive financial years beginning 1 April 2023 as the compulsory appointing period for the purposes of the regulations which govern the national scheme.

Given the very challenging local audit market, we believe that eligible bodies will be best served by opting to join the scheme and have attached a short summary of why we believe that is the best solution both for individual bodies and the sector as a whole.

I would like to highlight three matters to you:

1. if you opt to join the national scheme, we need to receive your formal acceptance of this invitation by Friday 11 March 2022;

2. the relevant regulations require that, except for a body that is a corporation sole (e.g. a police and crime commissioner), the decision to accept our invitation and to opt in must be made by the members of the authority meeting as a whole e.g. Full Council or equivalent. We appreciate this will need to be built into your decision-making timetable. We have deliberately set a generous timescale for bodies to make opt in decisions (24 weeks compared to the statutory minimum of 8 weeks) to ensure that all eligible bodies have sufficient time to comply with this requirement; and
3. if you decide not to accept the invitation to opt in by the closing date, you may subsequently make a request to opt in, but only after 1 April 2023. We are required to consider such requests and agree to them unless there are reasonable grounds for their refusal. PSAA must consider a request as the appointing person in accordance with the Regulations. The Regulations allow us to recover our reasonable costs for making arrangements to appoint a local auditor in these circumstances, for example if we need to embark on a further procurement or enter into further discussions with our contracted firms.

If you have any other questions not covered by our information, do not hesitate to contact us by email at ap2@psaa.co.uk. We also publish answers to [frequently asked questions](#) on our website.

If you would like to discuss a particular issue with us, please send an email also to ap2@psaa.co.uk, and we will respond to you.

Yours sincerely

Tony Crawley
Chief Executive

Encl: Summary of the national scheme

Why accepting the national scheme opt-in invitation is the best solution

Public Sector Audit Appointments Limited (PSAA)

We are a not-for-profit, independent company limited by guarantee incorporated by the Local Government Association in August 2014.

We have the support of the LGA, which in 2014 worked to secure the option for principal local government and police bodies to appoint auditors through a dedicated sector-led national body.

We have the support of Government; MHCLG's Spring statement confirmed our appointment because of our "strong technical expertise and the proactive work they have done to help to identify improvements that can be made to the process".

We are an active member of the new Local Audit Liaison Committee, chaired by MHCLG and attended by key local audit stakeholders, enabling us to feed in body and audit perspectives to decisions about changes to the local audit framework, and the need to address timeliness through actions across the system.

We conduct research to raise awareness of local audit issues, and work with MHCLG and other stakeholders to enable changes arising from Sir Tony Redmond's review, such as more flexible fee setting and a timelier basis to set scale fees.

We have established an advisory panel, which meets three times per year. Its membership is drawn from relevant representative groups of local government and police bodies, to act as a sounding board for our scheme and to enable us to hear your views on the design and operation of the scheme.

The national scheme for appointing local auditors

In July 2016, the Secretary of State specified PSAA as an appointing person for principal local government and police bodies for audits from 2018/19, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015. Acting in accordance with this role PSAA is responsible for appointing an auditor and setting scales of fees for relevant principal authorities that have chosen to opt into its national scheme. 98% of eligible bodies made the choice to opt-in for the five-year period commencing in April 2018.

We will appoint an auditor for all opted-in bodies for each of the five financial years beginning from 1 April 2023.

We aim for all opted-in bodies to receive an audit service of the required quality at a realistic market price and to support the drive towards a long term competitive and more sustainable market for local audit. The focus of our quality assessment will include resourcing capacity and capability including sector knowledge, and client relationship management and communication.

What the appointing person scheme from 2023 will offer

We believe that a sector-led, collaborative, national scheme stands out as the best option for all eligible bodies, offering the best value for money and assuring the independence of the auditor appointment.

The national scheme from 2023 will build on the range of benefits already available for members:

- transparent and independent auditor appointment via a third party;
- the best opportunity to secure the appointment of a qualified, registered auditor;
- appointment, if possible, of the same auditors to bodies involved in significant collaboration/joint working initiatives, if the parties believe that it will enhance efficiency;
- on-going management of any independence issues which may arise;
- access to a specialist PSAA team with significant experience of working within the context of the relevant regulations to appoint auditors, managing contracts with audit firms, and setting and determining audit fees;
- a value for money offer based on minimising PSAA costs and distribution of any surpluses to scheme members - in 2019 we returned a total £3.5million to relevant bodies and more recently we announced a further distribution of £5.6m in August 2021;
- collective efficiency savings for the sector through undertaking one major procurement as opposed to a multiplicity of smaller procurements;
- avoids the necessity for local bodies to establish an auditor panel and undertake an auditor procurement, enabling time and resources to be deployed on other pressing priorities;
- updates from PSAA to Section 151 officers and Audit Committee Chairs on a range of local audit related matters to inform and support effective auditor-audited body relationships; and
- concerted efforts to work with other stakeholders to develop a more sustainable local audit market.

