

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 20 JULY 2023

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors O'Quinn (Chair), Atkinson, Bagaeen, Evans, Fishleigh, Fowler, Grimshaw, Hamilton, Meadows, McNair, Robins, Sankey, Shanks, C Theobald, West, Wilkinson, Williams, Alexander, Allen, Asaduzzaman, Baghoth, Burden, Cattell, Czolak, Daniel, Earthey, Gajjar, Galvin, Goddard, Goldsmith, Helliwell, Hewitt, Hill, Loughran, Lyons, McGregor, McLeay, Miller, Mistry, Muten, Nann, Oliveira, Pumm, Robinson, Rowkins, Sheard, Simon, Stevens, Thomson and Winder

PART ONE

12 DECLARATIONS OF INTEREST

- 12.1 Councillor Shanks declared a personal but not prejudicial interest in Item 23, a report of the Executive Director Families, Children & Learning concerning Brighton Youth Centre Update as it referred to a partner organisation for which she is a trustee.
- 12.2 Councillor Rowkins declared a personal but not prejudicial interest in relation to Item 32, a Notice of Motion concerning adopting a suicide strategy as his wife was project lead for the Baton of Hope event.
- 12.3 Councillor Williams declared a personal but not prejudicial interest as a member of ACORN.
- 12.4 No other declarations of Interests in matters appearing on the agenda were made.

13 MINUTES

- 13.1 The minutes of the Annual Council meeting held on 25 May 2023 were approved and signed by the Mayor as a correct record of the proceedings; subject to the following amendments:

9.2 to read - The Mayor also moved that for the municipal year 2023/2024 the following appointments to the positions as agreed by the various Groups represented on the Council be noted: 10 COUNCIL 25 MAY 2023 (i) Leader of the Labour Group - Councillor Bella Sankey; (ii) Deputy Leaders of the Labour Group - Councillors Gill Williams and Jacob Taylor; (iii) Convenor of the Green Group – Councillor Steve Davis; (iv) Deputy Convenors of the Green Group – Councillors Sue Shanks and Pete West (v)

Leader of the Conservative Group - Councillor Alistair McNair; (vi) Deputy Leaders of the Conservative Group – Councillors Anne Meadows and Carol Theobald.

14 MAYOR'S COMMUNICATIONS.

14.1 The Mayor gave the following communications:

“Dear councillors, ladies and gentlemen,

I wish to start this meeting by stating that one of my engagements since I became Mayor was to attend the funeral of Brian Fitch on Thursday 8th June. It was a fitting farewell for Brian who was a councillor for many years and also Mayor of Brighton and Hove. I would ask you to stand for a minute's silence to mark the passing of Brian and to express our condolences to his wife, Nora.

As we have a great deal to get through this evening, I will keep my mayor's comms brief.

I am now 2 months into my Mayoralty, and it has been a very busy time indeed and a steep learning curve. It has been both an exciting and inspiring time as I have met a vast range of people at events both in the city and outside it.

I have attended over 60 events and that is despite managing to have a 6-day break in Cornwall in June to visit family. The events have included the Special Commemoration of Boar's Head and an Armed Forces Day reception at the Mayor's Parlour, a special Mayoral Reception for a group of refugees and those who have settled here for a number of years.

I will be holding a reception to celebrate Trans Pride's 10th anniversary and also a number of other Mayoral receptions throughout the year to celebrate and recognise those who work and volunteer to make this city the amazing and extraordinary community that it is. There have been so many events that I have attended but I would like to pick out a very special one and that was the Baton of Hope. This was an incredibly moving, highly emotional event and I pay tribute to those who organised it and those who contributed to it, especially the deeply felt speeches from members of SECAMB. What an inspirational event and I'm sure it will have had a lasting impact.

I look forward to attending many more events over the coming year and feel incredibly privileged to have been given the role of Mayor of Brighton. I am intending to hold a Mayor making reception in the Autumn and will notify everyone when I have a date.

I would also like to thank the East Sussex Fire and Rescue, police force and relevant council officers for their speedy response and impressive work in dealing with the fire at the Albion Hotel. This was a very serious fire and fire crews worked for a considerable time to bring it under control whilst the police managed the situation on the ground. The city owes a great debt to them all so let's all recognise that.”

15 TO RECEIVE PETITIONS AND E-PETITIONS.

15.1 The Mayor invited the submission of petitions from councillors and members of the public. She 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.

- 15.2 Tony Graham presented a petition signed by 676 residents concerning Re-open the Pavilion Gardens Toilets.
- 15.3 The Mayor thanked the lead petitioner and stated that the petition would be referred to the City Environment, South Downs & The Sea Committee for consideration.
- 15.4 Samantha Leycester presented an e-petition signed by 284 residents, concerning on street Hospital parking- Zone H.
- 15.5 The Mayor thanked the lead petitioner and stated that the petition would be referred to Transport and Sustainability Committee for consideration.
- 15.6 Dave Perris presented an e-petition signed by 200 residents, concerning Re-instate parking meters.
- 15.7 The Mayor thanked the lead petitioner and stated that the petition would be referred to the Transport and Sustainability Committee for consideration.
- 15.8 Laura King presented an e-petition signed by 2054 residents, concerning No to ULEZ or other discriminatory traffic schemes in Brighton and Hove.
- 15.9 The Mayor thanked the lead petitioner and stated that the petition would be referred to the Transport and Sustainability Committee for consideration.

16 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

- 16.1 The Mayor reported that 13 written questions had been received from members of the public and invited Adrian Hart to come forward and address the council.
- 16.2 Adrian Hart asked the following question; “In recent years, Council officers recommended third party providers to schools. Some conducted classroom lessons and staff training. Groups such as Allsorts and Race Matters advised on procedure and future strategies. Criticism has been made of certain groups that the materials delivered in schools are contrary, or misrepresent, the law and national standards, guidelines, policy and evidence. It seems these groups are not regulated to ensure materials provided appropriately reflect law and national standards, and I offered all the list of the regular relevant laws to the Chair.
- Can Council reassure parents that it will stop recommending such providers and implement quality assurance measures to ensure compliance with national policy, law, regulation and guidance?”
- 16.3 Councillor Sankey replied; “As an Administration the education and well-being of our children across the City is of paramount importance to us. We are committed to ensuring that all of our children are centered and supported in their learning and development. Our Personal, Social, Health and Economic Education (PSHE) and Anti-Racist Education teams contract or work with a third-party provider when they offer something that is well-established, has credibility and enhances what the council can

directly offer. When we contract or recommend third party providers, we always follow DfE guidance. We are mindful of a school's legal requirements under the Equality Act 2010, The Human Rights Act 1988 and the Prevent Duty. We also ensure that providers support a school's requirement to promote fundamental values (i.e. democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs). The council does not recommend or work with any third party nor recommend resources that breaks or misrepresent the law and so these claims and accusations are baseless smears. We ask to see materials and we observe initial sessions to assure quality and always seek feedback from schools. Before making any recommendations we always thoroughly research the offer, where possible see their work in another setting and seek recommendations from trusted sources. Alongside this we actively promote staff awareness of the statutory requirements included in the political impartiality guidance through our bulletins to schools and via briefings in relevant meetings. We encourage all schools to meet the provider before a session and ensure they are clear about the aims and the content being delivered. On a personal note, I am disappointed to see these baseless attacks on providers of education in our schools, in particular on race and racism. As a mixed heritage woman who was educated in Brighton and Hove I know that the City has a long way to go to eradicate racism from our learning environments. Last month I was pleased to be invited to chair a panel of young Black and mixed heritage students talking about their present experiences in schools, and I was devastated by what I heard. Racism is prevalent and, in my view, has increased since I was educated in Brighton & Hove in the 1980s and 1990s. Everyone in our City is responsible for driving this out, whether residents, teachers, parents and students and the City Council will be proudly doing our bit. Ironically, it's the government's own guidance on schools' gender policies that have just been stopped in their tracks by their own Attorney General on the grounds that they will be breaking the law. Our objective is to ensure that teachers and staff in schools have the skills to ensure learning in classrooms is balanced, prepares children and young people for life in modern Britain and teaches them about the society and the world that they grow up in. However, it is each school that decides on who delivers materials and the resources they use."

- 16.4 Adrian Hart asked a supplementary question; "To be clear, parents require reassurance that third party providers are suitably qualified that these organisations have the in-house expertise to operate within the boundaries of government guidance, and the law, for example, safeguarding, and recognise the limitations of their proficiency. For example, parents have described charity organisations in the city who have no staff clinically qualified in gender-dysphoria who are affirming a child's gender which, according to the NHS, is not neutral act, and facilitating referrals to GP's who are known to provide cross-sex hormones to children without specialist diagnosis of gender-dysphoria. Indeed, one charity organisation present in most schools in Brighton & Hove are listed as an official partner of Gender GP, who have previously been subject to investigation by the General Medical Council and medical tribunals projects. Does the chair agree that any individual or organisation working in local authority schools or funded in any way by the Council who promotes gender ideology and affirms the gender of individual children must be suitably clinically qualified to do so or otherwise risk a catastrophic failure in this Council's safeguarding duty?"
- 16.5 Councillor Sankey replied; "I think that question somewhat repeats the first question so I'd reiterate that this Council follows national law, policy and guidance on this matter and

it's actually the National Government that, at the moment, is at risk of bringing forward changes to policy that would break the law."

- 16.6 The Mayor thanked Adrian Hart for their question and invited Neil Duncanson to join the meeting and put their question to Councillor Muten.
- 16.7 Neil Duncanson asked a question; "Who made the decision and why was it made, that the already overdue Withdean Road and surrounding roads and closes Light Touch CPZ approval should be removed from the Transport and Sustainability Committee agenda, delaying again this crucial work to make the road safer for all road users, pedestrians and residents alike in the face of continual parking displacement?"
- 16.8 Councillor Muten replied; "Thank you, Mr Duncanson, for your question. This was a decision made by officers in Parking Services in liaison with all 3 Westdene & Hove Park Ward Councillors. It was decided that a slight pause is needed to the Withdean resident parking scheme to allow time to consider whether residents were aware of the proposal at the time to change all light touch schemes to full schemes as part of the agreed 2023/2024 budget savings. Residents may have voted that they wanted a light touch scheme but may not be aware that they could be changed in the future. Following discussions with all 3 Ward Councillors, it was agreed that the Withdean resident parking scheme will now be presented to the next available Transport & Sustainability Committee to allow time to consider the way forward. This decision should also be considered in the light that this administration's reappraisal of the previous administration's 23/24 budget decision to move citywide all light touch parking restrictions to full 8am to 8pm restrictions. Parking restrictions should work for the local communities to improve safety and accessibility and avoid displacement; and not a means to unfairly tax or limit freedoms of local residents, businesses and visitors."
- 16.9 Neil Duncanson asked a supplementary question; "Will we need to go through consultation again?"
- 16.10 Councillor Muten replied; "I will refer that to officers, but as I've said we wish to bring the scheme as it is to the next Committee, but we'll write to you to confirm whether that will require any change to the existing consultation or not."
- 16.11 The Mayor thanked Neil Duncanson for their question and invited Tony Pierce to join the meeting and put their question to Councillor Muten.
- 16.12 Tony Pierce asked a question; "Why did the Council and Ward councillors agree, without any communication or consultation, to delay the Light Touch CPZ scheme in Withdean by removing it from the agenda of the Transport and Sustainability Committee?"
- 16.13 Councillor Muten replied; "Thank you for your question, Mr Peirce This was a decision made by officers in Parking Services in liaison with all 3 Westdene & Hove Pahankrk Ward Councillors. It was decided that a slight pause is needed to the Withdean resident parking scheme to allow time to consider whether residents are aware of the proposal to change all light touch schemes to full schemes as part of the agreed 23/24 budget savings. Residents may have voted that they wanted a light touch scheme but may not be aware this could be changed in the future. Following discussions with all 3 Ward

Councillors it was agreed that the Withdean resident parking scheme will now be presented to the next available Transport & Sustainability Committee to allow time to consider the way forward. This decision should also be considered in the light of this administration's reappraisal of the previous administration's 23/24 budget decision to move citywide all light touch parking restrictions to full 8am to 8pm restrictions. Parking restrictions should work for the local communities to improve safety and accessibility and avoid displacement; and not a means to unfairly tax or limit freedoms of residents, businesses and visitors."

