

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 24 MARCH 2011

COUNCIL CHAMBER, BRIGHTON TOWN HALL

MINUTES

Present: Councillors Wells (Chairman), A Norman (Deputy Chairman), Peltzer Dunn, Alford, Allen, Barnett, Bennett, Brown, Carden, Caulfield, Cobb, Davey, Davis, Deane, Drake, Duncan, Elgood, Fallon-Khan, Fryer, Hamilton, Harmer-Strange, Hawkes, Hyde, Janio, Kemble, Kennedy, Kitcat, Lepper, Marsh, McCaffery, Meadows, Mears, Mitchell, Morgan, K Norman, Older, Oxley, Phillips, Pidgeon, Randall, Rufus, Simpson, Simson, Smith, Steedman, C Theobald, G Theobald, Turton, Wakefield-Jarrett, Watkins, West, Wrighton and Young

PART ONE

78. DECLARATIONS OF INTEREST

- 78.1 Councillor Harmer-Strange declared a personal but not prejudicial interest in Items 90 and 94(a) on the agenda, as he had two children within the autistic spectrum and he was a director of the Local Delivery Vehicle (LDV);
- 78.2 Councillors Randall, Simpson and Barnett declared a personal but not prejudicial interest in Item 94(a), in regard to the fact that they were directors of the Local Delivery Vehicle (LDV);
- 78.3 Councillor Wells declared that he had a personal but not prejudicial interest in Item 94(a) as he had been a former member of the Local Delivery Vehicle (LDV);
- 78.4 No other declarations of interests in matters appearing on the agenda were made.

79. MINUTES

- 79.1 Councillor Fryer stated that she wished to move that the paragraph 79.1 of the minutes be amended to clarify the point that she had made at the meeting.
- 79.2 The minutes of the last ordinary meeting held on the 27th January 2011 were approved and signed by the Mayor as a correct record of the proceedings; subject to the final sentence in paragraph 79.1 being amended to read;

“There was a need to provide suitable facilities at schools to prevent young people being sent home and to embed the Restorative Justice process into the schools’ culture and she welcomed the pilot project being conducted by CAHMS.”

- 79.3 The minutes of the Budget Council meeting held on the 3rd March 2011 were approved and signed by the Mayor as a correct record of the proceedings.

80. MAYOR'S COMMUNICATIONS.

- 80.1 The Mayor asked the Council to stand for a minute's silence as a mark of respect for the people of Japan who had lost thousands of lives as a result of the recent earthquake and tsunami.
- 80.2 Following the minute's silence, the Mayor noted that books of condolence had been placed in Brighton and Hove Town Halls and the Jubilee Library.
- 80.3 The Mayor then stated that he was very pleased to invite the Leader of the Council, Councillor Mears, to come forward and receive the Local Government Improvement and Development Diversity Peer Challenge award for reaching the Excellent Level of the Equality Framework for Local Government on behalf of the Council;
- 80.4 The Mayor stated that he was very pleased to welcome Mr Bill Gandey, Chair of the Bevendean LAT, to the council meeting. The project was entered into the Brighton and Hove Empowerment Awards and achieved first place. As a result the group were put forward to the regional awards through the South East Regional Empowerment Partnership. Following an event in London, the group were awarded second prize and presented with a cheque for £3,000.

The Mayor also noted that the group had recently been informed that it had won no less than the Prime Minister's Big Society Award. This prestigious award was given to the community project most demonstrating and achieving the vision of the Big Society – that is; local people volunteering to take action on the issues that matter to them. The Mayor then invited Mr Gandey to come forward and receive the award.

- 80.5 The Mayor reminded councillors that the Brighton Marathon was due to take place on Sunday 10th April and wished all those taking part every success and asked others to support the runners along the course.
- 80.6 The Mayor then informed councillors of various fund-raising events on the 3rd and 14th April and 6th May in support of the mayoral charities and encouraged everyone to attend.
- 80.7 The Mayor finally stated that he wished to offer the Council's thanks and appreciation for their service to the council and the city to Councillors Drake, Fryer, Older, Steedman, Wakefield-Jarrett and Wrighton, who were not standing for re-election in the forthcoming May elections.

81. TO RECEIVE PETITIONS AND E-PETITIONS.

- 81.1 The Mayor invited the submission of petitions from councillors and members of the public. He reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.
- 81.2 Councillor Duncan presented a combined paper and e-petition signed by 113 residents concerning Queen's Park Bowling Green;
- 81.3 Councillor Hawkes presented a combined paper and e-petition signed by 50 residents concerning the Sure Start Children's Centres;
- 81.4 Councillor Davis presented a combined paper and e-petition signed by 818 residents concerning the proposed closure of Hove Police Station;
- 81.5 Councillor Davis Presented a combined paper and e-petition signed by 169 residents concerning the cycle lane in the Drive;
- 81.6 Mr. French presented an e-petition signed by 556 residents concerning the bus services in the city;
- 81.7 Ms. Paynter presented a combined paper and e-petition signed by 371 residents concerning the licensing of establishments in the Brunswick & Adelaide area;
- 81.8 Ms. Summers presented a combined paper and e-petition signed by 835 residents concerning road safety in Hollingdean Dip;
- 81.9 Councillor Peltzer Dunn presented a petition signed by 363 residents concerning a planning application;
- 81.10 Councillor Carden presented a petition signed by 129 residents concerning dog fouling in North Portslade,
- 81.11 Councillor Elgood presented a petition signed by 11 residents of St. John's Road requesting double yellow lines;
- 81.12 Councillor Elgood presented a petition signed by 445 residents concerning the proposed closure of Hove Police Station;
- 81.13 Councillor Young presented a petition signed by 56 residents concerning George Street,
- 81.14 Councillor Randall presented a petition signed by 146 residents requesting a Puffin Crossing for Elm Grove School;
- 81.15 Councillor Oxley presented a petition signed by 100 residents concerning the need for a crossing in Sackville Road,
- 81.16 Councillor Hamilton presented a petition signed by 29 residents concerning the sale of land in Victoria School;

- 81.17 Councillor Caulfield presented a petition signed by 30 residents of Hillside Road requesting the installation of traffic calming measures;
- 81.18 Councillor Morgan presented a petition signed by 11 residents of Findon Road requesting double yellow lines;
- 81.19 The Mayor noted that 17 petitions had been presented.

82. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

- 82.1 The Mayor reported that 8 written questions had been received from members of the public and invited Mr. Jenner to come forward and address the council.
- 82.2 Mr Jenner asked the following question; "With the wonderful development and creation of the new facilities at the Sussex County Cricket Ground - What initiatives and leads have the Council taken in developing provision for the local children and young people with the Cricket club?"
- 82.3 Councillor Smith Cabinet Member for Culture, Recreation & Tourism replied; "Thank you Mr Jenner for your question. I am very supportive of the County Cricket Club and all the excellent work the Club undertakes to develop cricket across the county.

The council's Leisure and Tourism Unit works with the County Cricket Club on various projects and programmes. The Sports Development Team are part of the Cricket Development Group for Brighton & Hove which oversees the Strategy for the Development of Youth Cricket.

The council supports the Sussex Cricket Board on a range of initiatives for young people in cricket including the Chance to Shine Project, which is a five year project linking local primary and junior schools to community cricket clubs across the city. The project will see school cricket sessions supported by local clubs, creating pathways for participation by young people. The council's Sports Development Team are also supporting Sussex Cricket Board to deliver the Street 20 Cricket project that is engaging young people in secondary schools and youth centres across the city.

In addition, the authority is also supporting the development of the club and its activities through, for example, the Museums Service assisting the establishment of the cricket museum; Tourism providing support for Venue Sales; and the Events Team supporting major events such as the Elton John concert.

To sum it up current action for the strategy for the development of youth cricket: to deliver a city-wide five year Chance to Shine Project: develop links with local schools and cricket clubs to establish three more youth sessions in clubs in the city during the next three years, to encourage the setting up of girls cricket sessions in two more clubs and to create coaching networks within the schools concerned in order to establish ongoing sustainability arrangements with each school.

I think we're doing very well as a city as far as we're supporting Sussex Cricket Club and more importantly the youngsters of this city to improve their cricket and any other sporting facility."

- 82.4 Mr Jenner asked the following supplementary question; "Thank you Councillor Smith for your extensive answer of all the things that are taking place. I was just slightly concerned, I noted in the new budget that the funding for playing for success (£160,000), half of which used to go to the Cricket Club, has actually ended and that the excellent opportunity has been removed and I wondered what plans there were to replace that service."
- 82.5 Councillor Smith replied; "We have it in the budget and if you look closely through it how much extra will be put in for sporting facilities and for coaching and everything in the city it's there. We've increased the amount, doubled the amount for going into small clubs for development, for coaches and everything else and we have increased a lot of our sporting facilities in the city."
- 82.6 The Mayor thanked Mr Jenner for his questions. The Mayor noted that Mr Cooke was unable to attend the meeting and invited Mr French to come forward and address the council on his behalf.
- 82.7 Mr French asked the following question; "Can the Council confirm what the long term plans are for the Old Market building on Circus Street? The building is literally falling apart due to lack of use, but with adequate resources it could be converted into a valuable community asset for the Turner neighbourhood."
- 82.8 Councillor Fallon-Khan Cabinet Member for Enterprise, Employment & Major Projects replied; "Because the Circus Street scheme has always been expected to deliver significant community benefits and high environmental standards, its financial viability was badly hit by the downturn in the development market. The council continues to work with our development partners, the Cathedral Group and the University of Brighton, on preparing a scheme for the site that is financially viable and deliverable but does not water down the regeneration benefits to the local community. We will consult with residents on any revised plans that emerge.

The council recognises the potential for the building as a community asset, and for that reason obtained temporary planning permission in 2010 for cultural and community uses. However, for such a use to safely happen, considerable investment would need to be made, which is not economically viable for a building that will be redeveloped soon. Cathedral have explored interim community uses in the past as part of a place-making exercise as a precursor to the long term regeneration of that area. They have done this to very good effect at another scheme in Deptford High Street and would be looking to do the same here once a deliverable long term scheme is agreed. The 2010 planning permission keeps this option open.

In the meantime, we are working with the Brighton Festival, who used the building in 2009 and who are looking at using it again this year. The festival has the experience and resources to properly steward events at the building and address health and safety concerns. Money has been invested in securing the building and preventing trespassing onto the roof."

- 82.9 Mr French asked the following supplementary question; “I am noticing a trend in a lot of the Tory Administration’s regeneration plans in that not much seems to happen. Can I ask the question then and can you just clarify that no progress has been made and there do not appear to be any firm plans?”
- 82.10 Councillor Fallon-Khan replied; “We as a city council, are working in partnership with the university and developers. We’ve been doing that on a number of the projects in the city. When there’s a downturn in the economy you will find if you wouldn’t want to tax businesses as much as you did that businesses are suffering. The partnership remains with the university and the Cathedral Group and we are looking for every possible way that we can to get a fantastically sustainable development where there’ll be students, where there’ll be a library and where there’ll be income coming into the city, so perhaps, Mr French, next time through you, Mr Mayor, we’ll be able to talk in a little bit more detail when we’ve got a little bit more time about all the successful projects that we’re putting through in the city at the moment.”
- 82.11 The Mayor thanked Mr French for his questions and invited Ms Marks to come forward and address the council.
- 82.12 Ms Marks asked the following question; “With changes to benefits many disabled people are going to be looking for work for the first time in Brighton. Only one in three visually impaired adults are currently in work. What is Brighton and Hove Council planning on doing to ensure that there is support available for this group to help them into work and off benefits in line with the objectives set out in the corporate plan?”
- 82.13 Councillor Simson Cabinet Member for Community Affairs, Inclusion & Internal Relations replied; “Thank you Diane for coming along today and for your question. You mention in your written question about incapacity benefits that will be migrated to employment and support allowance over the next couple of years. I do know, I am aware that some disabled people, not only blind and partially sighted, are concerned that the new assessment for employment and support allowance which is to be introduced in April will mean that they may not be entitled to it and will be placed on jobseeker’s allowance. In any event the Department for Work and Pensions will provide specialist support to find work.