We are committed to keep developing our scheme, taking into account feedback from scheme members, suppliers and other stakeholders, and learning from the collective post-2018 experience. This work is ongoing, and we have taken a number of initiatives to improve the operation of the scheme for the benefit of all parties.

Importantly we have listened to your feedback to our recent consultation, and our response is reflected in [the scheme prospectus](#).

Opting in

The closing date for opting in is 11 March 2022. We have allowed more than the minimum eight-week notice period required, because the formal approval process for most eligible bodies is a decision made by the members of the authority meeting as a whole [Full Council or equivalent], except police and crime commissioners who are able to make their own decision.

We will confirm receipt of all opt-in notices. A full list of eligible bodies that opt in will be published on our website. Once we have received an opt-in notice, we will write to you to request information on any joint working arrangements relevant to your auditor appointment, and any potential independence matters which may need to be taken into consideration when appointing your auditor.

Local Government Reorganisation

We are aware that reorganisations in the local government areas of Cumbria, Somerset, and North Yorkshire were announced in July 2021. Subject to parliamentary approval shadow elections will take place in May 2022 for the new Councils to become established from 1 April 2023. Newly established local government bodies have the right to opt into PSAA's scheme under Regulation 10 of the Appointing Person Regulations 2015. These Regulations also set out that a local government body that ceases to exist is automatically removed from the scheme.

If for any reason there is any uncertainty that reorganisations will take place or meet the current timetable, we would suggest that the current eligible bodies confirm their acceptance to opt in to avoid the requirement to have to make local arrangements should the reorganisation be delayed.

Next Steps

We expect to formally commence the procurement of audit services in early February 2022. At that time our procurement documentation will be available for opted-in bodies to view through our e-tendering platform.

Our recent webinars to support our consultation proved to be popular, and we will be running a series of webinars covering specific areas of our work and our progress to prepare for the second appointing period. Details can be found on [our website](#) and in [the scheme prospectus](#).

ANALYSIS OF OPTIONS FOR THE APPOINTMENT OF EXTERNAL AUDITORS			
Options	Description of Option	Possible advantages	Possible disadvantages
Option i) Direct Appointment	Procuring a stand-alone, direct appointment overseen by a specially set up independent Audit Panel of the authority. The members of the Panel would need to be wholly or a majority of independent members (i.e. not current or former members of the authority).	• Full ownership of the process	• Insufficient scale to manage or influence the market due to lack of scale; • Unlikely to be able to procure at a best value, e.g. risk of limited provider choice in the authority location and/or loss of economy of scale; • Therefore, this option may not be able to demonstrate value for money compared with other available options; • The market is very highly regulated and few smaller firms will have the necessary accreditations; • The need (and cost) to appoint appropriately skilled and knowledgeable independent Audit Panel members and an independent panel chair; • Covering the cost of panel expenses; • Additional legal, financial, procurement, contract management and administrative costs as there is no capacity to undertake this currently.
Option ii) Joint Appointment (Joint Auditor Panel)	Joining with other council/s to set up a joint independent Auditor Panel. This option could potentially spread the cost across a number of local authorities.	• Procurement can still be a relatively tailored process; • There may be a greater opportunity for negotiating some economies of scale by being able to offer a larger, combined contract value; • Less administration than a sole Auditor Panel and the ability to share administration expenses; • May be easier to attract suitable panel members; • Some sharing of legal, financial, procurement, contract management and administrative costs.	• Only 2% of authorities (less than 10) opted-out of the arrangements. This is highly likely to be repeated and therefore finding another council to work with is unlikely; • Less control over the process than Option i). However, this is a moot point as there would remain insufficient scale to manage or influence the market; • May not end up with first choice of auditor, compared to an individual Auditor Panel; • The need to agree appointment of members across multiple authorities and set up a joint decision-making process;