16.14 Rob Shephard asked a question; "The vehicle exhaust gases that cause Brighton & Hove's Air Pollution make up less than 1% of our Transport Carbon emissions. Our Carbon Neutral Fund has been spent disproportionately on reducing this 1%, rarely quantifying or justifying any Carbon Dioxide reductions, often funding well-meaning activities which have negligible carbon benefits. For example, can you confirm fitting catalytic converters to buses contributes even 9 tonnes of the 900,000 tonnes of annual reduction we need in 2030? Will you in future ensure the Carbon Neutral Fund is only used for items that show they tackle this often ignored 99% of our climate problem?"

16.15 Councillor Rowkins replied; "Thank you very much for your question, Rob. I'll try to be brief. It is difficult to identify exactly what the contribution of buses is made to city-wide CO2 emissions, it obviously depends on what figures you're looking at. Whatever the actual percentage is though, you are correct obviously in your assertion that bus emissions represent only a small part of our total transport emissions. They do, however, obviously, buses that is, represent one of the important tools we have, to be able to reduce reliance on other forms of transport in the city.

I believe the 900,000 tonnes figure you quote here relates to CO2 emissions data from 2020, and it is important to note that those include emissions from the shipping of goods we consume and travel outside of the city by our residents, including aviation. Those are of course more difficult to influence directly and locally.

The primary aim of investing in catalytic converters for older buses is to improve air quality by reducing Nitrogen Oxides to ultra-low levels. An added benefit of exhaust upgrades is a reduction in Nitrous Oxide, which is itself potent greenhouse gas.

I believe there is obviously a subtext of your question here which is that the Carbon Neutral Fund is often used to support things that are not always directly linked to carbon neutrality, and we are reviewing how this fund is used with that in mind. I would just finally add though that the Carbon Neutral 2030 Program, which the Carbon Neutral Fund supports, actually has three strands to it; in addition to carbon reduction, it also aims to enhance biodiversity and help us to adapt to the impacts of climate change in and around the city, and therefore some flexibility is required within the fund"

16.16 Rob Shephard asked a supplementary question; "Firstly, as all buses are to be 0 emissions by 2030, it is not possible that fitting current buses with converters will reduce our carbon emissions in 2030; there won't be any. The question is, then, earlier this year you did an audit of 29 carbon neutral fund commitments and their estimated carbon benefits, and you reported that in total they would achieve about one tenth of one percent of the savings needed to meet our 2030 targets. Will you adjust your sanctioning

procedures to ensure no more of our critical climate emergency front is frittered away on items with such trivial benefits?"

- 16.17 Councillor Rowkins replied; "As I've said, we are reviewing how that fund is used and, although you do mention relevant points, I would just reiterate that buses form a very important part of our strategy to reduce transport based emissions in the city. I'll be happy to pick it up further with you down the line."
- 16.18 The Mayor advised that the 15 minutes allocated for public questions had passed and that those questions not heard at the meeting would receive a written response.
- 16.19 The following written responses were sent in response to the following questions.
- 16.20 Nigel Furness asked; "As you appear to be desperately distancing your current Administration from your previous 'Green' Coalition bedfellows, Councillor Sankey, can you please enlighten this Chamber as to whether your actions will involve 'pausing' ALL their proposed plans or just a select few?"
- 16.21 Councillor Sankey replied; "Thank you for your question Mr Furness, and let me reassure you that Labour has never been in coalition with the Greens locally. We are very different political parties, with fundamentally different values, priorities, and political philosophies.

You are right that there were a number of decisions taken during the last administration which we have urgently reviewed and decided not to proceed with. This includes reversing the decision to increase street parking fees by 300% including next to our main hospital, re-opening public toilets, restoring our lifeguard service, scrapping the fines being dished out to small businesses unlucky enough to have their premises graffitied and getting the buses back along Western Road as quickly as possible to end the disruption to our bus travelers and residents on the Seven Dials diversion and those living on Upper North Street. We've also taken action to judicially review the Home Office over its threat to place unaccompanied children alone in a hotel in Hove, something the previous Administration refused to do, and there are many other things we are changing.

In other areas we are reviewing and amending projects that are already partly underway. For example, the active travel scheme for our seafront which in our view was being done on the cheap by the previous Administration and delivering a messy outcome for cyclists, pedestrians, bus passengers and those using cars. Our alternative will create a two-way cycle lane that follows the most direct route without the loop around the King Alfred that causes issues for pedestrians and cyclists – I've had enough near misses there myself with my toddlers.

Our approach is, however, driven not by which administration introduced the proposal, whether it is Green, Labour, or Conservative. It is driven solely and exclusively on what is in the best interests of the residents of the city, what is fair and what makes financial and practical sense.

We were also elected under a manifesto that promised to the people of Brighton & Hove a competent, responsible leadership with clear priorities. These have been reflected in the draft Council plan which Members will be asked to agree today."

- 16.22 Helen Dear asked; "In light of the recent road collapse in East Street exposing tunnels below (reported in the Argus a few weeks ago), has the council yet concluded the cause of the collapse, and was it related to the city's Victorian sewer system?"
- 16.23 Councillor Rowkins replied; "The council's investigations have concluded that the collapse was not caused by the sewer system. We believe the void was caused by an old leaking surface water pipe that has long since been deactivated and capped off. There were no signs of ongoing leaks during the excavation, and the void has been repaired."
- 16.24 Derek Wright asked; "In light of the fact that Valley Gardens Three has been deferred. Can I ask the council to take this opportunity and review the traffic /transport/parking measures on Madeira Drive West as at the moment they are causing disruption and are leading vehicles into making dangerous manoeuvres?' And a supplementary question about Madeira Drive East Street lighting: Will the Madeira Drive East Street lighting be connected to the electricity supply this year? "
- 16.25 Councillor Muten replied; "Thank you for your question, Mr Wright. The Valley Gardens scheme has yet to commence its first procurement phase. This allows for the opportunity to ensure that it is the correct scheme for the city. Madeira Drive is not included within that scheme and is still being monitored. I will ensure that your concerns around vehicles parking will be fed back into that review.

The street lighting to the east of Madeira Drive relates to the enabling works at the Black Rock site and the project manager is currently working with the principal contractor to obtain a likely completion date. Once this is confirmed, I can arrange for you to be informed."

- 16.26 Julia Basnett asked; "Will Council review how it interprets rules on public questions, deputations and petitions? For some years, I've been aware of public attempts to assert scrutiny arbitrarily blocked by council officials and/or leaders. There's a good reason why the efficient running of committees requires a defence against persistent submissions on exact same issues when satisfactory answers were already given. Rejecting a submission because a Chair feels, with democratic principles in mind, it will cause undue irritation, worry or clearly damage the good reputation of someone can also be reasonable. However, some feel rejections are too often unreasonable and essentially undemocratic."
- 16.27 Councillor Sankey replied; "Thank you for your question, Ms Basnett. We took office as an administration on the 25th May following the local elections on 4th May. I cannot therefore say what happened or did not happen in the past. I can however give you our administration's commitment to openness, transparency and active public engagement.
- We have rules in our constitution that are designed to enable Members of the public to submit questions, petition and deputations. We also have the Mayor, the Chief Executive and the Monitoring Officer who oversee the application of the rules in an objective and impartial way. My understanding is that we have more public engagement items than most comparable authorities. But, whatever the position, as an administration, we definitely value the contributions from the public and will not do anything to stifle it.

I would also like to highlight that public engagement and scrutiny is not limited to formal council and committee meetings. In fact, most members of the public are not necessarily aware of or feel inclined to use them.

One of the main criticisms we heard from residents over the course of the local election campaign was the previous Green Administration's refusal to listen to residents and consult properly on their ideas. We are therefore committed to looking at ways of enhancing public involvement and engagement. Next month I will commence monthly Leader's surgeries, visiting a different ward across the City each month to hear directly from residents about the issues that are affecting them so we can take action where necessary. In the autumn we will also announce a City-wide consultation exercise aimed at engaging as many residents as possible in developing our vision for the City. And while me and my Policy Chairs are spending some of our time at both Hove and Brighton Town Halls, we are also out and about on a daily basis meeting civil society groups, speaking with residents and being as visible and accessible as possible.

I would finish by reiterating our absolute commitment to openness and transparency."

- 16.28 Emma Wall asked; "What is the timescale for the council offices to re-open post pandemic?"
- 16.29 Councillor Sankey replied; "Council offices are open and information regarding opening times can be found on the council's website."
- 16.30 Baz Brooks asked; "It is great that this new Labour Council are committing to an 'Accessible City for Everyone' and have started an 'Equalities, Community Safety & Human Rights Committee' to this end, but why haven't I received an invitation to join as a registered disabled individual/Blue Badge Holder resident in Brighton and Hove?"
- 16.31 Councillor Pumm replied; "The committee was established by full Council in May for elected councillors to oversee the work set out in the Terms of Reference. It includes four non-elected standing invitees' members and currently there are no plans to extend the number of standing invitees. However, members of the public are welcome to attend and ask questions."
- 16.32 Penny Koster asked; "We all recently had a shock with the proposal to quadruple city parking charges so how will Brighton and Hove City Council ensure a fair parking policy for all going forwards?"
- 16.33 Councillor Muten replied; "Thank you for your question. I agree that the previous administration's unilateral decision rejected by both Labour and the Tories at January's Environment, Transport and Sustainability Committee to as much as quadruple parking charges in parts of our city was shocking. Expecting low paid NHS or care workers to work for at least 2 hours each day to pay parking fees near the Royal County Hospital cannot be the answer to climate emergency, especially during a cost-of-living crisis. The "big-stick" approach without effective, accessible, safe and affordable encouragement for alternative means of travel has the real potential to be counter-productive by disempowering many from taking the steps needed to move towards low carbon

alternatives. We need to respond to the climate emergency. Where environmental improvements are accessible only to the privileged few who can afford to or are able to make the change we all need; we will all fail. Further, the logical extension of the previous administration's car-prohibition whilst reliant on the income from car owners is clearly unsustainable. This is why we are pursuing a strategic review of car parking and income that works for our whole city. We must urgently ensure that the modal shift to a low carbon transport system is safe, accessible and affordable to all."

16.34 Lizzie Deane asked; "My question relates to the content and minutes of the emergency Transport & Sustainability Committee of 21st June, in which the Chairs Communications were recorded in full, whereas the content of the entire ensuing debate is recorded as "Councillors Davis, Bagaeen, Robinson, Pumm, Miller, Grimshaw, Assaduzzaman and Czolak asked questions and contributed to the debate of the report". Do you consider this to be an adequate record, or could it be a deliberate obfuscation of the points raised in response to a proposal where the Labour administration intends to unpick a scheme that they themselves had agreed to, a proposal that stands to be at considerable cost to the taxpayer, not to mention a further disruption along the seafront?"