As far as the council is concerned, the council continues to work closely with partners from Jobcentre Plus and other providers who support people into work and to remain in work. There are a range of initiatives across the city including our own efforts to recruit and retain more disabled workers within the council.

There are lots of ways the council’s own supported employment team can help by talking about options, carrying out a work-focused assessment, agreeing a job preparation action plan, updating a CV, providing advice on suitable work opportunities, writing letters of support to employers, completing application forms, providing mock interviews and support at any interviews. They are based at the Knoll Business Centre in Portslade and can be easily contacted by ‘phone or via the council’s website for those who have access to the internet. Once somebody is employed we can continue to help both employee and employer with the induction and training process, information on job

adjustments, job coaching, ongoing support and improving skills. Our support continues for as long as the employee or employer wants it and needs it.

Jobcentre Plus also help by introducing people to pathways to work, a free service providing support to individuals on health related benefits to get back into employment by tackling barriers, providing training and raising confidence and self esteem.

A new service is also available via Jobcentre Plus which is called 'work choice' which replaces work step, work prep and job introduction schemes. This is designed to help disabled people whose needs cannot be met through other work programmes, maybe because they need more specialised support to find employment or keep a job once they have started work. 'Work choice' will be tailored to meet their individual needs and will focus on helping them achieve their full potential and move towards being even more independent.

I hope this has given you some reassurance that the council is working to ensure that support is available for anyone with a disability to help them into work and for them to remain there."

- 82.14 Ms Marks asked the following supplementary question; "As we are led to believe that the Government is slowly doing away with 'Access to Work' which allows us once we have a job to actually have the support within the job, that's technology or support workers. It's great that you're helping to get people into work but how are you going to help people keep that job?"
- 82.15 Councillor Simson replied; "I think I did really respond to that in my initial answer to the question because we don't only recognise how important it is for people to get into work and to find a job but also to retain them in that work. We at the council do make every effort to make sure that things are put in place to ensure that anybody who has a disability who works for us does have suitable arrangements made so they can retain that employment."
- 82.16 The Mayor thanked Ms Marks for her questions and invited Ms Hill to come forward and address the council.
- 82.17 Ms Hill asked the following question; "What action is the Council planning to take to prevent drivers driving along the pavements in Elm Grove, a practice that is dangerous for pedestrians, particularly parents and children making their way to and from Elm Grove school?"
- 82.18 Councillor Theobald Cabinet Member for Environment replied; "Thank you very much Mr Mayor and good evening Miss Hill, nice to see you. As you will know from the response that you have already received on this issue from the Parking Response Team, driving on the pavement is a police matter. As part of the safer routes to school scheme the council has already put in several physical measures to prevent this around key junctions. We have also put in preventative measures at the bottom end of Elm Grove to protect the pavement and green space there. In May of last year we consulted residents on a parking scheme which would have included regulated parking in Elm Grove. However, as you will be aware a large majority of residents voted against this and so we

did not proceed. Any solution to prevent parking and the associated pavement driving would inevitably involve a degree of parking regulation and displacement of vehicles.”

- 82.19 Ms Hill asked the following supplementary question; “Does the council consider the rejection of the proposed controlled parking zone last year enough of a reason not to act on any parking related matter even if there are safety issues at stake.”
- 82.20 Councillor Theobald replied; “Well you might not be aware but the local councillors said at my Environment CMM that they were going to work with the local community and then come back with any suggestions that they may have, but you will be aware that there was an overwhelming vote not to go ahead with parking regulation.”
- 82.21 The Mayor thanked Ms Hill for her questions and invited Mr Barraclough to come forward and address the council.
- 82.22 Mr Barraclough asked the following question; “In Hanover and Elm Grove ward many private landlords have been erecting large conservatories to provide an extra room in Houses in Multiple Occupation. The reason they do this is to make the living room into another bedroom, and so fit more tenants – usually students – into the property, and they don't need planning permission to do this. This is blighting the area as it destroys the green spaces between houses. What measures will the council take to tackle this issue?”
- 82.23 Councillor Theobald Cabinet Member for Environment replied; “The Council's Planning and Housing Teams are working on a revised approach to considering how we manage Houses in Multiple Occupation (HMO's) and determine whether minor changes to buildings or conversion of family dwellings to small HMO's would require Planning Permission.”
- 82.24 Mr Barraclough asked the following supplementary question; “Would Councillor Theobald not agree with me that Hanover and Elm Grove Ward should primarily be an area for family homes and not bed sits and the ward should be made a conservation area to protect its unique character?”
- 82.25 Councillor Theobald replied; “It is certainly a unique area I think the point is as things stand at the moment one can make that change and that's why Officers are working on an article for direction that would need to be consultation and that would need to be approved to try and prevent that change.”
- 82.26 The Mayor thanked Mr Barraclough for his questions and invited Mr Walter to come forward and address the council.
- 82.27 Mr Walter asked the following question; “Does the Council think it's fair that people using the 23 and 25 bus pay only £2.50 but people on every other Brighton & Hove bus pay £3.70 for a day ticket, and if not, what is the Council going to do to ensure that some areas of the city don't end up subsidising other areas so that Brighton & Hove Buses can afford to price-match The Big Lemon?”
- 82.28 Councillor Theobald Cabinet Member for Environment replied; “As a council we feel that there should be fair competition among local bus operators. However, the council has

no control over bus fares, which is a commercial issue for operators. We are not the investigating body on competition issues as that duty lies with the Office of Fair Trading who are currently investigating a complaint from the Big Lemon Bus Company.”

- 82.29 Mr Walter asked the following supplementary question; “Wouldn’t including the Big Lemon and other operators in the quality bus partnership send a clear message to Brighton & Hove Buses that targeting smaller operators will not be tolerated?”
- 82.30 Councillor Theobald replied; “As I said earlier, we want fair competition and we certainly don’t want to see small operators being targeted.”
- 82.31 The Mayor thanked Mr Walter for his questions and invited Mr Lunnon to come forward and address the council.
- 82.32 Mr Lunnon asked the following question; “Currently if a family wishes to travel by bus, then every child will have to pay half the price of an Adult ticket, so it is actually financially beneficial to get a family into town by car. However if a child has the bus-id card, available freely from the bus company, they can travel for 20p when with an Adult, making it far cheaper. I ask the cabinet member for the environment to lobby Brighton and Hove Bus Company to remove the need for the bus ID card, to allow all children, when with adults to travel for 20p.”
- 82.33 Councillor Theobald Cabinet Member for Environment replied; “As I said in answer to the previous question the city council has no control over bus fares, that’s a commercial issue for bus operators. The bus ID scheme is a commercial marketing initiative by Brighton & Hove Buses. I understand that some 85% of older teenagers resident in the city take advantage of this scheme. The city council commends any initiative which offers attractive cheap fares for young people but any decisions to remove the requirement for the bus ID card would be a commercial marketing decision by the bus operator.”
- 82.34 Mr Lunnon asked the following supplementary question; “My supplementary question is simply I was merely asking you to lobby the bus company whether you could do this. I understand it is outside of your jurisdiction to actually enforce it but would you lobby the bus company on behalf of the council to see whether they would remove it to encourage family bus travel in this time of economic downturn when fuel prices are very high and obviously we want to move congestion from the streets of Brighton & Hove?”
- 82.35 Councillor Theobald replied; “Our officers do have meetings with various bus companies and certainly I will ask them to talk to the bus company. Thank you.”
- 82.36 The Mayor thanked Mr Lunnon for his questions and invited Ms O’Connor to come forward and address the council.
- 82.37 Ms O’Connor asked the following question; “Councillors last time voted £200,000 to the Connexions service specifically in order to ensure there are as many LDD and NEET delivery posts as possible. We understand that officers are planning to use the money for 1) Voluntary Sector transition i.e. contracts that must have been predicted within their present budget analysis 2) Other NON Connexions posts.

Can we be assured that the money will now be used so that all BHCC Connexions staff who apply for LDD or Employability delivery posts are offered a job?"

- 82.38 Councillor Brown Cabinet Member for Children & Young People replied; "The additional £200,000 is to be used to keep the voluntary sector connexions provision in place until we know the outcome of the youth review. This includes the provision of 4.5 personal advisors and the use of access point premises at the young peoples centre and the youth advice centre. Funding CVS contracts will ensure that these local projects are sustained at least until the future commissioning arrangements with the community and voluntary sectors are agreed. You must remember that the additional £200,000 is for one off funding for one year only. The most appropriate use of any one off funding is to ensure future sustainability. We have undertaken the consultation about the redesign connexions service and that has now been completed. Interviews are currently taking place for 12 full time equivalent posts; there are currently 13.44 full time equivalent applicants for these posts plus 1.6 currently on maternity leave. In addition there is one personal advisor post in the 16 plus team and one teenage pregnancy prevention officer post ring-fenced in the redeployment pool for Connexions staff."
- 82.39 Ms O'Connor asked the following supplementary question; "According to your own report that is the CYPT Performance Board Report of 22 July 2010, the Connexions IAG Team gave significantly better value for money. Why is it then that these same staff do not have first priority on the jobs available in the new service?"
- 82.40 Councillor Brown replied; "Well I am sorry Miss O'Connor that you do not value the role of the community and voluntary sector as we do. The money will go to Sussex central YMCA and impact initiatives to continue to provide services at the Young People Centre and the Youth Advice Centre. By the Autumn we should know the outcome of our review of youth services which we will use along with any new guidance from government on the all age career service to inform our future commissioning of support for young people in the city."
- 82.41 The Mayor thanked Ms O'Connor for her questions and noted that this concluded the public questions.

83. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

- 83.1 The Mayor reported that there no deputations had been received for the current meeting.

84. PETITIONS FOR COUNCIL DEBATE

(A) ROYAL SUSSEX COUNTY HOSPITAL PARKING

- 84.1 The Mayor stated that under the Council's petition scheme, if a petition contained 1,250 or more signatures, it could be debated by the Full Council and such a request had been made in respect of a combined e and paper petition, concerning the Royal Sussex Hospital.

- 84.2 The Mayor then invited Councillor Bennett to present her petition.
- 84.3 Councillor Bennett thanked the Mayor and stated that a total of 1,745 people had signed either the paper or e-petition version which read as follows:
“We the undersigned petition the council to relax their parking policies and work with the hospital trust to ensure that the amount of on site parking for all Royal Sussex County Hospital patients and their visitors is greatly increased.

Parking at the hospital should be easy and safe for patients and visitors, at what is for most people a stressful time.”
- 84.4 Councillor Bennett stated that she hoped a workable solution could be found to the parking issue at the new development and that the petition would be fully supported.
- 84.5 Councillor Theobald welcomed the petition and stated that he understood the difficulty and that he felt access for everyone concerned with the working at or visiting the hospital was important. He noted that the council and the NHS Hospital Trust were working closely with each other in regard to the overall development of the site and that the council was pressing for the maximum number of parking spaces to be included.
- 84.6 Councillor Turton stated that as the Chair of 3Ts Hospital Liaison Group he had been involved in discussions with the Hospital Trust over the development and he welcomed the petition that Councillor Bennett had brought forward. He also stated that he wished to move a Labour Group amendment to the report's recommendation, as there was a need to give consideration to the increased staffing levels and to take account of alternative transport arrangements.
- 84.7 Councillor Morgan formally seconded the amendment.
- 84.8 Councillor Fryer moved an amendment on behalf of the Green Group to the report's recommendation and stated that there was a need to find a solution to the problem that accounted for the needs of all and provided alternative options to parking.
- 84.9 Councillor Davey formally seconded the amendment.
- 84.10 Councillor Carol Theobald stated that she hoped consideration would be given to how people could get to the hospital from the outskirts of the city as well as the staff parking.
- 84.11 Councillor Geoffrey Theobald stated that he hoped the proposed new transport model would help to offer solutions to the issue as not everyone could rely on alternative methods to a car to get to the hospital.
- 84.12 The Mayor noted that two amendments had been moved along with the recommendation to refer the petition to the Environment Cabinet Member Meeting and stated that he would put each one to the vote.
- 84.13 The Mayor then put the Labour Group's amendment followed by the Green Group's amendment to the vote, each of which was carried.