			• Unlikely to achieve competitive fees and may still not demonstrate value for money compared to other available options. • Although shared, there would still be additional legal, financial, procurement, contract management and administrative costs as there is no capacity to undertake this currently.
Option iii) National Collective Appointment through Public Sector Audit Appointments Limited (PSAA)	A not-for-profit company established by the Local Government Association (LGA), PSAA Ltd, would appoint auditors and administer the audit contracts. PSAA have the support of the LGA, which has worked to secure the option for principal local government and police bodies to appoint auditors through a dedicated sector-led national procurement body. PSAA have established an advisory panel, drawn from representative groups of local government and police bodies, and undertaken surveys and consultation to gather councils' views on the design and operation of the forthcoming appointment scheme. PSAA have been specified by the Secretary of State (DLUHC) as the appointing person for principal local government bodies. This means that PSAA will make auditor appointments to principal local government bodies that choose to opt in to the national appointment arrangements.	• Opting-in to the national arrangement will help to ensure there is a competitive public audit market for the benefit of the whole sector; • By offering large contract values providers should be able to offer better rates and lower fees than are likely to result from local direct or joint negotiation; • The costs of setting up the appointment arrangements and negotiating fees would be shared across all opt-in authorities (i.e. will be nominal only); • The appointment process will be set up to act in the collective interests of all 'opt-in' authorities. This avoids the necessity for the Council to establish an Auditor Panel (or Joint Auditor Panel) or to undertake an auditor procurement (or joint procurement) avoiding higher legal, financial, administrative and procurement costs; • As a sector-led body, PSAA can have greater influence over the market which is supplier dominated; • Any conflicts at individual authorities can be more easily managed by the PSAA who would have a number of contracted firms to call upon avoiding higher local contract management costs and administration; • A scale of fees will be negotiated which will be able to reflect the organisational size, complexity and audit risk of opting-in authorities; • Distribution of surpluses to participating bodies (these have averaged £10,000 per annum for BHCC); • Demonstrates value for money as the approach most likely to achieve the best price and quality combination.	• Local authorities will have less opportunity for direct involvement in the appointment process other than through the LGA and/or stakeholder representative groups; • In order for the PSAA to be viable and to be placed in the strongest possible negotiating position, the PSAA will need councils to indicate their intention to opt-in before final contract prices are known.

Brighton & Hove City Council

Council

Agenda Item 74

Subject: **Annual Review of Standards-Related Matters, including Member Complaints.** Extract from the Proceedings of the Audit & Standards Committee meeting held on the 25 January 2022

Date of meeting: 3 February 2022

Report of: Executive Director for Governance, People & Resources

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

Ward(s) affected: All

For general release

Action Required of the Committee / Council:

To receive the report from the Audit & Standards Committee for consideration and the recommendations for approval.

Recommendations:

That the report be noted.

BRIGHTON & HOVE CITY COUNCIL

AUDIT & STANDARDS COMMITTEE

4.00pm 25 January 2022

DRAFT MINUTES

Present Councillors Yates (Chair), Hugh-Jones (Group Spokesperson), Hamilton, Meadows, Moonan, Peltzer Dunn, Phillips and Shanks.

PART ONE

40 Annual Review of Standards-Related Matters, including Member Complaints

40.1 Resolved:

- (1) That the Members of the Committee which has delegated responsibility for oversight of member conduct note the contents of the report and refer it to full Council for its consideration; and
- (2) That the letter of invitation from PSAA for the Council to opt-in to the national scheme for auditor appointments (Appendix 1) be noted.

Subject:		Annual Review of Standards-Related Matters, including Member Complaints	
Date of Meeting:		3rd February 2022 25 th January 2022 - Audit & Standards Committee	
Report of:		Monitoring Officer	
Contact Officer:	Name:	Victoria Simpson, Senior Lawyer – Corporate Law	Tel: 01273 294687
	Email:	Victoria.Simpson@brighton-hove.gov.uk	
Ward(s) affected:		All	

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 To report on Standards-related matters, including by providing an annual review of the complaints that Members have breached the Code of Conduct for Members which were received in during 2021.

2. RECOMMENDATIONS**Audit & Standards Committee:**

- 2.1 That the Members of the Committee which has delegated responsibility for oversight of member conduct note the contents of this Report and refer it to full Council for its consideration.

Full Council:

- 2.1 That full Council note the Report and direct such actions as it considers appropriate.

3. CONTEXT

- 3.1 Members will be aware that the Council is required by the Localism Act 2011 to have in place arrangements for dealing with complaints against elected and co-opted Members. In a context where local authorities have a good amount of discretion as to how those arrangements may look, this Council dedicates resource on regularly reviewing those arrangements, most recently by updating the Code of Conduct for Members, the Procedure for dealing with complaints and a key Guidance generated for Members to consider in July 2021.
- 3.2 Audit & Standards Committee has delegated authority for this area, including for leading in discharging the statutory requirement that the Council maintain and promote high standards of conduct by Members. That Committee receives

quarterly reports on complaints and is appraised of the training and briefings which are offered to Members. Nonetheless the number of complaints received in continues to rise, hence the recommendation that this Annual Review be referred to full Council, so that it may be considered by all elected Members of the Council.