16.35 Councillor Muten replied; "Minutes are not a verbatim record of the proceedings, but a summary and record of the decisions taken. A proposal for shorter minutes was taken to the Policy & Resources Committee meeting on 1 December 2022 which agreed to note the recommendations that written minutes should be substantially shorter for those meetings where there is the availability of a webcast recording and that the shorter minutes will include the subject matter description, the names of those who spoke on the matter and the Committee resolution. Subsequently, the Minutes of the Special Transport & Sustainability Committee held on 21 June 2023 were presented to the meeting of Transport & Sustainability Committee on 6 July 2023 and agreed by the committee as a true and accurate record of the proceedings. The webcast recording of the Special Transport & Sustainability Committee is available for viewing at <https://aisapps.sonicfoundry.com/AuditelScheduler/Player/Index/?id=fa449636-8e70-4ac4-a7d3-3f3dcaff77e6&presID=f3f410697c8c462cb4e6240119c4d0371d>.

Further to this, the Special Committee meeting of the Transport and Sustainability Committee was to ensure due process was thoroughly adhered to. The decision made by the committee was to better the design of the A259 Fourth Avenue to Wharf Road Active Travel Scheme. This betterment includes closer adherence to Active Travel Inspectorate and LC1/20 Active Travel standards through inclusion of bi-directional cycle lanes rather than directing eastbound cyclists through the often busy promenade south of King Alfred and Medina Terraces, making it safer and more accessible for pedestrians and setting out to keep two lanes highway in both directions enabling potential future bus service capacity expansion. Better scheme for a better environment through establishing low carbon multi-modal integrated transport along our major arterial seafront route. Why settle for less?"

17 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

17.1 The Mayor reported that two deputations had been received from members of the public and invited Victoria Taylor as the spokesperson for the first deputation to come forward and address the council. The deputation related to flooding at Park Crescent.

- 17.2 Councillor Rowkins replied, it is a sad fact that our response to the climate emergency will need to include mitigating the effects of more regular extreme weather events. Sudden, severe rainfall the likes of which we saw on June 20th is happening more often, and the flooding you describe here illustrates that we are not sufficiently prepared. That morning, I woke up to social media posts from within my ward of wheelie bins being washed, at high speed, down Elm Grove in what can only be described as a deluge. As a result of this event, reports of flooding were received from locations across the city. The Council, as the Lead Local Flood Authority, has commissioned a Section 19 report under the Floods and Water Management Act to investigate the event and its effects across the city. Early indications are that this was well in excess of what would be considered a “one in ten years” event. It is also clear that these 1 in 10 events are now occurring every 2-3 years. The report will also consider the response of the Risk Management Authorities, including the council and Southern Water in their capacity as maintainers of the sewers. It is clear that residents in Park Crescent have borne the brunt of this and other events. We will be looking at what improvements can be made at higher elevations in order to reduce the volume of water reaching the area during heavy rainfall. In the meantime, I have asked officers to explore what short-medium term measures might be possible, including the steps you have outlined. Whilst I understand the motivation for residents to take steps to ameliorate the problem, we would ask them not to remove manhole covers. It will not help with flood alleviation and risks raw sewage spilling into the street. In addition, it places the public and staff attending the scene at risk of falling through uncovered openings in the road.
- 17.3 The Mayor thanked Victoria for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Environment, South Downs & The Sea 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.
- 17.4 The Mayor, then invited Victoria Smith as the spokesperson for the second deputation to come forward and address the council. The deputation related to the closure of Mile Oak Library.
- 17.5 Councillor Pumm replied, Closing libraries is not easy for me or any member of the Labour administration, but Brighton & Hove City Council is having to make tough choices about how services are run across all departments. We are aware that Mile Oak Library was not only a library, but also a warm place and a community facility. The cost-of-living crisis is far from over and we want to make sure there is a replacement before winter. Mile Oak has lost a community resource, and as Chair of the Community Safety Committee, I know how important they are. I will be meeting with ward councillors to urgently look for spaces that can serve the community. However, I would like to explain why we had to make this tough decision: A savings plan for the city’s library service was agreed by councillors at the Brighton & Hove City Council budget meeting in February 2023. This included the closure of Mile Oak Public Library and a reduction in staffed hours in six community libraries. Staffed hours at community libraries changed on 1 July with a saving of £46,000 per annum. Mile Oak Public Library will close on 21 July, providing a saving of £35,000 per annum in staff and premises costs. The decision to close the library was based on the low number of customers using Mile Oak compared to the city’s other libraries, and the challenges and costs of running the service within the premises of the local school. The library averaged 150 visits per month between April 2022 and March 2023, down from 3,500 per month five years ago. The average cost per customer visit is £19.02, compared to 78p across the other Brighton & Hove libraries. The Library Service completed a public consultation on the closure of the library from 9 May to 5 June. It asked about the needs of current and potential Mile Oak library customers and alternative options to meet them. There were over 200 responses and, whilst the majority were not in favour of closing the library, most of the current customers already use other libraries in the city, many of which are accessible seven days a

week through the use of Libraries Extra. Many customers use the e-library collection as well as the physical stock. There were no viable suggestions for making the savings without closing the library. While I understand that this is disappointing, I will now focus on saving the remaining infrastructure of the libraries. The results of the consultation contributed to the Equality Impact Assessment, completed by the Library Senior Management Team. Areas of impact were identified and the service is working to implement mitigations to minimise these. Portslade and Hangleton Libraries are both within 2 miles of Mile Oak Public Library. They are both open 7 days a week with a mix of staffed and unstaffed access. There are bus links to these libraries from Mile Oak and also to the large library in Hove. The library digital offer is increasing, with a huge range of ebooks, audio books, magazines and newspapers available for free, including collections for children and young people. The library team continue to work closely with schools and community groups in the area to explore ways to promote the Home Delivery Service for residents who would find it hard to travel to one of the other libraries and to provide events and access to library materials. The library team are investigating the option of locating a small community collection in a publicly accessible building in the Mile Oak area, which has worked well in other areas of the city as a supplement to the standard offer.

- 17.6 The Mayor thanked Victoria for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Equalities, Community Safety & Human Rights 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.

18 CALL OVER FOR REPORTS OF COMMITTEES.

(a) Callover

The following items on the agenda were reserved for discussion:

- Item 21 THE COUNCIL PLAN 2023-27
- Item 22 CHANGES TO THE CONSTITUTION
- Item 23 BRIGHTON YOUTH CENTRE UPDATE
- Item 24 DIVERSE COUNCILS' DECLARATION
- Item 25 A259 ACTIVE TRAVEL IMPROVEMENT SCHEME FOURTH AVENUE WHARF ROAD
- Item 26 SEASONAL LIFEGUARD SERVICE 2023

(b) Receipt and/or Approval of Reports

The Head of Democratic Services confirmed that all the items had been reserved for discussion.

(c) Oral Questions from Members

The Mayor noted that there were 12 oral questions.

19 WRITTEN QUESTIONS FROM COUNCILLORS.

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

1. Councillor McLeay

Subject: Weeds

Regarding the clearing of weeds on pavements, does Labour intend to bring back the use of glysohate?

Reply from Councillor Rowkins, Chair of City Environment, South Downs & The Sea Committee

As you will no doubt be aware, it was the Labour administration in 2019 that banned the use of glyphosate, having declared a climate and biodiversity emergency in 2018. However, not enough focus was subsequently placed on staying on top of weed growth in the city in the absence of glyphosate.

We have no desire to return to the widespread use of glyphosate. Our focus has been on evaluating the tools we have currently and how they can be better deployed, trialing new machinery and looking at what additional methods we might need to employ, liaising with other local authorities and considering what preventative measures we can put in place to limit problematic growth.

I am in the process of assembling a policy working group that includes representatives from the streets team, disability groups, the Pesticide Action Network, our biodiversity officer, residents and others with a view to developing a long-overdue, detailed strategy which we will bring to committee in the winter, ahead of the next growing season.

2. Councillor Shanks

Please provide the 22/23 original budget, 22/23 full year income out turns and 23/24 estimated budgets for the following parking income budget lines?:-

- On street parking income
- Parking permit income
- Parking suspension income
- Penalty Charge notice income
- Off Street car parking income

Reply from Councillor Muten, Chair of Transport & Sustainability Committee

The overall 22/23 original Parking Services budget was £43.0m with the final out turn being £41.3m.

This was principally due to under-achievements of £1.6m and £1.9m in on-street-paid parking and parking permit income respectively. This was partially offset mainly by over-achievement of parking suspensions of £0.7m and Penalty Charge Notice income of £1.2m.

The 2023/24 budget has been set at £45.2m taking into account the agreed decisions made at Budget Council in February 2023.

Full details of the specific budget lines will be provided in writing following this meeting.

3. Councillor Shanks

Will you agree to consult residents and councillors on the expansion of Gatwick airport before engaging with the planning process on behalf of the local authority? This expansion represents a huge increase in emissions and is certainly counterproductive in the climate crisis.

Reply from Councillor Sankey, Leader of the Council

The application for the expansion of Gatwick has been submitted to the Planning Inspectorate (the body independent of local authorities that deals with appeals, local plans, national infrastructure projects and other casework) because its scale means it is a Nationally Significant infrastructure Project. The Planning Inspectorate now has 28 days (to 3 August) to confirm whether the application is accepted.

One of the requirements of such applications is extensive consultation with the public by the developer rather than the Council or Planning Inspectorate. Gatwick Airport Limited has carried out two rounds of consultation already, in Autumn 2021 and Summer 2022, with a dedicated website set up, advertising and other publicity carried out. A Mobile Project Office has also been set up in numerous locations to distribute consultation materials, including Asda Hollingbury in November 2021. For those more local to the Airport, newsletters were sent and additional consultation events undertaken. Further publicity will be undertaken by Gatwick now that the application has been submitted.

It is intended that the City Council will submit a response to the application comprising a Local Impact Report setting out technical and policy views on the proposal. These will go before the September CHSTE Committee for agreement. Councillors can also comment directly on the application to the Planning Inspectorate, once the application has been formally accepted.

4. Councillor Shanks

The former Lloyds Bank building at Preston Circus is a Council owned property currently leased to Lloyds until October of this year, but now vacant. Brighton and Hove City

Mission expressed an interest in acquiring the premises just before Christmas 2021, as a potential new base for their Brighton Food Bank, currently in part of the Calvary Church Building in Viaduct/Stanley Rd. This would provide increased space and locate the Food Bank on the ground floor of the building. The Council are currently in negotiation with Lloyds over dilapidations. In April 2022 the Policy and resources (recovery sub committee) supported the City Missions application for a lease of 5 Preston circus subject to agreement of acceptable terms.

This has still not happened. Will the Leader of the Council commit to giving Brighton and Hove City Mission Foodbank a permanent base in Preston Circus to continue their important charitable work.

Reply from Councillor Sankey, Leader of the Council

It is a living monument to the failure of our Conservative Government that foodbanks now exist through necessity and on a scale never previously known in the UK including in our City. I have visited and supported foodbanks in our City including the brilliant and much valued Whitehawk Foodbank and Purple People in Portslade and I am alarmed by the ever-increasing need and the impact that the Cost-of-Living crisis is having on donations.

I've been in contact with John Prideaux of City Mission personally on this issue. And I have asked our team to expedite efforts to bring forward a timeline for dilapidation works and the remarketing of the property.