84.14 The Mayor then put the substantive recommendations as amended to the vote which were carried.

84.15 **RESOLVED:**

- (1) That the petition is referred to the Environment Cabinet Member Meeting for consideration, about how to improve access to the hospital for everyone, in particular in light of the proposed 3Ts development. This will include making public transport more accessible through ensuring the hospital promotes bus routes and working with bus and taxi companies to make sure they can both stop in or very near the hospital as well as making it easier to access the hospital by foot or bike. This will help to ease congestion and improve air quality around the hospital and ensure that emergency vehicles can reach the hospital more quickly and safely;
- (2) That the petition is referred to the Environment Cabinet Member Meeting for consideration with the following recommendations:
 - (i) That the council works with Brighton, Hove and Sussex NHS Hospital Trust to ensure that the number of 450 additional staff that will be working at the Royal Sussex County Hospital site once the development is complete is taken into account when setting final car-parking numbers;
 - (ii) That the council actively encourages the Trust to significantly increase the frequency and capacity of the 40X bus;
 - (iii) That the council completes an area-wide feasibility study to determine whether through-traffic can be diverted away from the immediate vicinity of the hospital in accordance with the council's agreed LDF Core Strategy document; and
 - (iv) That the council works with the hospital Trust and other large employers in the city to provide genuine sustainable travel modes and choices for their workforce.

(B) KEEP BRIGHTON UNIQUE

84.16 The Mayor noted that under the Council's petition scheme, if a petition contained more than 1,250 signatures it could be debated by the Full Council and such a request had been made in respect of an e-petition, concerning Keep Brighton Unique.

84.17 The Mayor invited Mr. Tom French to present his petition.

84.18 Mr. French thanked the Mayor and stated that a total of 1,142 people had signed either the paper or e-petition version which read as follows:

"We the undersigned petition the council to lobby the government to introduce planning powers to enable local authorities to restrict the number of large

supermarkets in any one area. We are concerned about Brighton becoming another 'clone town' city, swamped by large chain stores that pose a threat to the unique character of our city and the success of local, small independent businesses. In particular we are concerned about plans to open a fourth large supermarket on St. James's Street which we believe will damage the quirky and diverse character of the area, threaten small businesses, and limit the council's ability to control the sale of alcohol in the local community despite it being within a Cumulative Impact Area.

In recent years we have seen an explosion of large chain stores dominating our local high streets. This petition is about getting the balance right between ensuring residents have access to a nearby supermarket, whilst also ensuring against an excess of chain stores that would threaten valued small independent businesses and the unique and attractive character of our city. This petition was launched in response to the news that a fourth supermarket could soon open on St. James's Street."

- 84.19 Mr. French stated that she hoped that the petition would be fully supported.
- 84.20 Councillor Mears welcomed the petition and stated that she felt it should have referred to the whole of city, and noted that the Administration did not want to see the city becoming a 'clone town.' She stated that the council had lobbied the government with a view to enabling local authorities to have greater control over the mix of establishments in their areas and hoped this would be forthcoming.
- 84.21 Councillor Mitchell stated that the Labour Group supported the petition and that she wished to move a Labour Group amendment to the report's recommendation, as there was a need to seek to restrict the growth of supermarkets in areas and help to maintain the economic mix.
- 84.22 Councillor Morgan formally seconded the amendment.
- 84.23 Councillor Mears moved an amendment on behalf of the Conservative Group to the report's recommendation and stated that the intention was to take account of the petition's aims.
- 84.24 Councillor Oxley formally seconded the amendment.
- 84.25 Councillor Fryer moved an amendment on behalf of the Green Group to the report's recommendation and stated that there was a need to enable alternative options to be considered when retail premises became vacant rather than supermarket chains simply being able to move in and increase the number of stores in an area.
- 84.26 Councillor Duncan formally seconded the amendment and stated that he wished to move a further amendment and to reserve his right to speak later in the debate.
- 84.27 The Mayor noted the request to move a further amendment and asked the Monitoring Officer to advise Members.
- 84.28 The Monitoring Officer stated there was no requirement to give prior notice of an amendment; however a written copy had to be provided to the Mayor so that he could determine whether or not it was acceptable.

- 84.29 The Mayor thanked the Monitoring Officer and noted that there were insufficient copies available for all Members and therefore decided, having regard to the limited time available, not to accept the amendment on this occasion.
- 84.30 Councillor Fallon-Khan stated that he supported the petition and that he felt there was a need to support small businesses in the city and hoped that the Localism Bill would give local authorities more opportunities to do so.
- 84.31 Councillor Elgood stated that this was an important issue and one that needed to be addressed particularly in his ward. He had previously raised concerns over the situation on a number of occasions which had not been supported and he now hoped that something would be done.
- 84.32 Councillor West stated that the issue was not a new one and needed to be addressed. He hoped that the amendments would be supported.
- 84.33 Councillor Duncan noted that the present planning laws currently made it difficult to resolve the problem and suggested that thought should be given to enabling smaller business to occupy retail units that became vacant by splitting up the vacant unit.
- 84.34 Councillor Mears stated that this was a serious issue and local authorities had to abide by the legislation that had been passed by the previous government. The council was lobbying the government to change the regulations so that action could be taken to prevent the influx of supermarkets in the city.
- 84.35 The Mayor noted that three amendments had been moved along with the recommendation to refer the petition to the Cabinet and stated that he would put each one to the vote.
- 84.36 The Mayor then put the Labour Group's, the Conservative Group's and the Green Group's amendments to the vote, each of which was carried.
- 84.37 The Mayor then put the substantive recommendations as amended to the vote which were carried.
- 84.38 **RESOLVED:**
- (1) That the petition is referred to the Cabinet Meeting for consideration, with the following additional recommendations;
 - (i) That the council uses its existing planning powers to promote the unique aspects of the city and enhances the special character of retail areas with a mix of retail uses;
 - (ii) That the council uses its licensing and enforcement powers to ensure a good standard of maintenance of buildings and safety and security for residents and shoppers in retail areas; and

- (iii) That the council joins forces and works with other councils that are similarly concerned with this issue to engage the government in a dialogue on changes to the planning system that would include:
 - a) Possible separate classes for supermarkets and smaller shops;
 - b) The introduction of controls for the merging of smaller retail units; and,
 - c) Reviewing how the application of restrictive covenants could negatively lead to premises remaining empty.
- (iv) That Cabinet are requested to ensure that full account is taken of the work of the new retail Commission established as a result of the Streets Ahead conference on 11th March;
- (v) That the Chief Executive writes to Sainsbury's saying that the majority of residents do not want or need another Sainsbury's supermarket in Brighton or another supermarket on St. James's Street;
- (vi) That the Chief Executive writes a letter to the Secretary of State for Communities & Local Government requesting that the Local Authority is given planning powers to:
 - a) Allow communities to work with their local authorities to create 'Business conservation areas' to ensure designated areas retain the character and amenity of their shopping streets, and bar formula retailers from certain areas,
 - b) Insist that a proportion of retail floor space in all new developments is affordable space for local small businesses;
 - c) Adopt a retail strategy, a retail regeneration plan and local competition policies to prevent formula businesses dominating shopping streets and to ensure fair market access for small, independent retailers. These strategies should include policies to support and retain street markets and farmers' markets, and encourage the introduction of new markets, where there is community demand;
 - d) Empower local authorities to bring in rent controls for small shop premises, to prevent landlords from driving up rents and driving out independent retailers; and
- (vii) That the Chief Executive writes a letter to the Secretary of State for Business, Enterprise and Skills asking that the government establish a Local Competition Ombudsman as recommended by the Competition Commission which will rein in the power of the big four grocery chains.

(C) SAVE THE DRIVE CYCLE LANES, HOVE

84.39 The Mayor stated that under the Council's petition scheme, if a petition contained 1,250 or more signatures, it could be debated by the Full Council and such a request had been made in respect of an e-petition, concerning the Drive cycle lanes in Hove.

84.40 The Mayor invited Councillor Davey to present his petition.

84.41 Councillor Davey thanked the Mayor and stated that a total of 3,543 people had signed the e-petition which read as follows:

"We the undersigned, call on the Conservative administration running Brighton & Hove City Council to withdraw its proposals to improve vehicular access to the seafront and Shoreham Harbour by spending £1.1m removing the cycle lanes on The Drive and grand Avenue in Hove.

The increased traffic levels, particularly the likely greater use by heavy goods vehicles, will increase the risk to other road users particularly pedestrians and cyclists.

These cycle lanes were installed by the same Conservative administration in 2008 at a cost of over £600,000. To spend nearly twice as much removing them now would be an irresponsible waste of public money. This money would be much better spent constructively elsewhere.

Please stop this before it's too late."

84.42 Councillor Davey stated that he hoped that having secured the cycle lane at the previous Budget Council meeting in light of the significant level of support for it, that it would now remain in situ and any necessary improvements made.

84.43 Councillor Theobald noted the petition and stated that very good reasons for the proposed removal of the lane had been outlined as part of the budget process. With regard to the saving achieved by retaining the cycle lane, he noted that the funding had been allocated to other areas and therefore he could not confirm whether resources were available for other safety measures to be put in place.

84.44 Councillor Davis stated that she supported the petition and noted that the cycle lane had been installed under the supervision of the National Cycling Group. She also stated that she wished to move a Labour Group amendment to the report's recommendation, to ensure that cycling was supported by the council.

84.45 Councillor Mitchell formally seconded the amendment.

84.46 Councillor Davey moved an amendment on behalf of the Green Group to the report's recommendation and stated that there was a need to improve cycling facilities and to address any safety issues.

84.47 Councillor Phillips formally seconded the amendment.

- 84.48 Councillor Mears stated that concerns had been raised over the safety of the lane and these had been highlighted in Safety Audit reports. She noted that both the amendments referred to the issue of safety, which had been the primary concern for the Administration's proposal to remove the lane in the first instance.
- 84.49 Councillor Young stated that she had asked the local MP to look into the safety issue and noted that taxi drivers had also expressed concerns over safety and the ability to come out of properties along Grand Avenue.
- 84.50 Councillor Elgood stated that he had contacted Norman Baker MP as the Parliamentary Secretary to the Transport Secretary, who he had confirmed that had the council attempted to remove the cycle lane, the government would have taken legal advice on whether the previous funding towards the cost of installation could be reclaimed. He was happy to provide copies of the reply and stated that he believed the proposal to remove the lane had been irresponsible and that the aim should be to make it work and encourage cycling not deter it.
- 84.51 Councillor West stated that there was a need for the cycle lane and the amendment at the budget council meeting had prevented a waste of public money.
- 84.52 Councillor Kemble stated that as a taxi driver he had experienced the difficulty in getting out of drives along Grand Avenue and suggested that other Members should try it for themselves to see the danger that existed.
- 84.53 Councillor Hamilton stated that the previous funding of £1.1m saved by not removing the cycle lane had been taken from the Revenue Budget and not the Capital Budget and therefore suggested that resources were available for improvement works.
- 84.54 Councillor Theobald noted the comments and stated that he believed the overall budget of £4.3m had been reduced by £1.1m and that had then be set aside to fund other services. With regard to the previous funding contributed by a Quango which had now been dissolved, he questioned whether there was an avenue by which that funding could be reclaimed. He had received a number of emails on the issue all asking for the cycle lane to be removed and he questioned just how many of the 3,000 plus petitioners actually use the cycle lane.
- 84.55 The Mayor noted that two amendments had been moved along with the recommendation to refer the petition to the Environment Cabinet Member Meeting and stated that he would put each one to the vote.
- 84.56 The Mayor then put the Labour Group's amendment followed by the Green Group's amendment to the vote, each of which was carried.
- 84.57 The Mayor then put the substantive recommendations as amended to the vote which were carried.
- 84.58 **RESOLVED:**
- (1) That the petition is referred to the Environment Cabinet Member Meeting for consideration;

- (2) That the Cabinet Member is requested to seek to ensure that the council actively promotes cycling as a sustainable form of travel and continues to invest in safe cycling facilities across the city;
- (3) That the Cabinet Member is requested to:
- thank the public for their strong expression of interest and tremendous level of support for retaining and improving the cycle lanes;
 - acknowledge that there is clear public support for the retention of these lanes;
 - place all safety audits that have been undertaken on The Drive into the public domain; and
- (4) That the Cabinet Member is requested to:
- instruct officers to identify immediate measures that can be taken to address safety concerns; and
 - instruct officers to identify measures both in the immediate and longer term which may increase usage such as completing links to the north of the city and developing routes to the east and west.

85. WRITTEN QUESTIONS FROM COUNCILLORS.

85.1 The Mayor reminded the Council that councillors' written questions and the replies from the appropriate councillor were now taken as read by reference to the list included in the addendum, which had been circulated as detailed below:

85.2 (a) Councillor Davis asked:

"What 'slow down' and Schools signs are planned to be installed along the Old Shoreham Rd near the junction at the Upper Drive?"

85.3 Councillor Theobald replied:

"I am pleased to report that two new electronic 'school warning' signs have been installed on the Old Shoreham Road, either side of the Upper Drive.

These complement the new puffin crossing currently being installed on the Upper Drive near this junction.

In addition to this, all the road markings along the Old Shoreham Road from BHASVIC to Portslade have been refreshed where necessary and a general de-clutter of signs has been carried out – removing redundant ones and combining others, some existing signs were either replaced or cleaned as appropriate."

85.4 (b) Councillor Elgood asked:

"Can the Cabinet Member for Environment kindly update me on the progress towards a gating order for Farman Street? As he will be aware this small cut through off Western Road has seen a particularly high level of anti-social behaviour and crime as a result of the high number of licensed venues on Western Rd."

85.5 Councillor Theobald replied:

"Statutory consultation on a proposed Gating Order at Farman Street took place between September and October 2010 and resulted in a number of representations both for and against being received and considered."

In the consultation it suggested a gate at the junction of Farman St and Western Road to be locked between the hours of 9pm and 8am to restrict access from Western Road to Farman St only. The lock will not restrict access from Farman St into Western Road at any time this is so that the area will remain accessible from Cross Street. (The legislation does not permit the full gating of an area of residential properties).

Access from Western Road will be enabled via PIN code for residents. Implementation of the proposed Gating Order presents some particular practical issues to be addressed before taking the next steps, and it is therefore proposed that one final consultation session be scheduled at the end of May 2011 so that a decision can be made at the Environment CMM on the 7th July, or 26th May if practicable."

85.6 (c) Councillor Elgood asked:

"A recent licensing hearing concerning a premise on Western Road revealed that its existing licensing permissions did not match those relating to the current planning permissions for the venue. What checks are made between licensing and planning (and vice versa) to ensure that both permissions match? How does the council ensure that there are no differences between the two sets of permissions and has the council identified this as an issue in previously agreed applications, where premises now operate with one or other permissions incorrectly?"

85.7 Councillor Theobald replied:

"Planning and licensing are separate statutory regimes with different considerations. It is quite legitimate for planning permission and a premises licence to impose different conditions. It is the responsibility of the premises licence holder to comply with all permissions."

The law precludes using lack of correct planning permission being used to justify refusal unless a licensing objective is not supported. Licensing objectives are crime prevention, public safety, public nuisance or protecting children. Planning considerations are different to Licensing Objectives. The lack of appropriate planning position cannot be used to justify licence application refusal or impose conditions in itself. To do so, would leave the Council acting outside its powers.

Officers have reported to Cabinet last March on this subject. Officers continue to work towards ensuring planning policy and enforcement is more effectively used to supplement the existing licensing powers to control the availability of alcohol through licensed premises in the city.

Where appropriate when considering planning applications within the policy framework planning conditions can be attached to permissions to safeguard amenity and mitigate against impact”

85.8 (d) Councillor Lepper asked:

“Can the Cabinet Member for enterprise give assurances to the local businesses and Community Transport, who currently rent space from the Council on the Preston Barracks site, that if future developments on that site should mean their relocation, every help will be given to them by the Council to do so locally, thus safeguarding the business and the jobs of those who work for them.”

85.9 Councillor Fallon-Khan replied:

“The council is of course committed to supporting businesses wherever possible. Indeed, it was the council’s desire to assist a number of local businesses back in 2004 (at a time when they had to vacate their previous site – Hollingdean Depot), that led to agreement to their temporary relocation to Preston Barracks. They have been fully aware from the outset that their occupation was an interim arrangement pending redevelopment. They have operated from the site for considerably longer than originally anticipated and I am very pleased that the council has been able to assist in this way.

The city council will again assist where it can. Equally, I am sure the businesses will be proactively searching for alternative accommodation and will be making best use of the time still available to them. I would therefore hope that a longer-term solution can be found. I am aware that Councillor Lepper has raised her concerns at previous Board meetings and I know that officers will update the businesses as the project moves forward.

As a member of the Preston Barracks Project Board, Councillor Lepper will know of the progress that has been made, in recent months in particular, in moving forward with plans in partnership with the University of Brighton. Having been supported by the Board, I am delighted that the draft planning brief was approved at the 10 March Environment CMM. This is a significant step forward and consultation on the draft brief will be starting shortly. This site offers a fantastic opportunity to deliver a high quality development, one that will create much needed jobs and contribute to the regeneration of this area of the city.”

85.10 (e) Councillor Morgan asked:

“Can the Cabinet Member advise of the progress made on the sale of the land currently occupied by Whitehawk Library and Youth Centre, whether bids have been sought or received, what timetable there is for the sale and what the market value of the land is?”

85.11 Councillor Alford replied:

“The recommendation to sell this site was presented to Cabinet on 14 January 2010 (item 161, Forward Plan No: CAB13950). More recently the Planning Projects Team has provided informal planning guidance notes for this site as well as land on Whitehawk Road (Wellsbourne Centre). The Property Estates Team are currently having informal discussions with agents with a view to identifying a shortlist to tender for the instruction for the marketing and sale of both sites. The intention is to commence marketing in May with a closing date for offers projected for July. Negotiations will then commence with the successful bidder or bidders to complete a sale which would likely complete in 2012. Initial valuations based on assumptions for residential development have estimated a value for both sites in the region of £1m - £1.5m which will be tested when put to the market.

The Whitehawk co-location project has been partly funded by the Education capital programme and so £1m from the receipt for these two sites will be repaid to the Education capital programme once the sales complete.”

85.12 (f) Councillor Morgan asked:

“How much has the council spent printing and posting the incorrect rate bills for charities?”

85.13 Councillor Young replied:

“We wrote to 100 organisations (charities and not for profit organisations) to forewarn them that their bills may be incorrect, due to unforeseen delays in processing applications for rate relief. The cost involved in sending these letters was relatively small at £105.89, and helped to ensure our customers were aware of what was happening. We have advised those involved to disregard their bill until they get an amended one in April.”

85.14 (g) Councillor Elgood asked:

“Hotels and Guest Houses benefit from voucher parking in Kemp Town. Could the council consider extending the scheme to other parking zones, including in Brunswick and Adelaide, where small hotels and guest house owners have requested a similar scheme?”

85.15 Councillor Theobald replied:

“The council will consider the issue of extending the hotel voucher permit scheme to other parking zones as part of the citywide parking review this summer.”

85.16 (h) Councillor Hawkes asked:

“Has the Cabinet member looked into the possible impact this government’s abolition of Educational Maintenance Allowance will have on young people in Brighton & Hove and what does she plan to do about it?”

85.17 Councillor Brown replied:

“The cost of providing EMA is approximately £600 million. The grant is allocated according to household income which does not necessarily reflect the actual needs of the student.

There is another source of funding to support students in real need ...the discretionary Learner Support Funds which is given directly to sixth form colleges and Colleges of further Education. (The Local Authority is given Learner Support funding for those in school sixth forms.) The government is intending to increase this discretionary fund.

Decisions regarding the new discretionary fund will be made locally, enabling schools, colleges and training providers to target support at those young people in greatest need.

In finalising the arrangements for the enhanced discretionary learner support, the Department will consult with schools, colleges and training organisations and other interested parties, including on how to ensure that the most vulnerable young people, who are facing genuine financial barriers to participation, receive appropriate support to enable them to continue in education or training.

The plan is to allocate the enhanced funding in line with the timetable for overall funding allocations for schools and colleges, which will be made by the end of March 2011.”

85.18 (i) Councillor Hawkes asked:

“Despite this government’s claim that they had found “more resources” for our school’s, new figures have revealed that the average secondary school will see its budget for building work, repairs and computers slashed by £86,000 next year and for primary schools in England the figure is £26,000. Does this concern the cabinet member and how does she plan to work with local schools to manage this further loss of funding?”

85.19 Councillor Brown replied:

“The government has been able to safeguard resources for schools and through the pupil premium increases funding. As part of the spending review for 2011/12, the overall settlement for schools, within the Dedicated Schools Grant, has been maintained at flat cash per pupil, which means that funding will rise in line with pupil numbers.

The pupil premium is in addition to this and is estimated at £625m nationally for 2011/12. For schools in Brighton & Hove, the pupil premium funding will be in the region of £2m and it is planned for this pupil premium money to increase over the next 4 years.

Brighton & Hove has benefited from a significant capital building project in Moulsecoomb, a brand new secondary school and has secured funding for new buildings and refurbishment at Portslade Community College. We also have funding for the building necessary to increase the number of primary classrooms.

The amount available to individual schools through devolved formula capital (DFC) has been reduced and officers are working with schools to look at the best ways to use this

efficiently. Some schools will contribute their DFC to existing projects and others may consider pooling their allocation to benefit groups of schools.”

85.20 (j) Councillor McCaffery asked:

“As one of the very few councillors living near London Road, I am only too aware of the volume of traffic coming into the City and the heavy congestion this causes and would wish to encourage the use of other forms of transport, Could Cllr Theobald inform me of the cost of a normal return journey to the city Centre for two adults and two children?”

85.21 Councillor Theobald replied:

“Whilst it is a busy road it is also vitally important in providing access to the City for our many visitors and our residents.

Assuming that none of the members of the family hold any concessions, the Brighton and Hove Bus Company fare for each adult would be £3.70, and for the children it would be £1 each way, giving a total cost of £11.40. However the adult ticket for £3.70 is an all-day City Saver giving unlimited travel between Steyning, Shoreham, Lewes and Seaford. If the adults held Annual Saver tickets, and the children held Bus ID cards, then the total cost for the family for the day would be £3.16.”

85.22 (k) Councillor Simpson asked:

“Could the Cabinet member give a best estimate as to how many Housing Benefit claimants will be affected by the cuts to the benefit that are being introduced over the next few years. Please can you inform me as to the numbers of Private Sector tenants and also a figure as to the number of working age Brighton and Hove City Council tenants who will be affected by such measures as the restriction of the payment of Housing Benefit to the number of bedrooms to match household size?”

85.23 Councillor Young replied:

“There are 28,114 people claiming Housing Benefit (HB) in Brighton and Hove. 9,630 of these are for Council owned, or Council leased accommodation. 18,484 are for private rented accommodation of which 4,891 are for Housing Association properties. The remaining people rent from independent private landlords and agencies.

Of the customers who rent from independent private landlords, 12,665 are paid under the Local Housing Allowance (LHA) scheme. A further 913 are paid on older HB schemes because of the length of their tenancy, it is a protected tenancy or because they live in unusual accommodation, for example houseboats.

There are currently 5,485 working households claiming HB and LHA. 4,183 rent from independent private landlords and agencies, 476 from Housing Associations and 821 from the Council.

7248 LHA claims currently have their benefit based upon an amount more than their rent. These ‘excess’ payments will be ended over the next 12 months starting in April 2011.

All LHA will be eventually based on the 30th percentile of local rents rather than the 50th percentile. This will be implemented for existing customers over the next 21 months starting from April 2011.

Non-dependent deductions are changing over the next three years to take into account inflation since 2001 when they were frozen. This will affect approximately 185 customers in Housing Association properties 265 who rent from independent landlords and agencies and 530 in Council Accommodation. A further 1000 claims with non-dependants are exempt from deductions.

The Government is yet to issue detail on the proposal that payment of HB should match household size and bedrooms in the Social Sector.”

85.24 (I) Councillor Meadows asked:

“Is Cllr Norman concerned about the cutbacks his government is making on the inspection of Care Homes and will he be making representations to the Secretary Of State for Health regarding the impact on local care homes?”

85.25 Councillor Norman replied:

“This question is linked to the new standards for regulated social care services that came into force on 1/10/10, including essential standards of quality and safety that all care providers must meet. The Care Quality Commission introduced a new registration and monitoring system alongside this. This includes a shift from periodic inspections and quality ratings to a system of continuous monitoring of compliance with these essential standards. The Commission have introduced a Quality Risk Profile on all providers which enables them to gather and analyse available information. This informs the actions they will take in relation to providers including inspection activity.

Findings from CQC monitoring are publicly available and the Commission have a range of enforcement powers if providers fail to meet standards. The Commission have also announced the development of a new scheme to promote excellence in regulated social care services with a proposed implementation date of April 2012.

These national developments have been complemented by the introduction of more robust Care Governance arrangements in Brighton & Hove through the Care Governance Panel which monitors the quality of care across local services. Officers from the Council meet regularly with the local CQC team to discuss the quality of local services. At my Cabinet Member Meetings I receive regular reports summarising the quality of care home provision in the city.

The quality and safety of care in local care homes is of utmost importance to me. I am satisfied that the monitoring of local care services by the CQC, alongside the local arrangements in the city are robust, and therefore I will not be making representations to the Secretary of State.”

86. ORAL QUESTIONS FROM COUNCILLORS

- 86.1 The Mayor reminded the Council that councillors' oral questions would be taken in the order as listed in the council agenda and that a period of 30 minutes was set aside for the item. Should any questions not be reached at the end of the time period, those councillors would have the opportunity for their question to be carried over to the next council meeting.
- 86.2 The Mayor then called on Councillor Smith to put his question to Councillor Kennedy as Chairman of the Culture, Tourism & Enterprise Overview & Scrutiny Committee.
- 86.3 (a) Councillor Smith asked, "Could Cllr Kennedy tell me what work the Culture, Tourism & Enterprise Overview & Scrutiny Committee has undertaken looking at library services in the City?"
- 86.4 Councillor Kennedy replied, "The Culture, Tourism, Enterprise Overview & Scrutiny Committee has looked at lots of library related issues including pre-decision input on to the libraries plan for 2009 to 2012, a workshop on mobile libraries, regular updates on the libraries plan. We are also looking forward to a report detailing more information about the PFI contract for our libraries and in addition to that both as chair of the committee and also as a regular member of the committee I have attended several excellent events at the library including a very good event which was aimed at raising levels of reading among school children in the City and several wonderful visits to our marvellous rare books collection."
- 86.5 Councillor Smith asked the following supplementary question, "Would Councillor Kennedy join me in congratulating the administration for the completely protected library service in the recent budget process and would she perhaps explain to the residents including Christopher Hawtree why the Green Group voted against the proposal to provide 2000 new books at the city libraries?"
- 86.6 Councillor Kennedy replied, "Of course I will congratulate all involved in saving our library services. We do stand alone amongst many authorities in the South East for being able to do that. However Councillor Smith I am really sorry point 9.9 oral questions should relate to matters of general policy only and as Chair of a non-political scrutiny committee I will not answer your final question."
- 86.7 (b) Councillor Hamilton asked, "At the Cabinet Meeting last week you stated that you had been talking to Portslade Community Forum with regard to setting up a consortium to consider future plans for Portslade Town Hall. Furthermore you stated that officers at the council have been instructed to liaise with the Forum and I believe you may have discussed modernising the Kitchen and had a conversation with a project worker for how this could be developed for community use; however she is not on the Forum Committee. The Chair of Portslade Community Forum assures me that you and council officers have carried out no consultation or communication with the Forum, please could you clarify what future liaison is planned with Portslade Community Forum. Thank you."
- 86.8 Councillor Alford replied, "I was desperately interested to know what Councillor Hamilton would actually come up with today because clearly Portslade Town Hall is a fixation. Just to begin with, yes the Community Forum has been contacted, they've actually

supplied a list of active participants and I am quite happy to share this information with Councillor Hamilton at any time. We actually have the name of the council officer who will be the liaison man with this group, and I am quite happy to share that with Councillor Hamilton also. Yesterday the Cabinet held an informal meeting at Portslade Town Hall just to experience the facilities, and see what was going on. Everyone enjoyed the day it gave them the chance to have a look at the facility. What I have to ask Councillor Hamilton himself is does he have any plans to improve Portslade Town Hall. I mean last week at Cabinet we spent an hour debating the issue with him. You know basically bit by bit I believe we won him over to our argument. Interestingly enough at the end of the argument he said on camera "it does not happen very often but I actually agree with Councillor Alford." I am quite happy to share any information with Councillor Hamilton at any time."

- 86.9 Councillor Hamilton stated that "For a point of personal explanation, I said I supported Councillor Alford in spending money on Portslade Town Hall ,I did not say I supported Councillor Alford on selling of the rest of the property's site to pay for it." He then asked the following supplementary question, "My supplementary is this, why has the Cabinet agreed to market land and buildings in Victoria Road, Portslade prior to any consultation with Portslade residents many of whom are outraged by your proposal?"
- 86.10 Councillor Alford replied, "There again it has been explained to Councillor Hamilton that basically it will be a 3 stage process, this was all explained last week, it's an in principle decision at Cabinet so that goes ahead then basically we get somebody involved in the process who comes up with some ideas for the surplus land at that site at that point anyone that's wants to, including Councillor Hamilton and anyone with a vested interest is at liberty to join in the debate to find a sustainable future for this Town Hall."
- 86.11 (c) Councillor Fallon-Khan asked, "Will the Leader of the Council please make a statement on proposals for a coach park in Brighton?"
- 86.12 Councillor Mears replied, "I am referring to a report in the Argus from the Opposition Leader Councillor Gill Mitchell and comments about the coach park would be a waste of money. While we readily use taxpayers' money on the site and in the area with court fees, waste clearance, for loads of anti-social behaviour which amounts actually to over £50,000, a huge sum of public money, and this proposal would hugely improve the vitality of the whole area. It would also bring new investment into the city's economy. One coach company has said they will increase their business by 30%. This money is actually seaside town money very kindly given to us by the previous government, it's not match funding it was given to us for purposes like this. I would have thought Councillor Mitchell would really welcome this proposal."
- 86.13 Councillor Fallon-Khan asked the following supplementary question, "Would the Leader agree with me that this proposal is actually excellent value for money?"
- 86.14 Councillor Mears replied, "Absolutely, as I said earlier, we have spent over £50,000 of public money just to clear the site on a regular basis. To actually bring some investment into the area and to ensure that actually we increase our participation by a coach companies and they bring further investment into our city, to our economy is a really good thing so that is absolute value for money."

- 86.15 **(d)** Councillor Davis asked, "Will the Cabinet Member explain why the £62,000 of S.106 money allocated to the Council from the Development of South Down House 72 flats on Somerhill Avenue specifically for and I quote the provision of outdoor recreation facilities in the vicinity of the new development i.e. in St Ann's Wells Gardens has been sitting in the council's coffers unused since at least 2009?"
- 86.16 Councillor Theobald replied, "The S.106 money is available to do works in St Ann's Wells Gardens. The reason why, you say this has been laying there since 2009, frankly Mr. Mayor this work is planned to be done this year. It may well be the case that that money didn't come over to us at that particular stage. The fact is that a lot of works have been done in St Ann's Wells Gardens and a lot of works are going to be done in St Ann's Wells Gardens and I would have thought Cllr Davis would have been very pleased about that."
- 86.17 Councillor Davis asked the following supplementary question, "Is the Cabinet Member aware that we are extremely unlikely to win back the green flag in St Ann's Wells Gardens this month for a second year in a row because no money has been spent on the playground area and it is now deemed unsafe in places and not up to the required green flag standards?"
- 86.18 Councillor Theobald replied, "No I wouldn't accept that Mr. Mayor at all. We have been working on the various points that the judges in the green flag competition have raised as far as this park is concerned and all those works it is planned to do Mr. Mayor."
- 86.19 **(e)** Councillor Barnett asked, "Does the Cabinet Member for Enterprise & Employment share my disappointment that the opposition parties voted against the Conservative Administration's proposal to set up new future apprenticeships fund for the city at Budget Council meeting?"
- 86.20 Councillor Fallon-Khan replied, "I have to say I was particularly and personally very sad about that. During Budget Council you will recall some of the Conservative amendments which were fairly harmless you know, 20,000 library books, apprenticeships, education business partnerships these are the sorts of things that we absolutely believe that some of the other political parties would have necessarily agreed with. So I don't even think that they actually looked at our amendments because if they did look at our amendments Mr. Mayor they would have seen that they have cut at the heart of apprenticeships and 16-24 year olds in the City once and for all.

The apprenticeships in this City are now only really backed by one political party in the City and that's us. The education business partnership Mr. Mayor is something that I have now bought up 4 times to Councillor Mitchell. She raised in the Argus a few months ago, made a statement that the Connexions service was going to be replaced by one-off education business partnership event. Students, companies and apprentices and employees look at this service as absolutely vital and, I am looking at Councillor Allen here because I just cannot believe that he would have read those amendments from us and voted against it and neither Councillor McCaffrey and especially Councillor Turton. So they cut right at the heart of that and I am very sad and we are going to try everything we possibly can Mr. Mayor to make sure apprenticeships survive in the City and small business and big business are willing to take them on, thank you."

86.21 (f) Councillor Morgan asked, "In 2007 the Conservative Manifesto for the City stated that we will work tirelessly to redevelop the Brighton Centre and make the new building the cornerstone of the city's prosperity. Why, 4 years later and 6 weeks before they leave office are we no further forward and no nearer seeing a new Brighton Centre?"

86.22 Councillor Smith replied,

"Can I remind Councillor Morgan that in 2006 the then Chief Executive of this authority said the Brighton Centre was going to close at the end of 2007, going to shut its doors the whole lot. We lost millions of pounds of business in the City through that and it has taken us, how many years, 3 / 4 years to build it up again. I am pleased to say we are delivering between £60 million and £80 million pounds worth of income to this city which employs approximately 2000 jobs and a wider range of 14,000 jobs for the whole City. Because of what happened to the King Alfred, no money was spent over all the many years, we decided, because the Brighton Centre was such an important building to the economy of the City, to spend £800,000 refurbishing the Centre. I don't know if any of you have been in there lately and looked at it, completely redecorated, new booking office. We have got so many conferences, new ones coming here even today, 2 new conferences have been booked in, one for 2013 and one for 2017 which will bring about another £400,000 into the economy of the City. When the Members of the Labour Party get up and say about the Brighton Centre, King Alfred or any of these things that are left in our hands, yes we do want a new Brighton Centre it is very important but what we are doing we're spending money to make sure it is a leading light in the City it is today. Thank you."

86.23 Councillor Morgan asked the following supplementary question, "Why is Councillor Smith answering this question and not the Cabinet Member for Enterprise & Major Projects, why have they and this administration failed to deliver on the Brighton Centre, failed to deliver on any major project, failed to deliver on the economy and on jobs after 4 years in office?"

86.24 Councillor Smith replied, "I will answer it because the Brighton Centre is so important in this City and have you forgotten the King Alfred? I could go on and on and on of things that haven't been done in this City which should have been done. I was there at the very beginning 1977. I was a councillor when the Brighton Centre opened I was very proud of it then, what's happened since then, we have had other centres all over the country opening in Manchester, Birmingham since then, Liverpool, Sheffield, Glasgow all these places in competition. We could have had a new Brighton Centre a few years ago, what happened when SEEDA gave us £16m this council, towards the cost of it with Standard Life, it went to the Secretary of State and they threw it out and the reason was Brighton was wealthy enough to find its own money."

86.25 (g) Councillor Alford asked, "Could the Cabinet Member for Housing tell me how is tenant participation built into investment decisions in council housing?"

86.26 Councillor Caulfield replied, "Talking about another area of the council business that was never invested in under Labour. I am happy to say that a range of levels of tenant involvement in any decisions we make in investment and improvement to our council housing stock right down to the grass roots of tenants associations, which then form part of area panels, which then feed into the Housing Management Consultative Committee

which Members, if they decide to turn up, are also part of. So there is a whole range of tenant involvement initiatives and the biggest part of that is the City Assembly which is held a number of times and actually is just tenant led itself, but I think the ultimate tenant participation would actually be to see a tenant councillor sitting in this Chamber and I hope that after May we might actually see that happen.”

86.27 Councillor Alford asked the following supplementary question, “So right obviously the obvious question now is, now we know how it’s done, well I have got to ask now is how exactly is this changed since before the Conservative Group came into administration in 2007?”

86.28 Councillor Caulfield replied, “Yes we don’t just pay lip service to tenant involvement; we actually do take it seriously. I know Members on the opposition aren’t always happy about that, because we fundamentally believe that it isn’t for the state whether that’s the local or national state to dictate to people about their own homes. As Cabinet Member for Housing, private housing comes under me and I deal with things such as squatters, HMO licensing, grant to improve houses. I don’t tell home owners how to improve their homes or what to do with them so why should I tell tenants. I would like to see ultimately the Cabinet Member for Housing role in terms of council housing to deal with the budget and to look after maybe allocation of resources but it’s up to tenants to say how they want their service run how they want their homes delivered and I know that Members are uncomfortable about that because some people pay lip service to it and we actually believe in it. So when people talk to me about why haven’t we been involved in this decision, it’s up to tenants to bring these suggestions to us and we can have a debate about them but tenants must lead in this, it’s their homes after all.”

86.29 (h) Councillor Turton asked, “Could Councillor Theobald kindly update the council on the administration’s plans for permanent park & ride sites within the City please.”

86.30 Councillor Theobald replied, “I would just point out at the start that we do have a park & ride site in this City which, of course, is at Withdean Stadium. I appreciate you don’t know this part of the City very well. The site has 162 spaces, parking is free of charge and there is a bus straight into the City centre, the number 27 that goes every 15 minutes. So that is still there. As far as the future is concerned, it is intended that any park & ride sites would provide an opportunity to increase the choices available for people to access the City centre and also the South Downs National Park. Identifying suitable sites within the City does present a number of challenges.

I’ve mentioned Mr. Mayor, the challenges that are involved, the previous administration tried and failed and we have looked at the various sites they came up with and we have now looked at over 100 potential sites. It’s not easy Mr. Mayor bearing in mind we have a national park on one side and the sea on the other. But we have had a new approach based on the delivery of a number of smaller park & ride sites and that’s a key element of our sustainable transport policy. The next stage is a research exercise and that involves putting forward for consideration by the council potential sites within the City that could operate successfully but there are further detailed assessments and modeling that is required and of course, I mentioned this earlier on in this meeting, our transport model which will be with us very shortly now and that will help us very considerably because obviously, if you are going to put a lot of cars in one particular space you need to know the effect on the roads and such like around them, thank you Mr. Mayor.”

- 86.31 Councillor Turton asked the following supplementary question, "Councillor Theobald refers to the previous Labour Administration had identified over 100 potential sites and more work is being done. The Tory Manifesto in 2007 promised us effective delivery of park & ride within this current council cycle, it refers to a new approach, the new approach is the old approach put off doing anything about sustainable transport in this City, don't do anything, pack it in with cars and let the pollution go, that's your approach."
- 86.32 Councillor Theobald replied, "I have got absolutely nothing to answer, I mean I am amazed given the amount of time the Councillor must have had to think about what questions he can ask to try and catch me out, that that is the best he can do, then frankly that is not very good at all. I have already explained what we have got to do and what we are endeavouring to do. Find smaller sites but I got back to what I said originally, we have a park & ride site and I am just amazed that the Members opposite don't know where that is."
- 86.33 (i) Councillor Carden asked, "Dear Cllr Theobald can you please tell me how a Bridle Path of many years standing becomes a Twitten."
- 86.34 Councillor Theobald replied, "Well it's very nice to get the actual subject matter and the question which does enable me to answer it. A public bridleway is a legal definition for a right of way used by the public for walking and riding. A 'twitten' is a term used widely in Sussex and indeed it is certainly used widely in Patcham and there is a little booklet that refers to the 'twittens of Patcham'. A 'twitten' is a term used widely in Sussex to describe a path or alleyway which can depending on it's legal status be a public right of way and a bridle path. That's the legal answer that I've got."
- 86.35 Councillor Carden asked the following supplementary question, "Thank you Mr Mayor. What does the council do to perform maintenance and maintain these 'twittens'? I would like to know."
- 86.36 Councillor Theobald replied, "Rights of way are the responsibility of this council and they will continue to be the responsibility of this council even when the South Downs National Park and we have staff who maintain rights of way. We also have highways staff who maintain alleyways"
- 86.37 (j) Councillor Lepper asked, "Is Councillor Theobald aware that in October 1998 a Council report went to a committee in those days stated that Hollingdean needed a traffic calming scheme and as a result of that report some safety measures were carried out specifically in the dip, but everybody knew then that the measures had to be carried out on a wider scale. In fact by 2002, Hollingdean was ranked second in areas identified for traffic calming and finance was found to begin designing a scheme and public consultation began. The scheme ranked first was Woodingdean and that did in fact go ahead. In 2007 it would appear that the criteria and policy had changed and that area traffic calming schemes were no longer carried out. But in a letter to me at that time, I was told that road safety targets would be monitored annually and that the programme would be reviewed approximately every three years. Since then at regular intervals I have asked, not just as a local councillor but chair of the Hollingdean Local Action Team that a reassessment is carried out. I have also presented five petitions including those

from parents of St Joseph's School, residents in Stanmer Villas and Roedale Road calling for measures to make the area safer. The LAT has also offered up Hollingdean for a pilot area for a 20mph scheme. All these requests have been dismissed and local people believe that this administration does not take seriously local concerns about road safety. As it is now more than three years since 2007 can Councillor Theobald tell me when this area will be reassessed as part of that review promised in 2007?"

- 86.38 Councillor Theobald replied, "Well what is interesting is these sorts of questions come up just before an election don't they Mr Mayor. It's also interesting that the councillor was a leading member of the last Labour administration and it's interesting to know why these things didn't happen during their term. But Mr Mayor the council has taken positive steps to improve road safety at the dip. The road has undergone a number of improvements that included adjusting road layout and improved signage and lighting. Collision data for the last three years shows that these measures have and are working as the number of collisions has fallen significantly compared with the original road layout. Whilst the council doesn't consider Hollingdean Dip to have a specific safety concern, we are sensitive as we are throughout the city to the concerns and perceptions of residents. So we have developed a new methodology for assessing the requirements for pedestrian crossings that not only takes accidents into account but also includes pedestrian demand and I will ask officers to look at your request with this in mind.
- 86.39 Councillor Lepper asked the following supplementary question, "If he'd have listened to the question I talked about an area traffic calming scheme and he has fallen into the usual trap of just talking about the Dip which is only part of the problem. I have asked at regular intervals, and I do have the correspondence to prove it Geoffrey, it's not just at election times, as I have been instructed to do by the Local Action Team for a reassessment of the Hollingdean area, which does include the Dip, but it takes into account the entire 50 bus route which passes St Joseph's School, the Children's Centre Hollingdean Sure Start and the entrance to Cedar Centre Special School. The question is when is he going to ask his officers to carry out an assessment of Hollingdean for traffic calming as was promised in 2007? And it was the Labour administration that worked up the traffic calming scheme."
- 86.40 Councillor Theobald replied, "Mr Mayor, we get lots of requests, I can't just say well that because Councillor Lepper has got up at election time to say yes I will do so and so just like that Mr Mayor, I really can't and I don't think it would be appropriate."
- 86.41 **(k)** Councillor Marsh asked, "In this recent leaflet circulated by Councillor Caulfield, it's a non party political leaflet which is paid for by the way by the tax payer but is a very clear statement where it says that residents can receive free or cheap electricity under a council initiative. I would like to ask Councillor Caulfield the evidence on which this is based and whether she can clarify how exactly residents of our ward can receive free electricity?"
- 86.42 Councillor Caulfield replied, "Actually if opposition councillors again came to Housing Management Consultative Committee (HMCC) they would hear the evidence and have heard debates around tenants discussing it. We are in discussions, it was at my Cabinet Member Meeting (CMM) only on Tuesday after HMCC where we showed evidence in the report that we do have electricity companies willing to sign up with us and we are also in consultation with another local authority to go in and look at installing

solar panels and we are really excited about this project because what it will mean for council tenants in this city is that energy companies will install these solar panels for free. The tenants will benefit from the electricity that is provided and what's up for discussion is what we do with the surplus. So that could come to the council, that could come to the energy company, depending on the sort of negotiations we go into and this was debated at the tenants meeting last night that we both attended Councillor Marsh so you did get the answer then as well, thank you."

- 86.43 Councillor Marsh asked the following supplementary question, "Further along in this leaflet it does refer to the feed in tariff scheme which Councillor Caulfield hasn't actually mentioned and I want to ask is she aware that the Government is currently reviewing these feed in tariffs, whether she is aware that according to Climate Change Minister Gregory Baker there have been no representations received from this Administration regarding this review which is rather surprising and does she therefore not agree that her Administration should pursue making representations to the Government as a matter of urgency to ensure that Brighton and Hove City Council has a say on what is clearly an important review?"
- 86.44 Councillor Caulfield replied, "On a couple of issues, we do know there's going to be changes made to the feed in tariffs and that is why we wanted to move quickly and why we brought the recommendation for the feed in tariff's to Budget Council, which the Green Party voted against in the Housing Revenue Account (HRA) Budget and the Labour Party abstained and tenants are very aware of that. In relation to the Energy Minister, it's Greg Barker actually, Councillor Mears actually met with him last week at number 10 Downing Street and negotiations went very well and we are very pleased and that is why we are ahead of the game with most local authorities because we know changes will be made and that's why we want to get these installations in quickly."
- 86.45 (I) Councillor Mitchell asked, "Would the Leader of the Council comment on the Local Economic Partnership, its relationship with this council and how likely she believes Brighton & Hove will fare in receiving funding from the Government's new Regional Growth fund?"
- 86.46 Councillor Mears replied, "I am pleased that the Government has made it possible for our city to qualify for Regional Growth funding; I recognise there is stiff competition to receive this funding from across the country. The authority has encouraged private sector business to also bid for the funding. And I think that we ought to need to recognise the Local Economic Partnership (LEP) is also about inward investment to the area. In the Budget yesterday, George Osborne announced that LEP's will be able to become new enterprise zones which would allow us to retain business rates locally and would streamline planning which is something that we very much welcome and will be looking into."
- 86.47 Councillor Mitchell asked the following supplementary question, "I thank the Leader of the Council for her partial answer and I would like to invite her to explain how it is intended under this new model that local business groups and fora will continue to be linked to and represented on the LEP, and would she take this opportunity of expressing her genuine and continuing support for these local groups?"

- 86.48 Councillor Mears replied, "Thank you Mr Mayor. I very much welcome the establishment of the Coast Capital LEP which provides an opportunity to provide private businesses large and small to champion economic recovery and the long term growth of our city and the wider region. My ambition for the new appointed LEP board is that it will provide a strategic platform for business leaders working with local government to promote investment, create jobs and raise the prosperity of our city. As a local authority, to realise our role is to work with the business sector to achieve the best possible outcomes for local people. The city council has a seat on the LEP board and we will work to ensure that the LEP is sufficiently influential with Government and reflects our priorities and that's across the piste Mr Mayor, we will be ensuring that our businesses in the city, right across the piste are actually consulted and included."
- 86.49 (m) Councillor Hawkes asked, "Whilst realising that Travellers in the city have only recently come under your portfolio, why is it that the two groups of Van Dwellers in North Brighton at Varley Halls of Residence, Coldean lane and Thirty Nine Acre Field on Ditchling Road have been allowed to remain for almost a year spoiling the beautiful environment around Coldean?"
- 86.50 Councillor Caulfield replied, "Thank you for your question and I to share your concerns as the area is near my ward and I do receive quite a lot of complaints from local residents around the two encampments. It's not for the want of trying I can assure you and we have had several legal discussions around this and the groups have got legal cover themselves, they have got Legal Aid in fact. But we are at the stage where we now do have a court date next week on the 29th and we are hoping that a full court hearing will be scheduled soon so that we will get an eviction notice. Unfortunately they are a very well organised group and they do have a lot of legal support and they are talking about making this a test case for national purposes and what I am particularly disappointed in is this group of Van Dwellers have no regard for local neighbours and the local neighbourhood. But also they are doing a disservice to the Gypsy and Traveller community in this city because people are assuming it's Gypsies and Travellers and it's not, they are Van Dwellers and they are very much linked to the Van Dwellers that have been in Stanmer Park that thankfully our Rangers got rid of and a group of squatters that are organised around this city as well. So I want to make clear we are very committed to evicting them from both sites, it's under legal proceedings so it's difficult and we are trying to move it on as quickly as possible, but I want to emphasise that they are a group of Van Dwellers and not Gypsies and Travellers and it's a great shame that they are having a negative impact on that Community."
- 86.51 Councillor Hawkes asked the following supplementary question, "I did also use the term Van Dwellers, there is no doubt about that. But are you prepared therefore, I am aware of the court proceedings obviously, are you prepared to consider the sites urgently one way or the other please?"
- 86.52 Councillor Caulfield replied, "Yes we are, and we have sort advice from a barrister as well because there was debate whether to fight these court cases because they will be very expensive on the tax payer and the advise was that we must because they want to make us an example and a test case, and if we don't we will be opening the flood gates to other Van Dwellers to take up any vacant land in the parts of the city. So we are absolutely committed to fighting this and will deal with it as urgently as possible. And I do acknowledge that Councillor Hawkes said Van Dwellers as well."

- 86.53 (n) Councillor McCaffery asked, “Noting that despite the amendments to the budget and the potential restructuring I understand that the Education Welfare Service is significantly reduced, could Councillor Brown inform me what mechanisms are proposed for monitoring and assessing the reasons for absence from school, often a key indicator that there are serious issues in the family or with the young people’s mental health?”
- 86.54 Councillor Brown replied, “Thank you Councillor McCaffery. Even before the budget we were considering planning to integrate the Education Welfare Service more fully with the mainstream Children Social Work Teams. This will create a simpler more coherent care pathway for children requiring support and will stop duplication of services, because generally if the children are known to social services, they are the ones who are also working with the Education Welfare Officers, so hopefully it will stop the duplication which is better for the children and for us.”
- 86.55 Councillor McCaffery asked the following supplementary question, “As I mentioned in my first question some of the issues are around young people’s mental health. Would Councillor Brown please tell me the average length of time that young people with serious psychological problems currently have to wait to be seen by a Tier one psychologist, that’s the top tier, and how long they will have to wait in the future?”
- 86.56 Councillor Brown replied, “Thank you Councillor McCaffery. I think they were two very complicated questions and I don’t think you’d expect me to be able to answer off the top of my head but we will give you a written answer.”

87. REPORTS OF THE CABINET, CABINET MEMBER MEETINGS AND COMMITTEES.

(a) Callover

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

Item 89 - Overview & Scrutiny Report: The Societal Impact of the In-Year Budget Reductions.

Item 90 - Services for Adults with Autistic Spectrum Conditions – Scrutiny Review Panel Report.

(b) Receipt and/or Approval of Reports

- 87.2 The Head of Democratic Services confirmed that Items 89 and 90 had been reserved for discussion; and that the following reports on the agenda with the recommendations therein had been approved and adopted:

Item 88 - Annual Report of the Standards Committee.

Item 91 - Official Feed and Food Controls Service Plan 2011/12.

Item 92 - Health and Safety Annual Service Plan 2011/12.

Item 93 - Annual Investment Strategy 2011/12.

(c) Oral Questions from Members

87.3 The Mayor noted that there were no oral questions.

88. ANNUAL REPORT OF THE STANDARDS COMMITTEE

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

89. OVERVIEW AND SCRUTINY REPORT: THE SOCIETAL IMPACT OF THE IN-YEAR BUDGET REDUCTIONS

89.1 Councillor Watkins introduced the report and stated that he felt it had been an important scrutiny and had produced clear recommendations which he hoped would be taken forward. He wished to thank the Panel Members and the scrutiny officers who had helped to ensure that the review was well supported.

89.2 Councillor Young stated that she wished to thank the Panel for undertaking the review and completing it so quickly in light of the unprecedented cuts that had been announced by the government. The recommendations had been taken on board and had informed the 2011/12 budget setting process.

89.3 Councillor Wakefield-Jarrett thanked those involved in the scrutiny process, especially the CVS staff and finance officers who came to give evidence and enabled the panel to develop an understanding of the pressures caused by the in-year budget announcements. She hoped that an equalities impact assessment would be available with future budget papers and welcomed the acceptance of the recommendations.

89.4 Councillor Fallon-Khan welcomed the report and drew attention to paragraphs 8.4 and recommendation 9 in relation to partnership working of the panel's report; which had been highlighted by the panel and which he felt had been recognised by the Leader and already actioned.

89.5 Councillor Watkins noted the comments and recommended the report to the council.

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

90. SERVICES FOR ADULTS WITH AUTISTIC SPECTRUM CONDITIONS - SCRUTINY REVIEW PANEL REPORT

90.1 Councillor Harmer-Strange introduced the report and stated that he had great pleasure in bringing the report before Members. He wished to thank the panel Members for their support and those taking part in the review as well as the officers who supported the panel. It had been a very complex issue and was one that he had personal experience with and yet proved to be enlightening for him. The evidence received had enabled the panel to produce their recommendations and he hoped that they would form the basis of

improved working arrangements across all agencies and the opportunity to have further joint sessions to discuss how services to all those directly or indirectly affected could be improved.

- 90.2 Councillor Watkins stated that he wished to place on record his thanks to Councillor Harmer-Strange for his chairmanship of the panel and the various meetings that received evidence and personal experiences in coping with autism and associated conditions. He stated that the review complemented previous ones on dual diagnosis and sexual violence and highlighted the important role that effective scrutiny offered.
- 90.3 Councillor Norman stated that he wished to endorse the report and its recommendations and to thank the Members of the Panel. He stated that a number of the recommendations had already been taken forward and others would be in due course. It was an important issue and one that he as the Cabinet Member for Adult Social Care and Health would ensure was kept at the forefront of the service's priorities.
- 90.4 Councillor Phillips stated that she wished to thank the officers, members of the public and expert witnesses involved in the review process. She noted that some excellent work was already being undertaken in the third sector but that more co-ordinated support would enable that work to continue, which was why it was important to facilitate the coming together of all the service areas to ensure help could be provided across all sectors.
- 90.5 Councillor Meadows added her thanks to everyone involved with the review and also noted that Councillor Harmer-Strange's personal experience had helped the Panel Members to gain an understanding of just how diverse and wide ranging the subject matter was. She stated that the testimonies of those who suffer from an autistic condition and their carers had shown just how much they had to fight for help and support and how their lives could be improved and she hoped that the Panel's recommendations would be fully supported by all partner agencies.
- 90.6 Councillor Harmer-Strange thanked everyone for their comments and stated that there was still a lot to take forward and he hoped that the recommendations and the situation would be regularly reviewed.
- 90.7 **RESOLVED:** That the report be noted.

91. OFFICIAL FEED AND FOOD CONTROLS SERVICE PLAN 2011/12

- 91.1 **RESOLVED:** That the Official Feed and Food Controls Service Plan 2011/12 be approved.

92. HEALTH AND SAFETY ANNUAL SERVICE PLAN 2011/12

- 92.1 **RESOLVED:** That the Health and Safety Annual Service Plan 2011/12 be approved.

93. ANNUAL INVESTMENT STRATEGY 2011/12

93.1 **RESOLVED:** That the Annual Investment Strategy 2011/12 be approved.

94. NOTICES OF MOTION.**(a) Investing in the City's Housing**

94.1 The Notice of Motion as detailed in the agenda was proposed by Councillor Mears and seconded by Councillor Caulfield.

94.2 Councillor Simpson moved an amendment on behalf of the Labour and Green Groups which was seconded by Councillor Randall.

94.3 The Mayor noted that the joint amendment moved by Councillor Simpson had not been accepted by Councillor Mears and therefore put the proposed joint amendment to the vote which was carried.

94.4 The Mayor then put the following motion as amended to the vote:

“This Council welcomes the close involvement of Brighton & Hove's tenants and leaseholders in deciding how housing services are planned and delivered in the City and in setting the Council's housing budget strategy for 2011-12. Their identified priorities include:

- Continued investment in the Turning the Tide strategy to tackle anti-social behaviour and reduce social exclusion;
- Identifying measures to tackle overcrowding through an enhanced housing options approach;
- Leasing properties to Brighton & Hove Seaside Community Homes, the housing company set up by the council to raise investment for improvements to council tenants' homes;
- Working in partnership to develop an estates “masterplan” to inform best use of our assets and identify opportunities to build new Council homes;
- Maximising the level of revenue resources available to support the Decent Homes Programme and working with residents to ensure that we are able to respond to opportunities to generate renewable energy.

However, this council is disappointed by the government's record on housing so far, which includes:

- Controversially reducing housing benefit which risks driving thousands of vulnerable people from their homes in areas where housing costs are high.
- Not adjusting the formula to limit the rise in social housing rents, at a time of high inflation, to help Brighton & Hove tenants during the financial downturn;
- Housing associations being allowed to charge rents of up to 80% of market rate to fund new provision, which is likely to price vulnerable tenants out of their homes in these tough economic times.

- Ending the universal right to secure tenancies for existing as well as new tenants, despite promising in the 2010 Conservative Party Manifesto to “respect the tenures and rents of social housing tenants.”
- Extending the amount of time a home is allowed to stand empty, before a council can intervene, from 6 months to 2 years, meaning more empty homes for longer periods in Brighton & Hove.
- Reducing the affordable housing budget by 60% which will lead to a decline in affordable house-building nationally and locally.
- Taking-back 75% of right-to-buy income, rather than allow 100% of income from sales to be given to local authorities, such as Brighton & Hove.
- Abandoning previous planning targets, which could lead to fewer new homes locally and nationally.
- Failing to end the sale of council homes, leading to a reduction in the availability of affordable housing in Brighton & Hove.
- Doing nothing to regulate rents in the private rented sector or regulate the work of letting agents, thus failing to ease the many problems faced by private sector tenants who account for almost a quarter of the tenancies in Brighton and Hove – more than twice the national average – and whose average tenancy length is between only 12 and 18 months.

The Council believes that the above measures, taken together, will have significant adverse impact on the availability of, and investment in, housing in the City.

Therefore, this Council resolves:

- (i) to place on record its sincere gratitude to the city’s tenants and leaseholders for all their excellent partnership working with the Council in helping to deliver improvements to their housing;
- (ii) to continue to involve them closely in budget and policy setting, which affect their lives and homes;
- (iii) to request that the Chief Executive writes to the Housing Minister – Grant Shapps MP – with a copy of this motion highlighting this council’s concerns with his government’s housing policies, but also the excellent partnership working taking place in Brighton & Hove.
- (iv) notes that the Cabinet member for Housing has publicly stated that the potential sites for the building of new council homes in the city are “clearly mapped out” and requests that these maps and details are distributed to all members of the council forthwith.”

94.5 The motion was carried.

Motion to terminate the meeting:

- 94.6 In accordance with Procedural rule 17, the Mayor noted that the meeting had been in session for over four hours and he was therefore required to move a closure motion to effectively terminate the meeting.

94.7 The Mayor therefore moved the closure motion and put the matter to the vote which was lost and therefore resulted in the continuation of the meeting.

(b) Enhancing Brighton and Hove's Trees and Woodland

94.8 The Notice of Motion as detailed in the agenda was proposed by Councillor Janio and seconded by Councillor Fallon-Khan.

94.9 Councillor Kennedy moved an amendment on behalf of the Green and Labour Groups which was seconded by Councillor McCaffery.

94.10 The Mayor noted that the joint amendment moved by Councillor Kennedy had not been accepted by Councillor Janio and therefore put the proposed joint amendment to the vote which was carried.

94.11 The Mayor then put the following motion as amended to the vote:

"This Council recognises the hugely important role that is played by Brighton & Hove's 9,000 street trees, and 500 hectares of woodland. In particular:

- Woodlands and parks provide invaluable space for recreation and exercise for residents.
- Trees and woodland play a crucial role in global climate regulation and, therefore, help to enable people and wildlife to adapt to climate change.
- Trees and woods also help in the reduction of urban temperatures, alleviate flooding, absorb pollution, and provide sustainable building materials.

Furthermore, Brighton & Hove plays a national role in tree conservation and biodiversity, hosting the official National Elm Collection and the former National Lilac Collection at Withdean Park. The Council also runs a successful Tree Trust, which enables residents to have a dedicated tree planted on their behalf to mark a significant event or simply to enhance the character of their chosen area.

This Council notes the woodland access standard developed by the Woodland Trust, which has a goal that no person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size, and that there should be at least one area of accessible woodland of no less than 20ha within 4km of people's homes. Currently access to woodland within 500m is 3.6% for Brighton and Hove, which compares to an average of 13.2% for East Sussex and 15.6% for the UK.

This Council is also pleased to note that the coalition government has been forced to abandon its plans to sell off England's treasured 1,400 national forests, including nearby forests visited and enjoyed by the people of this city, thanks to the Save Our Forests Campaign, organised by 38 Degrees and backed by organisations including the Woodland Trust, Greenpeace, the WWF, the National Trust, and the Ramblers,

heralding a victory for people power with over 530,000 people signing a petition opposing the Government's plan to privatise public forests.

This Council is, however, disappointed that this government still plans to sell 15 per cent of the Public Forest Estate, the maximum sales allowed under the law as it stands, where they have simply delayed the sale until the autumn. This will concern local people who enjoy visiting adjacent natural forests and woodland, such as the nearby Friston Forest,

Therefore, this Council resolves to:

1. Congratulate all Brighton & Hove residents involved in the Save Our Forests Campaign for their success in achieving a u-turn from the coalition government on these unpopular proposals to sell off our national forests;
2. Request that the Cabinet Member for Environment:
 - a) Works with the Woodland Trust to examine options for further woodland creation and tree planting in Brighton and Hove, with particular reference to the Mayor of London's Street Trees campaign which aims to plant 10,000 new street trees in the capital;
 - b) Investigates the possibility of a developing a stand alone trees and woodlands policy, in consultation with the relevant scrutiny committee.
 - c) Explores the option of a free tree scheme, such as the one in Kent, which enables residents to apply for up to 25 free trees, of which nearly 7 tonnes of CO2 would be absorbed in their lifetime, and can be planted as single trees or used to create a woodland or hedgerow."

94.12 **The motion was carried.**

Motion to terminate the meeting:

94.13 In accordance with Procedural rule 17, Councillor Kennedy moved a closure motion to effectively terminate the meeting in view of the length and time of the meeting.

94.14 Councillor Randall formally seconded the motion.

94.15 The Mayor therefore put the motion to the vote which was carried and noted that each of the remaining items would need to be taken and voted on or withdrawn by the mover before the meeting was concluded.

(c) A Financial Inclusion Programme for the City

94.16 Councillor Mitchell confirmed that she wished the Notice of Motion as detailed in the agenda to be taken and that she was willing to accept both the Conservative and Green Groups' proposed amendments.

94.17 The Mayor noted that the Conservative and Green Groups' amendments had been accepted and therefore put the following motion as amended to the vote:

"This Council acknowledges the need to build a sustainable economy in Brighton & Hove and recognises that an essential part of this should be a comprehensive information and advice strategy to ensure that people are supported in coping with increasingly complex financial pressures.

Regrets that today, in Brighton & Hove:

- 10,700 people in Brighton & Hove are without jobs and want to work.
- 17% of households have incomes below £10,000 per year
- 20% of children live in households with no working adults.
- Average earnings in the city are also below national levels, while property prices are above average.

There is a lack of awareness about affordable credit and problem debt is increasing. Exclusion from financial services creates barriers and can lead to additional costs, particularly for those on the lowest incomes.

This Council acknowledges that social and financial exclusion is economically inefficient, representing a waste of people's potential and generating unnecessary welfare costs.

Around 70% of financially excluded people live in social housing and this Council believes that any financial inclusion programme must include social housing tenants. This Council recognises that effectively helping people achieve financial inclusion involves tackling the various factors that result in exclusion. For example, a person may be in debt through not claiming their full benefit entitlement, be paying punitive rates of interest to a doorstep lender, lack insurance cover to meet unexpected costs and be unable to budget effectively.

Therefore this Council:

1. Welcomes the work already undertaken to improve financial inclusion in the City; for example, through grant funding to agencies including Brighton Housing Trust, Credit Union (East Sussex) and St Luke's Advice & Money Advice Community Support and through the City's Advice and Information Services Partnership.
2. Requests the Leader and Cabinet to consider launching a campaign to increase East Sussex Credit Union membership among Brighton and Hove council staff and members led by the Council Leader, the Chief Executive and senior council staff;
3. Welcomes the decision of Full Council to provide funding to develop a Citywide Financial Inclusion Strategy, including support for existing money and debt advice services and credit unions;
4. Requests the Cabinet Member for Finance to immediately begin exploring options for commissioning a strategy which would aim to:-

- target disadvantaged areas to assist local residents in managing their money,
 - increase the number of residents having a basic bank account,
 - provide access to affordable credit – such as joining a credit union,
 - offer debt advice and tackle illegal loan sharks including support for existing money and debt services and credit unions;
5. Requests the Cabinet Member for Finance to continue to ensure that all potential partners are fully liaised with and consulted, including existing money advice organisations, Citizens Advice Bureau, the local credit union and the Advice and Information Services Partnership of the LSP;

And

6. Requests the Chief Executive to write to the city's three MPs urging them to lobby the Chancellor of the Exchequer for the introduction of a cap on interest rates, bringing the UK in line with Germany, France, Austria, Italy, Switzerland, Ireland, Poland and most European countries."

94.18 **The motion was carried.**

(d) The Impact of Police Cuts in Brighton and Hove

94.19 Councillor Morgan confirmed that he wished the Notice of Motion as detailed in the agenda to be taken and that he was not willing to accept the Green Group's proposed amendment.

94.20 The Mayor noted that the Green Group's proposed amendment had not been accepted and put it to the vote which was lost.

94.21 The Mayor then put the following substantive motion to the vote:

"This council wishes to acknowledge its good working relationship with Sussex Police at both a central command and neighbourhood policing level.

However, it expresses concern at the government's policy of making deep and front-loaded cuts to our local police services.

The Sussex Police Authority has been placed in an impossible position in having to reduce the number of police officers and staff, both of whom play a vital role in protecting local residents from crime and work hard to make Brighton & Hove a safer city.

This council has huge reservations over the impact these cuts will have locally, with Sussex Police facing cuts of £28.6m in real terms over the next two years, as well as last year announcing cuts to 1,050 Police officer posts over the next five years.

Over the four years of the Government's Spending Review, police forces will see their funding cut by around 20 per cent in real terms. Sussex Police will lose 550 police staff as a result of this.

Meanwhile, the Government is spending over £100m on replacing police authorities with 42 directly elected police commissioners, an unwanted and currently unnecessary organisational upheaval, which goes against a 150-year tradition of keeping politics out of day to day policing.

People will be justifiably angry that, at the same time as cutting funding for frontline police, the government wants to spend the equivalent of 600 full time police officers on bringing in directly elected police commissioners.

This council therefore expresses concern at the following;

- That the future of Hove Police Station is under threat with no confirmed alternative proposals for a publicly accessible front desk service.
- That the station's viability was placed in doubt following the departure of the Road Policing Unit, due to budget cuts.
- That there will be no police station in Sussex open after midnight and that it is proposed that the John Street Police Station in Brighton closes its doors between midnight and 8am.

This council also;

- Believes strongly, that the residents of Brighton, Hove and Portslade need a local Police Station, with full policing capabilities and an accessible, public front desk;
- Notes that when the previous government left office, there were record numbers of Police on the street, nearly 17,000 more than in 1997, in addition to 16,000 new PCSOs. Accordingly, crime fell by 43% and the chance of being a victim of crime was at a thirty year low;
- Notes that the number of young people first time entrants to the criminal justice system and ending up in custody had fallen by 25% by 2010.

This council therefore;

Requests that the council's Chief Executive writes to the Home Secretary, The Rt. Hon Theresa May MP to express this council's concerns as set out in this motion with a copy also sent to the Shadow Home Secretary, Yvette Cooper MP and the city's three local MPs."

94.22 The motion was carried.

(e) Educational Reforms and Their Effect on the City

94.23 Councillor Fryer confirmed that she wished the Notice of Motion as detailed in the agenda to be taken.

94.24 The Mayor then put the substantive motion to the vote:

“This council acknowledges that the above average proportion of highly educated residents is one of the main reasons for the success of Brighton and Hove’s diverse and resilient economy ^[1].

Therefore, it notes with concern proposals for wholesale cuts to educational funding in the city, which will see further increases in the university tuition fees introduced by the previous government and cuts to the Education Maintenance Allowance that will seriously affect the education chances of more than 2,600 young people from low-income families in Brighton and Hove ⁽²⁾.

It recognises these cuts will:

- Have a serious impact on the local economy by seriously reducing the number of jobs at the city’s universities and further education colleges
- Reduce the number of well-educated people entering the city’s work-force
- Increase the 8.2 per cent of the working population in the city who have no qualifications at all ⁽³⁾
- Reinforce social inequality by increasing the gap between rich and poor.

This Council therefore:

Requests that the Chief Executive writes to the government urging it to introduce a business education tax levied on the top 4 per cent of UK companies, which would generate enough income annually to abolish all tuition fees, maintain the EMA and bring our public investment in higher education up to the average in other comparable countries.”

[1] According to 2008 figures, 40.25 per cent hold a degree or equivalent qualification, and the city’s skills base places us in the top 20 per cent of districts across the country (Brighton and Hove Local Intelligence Service)

[2] Young People’s Learning Agency report on EMA take-up in Brighton and Hove, 2004/05 to 2009/10

[3] Joint Strategic Needs Assessment, Brighton and Hove City Council, 2010

94.25 **The motion was carried.**

(f) Reducing the Effects of Alcohol Abuse on the City

94.26 Councillor Randall confirmed that he wished the Notice of Motion as detailed in the agenda to be taken and that he did not accept the Conservative Group’s proposed amendment.

94.27 The Mayor noted that the Conservative Group’s proposed amendment had not been accepted and put it to the vote which was lost.

94.28 The Mayor then put the following substantive motion to the vote:

“This council expresses its concern about alcohol consumption in Brighton and Hove, its cost to the local economy and its damaging effect on the well-being of the local community.

It notes that:

- The number of licensed premises in the city increased from 1099 in 2006 to 1427 in 2010, an increase of nearly 50 per cent, following the introduction of the Licensing Act 2003; ⁽¹⁾
- 45 per cent of all crime in the city is fuelled by alcohol ⁽²⁾ including crimes of violence, among them domestic violence;
- The city has almost double the regional rate of alcohol related crime;
- The annual financial cost to the city is estimated at more than £106 million;
- 57 per cent of adults in the city are estimated to be hazardous or harmful drinkers;
- Many of those at highest risk live in deprived areas;
- 13 per cent of all 10-15 year-olds reported being drunk at least once.

Locally, this council welcomes the work in hand by the council to address the problems associated with alcohol consumption in the city. However, it deplores the ineffectual ‘Responsibility Deal’ introduced by the Government, which depends on self-regulation through voluntary agreements on issues such as promotions and labeling.

It therefore:

- (1) Joins the British Medical Association, The Royal College of Surgeons, The British Liver Trust, Alcohol Concern, the Institute of Alcohol Studies and the Royal College of Physicians in condemning the ‘Responsibility Deal’;
- (2) Calls on the Chief Executive to write to the Government on behalf of the city council urging it to:
 - Produce a coherent and comprehensive strategy to deal with alcohol calling on the expertise of health professionals and others;
 - Engage with the drinks industry, *after the strategy is produced*, to establish what contribution it can make to implementing the strategy.”

(1) All figures from Brighton and Hove City Council except

(2) A Sussex Police Authority figure.

94.29 **The motion was carried.**

95. CLOSE OF MEETING

95.1 The Mayor called on Councillor West.

95.2 Councillor West noted that a number of Members were due to end their terms of office with the forthcoming elections in May and despite their political differences, they had

given a valued service to the city and the council and he hoped all Members would join him in wishing them well for the future.

95.3 The Mayor thanked Councillor West and closed the meeting at 10.00pm

Signed

Chairman

Dated this

day of