4. UPDATE ON CURRENT & RECENT COMPLAINTS

Complaints previously reported to Audit & Standards Committee

- 4.1 **Complaint L 2021** has now been determined following an external investigation which concluded that there was insufficient evidence that the member had acted as alleged, and that in any case the member who was the subject of the complaint was not considered to be acting in that capacity at the relevant time. The Monitoring Officer consulted with the Independent Person and - having determined that there was no public interest in pursuing the matter further and given the parties the opportunity to make representations - decided to resolve this complaint informally, without referring it to a Panel. **Complaint M 2021** has also been referred for formal investigation by external investigators, who have prepared a draft Report which they have reviewed and updated having first circulated it to the parties for comment. An update will be given to Committee when available.
- 4.2 **Complaint V 2021** was referred to in the report of September 2021 as a multi layered complaint against three members at the same ward which alleged misconduct across the delivery of their functions. A significant volume of information was received in and when the complainant submitted significant further evidence alleging additional breaches by the same ward members, a decision was made to review that complaint (**V 2021 plus**) alongside the previous one. All the matters complained of were ultimately resolved by a decision to take no action at preliminary assessment stage. The detailed reasons given drew attention amongst to relevant provisions in the Guidance for Members on Correspondence.
- 4.3 **Complaint W 2021** was as previously reported a complaint about social media comments made by a member about council officers. As the complainant was an officer of the council, that complaint was determined via a separate process. However a complaint about the same social media post and its alleged lack of respect for officers was later received from a member of the public: **F1 2021**. That complaint is still at preliminary assessment stage and progress will be reported in due course.
- 4.4 **Complaints X, Y, Z, A1 and B1** were previously reported as having been made by the same complainant against different members on different grounds but in the context of the same overall topic. The complaints alleged failures to respond to communications (Y & B1), alleged issues with the content of responses which were provided (A1 & X) and a data protection issue (Z). All of the complaints have been resolved at preliminary assessment stage having been considered individually on their merits except for complaint X which will be the subject of a further update in due course.
- 4.5 **Complaint C1** concerned responses by two elected members to a social media post. A decision was made by the Monitoring Officer to take no action in relation to this complaint at preliminary assessment stage, having agreed with the Independent Person that progressing the complaint to formal investigation would

not be both proportionate and necessary in the public interest given the nature of the complaint and the conduct complained of. **Complaint D1** was made as a result of a member self-reporting in relation to comments published on their social media page by a third party. The decision was again made not to take any action at preliminary assessment stage, having been noted that the member concerned took prompt steps once they were alerted to the issue.

New complaints received in since the last Update

- 4.6 **Complaint E1** concerns a complaint made by one elected member about another's conduct and remains at preliminary assessment at time of writing.
- 4.7 **Complaint G1** concerned a comment made by an elected member at a council meeting about a third party. That was resolved by a decision to resolve the complaint informally, the member concerned having taken the opportunity to communicate directly to the complainant their intended meaning and to apologise for any lack of clarity.
- 4.8 A decision was made not to progress a complaint that a member had made defamatory comments after it has been assigned the complaint number **H1**. This decision was made by the Monitoring Officer when the complainant did not provide clarification or evidence when requested.
- 4.9 **Complaint I1** concerned allegations about a member's alleged activities in their ward which described in general terms. Although the complaint was not substantiated or clarified following a request, late communications have been received from the complainant and as a result this complaint remains at preliminary assessment stage.
- 4.10 Three recent (unconnected) complaints are awaiting initial consideration at preliminary assessment stage by one of the council's Independent Persons. **Complaint J1** concerns a member's alleged conduct when attending an external event, while **K1** concerns a different member's comments on social media, allegedly about a complainant who previously made an unsuccessful complaint to the Ombudsman. **Complaint L1** alleges a failure to respond to constituent emails.
- 4.11 **Complaints M1** and **N1** relate to the same conduct by a member on social media in conversation with another individual and a decision was made to deal with them together. Those remain at preliminary assessment stage. **Complaint O1** relates to comments made about Council officers by a member and their conduct generally and also remains at preliminary assessment stage. **Complaint P1** has been received in very recently, and also alleges breaches of the Code when dealing with stakeholders on social media. It too remains at preliminary assessment stage.