The council has been aware of City Mission's interest in the building at Preston Circus and has been in regular communication with City Mission both directly and through our agents Avison Young.

This is a commercial property held within the council's commercial portfolio and therefore must be let competitively on the open market. However, the letting will in due course be evaluated on a number of factors including the delivery of social value and we've been clear as an Administration how vital social value is to us.

We also have income budget/targets attached to this property which the evaluation will need to take into careful consideration. This budget pressure is even more acute due to the last Green Administration leaving a £3 million black hole in our working balance.

The purpose of the report to Policy and Resources Recovery Sub Committee in April 2022 was to update Members about food access concerns presented by the cost of living increases on residents of Brighton & Hove. The recommendation within that report was that the council would support an application for a lease of the property at Preston Circus from City Mission, subject to the agreement of acceptable terms. The recommendation was not intended to commit to granting City Mission a lease of the property, but expressed support for their application as part of the open market letting process.

5. Councillor Bagaen

Chief Executive recruitment:

The Chief Executive has a 6-month contract. There are only four months remaining. What is the recruitment plan?

Reply from Councillor Sankey, Leader of the Council

Our Interim Chief Executive, Will Tuckley has been appointed for a period of 6 months or until the appointment of a permanent CEO.

I am pleased to confirm that it is Will's intention to remain in post until we have appointed a permanent CEO.

We are currently planning the permanent recruitment process, one of the most important recruitments for BHCC and something we must get right.

We are selecting a recruitment partner, developing the job specification and will be advertising the role in September, with the goal of appointing a new permanent Chief Executive by the end of this annual year.

6. Councillor McNair

Flooding in Patcham & Hollingbury

Last year, the Scape project was opened, but residents in Dale Drive and Carden Avenue are still flooded a few times per year. What further plans does the council have to reduce flooding?

Reply from Councillor Rowkins, Chair of City Environment, South Downs & The Sea Committee

It is a sad fact that our response to the climate emergency will include mitigating the effects of more regular extreme weather events. The most recent reminder of that was the morning of June 20th, when I woke up to social media posts containing footage of wheelie bins being washed down Elm Grove, in my ward, and deposited at the bottom of the hill. It is quite clear that we need to go much further in managing surface water and drainage across the city.

Sustainable Urban Drainage Systems such as the Scape Project, which capture and slow the flow of water, are part of the solution, and we will be deploying these across the city. However, they are not a singular solution and as such we will be considering the full range of options available, including storage and attenuation, source-pathway-receptor models, protection bunds and so on.

Myself and Cllr Muten, chair of the Transport & Sustainability committee, and who happens to be a hydrogeologist, are working together on this issue. Earlier this week we met with our flood risk team, and next week we will both be attending the Southern Regional Flood & Coastal Communities Committee. We'll be very happy to update members in the near future on the progress being made.

7. Councillor Theobald

Parking and scratch cards

Forcing residents and tourists to use an app on their phone is not only inconvenient but discriminatory. Will the council investigate the re-introduction of scratch cards for the use of residents and tourists?

Reply from Councillor Muten, Chair of Transport & Sustainability Committee

In response to Vodafone ceasing 3G coverage and the cost and complexity of upgrade parking meters to 4G or 5G; the decision to move to a telephone, smartphone or PayPoint was announced by the Council in March 2023 for citywide implementation in by end of May 2023.

Drivers who cannot telephone to pay for parking or those without smartphones can pay for parking by cash or card at any shop in the city with the PayPoint sign. There are over 150 vendors across our city with PayPoint and they are mostly found in newsagents or supermarkets. Please see the PayPoint website <https://www.paypoint.com/en-gb> to find your nearest PayPoint. You will need the parking location number, which is on signage, and the vehicle's registration number. Once parking has been purchased, there is no need to return to the vehicle. The council will be working with potential vendors to expand the number of PayPoint outlets.

The Council previously operated a parking voucher scheme. This was deemed unviable due to the costs involved with printing the vouchers, the staff resources for liaising with the distributors, organising the deliveries and the overheads distributors charged on top of the voucher price. In addition, vouchers must have an expiry date, and this was problematic for those who did not use them in time.

We have communicated this widely since May including specific communication with vulnerable communities' support agencies and with VisitBrighton and will continue to ensure good communication of payment methods is maintained.

8. Councillor Meadows

Working from Home

How many council officers, and separately senior management, are working from home, and have permission to work outside Brighton and from abroad?

Reply from Councillor Sankey, Leader of the Council

Our Administration has asked for a review of home and hybrid working and made clear our intention to rebalance working patterns in favour of office working.

Approximately 3800 Council staff have been provided with lap-tops that enable them to work where needed, including from home.

Our hybrid working arrangements do not permit staff to work permanently from abroad, although many of our staff live outside Brighton and commute into work.

Our approach to hybrid working has enabled savings to be made from our office accommodation.

9. Councillor Hogan

Defibrillators

Has the administration made community groups aware of the need to test defibrillators?

Reply from Councillor Pumm, Chair of Equalities, Community Safety & Human Rights Committee

Owners of defibrillators in community settings will have been informed at the time of purchase of the need to check their device regularly to ensure that they are ready to use in an emergency.

It is recommended that defibrillators are registered with The Circuit, the national database of defibrillators that is linked to the ambulance services. Further information is available at <https://www.thecircuit.uk/>

Registering with The Circuit requires that every defibrillator has a 'Guardian' who is responsible for carrying out regular checks to ensure the defibrillator remains in a ready to rescue state at all times and acts on any issues. Guardians receive regular reminders to conduct and record defibrillator checks and notification of when the electrode pads are about to expire. Guardians can also seek advice via the website on how to check their defibrillator.

The Council, with partners in the community and voluntary sector, will promote a message of encouragement for groups with defibrillators to register with The Circuit.

10. Councillor Lyons

Parking charges

When will the excessive parking charges be reviewed and a newly-reduced rate introduced?

Reply from Councillor Muten, Chair of Transport & Sustainability Committee

A report was presented to the Strategy, Finance & City Regeneration Committee on 13th July which outlined the way forward. A newly reduced rate was agreed. This has been widely publicised. Labour reversed the disproportionate, excessive and unsustainable big stick attack on low paid workers and families. Expecting low paid NHS or care workers to work for 2 hours each day to pay parking fees near the Royal County Hospital cannot be the answer to climate emergency, especially during a cost-of-living crisis. We need an inclusive low carbon transport and parking strategy that works for the many, not the privileged few. Labour is committed to a strategic review of parking charges over the next few months. Rather than hiking the hourly charge to £5.60 per hour as proposed by the previous administration; the charge for an hour in the four low-tariff parking zones went up from Monday 17th July from £1.40 to £1.50 instead.

The Conservative Group abstained on decision on parking charges at Committee and has made no suggestions as to how to finance a reduction in parking charges. Do they have any ideas or policies to share or will it just be more shouting from the sidelines and complaining for the next four years?

11. Councillor McNair

Long grass

Residents in Carden Avenue and elsewhere frequently complain their view of oncoming traffic is blocked by long grass as they leave their drives. Why are sightlines in verges, and whole verges on bends, not routinely cut before driver vision is obscured and the risk of an accident increased?

Reply from Councillor Rowkins, Chair of City Environment, South Downs & The Sea Committee

Safety should of course be paramount in the delivery of council services, and I have already asked our team to look at the verges on Carden Avenue. The highways and parks teams do work closely together to identify areas that need urgent intervention outside of the standard mowing regimes, but if councillors or members of the public become aware of any specific problems, I'd ask them to report it straight away. We will always prioritise any grass cutting where there is a clear road safety hazard.

12. Councillor Fishleigh

Subject: Pavilion Gardens toilets

There is a lot of public interest and desire to have the toilets reopened in Pavilion Gardens which BHCC still own. I understand there is an arrangement pending lottery funding that the RPMT (a charity) will take over these toilets but even if funding is successful they would not be available until 2025. Will BHCC re-open them in the meantime?

Reply from Councillor Rowkins, Chair of City Environment, South Downs & The Sea Committee

The Prince's Place toilets have been closed since October 2022. In March 2023, the previous administration approved the transfer of the land occupied by Prince's Place toilet to Royal Pavilion & Museums Trust. The toilets were not due to reopen until the Royal Pavilion Garden works are completed in 2026. This arrangement is subject to securing funding from the National Lottery Heritage Fund.

We have received a significant number of emails from residents expressing concerns regarding the ongoing lack of facilities in the Royal Pavilion Garden, and we are actively looking at options for the reopening of the facilities in the short term. This is a priority for the administration and we've asked officers to put a plan together on this.

In the meantime, there are publicly accessible toilets in Jubilee Library and Red Roaster Cafe nearby.

13. Councillor Fishleigh

Subject: West Pier

In March The Argus quoted that the West Pier Trust was "around eight weeks away from beginning its work to restore the jewel in the crown of Brighton". What works are planned, what's the timescale, how much will it cost and will the Trust be dipping into its £1.7m in unrestricted funds?

Reply from Councillor Sankey, Leader of the Council

This is really a question for the West Pier Trust. However, officers have contacted the West Pier Trust to ask them for an update.

They have confirmed that they were unsuccessful in their bid to National Lottery Heritage Fund for funding towards the full restoration of the original West Pier Kiosk. Consequently, they are 'reimagining' and redesigning the project to complement and reflect the Pier and the golden spiral. They state it is their aim for the trio of structures to provide a commemoration of the West Pier for the public benefit.

They are aiming to submit the new design for planning approval in early autumn. One important element of the current design stage is for the revised project to be costed and their plan is for it to be mainly self-funded. The £1.7m unrestricted funds shown on the balance sheet is not cash but a notional sum calculated by a professional valuer based on the level of the rent received by the Trust over the life of the lease. As such it could not be used for this project. They will be launching a fund-raising campaign.

14. Councillor Fishleigh

Subject:

The 27 bus route

This route is subject to frequent delays. What is the process for shortening the route and providing a separate service from Brighton train station northwards?

Reply from Councillor Muten, Chair of Transport & Sustainability Committee

We are aware of delays to bus service 27 and are working with bus operators to improve the reliability of all services in the city. As part of our Bus Service Improvement Plan (BSIP); we are currently exploring the feasibility of removing/relocating bus stops on key routes that incur delays, this process will take into account the equality and accessibility requirements of the public.

Providing a separate service from Brighton station northwards would need to be proposed to bus operators to run on a commercial service.

15. Councillor Earthey

Subject: i360

Given the size of the loan made to the i360, why did BHCC not take out a Credit Default Swap or similar credit risk management instrument to protect itself from counterparty default?

Reply from Councillor Sankey, Leader of the Council

Many options for financing the i360 were initially explored and included taking advice from a range of external expert advisers to explore the options open to the council and undertake due diligence. The original financing decision was agreed by Policy & Resources Committee on 12 July 2012 and included financing from both the council, the Coast to Capital Local Enterprise Partnership, the developer and a private finance equity partner to be identified.

However, following this decision, both the costs of the project increased and no equity partner was found to support the project. A Special Meeting of the Policy & Resources Committee considered alternative financing options for the i360 at a meeting on 6 March 2014. The report noted that 'in the current economic climate, equity investors specialising in leisure and tourism have considerable choice in terms of shorter loan term periods and potentially higher returns than the i360 project. Consequently, without a council underwrite, an equity funding partner has not been secured.' This resulted in the Green and Conservative Groups on the council electing to provide the majority of the financing through Public Works Loans Board (PWLB) loans, as senior lender, alongside a junior loan from the Coast to Capital Local Enterprise Board and considerable private equity from the developer.