5. MEMBER COMPLAINTS – ANNUAL REVIEW

- 5.1 The data and observations provided in Appendix 1 provide information on the upward trend both in terms of the volume of complaints made about elected members and their complexity. They also provide a brief outline of the steps which have been taken thus far to mitigate the situation.

- 5.2 The increase in complaints during this last year and the one before may well be linked to the additional pressures experienced during the pandemic and the challenges specific to the changing ways in which Council members communicate with their stakeholders, many of which have themselves been under significant pressure. Either way, the increase in complaints is notable. It moreover generates a resource burden which is unhelpful in the context of ongoing pressures, not least because it diverts focus and uses up time which all concerned could invest more productively.
- 5.3 As well as diverting member and officer time, the upward trend also impacts on the Council's two Independent Persons with whom the Monitoring Officer is required to consult at key stages in the process. The Independent Persons' input is very much valued, for (as well as being a legal requirement) it provides the opportunity for a fresh perspective from someone from outside the Council. The fact that both of the Council's current Independent Persons are experienced professionals with working lives outside of the Council enhances the input they provide. It also means that they have other commitments.
- 5.4 Members will be aware that - since the passing of the Localism Act 2010 – Standards Committees have no power to suspend a Member and may only censure a Member or take measures such as recommending training or other steps which the subject Member is free to accept or reject. Notwithstanding this, local authorities are nonetheless obliged to have in place arrangements for dealing with complaints against elected members.
- 5.5 Members will know that only rarely do member complaints culminate in a full Panel hearing and that resolving matters at an early stage where possible - even where there is an arguable breach – can often be the best way of moving forward in a context where options are limited. While the Monitoring Officer has discretion to resolve complaints informally at any point in the process (having first consulted with one of the Independent Persons), the process of doing so is resource-intensive. This is because it involves liaising with all parties (with communication between the complainant, the subject member and other stakeholders, as well as the Independent Person and the Monitoring Officer), while ensuring the process is visibly fair to all stakeholders. Under the revised arrangements, informal resolution must be actively explored at each juncture in the process. While this approach is considered to be appropriate, it is time-intensive.
- 5.6 A further factor is Members' willingness to co-operate with the process, which can vary significantly. Where a Member is unresponsive or fails to engage this causes unnecessary and avoidable delay, whether or not there is a formal investigation.
- 5.7 Members from all of the Party Groups as well as Independent Members have been the subject of complaints. It is therefore recommended that this Report be put to full Council so it may note the data and observations provided at [Appendix 1](#) as well as the steps which have already been taken in the key areas of communication and training, with a view to considering best steps of addressing the trend.

6. MEMBER TRAINING

- 6.1 An update in training being offered to Members is also listed in [Appendix 1](#).

7 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 7.1 The Council is obliged under the Localism Act to make arrangements for maintaining high standards of conduct among members and to make arrangements for the investigation of complaints. Those arrangements in place have recently been subject to a root and branch review and – in a context where a programme of training has been put in place – there no additional steps which are considered to offer a solution.

8. COMMUNITY ENGAGEMENT & CONSULTATION

- 8.1 Reviews of the Council's Standards arrangements have been carried out by its elected Members assisted by officers and the Council's Independent Persons, whose familiarity with process in this area has been helpful. The local community has not as yet been consulted or provided input. This is an option for future reviews.

9. CONCLUSION

- 9.1 Members are asked to note the contents of this Report, which aims to assist the Council in discharging its responsibilities for overseeing that high standards of conduct are maintained in a way which is compliant with local requirements.

10. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 10.1 There are no additional financial implications arising from the recommendations in this report. All activity referred to has been, or will be, met from existing budgets.

Finance Officer Consulted: Nigel Manvell

Date: 23/12/21

Legal Implications:

- 10.2 These are covered in the body of the Report.

Lawyer Consulted: Victoria Simpson

Date: 16/12/21

Equalities Implications:

- 10.3 There are no equalities implications arising from this Report, which concerns arrangements which have been developed with the need to ensure the Council and its members discharge their responsibilities with appropriate regard for equalities considerations.

Sustainability Implications:

- 10.4 No sustainability implications have been identified

Other implications:

10.5 No significant other implications have been identified as arising from this Report

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 – key data on complaints received in during 2021

Background Documents:

None

Appendix 1

A: Key data re complaints received between 1/1/21 and 31/12/21

Note on methodology: where more than one complaint is received from different people about the same allegation of member conduct, each of those complaints are counted individually. Similarly where one complaint is made but alleging misconduct about two or more members, then each complaint about each member is counted individually.

Table 1 – number of complaints

Complaints against members made in 2019	Complaints against members made in 2020	Complaints against members made up to 31.12.21
13	33*	36

* NB While the data indicates that the largest jump in numbers took place in 2020, the figures for that year were inflated by a total of seven complaints against a single member for the same alleged breach.

Table 2 – complainant data

Complaints made by members about other members	Complaints made by residents or other stakeholders	(NB complaints made about members by officers are normally dealt with under the Officer/ Member Protocol
5	31* *incl's one complaint made by a member's partner against another member)	

Table 3 – outcomes

I: complaints determined at preliminary assessment stage

Total number of complaints made in 2021 which were determined before end of the year	Number of complaints determined at preliminary assessment stage because alleged conduct was not considered capable of amounting to a breach,	Number of complaints determined at preliminary stage which followed an apology, or some other remedial action by the subject member (which could

	because not in the public interest to investigate or because the revised tests inserted into the Procedure in July 2021 were otherwise not met	include providing information to be provided to the complainant)
25	25 incls one complaint resolved via the Member/Officer Code	3

II: complaints referred for formal investigation during 2021

Total complaints referred for formal investigation (NB total includes one complaint received at end of 2020 and not otherwise referred to in this table)	Outcome at formal investigation stage
2	1 – decision to take no action after recommendation of no breach
	1 – still in progress

Table 4 – subject of complaints: trends

Complaints about members' discharge of their ward responsibilities (normally made by constituents)	14
Complaints about comments or conduct either at council meetings, or at meetings at which members are representing BHCC	3
Complaints about conduct relating to council business or other members made outside council meetings or on social media	16
Complaints about a member's conduct or position on an issue which is not council business or a ward matter, including conduct or a statement reported in the press or made on social media	3

B: Observations on the data: volume and outcomes - tables 1, 2 & 3

Some key points regarding the complaints received in during 2021:

- In terms of member allegiances: **Members from all of the Party Groups as well as Independents** were the subject of complaints.
- Complaints about perceived conduct issues by members which did not generate a formal complaint have not been counted in the total. One of the 36 complaints was against all members of a particular decision-making Committee but was only counted as a single complaint. Also a separate complaint was made by a single member who self-referred.
- Two complaints were referred for **formal investigation** by an external investigator this year (one of which was received in at end of 2020, so is otherwise not referred to in this table). This was due to insufficient resource being available in-house.
- A number of complaints were **member on member** (a total of 6 if a single complaint from a member's partner is included; 5 if not): a category of complaint which is often amongst the most resource intensive to resolve
- Complaints about members made by officers are directed via a separate process therefore the majority of the complaints were therefore from **members of the public or other stakeholders**.
- In terms of **themes**, the matters complained of encompassed a range of issues and topics. However there was a discernible increase in the **complexity of complaints**, with an increasing proportion of complainants submitting multiple items of evidence from a range of sources and media in an attempt to demonstrate ongoing conduct over time.
- Four complaints which involved **member conduct toward Council officers** were received in (as well as one made by an officer, which was not dealt with via this process).
- In terms of **outcomes**, the overwhelming majority of complaints were resolved outside the formal investigation process. Analysing the data relating to outcomes was made challenging by changes midyear to the tests against which complaints are assessed when formal investigation is contemplated. Those tests now take the form of a series of questions which are considered to better reflect a more nuanced assessment process of assessment: a development which is not considered to assist attempts at categorisation. Similarly, while the number of complaints in table 3 I which appear to have involved

proactive steps toward resolution by the subject member may appear low, it is not considered to full describe the constructiveness of those members who proactively provide clarification and information throughout the process.

- Not all complaints have been determined as promptly as they might have been. **A total of 11 complaints received in in 2021 remain outstanding at the current time**, although all of them were initially acknowledged and processed promptly. This may be attributed to a combination of the following factors, which have increased the burden on Council staff and on the Council's Independent Persons as well as the members who are the subject of the complaints: a) the number and complexity of the complaints received in and also b) recent changes to the process which formalise expectations of additional consultation with key parties as well as increasing the time spent considering the option of informal resolution at each stage.

Observations on the data: themes - table 4

The issues arising are wide-ranging and defy easy analysis. The majority of complaints originate either from member conduct in their ward or outside of Council meetings, whether acting in their capacity as members with members of the public, officers and/or each other.