No officers currently working in the council were party to the due diligence process or to any conversations with external consultants, the developer (Marks Barfield), or any potential equity partners and therefore we cannot say with any certainty whether or not financing or risk mitigation options, other than those set out in the committee reports referred to, were explored and/or dismissed.

However, in general terms it is highly unlikely that a mechanism such as a Credit Default Swap (CDS) would have been either considered or viable because:

- a. Relative to other attractions, the i360 was a higher risk and unique development where the majority of the investment did not result in a readily disposable

asset. A CDS would have reflected this risk and would have almost certainly been prohibitively expensive as would any such insurance mechanism including a performance bond or other guarantee. The difficulty in securing a private equity partner supports the view that the market would have placed a high premium on any such guarantee.

b. A CDS is a derivative. The legality of using derivatives in local authorities is highly uncertain as seen in the high-profile cases of Hammersmith & Fulham London Borough Council and Plymouth City Council where the use of interest rate swaps, another form of derivative, were deemed illegal.

With regard to risk management, the March 2014 report sets out some of the risk mitigations the council put in place within the loan agreement, including the council's 'step-in rights' which is a key mechanism enabling it to continue to leverage improved financial performance from the i360 Board, including the latest refreshed and innovative business model.

The numerous reports regarding the financing of the i360 clearly highlighted potential risks but also highlighted that there were other important objectives that were supported by the proposed investment. This concerned the regeneration of the seafront for which the i360 development has made a significant contribution, including £10 million private equity investment from the developer. The council's web site gives more information and notes that: 'The attraction has been a catalyst for the regeneration of an important part of our central seafront and has provided economic and community benefit for the city. The i360 makes a £29.9 million annual contribution to the local economy. It currently employs 150 people and has calculated that it directly and indirectly supports around 450 jobs locally.'

16. Councillor Earthey

Subject: i360

What improvement to BHCC's financial risk management governance, policies, and procedures will the new Labour Administration make in the light of BHCC's experience with the i360?

Reply from Councillor Sankey, Leader of the Council

The council follows best practice financial and governance codes and principles, including the Prudential Code for Capital Finance in Local Authorities and the Treasury Management Code of Practice issued by the Chartered Institute for Public Finance & Accountancy (CIPFA) which govern investment activity.

However, the council reviews its governance arrangements on an ongoing basis and two recent reports to the June meeting of the Audit & Standards Committee set out how the council plans to continually improve its governance, risk and financial management through the actions identified in the Annual Governance Statement 2023/24 and the identified improvement actions in the response to the recently issued CIPFA Financial Management Code. There are also regular Internal Audit Reviews and annual External Audit reviews to provide assurance that appropriate governance, financial and risk

management arrangements are in place and which make improvement recommendations where appropriate.

I note that, in his latest Annual Report to the January meeting of the Audit & Standards Committee, the External Auditor has not identified any significant governance weaknesses in this council and therefore the council has a firm foundation on which to strengthen its arrangements.

With regard to the i360 specifically, this was financed in a different era and with a range of objectives in view, including regeneration of the seafront. However, since 2021/22, the revised Prudential Code for Capital Finance in Local Authorities no longer allows PWLB loans to be taken out for purely commercial ventures.

17. Councillor Earthey

Subject : Buses

Does the Committee support the introduction of a comprehensive 'Metro' or express-bus service to the eastern half of the city to make up for its lack of railway stations, currently leading to excessive journey times for commuters?

Reply from Councillor Muten, Chair of Transport & Sustainability Committee

As part of our Bus Service Improvement Plan (or BSIP), the following services have been enhanced: The Big Lemon's 47 and 52 have improved services in the evenings and a Sunday service has been introduced.

Bus service 47: provides the only link from some areas of Saltdean to the city centre, as well as Brighton Marina and Royal Sussex County Hospital. As well as meeting a wide variety of needs for travel, the service provides essential transport for workers at Royal Sussex County Hospital, the majority of whom work shifts.

Bus service 52: provides the only bus service in Ovingdean, it also provides the only link from some areas of Patcham and Hollingbury and parts of Woodingdean to the city centre, as well as Brighton Marina, Royal Sussex County Hospital and London Road shops. The service provides many local connections.

Both the 47 and 52 provide a comprehensive bus service to other areas within Brighton and Hove which are not served by commercial bus routes.

An express bus service would need to be proposed to bus operators to run on a commercial service.

As part of the A259 South Coast Corridor Study, we are working closely with East Sussex County Council to improve the part of the Major Road Network (MRN) as identified by the Department for Transport (DfT) between the A259/Greenways Roundabout, west of Rottingdean eastward beyond our city boundary towards Peacehaven and Newhaven. Improvements to the A259 South Coast Corridor will include better traffic flow - including for buses - along the A259 together with improved access to Rottingdean and Saltdean and well-designed cycle lanes. These improvements will contribute to establishing an accessible, low carbon, effective traffic system that works better for bus passengers and other commuters.

18. Councillor Earthey

Subject : BHCC Carbon Neutral Fund

What improvements to the governance of the Carbon Neutral Fund will the new Labour Administration make, covering its terms of reference, transparency, eligibility of projects to receive funds, forecasts of Carbon reduction benefits, accurate reporting of actual measured benefits, and full accounting for any failures to yield expected reductions?

Reply from Councillor Sankey, Leader of the Council

This is an important question which I welcome.

The Council has invested over £21m since 2019 in projects to cut carbon emissions, tackle climate change and enhance biodiversity, through the Carbon Neutral Fund.

The new Labour Administration believes it is vital that the Carbon Neutral Fund is tightly ringfenced to ensure it's laser focus on reducing the City's carbon footprint in a radical and transformative way. Alongside the Fund we need a clear strategic plan to deliver Carbon Neutrality for Brighton & Hove something the previous Green Administration did not produce. We are now considering how the Carbon Neutral Fund may be taken forward in future, what priorities it may address, and how it may be monitored and reported. The Climate Action Hub, which can be accessed from the front page of the council website provides information on the Carbon Neutral Fund and regularly features project updates.

19. Councillor Earthey

Subject: i360

What steps has the new Labour Administration taken to impose a rigorous assessment of the i360's latest business plan where that assessment includes analysis from suitably-qualified professional staff drawn from the City's hospitality and commercial sectors?

Reply from Councillor Sankey, Leader of the Council

As senior lender, the city council has obliged, encouraged and welcomed the new approach that the i360 are taking, with a business plan that aims to extract more value from their seafront location, available facilities and space.

Whilst we will rely on advice from Visit Brighton about potential visitor numbers, we would not look to co-opt "professional staff drawn from the City's hospitality and commercial sectors" to analyse the business plan as that would raise a number of issues around confidentiality, conflict of interest and culpability in the event of poor advice being given. The city council will continue to procure any advice through the correct channels, using advisors with full Professional Indemnity insurance.

20. Councillor Earthey

Subject: BHCC Waste Recycling

What effective steps will the new Labour Administration take to increase the amount of City waste that is genuinely being recycled as opposed to genuinely being incinerated?

Reply from Councillor Rowkins, Chair of City Environment, South Downs & The Sea Committee

Our administration is committed to a dramatic improvement in our recycling, and we will soon be bringing in a food waste collection service which will significantly reduce the amount of household residual waste. We also want to further expand the range of items we collect from the kerbside, but of course we need to be sure that those items are, as you say, genuinely recycled and not sent abroad or to landfill. Against those two choices, incineration for electricity generation is the better option.

There are of course two preferable options even to closed loop recycling; reduce and reuse. We are actively looking at ways to reduce the amount of waste produced in the city and have just appointed a Waste Minimisation Officer.

Like all Local Authorities we are still waiting on announcements from DEFRA as to the new regulatory framework for recycling introduced as part of the National Resources and Waste Strategy and the Environment Act. As members may be aware, significant investment will be required into the infrastructure and operational changes needed to increase recycling and we are currently assessing our options.

20 ORAL QUESTIONS FROM COUNCILLORS

- 20.1 The mayor noted that oral questions had been submitted and that 30 minutes was set aside for the duration of the item. She asked that both the questioner and responder endeavour to keep their questions and answers as short as possible, in order to enable the questions listed to be taken.
- 20.2 Question 1 - Councillor McNair
Councillor McNair asked, will the Leader of the Council reassure her voters that she intends to remain Leader of the Council for her term of four years?
- 20.3 Councillor Sankey replied, thank you Madame Mayor, and thank you Councillor McNair for your question, and you know ever since I saw the subject matter of this question appear in the papers for today's meeting last week, I've been wondering what on earth does Councillor McNair want to ask me about the Leadership of the Council. Given that these questions must relate to policy matters it must be that, despite our political differences, charming Councillor McNair wishes to congratulate me on the very successful start that we've made as an administration and in particular, my leadership of the Council. I thought to myself, I bet Councillor McNair is impressed by our decision to restore the lifeguard service, to scrap eye watering increases in parking charges, to stop fining small businesses for the criminal damage that they get on their property and to reopen public toilets across the city. I thought, I bet he wants to say well done to the big cleanup weekend, for our decision to press ahead with the restoration of Madeira Terraces and our promises to restore the Council's financial situation after Green mismanagement. I thought to myself, perhaps he's actually secretly impressed that we've acted to get the buses back along Western Road as soon as possible and that we're taking the Home Office to court for their plans to put unaccompanied children in a

hotel in Hove. The thing is, I think in a funny sort of way, Councillor McNair's question to me is a bit of a backhanded compliment, so thank you for that Councillor McNair, but I'm afraid that as your question does not relate to policy, I won't be able to answer it.

- 20.4 Councillor McNair asked a supplementary question, well, I am quite grateful that the buses are back to normal as I use it every day and it's really, really annoying having to do that massive detour, but you still didn't answer the question, so we have to wait with bated breath. It must be tempting to run in Brighton Pavilion. Would Councillor Sankey, with one eye on the election, support residents in fighting the Royal Mail development in Vale Avenue?
- 20.5 Councillor Sankey replied, thank you, Madame Mayor. I don't think that's a supplementary to the original question.
- 20.6 Question 2 - Councillor McLeay
Councillor McLeay asked, people aren't getting their deliveries, what is the Council doing to address this and how is it pushing back against Royal Mail and ensuring problems aren't being repeated?
- 20.7 Councillor Sankey replied, thank you, Madame Mayor, and thank you to Councillor McLeay for this question. Royal Mail's service delivery record is poor in this city and it's having an impact on residents. My own post is patchy, and we all rely on our post service to receive cards and letters from loved ones and to receive important information such as from doctors and hospitals that can often be time sensitive. The folly of privatisation of the service by the Conservative and Lib Dem coalition government continues to haunt us. As a Council, we don't have any policy levers or influence over Royal Mail, but I am going to be writing to local senior management of Royal Mail to ask for a meeting to discuss the chronic underperformance of the local service. I'd also like to take this opportunity to put on record my thanks and support for our posties who do incredibly valuable work and have to contend with poor management and a series of scandals that are very much not of their own making.
- 20.8 Councillor McLeay asked a supplementary question, thank you, Councillor Sankey, for that response, that is encouraging. In addition to that we did see the delay of the arrivals of the postal votes during the local elections in May, does Councillor Sankey know when we will hear back from the Royal Mail investigation that disenfranchised hundreds across the city?
- 20.9 Councillor Sankey replied, yes, we have heard back from Royal Mail and they have conducted their investigation and I think it's important to say in response to this question that you referred to the fact that votes were delivered to the Council the day after the election took place but what you omit to mention is that by law, specifically the Representation of the People Regulations 2001, it's clear that postal voting packs received after the close of the polls should not be opened. I think it's really important that all parties in this chamber do not start questioning the legitimacy of the local election that we've just run, and I think to do so is a very serious matter.
- 20.10 Question 3 - Councillor Fishleigh
Councillor Fishleigh asked, how much is the I360 spending on its new attractions, and

what is the expected timescale for this investment to show a profit?

- 20.11 Councillor Sankey replied, I should start by clarifying that the I360 is not owned or operated by the City Council, and we do not direct their day-to-day plans and spend. Our deputy leader and finance lead, Councillor Jacob Taylor, has already met with the management of the I360 and set out our expectations for their developing a new strategy. We're working together to try and form a positive working relationship which we can use as a basis to improve the fortunes of the I360 to both the city, it's economy, and for the local Council's public purse. We are using this time we have now to build that relationship and understand their business plan. We do monitor how the I360 and invest their money, and we have had a conversation with them about the investment necessary to develop their new strategy. They have confirmed that nearly all of the investment to create the new Sixes cricket experience has been put up by Sixes themselves. The I360 is only paid to close up an entrance between the spaces so they can remain open independently. The roller rink cost, including installation, purchase of roller skates, and painting of the rink by a local mural artist cost around £30,000 and it's worth noting that they were beginning to have a lot of wear and tear on their decking which is 7 years old now. The decking is made in Italy and is very expensive to buy and ship when replacing it, so swapping out half a deck with the roller deck they now have plenty of spare decking which they are storing on site and will use for repairs; over time they are hoping that this will be cost neutral.
- 20.12 Question 4 - Councillor Hill
Councillor Hill asked, following on from the deputation we've just heard from residents at Park Crescent we know now that you've asked for a section 19 for an investigation and report, but sadly in my view this is the bare minimum of what we need for this, because it's simply asking for the events rather than a more concrete and sustainable drainage system which is what we needed. Can I get a more firm commitment, rather than just reporting what's happened, but some actual changes that are needed to the infrastructure? I've had seven years of residents here with a lack of action and we need urgent action to stop repeated flooding, particularly in light of the climate crisis that we will be experiencing.
- 20.13 Councillor Rowkins replied, I did actually say in my remarks to the deputation, my remarks weren't simply limited simply to saying that we were investigating the event and as I said Trevor and I are working very closely on it, we've already met with the team, and it is absolutely clear we need to do more to protect areas like Round Hill. A big part of the answer is going to be what we do at higher elevations, a lot of the things we talked about earlier were things to mitigate what happens when water has run all the way down the hill but ideally obviously what you want to do is stop that from happening, or at least to mitigate it or slow it down. As you say, sustainable urban drainage systems and rain gardens are very much going to be a part of that as well as looking at what improvements can be made to the drainage. It is something that we're looking at and it's blindingly obvious that we're not as prepared as we need to be as a city, so we will be taking that forward and, as I've said, I'm very happy to meet with you and your residents to discuss it.
- 20.14 Councillor Hill asked a supplementary question, lives are at risk here because of the way in which water goes down into the basement flats, people's homes are there and that is a substantial risk, so it's not just a small matter. One of the issues with this is

getting different departments of the Council to work together because it's bringing City Parks with the leaves, bringing together Highways, bringing together CityClean and getting all of those different groups together has been tricky and I'm glad that I'm hearing that that's starting to happen and that you're working with your fellow chair. Will you agree that there needs to be closer collaboration between departments and that's something you need to prioritize as an administration because we need more joined up thinking to get this kind of solution sorted.

20.15 Councillor Rowkins replied, the short answer is yes; I think there probably is room for more joined up action across the departments and that's something that we'll certainly be looking at and taking forwards. That's a fair point, thank you.

20.16 Question 5 - Councillor Meadows

Councillor Meadows asked, I have received many complaints about the lack of rubbish and recycling collections in Patcham & Hollingbury, could you explain what you are doing to solve this for me please?

20.17 Councillor Rowkins replied, It's no secret that we need to improve our refuse and recycling across the city. It was, in my experience during the campaign, probably the thing bought up most in wards around the city and it is very much a top priority. Myself and other Councillors, including Councillor Fowler and the Leader of the Council Councillor Sankey, have been at the depot at least once a week, sometimes more, since the day of the election. We're obviously looking at the service from every possible direction and listening to staff at all levels and dealing with ongoing complaints to fully understand what the issues are. We intend to work collaboratively with everybody, including the trade unions, to take things forward. I think it's very important that we don't lay any blame as to why the service is the way that it is, particularly given that there is an ongoing investigation underway and I would add that obviously we have a very clear mandate from residents to improve both refuse and recycling and we're also working to hopefully implement a dramatic improvement in the recycling service, including expanding the range of items collected.

20.18 Councillor Meadows asked a supplementary question, would you be able to tell me when the timescale for the investigation at CityClean will be concluded so that I can pass it on to my residents in the hope they can get improved services?

20.19 Councillor Rowkins replied, I'm not going to add beyond what has already been put out in the public about the investigation, obviously the aspiration is that it will be concluded in a relatively short timeframe, but as you know it's an independent investigation and the length of it will depend very much on the number of interviews taking place. We hope that it will be concluded very soon.

20.20 Question 6 - Councillor Earthey

Councillor Earthey asked, will the new Labour administration commit to imposing a ring fence around the carbon neutral fund to ensure that it's only used to fund projects with demonstrable benefits in carbon reduction and will not be used to top up the funding of projects where the link to carbon reduction is tenuous or contentious?

20.21 Councillor Sankey replied, the new Labour administration is determined to accelerate our progress to carbon neutrality. My concern is that, despite having had two Green

administrations in Brighton & Hove, we are currently not on target at all and it's my view that the Green Party locally has been more concerned with window dressing and grandstanding than getting stuck into the fundamental systemic change that is needed across our city, in particular in respect of our energy systems. I've heard concerns from a number of people about how the Carbon Neutral Fund has been used, and that it hasn't had nearly enough focus on its main objective. The new Labour administration believes that it's vital that the Carbon Neutral Fund is ringfenced to ensure its faithful focus on reducing this city's carbon footprint in a radical and transformative way. Alongside the fund, we need a clear strategic plan to delivery carbon neutrality for Brighton & Hove, again something that the previous Green administration did not produce. We're now considering how the Carbon Neutral Fund should be taken forward in future, what priorities it should address and how it should be monitored and reported.

- 20.22 Councillor Earthey asked a supplementary question, why is neither the 2030 Carbon Neutral Program nor the Carbon Neutral Fund explicitly mentioned by name in the sustainability section of the Council plan we're going to debate today whereas the City Downland Estate Plan is? It makes one think that the Labour administration has lost interest in both documents as originally written.
- 20.23 Councillor Sankey replied, just to reiterate, we are undertaking a review with a view to making the fund more effective and to developing a new strategy that will help the fund to be more effective. Our Council plan, which we published today, and which we'll talk more about later on this evening, is a high-level document; it does not contain everything that we're doing or every other plan that we are going to develop.
- 20.24 Question 7 - Councillor West
Councillor West asked, at a recent special meeting of the Transport & Sustainability Committee, the Chair and Labour committee members referred to the approved project then proposed for review as unsafe. Despite the intervention of the Head of Transport stating that the approved school was indeed safe, the Chair and his colleagues continued to suggest that it was not. Does the Chair understand and regret the slight of the professional integrity of experienced officers his repeated incorrect assertions represent?
- 20.25 Councillor Muten replied, the new administration is actually more committed to developing better active travel for our city than previous administrations, with the political will and drive to do so. We're committed to a Local Cycling and Infrastructure Plan and I took £27.9m Bus Service improvement plan. We have shown leadership on the seafront A259 in Hove by setting up a review to use available space better for all and that includes making the plans safer as well, this includes closer adherence to the Active Travel Fund in separate standards, we have opposed amendments to the previous plan such as straighter bidirectional cycle routes along section of the A259 without splitting the eastbound cycle lane south of King Alfred on Mena Terrace through the often busy pedestrian promenade, and not placing the pavement walkway between the east and west cycle lanes between Hove Street south and Hove Lagoon, and without moving also the westbound highway lane itself. In these measures, we've looked at the previous plans and we're setting out better use of space and in those points that are referenced, a safer plan without introducing the risk of direct interface with pedestrians and cyclists in those areas I've listed. So, Labour proposes a safer, more accessible pedestrian and cycle lanes and crossing whilst keeping the two lanes of highways, enabling potential

future bus route development, and keeping this vital arterial connection between the east and west of our city flowing. Broadly, we seek to develop our vision to bring about a citywide low-carbon transport system fit for the 2030's for a combination of active travel, with EV vans and cars, EV car share and bike share, affordable buses, accessible connected communities, visitor EV park and ride and on-street residence, and visitor EV charge and parking, all potential income for the city rather than the oil giants. This is in combination with potential hydrogen buses, trucks and SUV's. So we seem to exceed the objective of the Bus Service Improvement Plan and meet the Local Cycling Walking Infrastructure Plan Programs. This ambition to deliver our vision to make movement effective and sustainable around our interconnected, low carbon, cleaner air quality mobile across the city.

- 20.26 Councillor West asked a supplementary question, I'm sorry that the chair was unable to answer the question about professional integrity of officers being slighted, so I'll try a different question: the public and active travel groups are alarmed by the halting of the improved A259 cycle lane and Valley Gardens 3 projects by the new Labour Administration. Does the chair accept – and I fear he probably doesn't – the threat these hasty and unnecessary delays posed to project funding for the entire LC web program. How are these the acts of a well considered, listening, administration but is supposedly committed to the city being carbon neutral by 2030 and the health and wellbeing strategy that seeks to address the health impacts of high levels of inactivity, especially with disadvantaged people by including opportunities to travel actively.
- 20.27 Councillor Muten replied, perhaps you, as a questioner, have not fully appreciated what we're trying to achieve here. In the context of your question, the decision made by the Transport & Sustainability Committee was to better the design of the A259 Fourth Avenue and Wharf Road active travel scheme and we as an administration are committed to the betterment of this and this includes, as I have previously stated, a closer adherence to the active travel inspectorate and LC120 active travel standards through the inclusion of a bidirectional cycle lane rather than directing eastbound cyclists through the often busy promenade south of King Alfred and Medina Terrace, making it safer and more accessible for pedestrians and setting out to keep two lane highway in both directions, which has the significant advantage of potentially expanding bus services capacity along that route should it be required. We're setting out very intentionally to deliver better schemes for a better environment through establishing low carbon multimodal integrated transport along our major arterial sea front route. The question I put back to the questioner is 'why settle for less'?
- 20.28 Question 8 - Councillor Theobald
Councillor Theobald asked, at the last Full Council meeting, which I believe was on the 30th of March, I asked when the Patcham Roundabout will be renovated, and the reply was this September. Will this happen in September, is my question, I've been asking this question probably for the last ten years, so I'm hoping to have a good answer.
- 20.29 Councillor Muten replied, may I respectfully refer you to the answers to your questions to Full Council on 17th December 2020 and to Full Council on 21st July 2022 regarding the matter of Patcham Roundabout as you may therefore be aware, for over 10 years officers, councillors and other stakeholders have tried to improve the roundabout on the A23-A27 junction, otherwise known as Patcham Roundabout or the Rabbit Roundabout. This roundabout is owned and maintained by National Highways and not the Council.