While the majority of the complaints arose either from conversations via email or comments made on social media, this was not considered to be especially significant given the curtailing of options for face-to-face interaction during the pandemic. It is however noted that conduct taking place when members were representing the Council externally has given rise to a relatively small number of complaints in this last year, as has conduct occurring during Council meetings as opposed to outside of them.

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C: Mitigating steps already taken

Efforts have been made to take some key steps to mitigate the pressures:

- a) Group Leaders are now routinely joined into early communications in complaints made by or about their members, in hopes of ensuring that all possible efforts are made to ensure a prompt resolution where possible

- b) A further review of the Council's detailed arrangements for dealing with member complaints was completed during the first part of 2021 and revised versions of the Code of Conduct for Members and the Procedure for Dealing with Complaints as well as a key Guidance document were approved in July 2021.
- c) The revised Code now provides explanatory text to enhance understanding of the requirements, as well as providing (amongst other things) that members are required to attend Standards training.
- d) The revised Procedure provides for a streamlined process for resolving complaints, with a more detailed and robust test against which complaints are assessed to ensure that only those complaints which meet key tests are progressed, as well as an embedded expectation that informal resolution will be considered at each stage in the process.
- e) Revised, public-facing Guidance on Correspondence & Social Media for Members was also approved which includes provisions aimed to help members manage stakeholder expectations in relation to emails & other engagement in order to reduce issues arising in that key area
- f) Following a poll last summer of all members asking what format they would prefer to receive training, external training has been provided by a specialist trainer on how to use social media while remaining within the Code, with a second session to be provided in early 2022.
- g) In terms of **training**: as well as dedicated Standards Panel training for all members of the Audit & Standards Committee (completed in autumn 2021), internal refresher training on the Code is being offered by officers to all elected members of BHCC during January 2022 using the current approach (which was endorsed by the poll results). This is providing opportunity for a refresh on Standards as well as highlights on the revised Standards arrangements in force since July 2021: a topic which was covered in a detailed email briefing to all members.
- h) As well as providing Standards refresher training to all members of the Council at least annually, officers plan to provide additional briefings and L&D as and when requested.

D: Other steps mandated by members

Member observations and thoughts are sought regarding other proportionate steps which might be adopted, in addition to those outlined in C above.

Brighton & Hove City Council

Council

Agenda Item 75

Subject: Fossil Fuel Non-Proliferation Treaty. Notice of Motion from the Green Group

Date of meeting: 3 February 2022

Proposer: Councillor Clare
Seconded: Councillor Heley

Ward(s) affected: All

This Council notes:

- Cities across the world have shown their commitment to tackling the climate crisis by endorsing the call for a Fossil Fuel Non-Proliferation Treaty
- BHCC's pensions are held by the East Sussex Pension Fund, which still invests in fossil fuels
- Preventing climate chaos requires the bulk of fossil fuels be left in the ground, leaving fossil fuel companies with stranded assets, meaning current shares are likely to be overvalued.

This council resolves:

- (1) That the Chief Executive write to the East Sussex Pensions Committee expressing our request for a two-year timeline to divest from fossil fuels; highlighting that continuing to invest in stranded assets risks a failure of their fiduciary duty to pension scheme members,
- (2) That Policy & Resources Committee be requested to commission a report:
 - outlining options for removing BHCC pensions from the East Sussex scheme, and reinvesting them elsewhere; should ESPF fail to act swiftly to protect pensioners' investments
 - detailing how council can continue to support in principle the development of renewable technologies to phase out fossil fuels,
- (3) To endorse the call for Fossil Fuel Non-Proliferation Treaty to:
 - End new expansion of fossil fuel production
 - Phase out existing fossil fuel production
 - Invest in a transformational plan to ensure 100% access to renewable energy globally.

Supporting Information:

<https://fossilfueltreaty.org/>

Brighton & Hove City Council

Council

Agenda Item 76

Subject: Council Service Delivery. Notice of Motion from the Labour Group

Date of meeting: 3 February 2022

Proposer: Councillor Wilkinson
Seconded: Councillor Appich

Ward(s) affected: All

This Council:

1. Notes the high volume of complaints that Councillors receive from residents rightly angry about basic council services failing to deliver – from missed refuse, recycling and garden waste collections; to overgrown weeds; to graffiti and litter on our streets, beaches and in our parks; to mismanagement of parking permits; and the general maintenance, upkeep and cleanliness of our city;
2. Notes that the Council's own 2020-21 year-end Corporate KPI results reflect the complaints from residents, and show the Council is performing below-target on the delivery of some essential services, and that some of these failures are systemic and long-running;
3. Recognises the challenges the pandemic has presented, and thanks and acknowledges the hard work council staff have undertaken over the past year, particularly as less than 10% were furloughed;
4. Recognises also, however, that lockdown is over and despite ongoing pandemic-related challenges, residents are right to expect improvements to the delivery of council services from the leadership of the Council.