For around five years the Council has been in dialogue with National Highways to secure authorization to improve and maintain this roundabout. National Highways have understandable concerns about concerns to the roundabout that could block the sightlines leading to road safety issues and also due to risks around working on the roundabout itself. The Council have developed proposals to manage these risks and identify a third-party organisation who is willing to improve to look at the roundabout with a design that meets requirements for National Highways in return for placing sponsorship signs on adjacent Council land. After repeated petitioning and ultimate escalation by Brighton and Hove City Councils previous CEO, National Highways now agreed to the proposals. CityParks are currently working with the legal team to draw the legal arrangements between these three parties, some infrastructure work needs to be carried out on the roundabout to enable safe working by contractors whilst on the roundabout, which has currently been scoped by city transport officers who are meeting next week to discuss progress on this. Once designs have been agreed, and legal agreements drawn up, planning permission will be sought to necessary works. Officers are continuing to progress the improvements to Patcham Roundabout and are hopeful that residents and councillors will see improvements in the next few months.

- 20.30 Councillor Theobald asked a supplementary question, that probably means no, to my answer. This is ridiculous. The question is when will it be now? I keep getting told different things, so I would like to know. It's a disgrace, that roundabout, it's unsightly. That's the opening to our city.
- 20.31 Councillor Muten replied, to reiterate the key points at the end of my answer to your first question, our officers are meeting next week to progress these matters and we're hopeful that these improvements will progress on the Patcham Roundabout in the next few months.
- 20.32 Question 9 - Councillor Shanks
Councillor Shanks asked, I'm sure that Councillor Muten and the rest of the Council mean by rat-running, nothing to do with animals, but to do with cars and motorbikes blighting the lives of residents particularly in my ward and other places in the city centre particularly, but in every place where people take shortcuts down residential roads. I'd like to know what plans the administration has for limiting these and we have seen places where we've had road closures and no through roads and one-way streets. I think we need to increase that provision.
- 20.33 Councillor Muten replied, It's important and helpful where residents and community groups have concerns about large numbers of cars, some excessive speed I note, are cutting through unsuitable residential roads. Where these are first identified by ward Councillors, and I certainly encourage any residents or groups to contact their ward Councillors in the first instance where they are aware of such concerns. As part of the Better, Safer Streets Program, our Council have funding in place to make improvements and can prioritize within the available budget on the basis of need, value, and design. Sometimes fairly minor changes have significant benefits, may I give for example the closure of Orchard Road near Hove Park to motor vehicles whilst retaining access to cyclists and pedestrians had made a tremendous difference in people trying to avoid the Sackville Road, Neville Road, Old Shoreham Road junction, so that's one very minor improvement that can have quite a big difference. Likewise, the closure of Brunswick Place at the top of Brunswick Square to motor vehicles over two decades ago has been

very effective without the communities effected seeking reversal of this. Also, may I just add, recent school streets schemes such as the Balfour School Street scheme that did a trial last Friday and the Hangleton Primary School Street Scheme which is being constructed at the moment ready for the next term, will provide safety and air quality improvements for those local communities. As suggested there, rat runs can be addressed once identified and prioritized within the funds that are available, Labour will deliver better, safer streets.

20.34 Councillor Shanks asked a supplementary question, thank you for your support for the School Streets Initiative which is very important for young people and parents across the city. Perhaps I could ask Councillor Muten to come with me to Francis Street where I often have to stand in front of cars and shout at them to see the problem we've got there where the Council have got a access only sign, the Police have been, cars constantly go down there, it was a Council development part of the Open Market development so that's a particular issue in my ward, so I would like you to come and look at that perhaps and see what else could be done.

20.35 Question 10 - Councillor Lyons
Councillor Lyons asked, since I've become a Councillor, and indeed before I became a Councillor, my inbox has been littered, pardon the pun, as to the weed problem in the city. In our ward we've been pleased following resident complaints that we've managed to get one operative using manual labour for one week in the north of the city to clear some weeds. Do you think that this is sufficient?

20.36 Councillor Rowkins replied, weeds came up time and again in our campaign and it's pretty clear that there has not been a sufficient strategy in place to stay on top of the weeds problem and we've already begun trialling some new equipment as you may see, and we're in the process of assembling a policy working group to flesh out our new weeds management policy to bring to committee later in the year. We are working very hard on it, and it is a priority for the administration and you're not the only one who has an inbox littered with complaints about the issue. The forthcoming policy will, aside from making sure that we're getting maximum value from the tools we have available to remove weeds, will also be looking at better prioritization where those resources are deployed, what preventative measures we can put in place and, as I said, maximizing the efficiency of the removal. It's worth saying that the streets team is very stretched, and has been for a while, and is doing more with less after years of savage cuts from central government and compounded by a Green Administration that just hasn't prioritized the basics. I would suggest that the best thing your group could do to improve the state of the city, including the weeds, is to push for a general election as soon as possible.

20.37 Councillor Lyons asked a supplementary question, Councillor Rowkins, I appreciate your answer and I'm not going to respond about a general election, but can you please provide a timescale as to when the excessive weeds will be removed within the city and what measures the new administration will take so that residents in our ward and across the city, especially the elderly, disabled, and mothers with young children can feel that they can leave their homes without feeling imprisoned.

20.38 Councillor Rowkins replied, I'll keep it fairly brief; it's obviously not going to be the case that you'll wake up on one Monday morning and the problem will have gone away. We

are aiming to have the new policy well in place ready for ahead of what you would refer to as the growing season next spring, so for the moment the focus is on really getting on top of the problem and fleshing out the policy to prevent it getting as bad next year, so that's the focus for now.

- 20.39 Question 11 - Councillor Bagaeen on behalf of Councillor Hogan
Councillor Bagaeen asked, on the 7th October 2022, the Council announced a freeze on recruitment when the Council was on course for a £13 Million overspend. The Labour administration recently announced a recruitment freeze. When did the Council switch off the recruitment freeze confirmed at the time by former Councillor Drutt in this very chamber when he was sitting somewhere over there?
- 20.40 Councillor Sankey replied, that last recruitment freeze was before my time and I don't have an answer as to when that was ended, but we will certainly follow up with a written response to Councillor Bagaeen.
- 20.41 Question 12 - Councillor Bagaeen
- 20.42 Councillor Bagaeen asked a question, The question is on idling vehicles, and I think like rat running we know that idling means leaving a vehicles engine running while it is stationary. While this is often because of everyday traffic, there are some instances such as waiting for children outside schools and sitting in total gridlock as you do in the city, where idling is not necessary and should be avoided. Clean air by our schools is hugely important. How will the Council be policing idling outside schools in the city?
- 20.43 Councillor Muten replied, at the very first City, Environment, South Downs and Sea Committee in June, the Labour Administration brought forward a plan to fine car drivers who sit in their cars idling their engines as you describe. This committee agreed on enforcing fines for engine idling to be £40, reduced to £20 if paid within 10 days. We believe that behaviour change will be an important contribution to improving air quality and can help solve the climate emergency as we go towards carbon neutrality. Too often, idling car engines are polluting the air close to schools and residents, effecting the health and wellbeing of some of the youngest and most vulnerable in our community. This important step shows Labour's commitment to improve air quality and protect people's health. Specifically, to your question about how, the matters of enforcement will be dealt with by the Police.
- 20.44 Councillor Bagaeen asked a supplementary question, I don't know how the Police will enforce this, but that's absolutely fine because it's normally traffic wardens who issue PCN's, but how will the Council prioritize where it enforces idling, because obviously the Police will need to be told where to go, so how will we do that?
- 20.45 Councillor Muten replied, I'm just being advised it will be Council enforcement teams, rather than the Police, that would enforce some of these, and we're working with the Council enforcement teams to prioritize particularly those areas which are known to be poor air quality and in most of schools.

21 THE COUNCIL PLAN 2023-27

- 21.1 Councillor Sankey introduced, and formally moved the report.

- 21.2 Councillor Hill, Stevens, Bagaeen, McLeay and Atkinson spoke on the matter.
- 21.3 The Mayor congratulated Councillor Hill on their maiden speech on behalf of the council.
- 21.4 The Mayor congratulated Councillor Stevens on their maiden speech on behalf of the council.
- 21.5 The Mayor congratulated Councillor McLeay on their maiden speech on behalf of the council.
- 21.6 Councillor Sankey responded to the debate.
- 21.7 The Mayor, then put the recommendations as detailed in the report listed in the agenda to the vote which was carried.
- 21.8 **RESOLVED:**
- (1) That the council:
- approved the draft Council plan 2023 to 2027;
 - delegated to the Chief Executive, following consultation with the Leader, the authority to make changes to the design and layout of the document before publication on the council's website.

22 CHANGES TO THE CONSTITUTION

- 22.1 Councillor Sankey introduced, and formally moved the report.
- 22.2 Councillor Meadows and West spoke on the matter.
- 22.3 Councillor Shanks moved an amendment on behalf of the Green Group which was formally seconded by Councillor West.
- 22.4 Councillor Sankey in response to the debate confirmed that she did not accept the amendment.
- 22.5 The Mayor noted that an amendment to the recommendations had been moved and put to the vote which was lost.
- 22.6 The Mayor, then put the recommendations as detailed in the report listed in the agenda to the vote which was carried.
- 22.7 **RESOLVED:**
- That Council:
- (1) Approved the proposed changes listed below, to come into effect immediately following their approval by Council, and

- (2) Authorised the Chief Executive and Monitoring Officer to take all steps necessary or incidental for the implementation of the changes and authorises the Monitoring Officer to amend and re-publish the Council's constitutional documents to incorporate the changes.

23 BRIGHTON YOUTH CENTRE UPDATE

- 23.1 Councillor Shanks left the room due to a declared interest in respect of the report.
- 23.2 Councillor Helliwell introduced, and formally moved the report.
- 23.3 The Mayor congratulated Councillor Shanks on their maiden speech on behalf of the council.
- 23.4 Councillor McLeay and Goldsmith spoke on the matter.
- 23.5 The Mayor congratulated Councillor Goldsmith on their maiden speech on behalf of the council.
- 23.6 Councillor Helliwell responded to the debate.
- 23.7 The Mayor, then put the recommendations as detailed in the report listed in the agenda to the vote which was carried.
- 23.8 RESOLVED:
 - (1) That Council agreed to release the £2.3m, subject to the parties agreeing the legal documents in accordance with the Heads of Terms (see appendix iv).
 - (2) That Council grants delegated authority to the Executive Director Families, Children & Learning to finalise the legal agreements.

24 DIVERSE COUNCILS DECLARATION

- 24.1 Councillor Pumm introduced, and formally moved the report.
- 24.2 Councillor Shanks, Meadows, Bagaen, Williams and West spoke on the matter.
- 24.3 Councillor Pumm responded to the debate.
- 24.4 The Mayor, then put the recommendations as detailed in the report listed in the agenda to the vote which was carried.
- 24.5 RESOLVED:
 - (1) That Council agreed to sign up to the Diverse Councils Declaration as set out at Appendix 1.

25 A259 ACTIVE TRAVEL IMPROVEMENT SCHEME FOURTH AVENUE - WHARF ROAD

- 25.1 Councillor Bagaeen introduced, and formally moved the report.
- 25.2 Councillors Muten, West and Sankey spoke on the matter.
- 25.3 Councillor Shanks moved an amendment on behalf of the Green Group which was formally seconded by Councillor West.
- 25.4 The Mayor, stated that the report had been referred for information and moved that it be noted.
- 25.5 **RESOLVED:** That the report be noted.

26 SEASONAL LIFEGUARD SERVICE 2023

- 26.1 Councillor Bagaeen introduced, and formally moved the report.
- 26.2 Councillor Robins spoke on the matter.
- 26.3 The Mayor, stated that the report had been referred for information and moved that it be noted.
- 26.4 **RESOLVED:** That the report be noted.

27 RESTORING MADEIRA TERRACES

- 27.1 The Notice of Motion as listed in the agenda was proposed by Councillor McNair on behalf of the Conservative Group and formally seconded by Councillor Theobald.
- 27.2 The Mayor noted that there were two amendments in relation to this motion as set out in the addendum papers.
- 27.3 Councillor Cattell moved the first amendment on behalf of the Labour Group which was formally seconded by Councillor Robins.
- 27.4 Councillor Fishleigh moved the second amendment on behalf of the Brighton & Hove Independents Group which was formally seconded by Councillor Earthey.
- 27.5 Councillors Hill and Shanks spoke on the matter.
- 27.6 Councillor McNair confirmed that he would accept the Brighton & Hove Independent amendment.
- 27.7 The Mayor then put the motion as amended by the Brighton & Hove Independents Group to the vote which was lost.
- 27.8 The Mayor then put the Labour Group amendment to the vote which was carried.

27.9 The Mayor then put the following motion to the vote:

“This Council:

1. Notes that work continues on restoration work to Madeira Terraces, one of the jewels in the crown of Brighton heritage.
2. Notes that this and other major projects across the city have been impacted by rising costs in materials and the cost-of-living crisis but that the council continues to ensure that the work will be carried out in a cost-effective and safe manner so that the project can be progressed as per the current timetable.

Council resolves to:

3. Support the creation of opportunities for residents, community groups and schools to safely visit the site to observe progress and to a programme of public updates in the press and social media.
4. Requests Officers to continue to report on the progress and funding of this Major Project to the relevant council committees (Culture, Heritage, Sport, Tourism and Economic Development / Strategy, Finance and City Regeneration) which are accessible to the public and media.”

27.10 The Mayor confirmed that the motion had been carried.

28 DISCRIMINATION AGAINST THE ELDERLY

- 28.1 The Notice of Motion as listed in the agenda was proposed by Councillor Bagaeen on behalf of the Conservative Group and formally seconded by Councillor Theobald.
- 28.2 The Mayor noted that there were two amendments in relation to this motion as set out in the addendum papers.
- 28.3 Councillor Stevens moved the first amendment on behalf of the Labour Group which was formally seconded by Councillor Alexander.
- 28.4 The Mayor congratulated Councillor Stevens on their maiden speech on behalf of the council.
- 28.5 Councillor Fishleigh moved the second amendment on behalf of the Brighton & Hove Independents Group which was formally seconded by Councillor Earthey.
- 28.6 The Mayor congratulated Councillor Earthey on their maiden speech on behalf of the council.
- 28.7 Councillors Shanks and Atkinson spoke on the matter.
- 28.8 Councillor Bagaeen confirmed that they would accept the Brighton & Hove Independent the amendments.

28.9 The Mayor then put motion as amended by the Brighton & Hove Independents Group to the vote which was lost.

28.10 The Mayor then put the Labour Group amendment to the vote which was carried.

28.11 The Mayor then put the following motion to the vote:

“Council notes;

1. That four in ten people who died of Covid 19 in Brighton and Hove were care home residents.

2. The government’s mismanagement of the Covid crisis and whose strategy of discharging people from hospital to care homes contributed to the tragic loss of life.

3. The administration’s clear commitment to providing additional housing for seniors in Brighton & Hove

4. The Administration’s swift action to re-open public toilets across the City to ensure that residents can use our public spaces, especially our elderly residents who may need to use toilet facilities more frequently

5. Notes the Administration’s swift action to scrap planned increases in parking charges from low to high tariff in four zones across the City which would have had a disproportionate impact on elderly residents

6. A 28% increase in the Brighton & Hove 65+ population is expected in 2030 – from 38,300 to 50,100.

7. This administration has appointed a lead member for aging well whose responsibility is to champion our senior residents.

Council resolves to:

8. Continue to honour our commitment to true equality

9. Support the lead for aging well to listen to, and consult with, older people in the City, and to work closely and regularly with local older people’s groups and organisations.”

28.12 The Mayor confirmed that the motion had been carried.

29 RENT CONTROLS

29.1 The Notice of Motion as listed in the agenda was proposed by Councillor McLeay on behalf of the Green Group and formally seconded by Councillor Hill.

29.2 The Mayor noted that there was an amendment from the Labour Group in relation to this motion as set out in the addendum papers.

29.3 Councillor Williams moved the amendment on behalf of the Labour Group which was formally seconded by Councillor Sheard.

29.4 The Mayor congratulated Councillor Sheard on their maiden speech on behalf of the council.

29.5 Councillors Meadows spoke on the matter.

29.6 Councillor McLeay confirmed that they would not accept the amendment.

29.7 The Mayor then put the Labour Group amendment to the vote which was carried.

29.8 The Mayor then put the following motion to the vote:

“Council notes

1. On June 23rd 2021 a motion at Housing Committee to commit to introducing Landlord Licencing in our City
2. On 17th November 2021 a motion was passed at Housing Committee to declare an intention to adopt a zero tolerance approach to rogue landlords
3. on 15 December 2022 a motion was passed at full council to take a tougher approach to enforcement where there are hazardous conditions in private rented homes
4. 16th March 2022 a motion was passed at Housing committee requesting that the Chief executive Write to the Secretary of State to ask that powers to implement rents controls are given to the city of Brighton and Hove.
5. Rents are high and the lack of affordable housing is causing distress and poverty

Council resolves to request that the Housing Committee considers:

1. Implementation of Landlord licensing at the soonest opportunity
2. Taking a tougher approach to enforcement where there are poor conditions in the Private Rental Sector
3. Adoption of a zero tolerance approach to rogue landlords
4. Exploration of how we can develop a long term strategy to improve conditions and affordability for private renters on our city including calling for rent control powers. following the examples of The Mayor of London Sadiq Khan and the Mayer of Bristol Marvis Rees who have called for powers to impose rent controls.
5. Do all we can to provide more affordable, decent homes for our residents.”

29.9 The Mayor confirmed that the motion had been carried.

30 SOUTHERN WATER

30.1 The Notice of Motion as listed in the agenda was proposed by Councillor West on behalf of the Green Group and formally seconded by Councillor Shanks.

30.2 The Mayor noted that there were two amendments in relation to this motion as set out in the addendum papers.

30.3 Councillor Fishleigh moved the first amendment on behalf of the Brighton & Hove Independents Group which was formally seconded by Councillor Earthey.

30.4 Councillor Rowkins moved the second amendment on behalf of the Labour Group which was formally seconded by Councillor Fowler.

30.5 Councillor West confirmed that he would not accept the amendments.

30.6 The Mayor then put the Labour Group amendment to the vote which was carried.

30.7 The Mayor then put the Brighton & Hove Independents Group amendment to the vote which was lost.

30.8 The Mayor then put the following motion to the vote:

“Council notes:

1. Outrage across the city is growing at the fact that, nationally, raw sewage continues being dumped into our seas by water companies such as Southern Water;
2. Residents are understandably concerned that the city’s sea, waterways and water supplies are unsafe to use because raw sewage can be damaging to natural habitats and the environment;
3. However Brighton and Hove has one of the best storm water facilities in the UK which includes a tunnel constructed under Brighton and Hove beach dedicated to store heavy storm flows which is three miles long and large enough to drive a double decker bus from Volks Railway station to Hove Lawns;
4. Notwithstanding the storm overflow there is concern about outflows at Shoreham and Saltdean in particular;
5. Robust regulation of water companies is essential to prevent raw sewage dumping and require transformational investment in our water infrastructure, creating the conditions in which community and not-for-profit ownership can ultimately be achieved;
6. The excellent progress the new Administration has made in negotiating with Southern Water which has resulted in them agreeing to fund year-round testing of our sea-water and to design and fund the creation of more water fountains in the City’s parks.

This council resolves to:

7. Support the Administration’s efforts to secure year-round, weekly testing of our sea water as well as reactive testing if unusual outflows are suspected.”

30.9 The Mayor confirmed that the motion had been carried.

31 TO RECOGNISE CARE LEAVERS AS A PROTECTED CHARACTERISTIC

31.1 The Notice of Motion as listed in the agenda was proposed by Councillor McGregorMs on behalf of the Labour Group and formally seconded by Councillor Muten.

31.2 The Mayor noted that there were two amendments in relation to this motion as set out in the addendum papers.

31.3 Councillor Shanks moved the first amendment on behalf of the Green Group which was formally seconded by Councillor Hill.

- 31.4 Councillor Meadows moved the second amendment on behalf of the Conservative Group which was formally seconded by Councillor Bagaean.
- 31.5 Councillor McGregorMs confirmed that they would not accept the amendments.
- 31.6 The Mayor then put the Conservative Group amendment to the vote which was lost.
- 31.7 The Mayor then put the Green Group amendment to the vote which was lost.
- 31.8 The Mayor then put the following motion to the vote:

“Council notes:

1. Care experienced people face significant barriers that impact them throughout their lives;
2. As corporate parents, councillors have a collective responsibility towards looked after children.
3. The Public Sector Equality Duty requires public bodies, such as councils, to have due regard to the need to eliminate unlawful discrimination, harassment, and victimisation of people with protected characteristics in the exercise of its functions.

This Council resolves:

4. To recognise that care experienced people are a group who are likely to face discrimination;
5. To recognise that Councils must put the needs of disadvantaged people at the heart of decision-making through co-production and collaboration;
6. That future decision, services and policies made and adopted by the Council should be assessed through Equality Impact Assessments to determine the impact of changes on people with care experience.
7. That in the delivery of the Public Sector Equality Duty the Council includes care experience in the publication and review of Equality Objectives.
8. To request a report is submitted to the relevant committees of the Council with a view to the Council adopting a policy so that care experience is treated as if it were a Protected Characteristic.
9. To formally call upon all other bodies to treat care experience as a protected characteristic.”

- 31.9 The Mayor confirmed that the motion had been carried.

32 ADOPT AN UPDATED SUICIDE STRATEGY

- 32.1 The Notice of Motion as listed in the agenda was proposed by Councillor Czolak on behalf of the Labour Group and formally seconded by Councillor Burden.
- 32.2 The Mayor noted that there was an amendment from the Green Group in relation to this motion as set out in the addendum papers.

- 32.3 Councillor Goldsmith moved the amendment on behalf of the Green Group which was formally seconded by Councillor Hill.
- 32.4 Councillor Czolak confirmed that he would not accept the amendments.
- 32.5 The Mayor congratulated Councillor Czolak on their maiden speech on behalf of the council.
- 32.6 The Mayor congratulated Councillor Burden on their maiden speech on behalf of the council.
- 32.7 The Mayor then put the Green Group amendment to the vote which was lost.
- 32.8 The Mayor then put the following motion to the vote:

“Council notes:

- 1. The city suicide strategy has not been recently revised and in light of the baton of hope initiative, the strategy should be reviewed and renewed reflect the needs of our communities.

Council therefore requests officers bring a report to adult social care/health and wellbeing Committee:

- 2. Seeking to review the city suicide strategy.
- 3. and outline steps to adopt an updated and more responsive strategy.”

- 32.9 The Mayor confirmed that the motion had been carried.

33 CLOSE OF MEETING

The meeting concluded at 10.36pm

Signed

Chair

Dated this

day of

2022