This Council resolves to ask the Policy & Resources Committee to:

1. Urgently establish a cross-party Member Working Group consisting of six Members, two from each political party, and chaired by a Member of the official opposition on the Council. It would have the remit to investigate, review and discuss solutions to the systemic management failures behind the delivery of basic council services, namely waste and refuse collection, parking permits and street cleanliness, and provide recommendations to the Policy & Resources Committee and the Environment, Transport & Sustainability Committee on ways to improve these services.

Supporting Information:

<https://present.brighton-hove.gov.uk/documents/s170349/Corporate%20Key%20Performance%20Indicator%20target%20setting%20202122%20APX.%20n%206.pdf>

Brighton & Hove City Council

Council

Agenda Item 77

Subject: Stop people being priced out of our City: Ban the sale of new homes as second homes. Notice of Motion from the Labour Group

Date of meeting: 3 February 2022

Proposer: Councillor Williams

Seconded: Councillor Childs

Ward(s) affected: All

In order to stem the rise of second home ownership which is having a severely detrimental effect on housing supply and affordability, this Council:

1. Supports the implementation of a principal residency policy whereby new open-market housing planning permission will only be granted where there is a condition restricting occupancy as a Principal Residence – the purpose being to reduce the levels of second homes and enable increased primary residence and year-round community benefits;
2. Requests the Housing and Tourism, Equalities, Communities & Culture committees to call for a report to be submitted to meetings of each of the committees within the next six months to outline all possible policy steps that could be considered in order to implement this policy and model the impact of such an approach on both affordability and availability in the next five years;
3. Requests that this report will highlight:
 - The planning policy changes required;
 - Examples of Planning Authorities where such outcomes have been successfully achieved;
 - Any evidence gaps or reports required to meet standards of evidence;
 - A timetable for implementation for this Authority and potential mitigations required – such as a balancing policy for the development of holiday lettings.

Supporting Information:

Principal residences are defined as those occupied as the residents' sole or main residence, where the resident spends the majority of their time when not working away from home or living abroad.

<https://www.ft.com/content/2128f460-67b0-445b-a684-bf87560a081d>

<https://www.theargus.co.uk/news/19378734.families-priced-brighton-hove>

<https://www.theargus.co.uk/news/19042360.rising-rent-costs-outpacing-wages-brighton-hove/>

<https://commonslibrary.parliament.uk/research-briefings/cdp-2022-0001/>

<https://www.theargus.co.uk/news/19211154.one-every-37-homes-brighton-hove-empty-figures-show/>

<https://www.airdna.co/vacation-rental-data/app/gb/south-east/brighton-and-hove/overview>

Brighton & Hove City Council

Council

Agenda Item 78

Subject: Victoria Fountain Investigation. Notice of Motion from the Conservative Group

Date of meeting: 3 February 2022

Proposer: Councillor Mears

Seconded: Councillor Simson

Ward(s) affected: All

This Council requests the Environment, Transport & Sustainability Committee:

1. To commission an urgent investigation into recent reports of Victoria Fountain foundation damage and the appearance of a sink hole after the removal of the Christmas market and funfair; and
2. To agree to the public release of all findings so that residents can be assured in the future that historic sites will be treated with the respect that they deserve.

Supporting Information:

Brighton & Hove City Council

Council

Agenda Item 79

Subject: Westdene Park & Ride. Notice of Motion from the Conservative Group

Date of meeting: 3 February 2022

Proposer: Councillor Nemeth
Seconded: Councillor Bagaeen

Ward(s) affected: All

This Council:

1. Notes that Environment, Transport & Sustainability Committee voted Road on 21st July 2021 for an urgent report for the next meeting of that committee on Administration proposals for a park and ride scheme on Mill Road in Westdene;
2. Further notes that no report was forthcoming at meetings of Environment, Transport & Sustainability Committee on 21st September 2021, 16th November 2021 or 18th January 2022;
3. Draws attention to press reports that an experimental park and ride is due to start in the spring following conflicting reports from the Administration on the topic; and
4. Requests the Environment, Transport & Sustainability Committee to call for the urgent release of a full public statement on the topic with proposals of a full programme of consultation of Westdene residents included.

Supporting Information:

