

BRIGHTON & HOVE CITY COUNCIL MEETING

4.30PM 24 MARCH 2011

COUNCIL CHAMBER, BRIGHTON TOWN HALL



AGENDA



**Brighton & Hove
City Council**

Council Meeting

Title:	Council
Date:	24 March 2011
Time:	4.30pm
Venue	Council Chamber, Brighton Town Hall
Members:	All Councillors You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Reverend Paul Scholey
Contact:	Mark Wall Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	The Town Hall has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However use of the lift is restricted for health and safety reasons please refer to the Access Notice in the agenda.
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
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AGENDA

Part One**Page**

78. DECLARATIONS OF INTEREST

Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as personal and/or prejudicial under the terms of the Code of Conduct.

79. MINUTES**1 - 68**

To approve as a correct record the minutes of (a) the last Ordinary Council meeting held on the 27th January 2011 and (b) the Budget Council meeting held on the 3rd March 2011 (copies attached).

80. MAYOR'S COMMUNICATIONS.**81. TO RECEIVE PETITIONS AND E-PETITIONS.**

Petitions will be presented to the Mayor at the meeting.

82. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of the 17th March 2011 will be circulated separately as part of an addendum at the meeting.

83. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

A list of deputations received by the due date of the 17th March 2011 will be circulated separately as part of an addendum at the meeting.

84. PETITIONS FOR COUNCIL DEBATE**69 - 74**

Petitions to be debated at Council. Reports of the Monitoring Officer (copies attached).

(a) Parking for Royal Sussex County Hospital - Lead Petitioner Councillor Bennett;

(b) Keep Brighton Unique – Lead Petitioner Mr. Tom French.

(c) Save the Drive Cycle Lanes, Hove – Lead Petitioner Councillor Ian Davey.

Note: A period of 15 minutes has been set aside for each of the petition debates.

COUNCIL

6.30 - 7.00 PM REFRESHMENT BREAK

Note: A refreshment break is scheduled for 6.30pm although this may alter slightly depending on how the meeting is proceeding and the view of the Mayor.

85. WRITTEN QUESTIONS FROM COUNCILLORS.

75 - 78

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

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 29-1006

86. ORAL QUESTIONS FROM COUNCILLORS

79 - 82

A list of Councillors who have indicated their desire to ask an oral question at the meeting along with the subject matters has been listed in the agenda papers.

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 29-1006

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

- (a) Call over (items 88 - 93) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.
- (c) Oral questions from Councillors on the Cabinet, Cabinet Member and Committee reports, which have not been reserved for discussion.

88. ANNUAL REPORT OF THE STANDARDS COMMITTEE

83 - 94

Extract from the Standards Committee meeting held on the 18th January 2011, along with a report of the Strategic Director, Resources (copies attached).

Contact Officer: Liz Woodley
Ward Affected: All Wards

Tel: 29-1509

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

95 - 116

Report of the Strategic Director, Resources (copy attached).

Contact Officer: Tom Hook
Ward Affected: All Wards

Tel: 29-1110

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

Report of the Strategic Director, Resources (copy to follow).

Contact Officer: Tom Hook *Tel:* 29-1110
Ward Affected: All Wards

91. OFFICIAL FEED AND FOOD CONTROLS SERVICE PLAN 2011/12 117 - 152

Extract from the proceedings of the Environment Cabinet Member Meeting held on the 10th March, together with a report of the Strategic Director, Place (copies attached).

Contact Officer: Nick Wilmot *Tel:* 29-2157
Ward Affected: All Wards

92. HEALTH AND SAFETY ANNUAL SERVICE PLAN 2011/12 153 - 172

Extract from the proceedings of the Environment Cabinet Member Meeting held on the 10th March, together with a report of the Strategic Director, Place (copies attached).

Contact Officer: Roy Pickard *Tel:* 29-2145
Ward Affected: All Wards

93. ANNUAL INVESTMENT STRATEGY 2011/12 173 - 186

Extract from the proceedings of the Cabinet Meeting held on the 17th March (to be circulated separately), together with a report of the Director of Finance (copy attached).

Contact Officer: Peter Sargent *Tel:* 29-1241
Ward Affected: All Wards

94. NOTICES OF MOTION. 187 - 198

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

- (a) **Investing in the City's Housing** - Proposed by Councillor Mears 187-188
(copy attached).
- (b) **Enhancing Brighton & Hove's Trees and Woodland** - Proposed 189-190
by Councillor Janio (copy attached).
- (c) **A Financial Inclusion Programme for the City** - Proposed by 191-192
Councillor Mitchell (copy attached).
- (d) **The Impact of Police Cuts in Brighton and Hove** - Proposed by 193-194
Councillor Morgan (copy attached).
- (e) **Educational Reforms and Their Effect on the City** - Proposed by 195-196
Councillor Fryer (copy attached).

- (f) **Reducing the Effects of Alcohol Abuse on the City** - Proposed by Councillor Randall (copy attached). 197-198

95. CLOSE OF MEETING

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

Note:

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

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

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

The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.

(c) *Following completion of the outstanding items, the Mayor will then close the meeting.*

2. *If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*

3. *Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

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

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

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

COUNCIL

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

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

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

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

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

ACCESS NOTICE

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Please inform staff on Reception if this affects you so that you can be directed to Committee Room 1 where video conferencing facilities will be available for you to use should you wish to watch the meeting or need to take part in the proceedings e.g. because you have submitted a public question.

We apologise for any inconvenience caused

Date of Publication - Wednesday, 16 March 2011



Chief Executive

King's House
Grand Avenue
Hove
BN3 2LS

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 27 JANUARY 2011

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Wells (Chairman), A Norman (Deputy Chairman), Alford, Allen, Barnett, Bennett, Brown, Carden, Caulfield, Cobb, Davey, Davis, Deane, 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, Peltzer Dunn, Phillips, Pidgeon, Randall, Rufus, Simpson, Simson, Smith, Steedman, C Theobald, G Theobald, Turton, Wakefield-Jarrett, Watkins, West, Wrighton and Young.

PART ONE

59. DECLARATIONS OF INTEREST

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

60. MINUTES

60.1 The minutes of the last ordinary meeting held on the 16th December 2010 were approved and signed by the Mayor as a correct record of the proceedings; subject to the following amendments:

- (i) the insertion of the word '**Deputy**' before Mayor at paragraph 45.8;
- (ii) paragraph 49.35 to read, "Councillor Fallon-Khan stated that he understood the petition's objective but felt that there was a need to consider the best use of the available funding to improve the area **and to take into account the importance of biodiversity issues for the area.**"
- (iii) the replacement of the word 'Duncan' by '**Mears**' at paragraph 51.5.

61. MAYOR'S COMMUNICATIONS.

61.1 The Mayor informed the Council of the recent death of former Councillor Bennett and drew Members attention to the fact that it was also Holocaust Memorial Day. He noted that former Councillor Bennett had been a hard-working and much respected member of

the community representing what was now Hove Park Ward. He stated that the council's thoughts were with Councillor Jayne Bennett and family members at this time.

- 61.2 The Mayor then held a minute's silence to honour the memory of a friend and colleague and all those who suffered as a result of the holocaust.
- 61.3 The Mayor then offered the Council's congratulations to the Council's Planning Team who had won two awards from the South East Branch of the Royal Town Planning Institute. He invited Mathew Thomas to accept the Climate Change award for the Biodiversity Supplementary Planning Document and Jo Thompson and Gill Thompson to accept the commendation awarded in the Master Planning category for the Brief for the former Royal Alexandria Children's Hospital.
- 61.4 The Mayor then stated that he was very pleased to present the Brighton & Hove Revenues & Benefits team with their Customer Service Excellence Award and invited Stephen Hird, Revenue & Benefits Manager to accept the award.
- 61.5 The Mayor then reminded Council of his Charities Spring Dinner taking place on the 18th February 2011.
- 61.6 Finally, the Mayor stated that he was aware that the Leader of the Council wished to make a statement and therefore called on Councillor Mears to address the meeting.
- 61.7 Councillor Mears thanked the Mayor and stated that she was delighted to inform Members that the Council had achieved 3 star standard for its Equalities Framework. She wished to place on record her thanks to Councillor Simson, the Equalities & Communities Team and all staff involved in achieving the standard.

62. TO RECEIVE PETITIONS AND E-PETITIONS.

- 62.1 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.
- 62.2 Councillor McCaffery presented a petition signed by 167 residents concerning a request for a paddling pool in Preston Park.
- 62.3 Councillor Kennedy presented a petition signed by 151 residents concerning the compulsory purchase of Anston House.

63. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

- 63.1 The Mayor reported that five written questions had been received from members of the public. He noted that a period of 15 minutes was set aside for the consideration of public questions at council meetings and that a written response would be given to any outstanding questions once the time period had elapsed.

- 63.2 The Mayor then invited Mr. Hawtree to come forward and address the council.
- 63.3 Mr. Hawtree asked the following question, "Would Cllr Theobald please tell us what plans he has to highlight the boundary at which Brighton meets Hove, and vice versa?"
- 63.4 Councillor Mears, Leader of the Council replied, "Thank you for your question Mr Hawtree. The policy of my Administration has always been to preserve and celebrate the distinct identities of Brighton, Hove and Portslade, whilst at the same time recognising the benefits that being a unified city brings.

Indeed, as I am sure you will be aware, Mr Hawtree, we have recently set up a Civic Awareness Commission to look at just these sorts of issues, across the whole city. There are many landmarks and features in each of the three areas which contribute towards their unique character – the three town halls, the libraries, the differing styles of architecture and probably most importantly of all, the residents that live in them. It is particularly this diversity which makes the city of Brighton and Hove such an attractive place to be.

The boundary, of course, is already marked physically at the seafront by the Peace Statue but due to the length of the border – stretching right up to the Downs – it would be impractical and costly to actually put in an identified border and any other measures to highlight it.

However, Mr Hawtree, I am sure we are always open to any suggestions as to how we can enhance the character and appearance of the whole city and I would be delighted to hear from you if you have any views."

- 63.5 Mr. Hawtree asked the following supplementary question, "Thank you, Councillor Mears, and as one border highlight has now vanished, the sign which twinned Hove with Draveil in Europe on Western Road, what steps will Councillor Mears now consider taking to twin Hove with Hove, North Dakota, something which would be of mutual benefit for Hove, North Dakota, which was once a city but has now dwindled to a population of two people?

Our support would encourage its regeneration on the world stage and even more importantly act as a reminder of what could happen to Hove, England, if, faced by cuts, this authority does not do its utmost to help people this side of the border."

- 63.6 Councillor Mears replied, "Thank you, Mr Hawtree, for your supplementary. I'm not sure if you want me to give a serious answer as obviously this was quite a frivolous supplementary question.

Obviously you've been there. If you actually move there I am sure that would make three residents, but as I've already said in my first reply to you this is a fantastic city, it's really diverse and I believe actually right across the city, whether you're in Brighton, whether you're in Hove, whether you're in Portslade, we have some amazing parts of the city.

We also have coming up in the next two years events that will come through the Civic Awareness Commission which will highlight the city in its full beauty and recognise all

the outstanding parts of the city, so if you're staying here, if you're not going, I am sure you'll be delighted to take part."

63.7 The Mayor thanked Mr. Hawtree for his questions and invited Mr. Jarrett to come forward and address the council.

63.8 Mr. Jarrett asked the following question, "Could Councillor Theobald explain how will the closure of the Hove Road Policing unit in Holland Road due to Coalition government cuts to Police budgets affect the safety of residents in the surrounding Goldsmid ward?"

I am particularly concerned about school children crossing The Old Shoreham Road, The Drive, Davigdor Road and the many rat runs leading off these roads."

63.9 Councillor Mears, Leader of the Council replied, "Thank you, Mr Jarrett, for your question. I am confident that the relocation of the Road Policing Unit from Hove will not have any detrimental effect on road safety within the city, including Goldsmid Ward.

The way that Sussex Police organises its resources is a matter for the Chief Constable but we have been reassured by the Head of the Road Policing Unit that their resources will still be routinely deployed to the city on road safety operations. Sussex Police have also given reassurances that they will continue to work closely with the city council on road safety matters and will continue their involvement with the local Casualty Reduction Action Group and the countywide Sussex Safer Roads Partnership.

The council consistently monitors road safety across the city and where necessary works with other organisations, including the police, to implement appropriate measures, such as the recently installed pedestrian refuge in Davigdor Road, which I hope you would welcome."

63.10 Mr. Jarrett asked the following supplementary question, "Since I submitted this question, a local resident who works as a civilian at Police Headquarters in Lewes has informed me that a decision has been made to close the whole of Hove Police Station, although that hasn't been publicly admitted. Could you tell me please what will the council response be in the light of that marked reduction of activity in Hove? How will you reassure residents about their safety in all forms?"

63.11 Councillor Mears replied, "Thank you, Mr Jarrett, for your interesting supplementary. Can I just say at this moment in time we have had no official announcement. We do have a representative on the Police Authority here, so I'm sure when the police do get around to making that announcement we will be informed.

Could I just very quickly, very remiss of me I didn't answer some of the other points that you raised in your first question and that was particularly around the Government cuts. The economy was run into the ground by Labour. They left us with the worst structural deficit in the G20. Therefore, any cuts that are having to be made are Labour cuts and as we can see from the agenda today they are still in complete denial about the deficit.

Her Majesty's Inspector of Constabularies produced a report saying that the police forces can save over £1 billion a year, more than 12% of their budgets, by working more efficiently without even thinking about touching the front line. The Chief Constable of

Sussex has said about their reduced funding and I quote 'this represents an opportunity to put people, not paperwork, at the heart of policing' and it goes on to reassure the public that 'we're fundamentally changing the way we police to put people at the centre of all we do'. He is saying that the police are going to react to the reduced funding, not by burying their heads in the sand or demanding more money – which is always the Socialist answer – no, he is suggesting a constructive, proactive approach where we do away with all the unnecessary bureaucracy and concentrate resources fully on the front line. I hope you found that helpful."

- 63.12 The Mayor thanked Mr. Jarrett for his questions and invited Mr. Collins to come forward and address the council.
- 63.13 Mr. Collins asked the following question, "Residents of Hove are concerned at the reduction of hours at Hove Police Station and the potential closure of the station. They feel strongly that a full police presence must be retained at Holland Road. What is the council's representative on the Sussex Police Authority, Councillor Ben Duncan, doing to ensure our views are fully represented?"
- 63.14 Councillor Duncan, the Council's Police Authority Representative replied, "Thank you very much, Mr Collins, for your question. I think Councillor Mears and the previous questioner will be interested in this answer too but it is absolutely clear that there is a review going on of the whole police estate, they've got about 36 police stations across Sussex. Everything is kind of up for grabs. They're reviewing, in an attempt to save just under £2 million, the way they provide front access to members of the public across the whole of Sussex and indeed one of the proposals being looked at is a reduction of hours at Hove Police Station.

There are two things which I think it's really important to stress in my answer. The first as Councillor Mears said, this is an operational decision taken quite properly by the Chief Constable, it's not a decision that the Police Authority can take for him: it wouldn't be appropriate for us to do so. Our role as Members of the Police Authority is therefore engaging with the process of formulating that policy and ensuring there is proper public consultation.

The second thing that I would say is really important is that no final decision has yet been taken. There will be a full public consultation in February and March. Personally I have agitated and made the argument that there should be full public consultation and it should be listened to rather than just being a paper stamping exercise. I have raised my concerns about the reduction of hours at Hove Police Station with the Divisional Commander, Chief Superintendent Graham Bartlett, and I have raised my concerns in meetings with the Resources Scrutiny Committee of the Police Authority.

Ultimately, however, this is driven by cuts, it is driven by Conservative and Liberal Democrat Government cuts which, and another part of the same quote that Councillor Mears was referring to, is that Sussex Police have got a budget reduction of £52 million to deal with over the next four years. That will see about 1,000 police jobs go, it will also see reduced hours at police stations. I don't believe that those cuts are necessary, I think that it's the wrong political decision but here in Sussex we've got to deal with what the Government gives us. I very much hope that the front line service provided to residents in Hove and across the sector are as good after the review as they are now."

63.15 Mr. Collins asked the following supplementary question, "I would like to thank Councillor Duncan for that considered answer. I am glad he agrees with me that it's a very important issue and he obviously rightly speaks at the meetings he has attended. Can I ask him if he felt it was so important why did he miss three of the six Sussex Police Authority meetings and don't the residents of Hove deserve better?"

63.16 Councillor Duncan replied, "The Police Authority meetings and this is a bugbear of mine which I've raised a number of times, are not diarised in consultation properly with Brighton & Hove City Council meetings.

Of those six meetings and I will, quite happily, give you a written and full response to all of this when I've gone back through the diary but I can tell you from memory that of those six meetings one of them clashed with a meeting of Brighton & Hove City Council. I can't be in two places at once and it's a matter of great regret to me, to this Group and to this council that I am the only representative of this council on the Police Authority, although it's certainly true that if they clash with council meetings, the same clash would be the case for every other Member too, were there any more.

Of the other meetings, there was one meeting that I didn't attend, having given apologies, because of the sickness of my child for whom I'm responsible for caring and who frankly has to take priority. When a parent has a sick child they have to sometimes miss meetings. The third meeting you refer to I really can't remember off the top of my head but I will check my diary and give you full details in a written response."

63.17 The Mayor thanked Mr. Collins for his questions. He noted that Ms. McWilliam was unable to attend the meeting and had nominated a representative to put her question on her behalf and therefore invited Mr. Philo to come forward and address the council.

63.18 Mr. Philo asked the following question, "I'd like to know what, if anything, the council is prepared to do in response to the urgent need to improve safety on Surrenden Road, and is it really true that a child needs to die before we get a fixed crossing?"

63.19 Councillor Mears, Leader of the Council replied, "Officers have previously commissioned a traffic and pedestrian count in Surrenden Road as a result of requests from local Members for a formal crossing. As a result additional road signs, markings and parking restrictions have already been implemented to improve pedestrian safety, particularly in respect of children. To continue to deal with such requests and as part of the development of our third Local Transport Plan, officers are currently developing a detailed assessment methodology to determine the relative priority of pedestrian crossing requests throughout the city.

Officers will then report back to a future Cabinet Member Meeting with the results of the assessment and will seek permission to implement as many of the priority schemes as funding levels will allow. It is certainly not true that there needs to be a fatality before we consider installing fixed crossings."

63.20 Mr. Philo asked the following supplementary question, "Fiona is most concerned, it's a very, very dangerous road. It's a rat-run for people coming down from Ditchling Road on to the London Road and what is being done so far is not sufficient in an area where

there are six schools. She would like to ask the council if you're going to implement a 20mph speed limit, if you're going to implement traffic slowing measures and if you're going to implement, most importantly, two pedestrian crossings along the road?"

- 63.21 Councillor Mears replied, "I do recognise the concern that has been raised here today and what I would suggest through my Cabinet Member, Councillor Geoffrey Theobald, is that officers actually meet on site, probably it would be more helpful if we go down. I am sure Ms McWilliam probably would want to be there.

There is a report going to the Cabinet Member's CMM but I think in light of some of the issues you have raised I am more than happy to direct officers back down on to the site to relook at it."

- 63.22 The Mayor thanked Mr. Philo for his questions and invited Mr. Woodhouse to come forward and address the council.

- 63.23 Mr. Woodhouse asked the following question, "The March 2010 Winter Service Plan Review found that 'A constant theme was the residents felt isolated, their area had been forgotten and that insufficient gritting had been carried out across the city.' The Review also found that the severity of the extreme weather could have been reduced if communities were better informed and supported to provide immediate relief in non central areas while the Council and its Partners worked to reduce the events' effects in the city's critical areas.

Did this Winter Service Review leave the Council and its Partners better informed and enabled to better handle the recent extreme weather events in December 2010?"

- 63.24 Councillor Theobald, Cabinet Member for Environment replied, "Thank you for your question and I am very pleased to answer this one because I do believe that this winter we were even better prepared for the severe weather which we experienced before Christmas.

I myself gave evidence to the Scrutiny Review and that Scrutiny Review was very positive, and I am on record to thank the Members of that Scrutiny Panel for the way in which they looked at the various aspects as to how the previous winter had gone and how we could positively improve what we do as far as residents are concerned.

This has resulted in several changes. For example:

- Following discussions with the various emergency services, we have expanded the number of gritting routes and these are actually all agreed in the Winter Service Plan which was agreed at my Cabinet Member Meeting before Christmas and those are actually on the website. This is something which I felt very strongly about because my own electors had said to me, why was it that buses, I'm giving an example from Patcham, that buses were stopping along the London Road; why weren't they going along Mackie Avenue and Carden Avenue, for example, when cars were. It's absolutely vital that you get the buses because they impact on the grit and so we have worked with the bus company to identify 'turn around points', because there's often a very good reason why the bus can't get to the end as it were. If we can turn

the bus round, even though it's not at the end, because it might be steep, then that's helpful, and so we have been able to do this with them.

- We provided 50 more grit bins across the city.
- We have identified locations for grit drops and this is very useful because when the weather is really very, very bad you can actually throw off the lorries the grit to enable residents to help themselves. The locations were chosen as key points in areas most likely to suffer from greater snowfall – i.e. the higher areas of outlying wards.
- Our communications to residents were much more comprehensive. I hope residents appreciated that this time around. We promoted widely our message to residents to 'Shovel, Sweep and Salt' using all media, including the social media. On our website residents could view maps to see where their nearest grit bins and piles were located as well as the roads and pavements which were gritted.
- We regularly updated Ward Councillors and the media with any developments.
- On an operational level, we were able to mobilize our equipment and staff much more quickly to undertake gritting.

A lot of this extra activity was possible because at last year's budget this Administration put an extra £100,000 per year into funding for the Winter Service Review, so I just hope that's helpful in answering your question."

63.25 Mr. Woodhouse asked the following supplementary question, "Thank you for your full and complete reply Councillor Theobald. You remarked about the buses in Patcham. That is true they were short-turned at the Ladies Mile Pub but, in fact, to get access to the bounds of Patcham, it's at least a half a mile in other directions, that was one aspect. If you look at the way the 5B bus ran, the 5B bus didn't go up Surrenden Road, it was unable to.

In the light of that does the Councillor not agree that the council's actions failed to meet its obligations to the less accessible areas of Brighton, such as Patcham, in that extreme weather event?"

63.26 Councillor Theobald replied, "First of all it is the bus company, they decide whether the buses are going to run or not, not us. They decide this. Obviously we work with them very closely and we encourage them. We need the buses and heavy vehicles to impact on the grit but the fact is that there is no council in the country that is able to undertake, particularly if they've got hilly areas, a full gritting service. I think that's really what you're alluding to. I guess that was really the point that you were trying to make.

Our roads and pavements go from here to Inverness if you actually put them all together so it is a very big task to undertake but by its very nature Brighton & Hove, you know they are very hilly, so it's extremely difficult and unless you get heavy vehicles impacting on the grit that you put down it won't work, so I take the point you make. I hope that we have been able to work with the buses and we have been able to get them to work. I

want them to fulfil their full service if they possibly can but at the end of the day it is the bus company who actually decide the health and safety risk.”

- 63.27 The Mayor thanked Mr. Woodhouse for his questions and noted that this concluded the public questions.

64. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

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

65. PETITIONS FOR COUNCIL DEBATE

- 65.1 The Mayor stated 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 a combined e and paper petition concerning Schools Sports Partnerships.

- 65.2 The Mayor then invited Councillor Davis to present her petition.

- 65.3 Councillor Davis stated that a total of 1,273 people had signed either the paper or e-petition version which read as follows:

“We the undersigned petition the council to lobby the Coalition Government for the retention of the Brighton & Hove Schools Sports Partnership. We deplore the action by the government that, without consultation, has removed the funding from this partnership along with the 499 other such partnerships in schools across the country. Since the clubs started in the year 2000, participation rates among all school students has increased from 25% to 95% with 72 individual schools in Brighton and Hove benefiting from the wide range of sporting activities on offer. We support the local teachers and students that have been involved with providing the network of different activities to help young people stay fit and healthy and call on the City Council to maintain this partnership that is doing so much to increase the sporting skills and participation of all of the city’s young people.”

- 65.4 Councillor Davis stated that she hoped that the petition would be fully supported.

- 65.5 Councillor Brown stated that officers were working with the schools and other bodies such as Brighton & Hove Albion to support activities and to review the levels of provision to have a more co-ordinated approach.

- 65.6 Councillor Fryer suggested that there would be a reduction of opportunities in schools as a result of the proposal to cut sports partnerships.

- 65.7 Councillor Kemble Councillor Kemble stated that the council would continue to support schools and young people as much as possible however there was a need to look at how this could be achieved.

- 65.8 Councillor Elgood and Watkins indicated their support for the petition and the vital service that was provided which was now threatened by the necessity of making cuts.
- 65.9 Councillor West queried whether the Administration recognised the importance of supporting non competitive sports as well as competitive ones.
- 65.10 Councillor Mears confirmed that all forms and levels of sports were supported and stated that she would provide Councillor west with a written briefing on all aspects of sporting activity in the city after the meeting.
- 65.11 Councillor Hamilton queried how much devolved capital was available to schools.
- 65.12 Councillor Brown stated that she would provide the Councillor with a written answer and reiterated the support for schools which she noted would be looked at as part of the budget deliberations.
- 65.13 The Mayor noted that the recommendation to refer the petition to the Cabinet had been moved and put it to the vote which was carried.
- 65.14 **RESOLVED:** That the petition be referred to the Cabinet for consideration.

66. WRITTEN QUESTIONS FROM COUNCILLORS.

- 66.1 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.

- 66.2 **(a)** Councillor Fryer asked:

"There has been a lot of controversy surrounding Pride and its future in recent weeks. This includes not only the location of Pride itself but the post-pride party which receives a mixed reception in the St. James's Street area.

Will you commit to doing a full consultation of households in the St. James's Street area to see if residents would prefer to have the post-Pride party on Madeira Drive or on St. James's St?"

- 66.3 Councillor Mears replied:

"The post-Pride party in the St James' St area is not a council run or controlled event. After the Pride Park Festival which ends at 8pm the majority of people head for town and naturally gravitate to St James Street. It is a known fact that this area will attract a large number of visitors on the night this has been well documented over the past few years and it is known that a large group of party goers will always gather in and around St James Street on Pride weekend. Therefore, it is better that the local authorities both support and advise its management as an organised event rather than responding to the outcomes of a disorganised gathering. The authorities also recognise that the event has an impact on those members of the community who do not participate, however the measures that we suggest are in the interests of residents and visitors alike.

As there is no legal power to prevent people gathering in the St James Street area if they wish to, the best we can hope to achieve is to work closely with the 'organisers' to ensure that safety issues are considered and implemented. To this end council officers from events, highways and licensing would work closely with the Police, ward councillors and other emergency services, as they have done in previous years, to ensure that this year's event meets the requirement of 'safe and well managed'."

66.4 (b) Councillor Kitcat asked:

"Can Cllr Theobald explain how council properties advertised for lease as being for club use only are monitored to ensure that they are only used by genuine clubs? How are clubs defined by the council in these cases?"

66.5 Councillor Mears replied:

"A club which expresses an interest in a council property which is available for let would be expected to submit a proposal giving details on the club to include:

- . A constitution or set of rules
- . Details of the committee/trustees
- . Affiliation to National Governing Body if applicable
- . Confirmation of 'not for profit' status

These requirements are in line with those used by Sport England when recognising club status. At the point where a club is selected and a draft lease is agreed they would be asked to provide confirmation of a separate club bank account held in the name of the organisation with two signatories and for two or more trustees to be named on the lease.

Once the lease is in place the lessee must abide by the terms of the lease including the user clause. In marketing any other premises, this will be on the basis of an agreed brief. Each bid is then decided on it's own merits and in compliance with the brief."

66.6 (c) Councillor Kitcat asked:

"Could Cllr Mears provide details on types of Council data and publications which are being considered for release under the Open Government Licence by her administration? Could she also update the meeting on how open licensing discussions with partner organisations are progressing?"

66.7 Councillor Mears replied:

"Officers are in the process of reviewing non personal and works datasets that would be suitable for publication in line with the principles of the Open Government Licence (OGL). Initial concentration is focusing on working with internal data custodians of geographical datasets to identify which of these could easily be made available for publishing.

A proposal to publish the data within the Brighton & Hove Local Information Service (BHLIS) under an agreed licence model for the Brighton & Hove Strategic Partnership will be developed further including the terms for using information under the OGL.

This will build on the good work BHLIS has delivered in making available a significant amount of local information from partner organisations.”

66.8 (d) Councillor Elgood asked:

“The 'organisational health' performance data for the number of top 5 per cent earners from an ethnic minority background employed by the City Council was not available at the Overview and Scrutiny Commission for Councillors to monitor. The subsequent late release of this data showed that the Council is still missing the target for this. What action is the Council taking to improve the diversity of its senior workforce?”

66.9 Councillor Alford replied:

“The council has been successful in doubling their level of representation over the last few years. The latest figure available shows that at the end of September 2010, 3% of staff within this group were from an ethnic minority background. This compares with a figure of 1.59% in early 2006.

In addition to the established DiverseCity branded recruitment advertising that is designed to attract more job applicants from ethnic and other minority groups, the council also uses a contracted search agency when recruiting to senior posts. The agency is required to search extensively for potentially suitable candidates and to provide a long-list to the council that includes applicants from a black or minority ethnic background. In cases where the long-list is all white, the agency is asked to carry out a further search. We also advertise in the minority media which has increased traffic to our job site. We are committed to improving the diversity of our workforce but recognise this is more difficult with the current recruitment slowdown/freeze.”

66.10 (e) Councillor Elgood asked:

“Minutes released under FoI from the NSL parking contract meetings with the City Council state that NSL has acquired a CCTV monitoring vehicle for enforcement and that it has been agreed that 'Body Cams' can be worn. Could the Council state how these are/will be used and what protocol is in place to ensure the appropriate use of the vehicle/cams by the contractor and information that they provide? Additionally, what democratic agreement has been sought to allow this?”

66.11 Councillor Mears replied:

“The Council has not made a decision to use CCTV vehicles or Body Cams. NSL did have use of a CCTV vehicle, but just for a one day trial period, on 4 February 2010. The vehicle was parked outside a school to see how effective it was in deterring motorists from parking near to the school gates and jeopardising the safety of children. Because this was a trial no PCNs were issued.

A Body Cam is a small device set inside an ID card which can be worn to record conversations. NSL has proposed their use as a proven way of rapidly resolving disputes between members of the public and Civil Enforcement Officers. These devices have been used by other local authorities to assist the police in gathering evidence of crime and disorder and other anti-social behaviour.

Since no decision has been made to introduce either system, there is no protocol. Were a decision to be made, a protocol would be developed.”

66.12 **(f)** Councillor Elgood asked:

“The Government has announced that schools will receive an extra £430 for each pupil receiving free school meals through the Pupil Premium. How many children will benefit from this in the city, with the data broken down by the ward they live, if held in that way?”

66.13 Councillor Brown replied:

“In 2011/12, the pupil premium will be allocated to those pupils eligible for free school meals (FSM) based on the January 2011 census for pupils in years from Reception to Year 11. The census takes place on Thursday 20th January and the Local Authority will then need to collate and verify returns from all schools. Therefore, until this data has been processed, it is not possible to say exactly how many children in the city will benefit or provide the breakdown at ward level.

However, in order to give an estimation of the likely impact, the data from January 2010 would have given the following outcome:

Number of children eligible*	4,761
Amount per pupil	£430
Total Pupil Premium	£2,047,230

The breakdown across wards is not readily available.

*please note this is an estimated figure and includes students at Falmer School. In 2011, BACA will also be eligible for the pupil premium and this will be paid to the Academy by the Young People’s Learning Agency.”

66.14 **(g)** Councillor Steedman asked:

“On behalf of my constituent, Mr John Stevens, of Leach Court, could the Cabinet Member for the Environment please confirm why the following materials are not currently collected for recycling, and when he plans for these items to be included?

- a) Lightbulbs
- b) Window envelopes
- c) Aluminium foil
- d) Broken glass (given that the intact bottles smash as soon as they are tipped into the lorry)
- e) Plastics other than bottles of types 1 and 2

f) Paper shredded for security reasons”

66.15 Councillor Mears replied:

“We currently offer a kerbside recycling service that includes paper, card, tins and cans, plastic bottles and glass. We also collect drinks cartons, toys and textiles at many of our ‘bring’ sites. Our priority is to recycle as much as possible while ensuring the quality of our recycling is high and it is reprocessed in a sustainable way.

Energy saving and fluorescent light bulbs can be recycled at either of our Household Waste Recycling Sites. It is not practical to collect them at the kerbside as they would need to be kept separate from the other materials. We ask people to remove the windows from envelopes before recycling them to improve the quality of recycled paper however it does not really matter if they don’t. Foil makes up a very small amount of the waste stream and is often heavily contaminated with food residues. For these reasons we do not collect it.

Staff manually load glass on to the collection vehicles so for health and safety reasons we cannot accept broken glass. Broken glass can be taken to a bottle bank to recycle. Alternatively it should be wrapped in newspaper and placed out with refuse. Although many plastics are recyclable there are limited facilities to reprocess them, and many of the markets are overseas. Plastic containers can also be contaminated with food. This is why we do not collect mixed plastics at this stage. The types of plastics used to make bottles are readily recyclable and we have reliable reprocessing markets.

Shreds of paper are difficult to sort and can fall out of the recycling process, so if possible we suggest people add it their compost bin. Opportunities for increasing the range of materials recycled are regularly reviewed.”

66.16 (h) Councillor Steedman asked:

“Yet again, neighbourhood support, in the form of dedicated Council staff, for the Tarner and Eastern Road areas, two of the most deprived neighbourhoods in the city, is under threat. The resident-led Partnerships and Action Groups in these areas have achieved a great deal, but their continued existence hangs in the balance without ongoing support, which was already pared to the bone by previous cuts. Will the Cabinet Member for Community Affairs please confirm that the residents in these areas of the city will continue to receive the same number of hours of dedicated support over the next financial year as it does at present?”

66.17 Councillor Simson replied:

“The support for the Tarner & Eastern Road Partnerships has been provided for the last two years by a council officer on a fixed term contract which is due to end on the 31st March 2010.

Officers are currently working with the largest Community Development provider organisation in the city, the Trust for Developing Communities (TDC), to agree their areas of work for the following year. A priority list of neighbourhoods has been developed based on a needs analysis of local demographic information and the degree

of social capital in the area. Both Turner and Eastern Road are included in this list and the intention is that provision is re-negotiated with the TDC.”

66.18 (i) Councillor Steedman asked:

“Could the Cabinet Member for Housing please confirm the number of empty homes in Brighton and Hove, breaking the figures down by ward and by tenure? And could she confirm whether she believes that this figure is acceptable?”

66.19 Councillor Caulfield replied:

“At 31 December 2010 Council Tax records show that there were 810 privately owned properties which have been empty over 6 months and 140 Council Owned Properties., this is broken down by ward in *Appendix 1*.

The majority of these empty properties will re-enter the property market over the next 6 months. The focus for the council is on those longer term empty properties which have been empty over 2 years of which there were 35 council owned properties and 228 privately owned properties at 31 December 2010.

These Empty Properties are a wasted resource and the longer a property has been empty the greater the chances it will be in poor condition and be having a detrimental effect on the area. Dealing with these empty properties is a key priority for the council and our Empty Property Team focus on reducing these numbers to increase housing supply and improve neighbourhoods for local people. The team currently has a caseload of 266 properties and in 2009-10 bought 168 properties back into use through a robust approach working with owners wherever possible.

In addition to these private properties there were at 31 December 2010, 140 empty Council owned properties, 35 of which have been vacant for more than 2 years. The majority of these properties are the very expensive ones that we are not currently in a financial position to refurbish. In November, Cabinet gave approval for the housing company (Brighton & Hove Seaside Community Homes) to secure funding which will be used to bring all of our expensive council-owned empty properties back into use.

In addition during this financial year Cabinet agreed an additional budget of £300,000 to bring some of these council empty properties back into use as much needed family homes. I am also pleased that work has now commenced on refurbishing a grade II listed building in the North Laine area.

Appendix 1 Long Term Empty Dwellings (Prescribed Class C) over 6 Months at 31 January 2011 by ward

WARD	COUNCIL OWNED	PRIVATELY OWNED	GRAND TOTAL
BRUNSWICK & ADELAIDE		71	71
CENTRAL HOVE	18	63	81
EAST BRIGHTON	8	29	37
GOLDSMID	14	59	73

HANGLETON & KNOLL	5	11	16
HANOVER & ELM GROVE	20	47	67
HOLLINGDEAN & STANMER	9	12	21
MOULSECOOMB & BEVENDEAN	18	21	39
NORTH PORTSLADE	1	8	9
PATCHAM	4	21	25
PRESTON PARK	10	37	47
QUEEN'S PARK	11	75	86
REGENCY	1	76	77
ROTTINGDEAN COASTAL		65	65
SOUTH PORTSLADE	4	12	16
ST PETER'S AND NORTH LAINE	1		1
ST. PETER'S & NORTH LAINE	3	75	78
HOVE PARK		19	19
WESTBOURNE	4	37	41
WISH		27	27
WITHDEAN	5	33	38
WOODINGDEAN	4	12	16
Grand Total	140	810	950

66.20 (j) Councillor Duncan asked:

“Following last year's decision not to change parking rules for the Baker's Bottom area of the Queen's Park ward, problems for residents persist, with emergency vehicles struggling to gain timely access, obstruction and confrontation over parking places leading to police having being called, and problems of access for people trying to use pavements with either wheelchairs or child buggies.

Will Councillor Theobald invite residents, local councillors and parking officers to establish a working group to examine solutions to the parking-related problems in the area, looking specifically at whether the extension of double-yellow lines around junctions, as requested by local PCSOs, would help?”

66.21 Councillor Mears replied:

“As you are aware despite support from the local PCSOs, residents in this area rejected a resident parking scheme. This scheme would have included double yellow lines on the junctions. Therefore, the best way forward is for residents to put together a petition requesting double yellow lines on this junction so the Council can determine the current strength of support for this proposal.”

66.22 (k) Councillor Duncan asked:

“Can Councillor Theobald clarify what plans the council has to consult widely with park users about the future of the former bowling green in Queen's Park - and what budget is

available for doing so? What budget is available for implementing any improvements identified by such consultation?"

66.23 Councillor Mears replied:

"Officers will need to assess what budget can be allocated to the former bowling green in Queens Park in the next financial year. This will, of course, depend on needs across the city, although I can say that the condition of the old green does need addressing.

The ward councillors will be involved in guiding the consultation process. The costs of that process will be funded from a budget allocation to the project. We would consult with users of the park, as well as the Friends of Queens Park group."

66.24 (l) Councillor Duncan asked:

"Will Councillor Theobald commit to maintaining subsidies on all bus routes serving the Queen's Park area in order to ensure that continued provision of services providing a vital lifeline to many, especially older, residents, in particular the 81, 23 and 37 services. Will he, in any event, be making representations to Brighton and Hove Bus Company asking it to try to find ways of ensuring the long-term viability of these services, perhaps by stimulating demand with fare reductions?"

66.25 Councillor Mears replied:

"The council currently subsidises the 37 and 37B which serve the Queens Park area of the city, and also Services 81A and 81C, which operate on Sundays. Service 23 is run commercially by Brighton & Hove Buses. The council has regular discussions with local bus companies to ensure the viability of the bus network across the whole of Brighton & Hove and will continue to do so."

66.26 (m) Councillor Duncan asked:

"Does Councillor Theobald agree with many residents that the opening of a new Sainsbury supermarket on St James's Street, the firm's tenth in the city and the fourth supermarket in a 300m stretch of the road, would be a blow to the unique nature of the St James's Area local shopping area, and have a negative impact on both local residents and independent businesses in the vicinity? Do you think planning law and the city's Core Strategy are sufficiently powerful to protect the urban fabric of the area?"

66.27 Councillor Mears replied:

"The council is sympathetic to the concerns raised by residents and traders in St James's Street, about the emergence of a major food retailer in the district centre. Indeed we have been campaigning throughout the year in support of smaller and independent traders; taking time to highlight the impact that multinationals can have on businesses with less corporate clout.

Although we appreciate the concerns your question raises, local authorities are currently unable to consider issues of competition within the remit of planning law. Planning permission is not needed for a major retailer to move into an existing shop unit.

However, the Leader of the Council has recently written to the Secretary of State for Communities and Local Government, requesting that he considers introducing such powers for councils as a matter of urgency in the spirit of the new Localism Bill.

While we welcome the interest of individual supermarkets and the business they bring, we are concerned about the combined impact of so many in the city centre. So much so, that the Leader has just called for a citywide conference to debate the matter and once a date is fixed I will ensure that every Member is given an invitation.

The council also remains supportive of independent retailers in its emerging Core Strategy policies, ensuring that the vitality and viability of shopping centres in the city is enhanced. We will continue to promote campaigns to encourage consumers to buy locally and we will continue to work positively with existing retailers, ensuring that the shopping areas of the city remain viable and attractive.”

66.28 (n) Councillor Duncan asked:

“Given that icy and snowy conditions have affected the city four times in the last year, and that scientists are predicting that the frequency of extreme winter weather events is likely to increase in coming years, can Councillor Theobald commit to increasing the budget for delivering the council's winter service plan, especially for the purchase of grit and provision of grit bins? Can he assure this council that, meanwhile, grit will not be placed on pavements in such a way as to close thoroughfares for residents using wheelchairs or other mobility devices?”

66.29 Councillor Mears replied:

“This administration has already increased the winter service budget by £100,000 - starting from 2010-11. The increase has enabled us to place over 50 more grit bins in the city, bringing the total to 407. It is not so much an issue of cost but of how long it takes us to refill the bins during severe weather. If we provide a bin residents will rightly expect it to be filled reasonably quickly when emptied, and we feel that 400+ is the maximum that we can sensibly provide for.

The Scrutiny Panel of last year did not feel that increasing grit bins was the most sensible option, preferring the idea of providing additional grit in bags or piles when needed. You are correct to point out that grit piles may narrow down pavement access. Where this occurs it is largely down to the fact they are not being fully used by residents during the snowfalls and are then remaining on street after the snow has gone.

We do try wherever possible not to obstruct the pavement but it is difficult in some areas that don't have wide pavements. I will, however, make sure that the teams are reminded of the access issue during any future snow.”

67. ORAL QUESTIONS FROM COUNCILLORS

67.1 The Mayor reminded the Council that councillors' oral 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 questions to be carried over to the next council meeting.

67.2 The Mayor then called on Councillor Simson to put her question to Councillor Duncan, as the Council's representative on the Police Authority.

67.3 (a) Councillor Simson asked, "As Councillor Duncan will be aware the Community Safety Forum is the main arena for the community to express their views to the council and its partners on crime and policing in the city. As Chairman of the Forum I am very concerned that he has decided to give up his seat to a fellow Councillor in his Group, particularly as he is the council's only formal link to the Sussex Police Authority.

Can I ask Councillor Duncan how does he propose to relay the concerns of the whole city to the Police Authority if he no longer has that link and also, as we hear today, that he often doesn't attend these meetings anyway?"

67.4 Councillor Duncan replied, "Specifically about the Community Safety Forum, we have had some correspondence about this for the most recent meeting and I would refer you to my answer that I gave you earlier which was simply that if as a Member of the Sussex Police Authority you, as Chair of that Community Safety Forum, would like me to attend future meetings, that hasn't been the practice in the past but if that is now your wish, then do please notify me of those meetings in advance as you were very kindly able to do a couple of weeks before this one. If I'm available at that time I will come along as the representative of the Police Authority and if I'm not, as I have said this time, I will be happy to accept any written questions and deal with them or take any messages forward to the police.

Frankly, I am just getting a little bit tired of this because it does seem that at every single one of these meetings there's a question which relates to exactly the same topic and I refer you and all Councillors to the answers that I have given this council several times before which is that if the Mayor or the Leader of the Council were to invite me to give a regular update on the Police Authority activity to this council I would be more than happy to do so."

67.5 Councillor Simson asked the following supplementary question, "I'm surprised that Councillor Duncan doesn't like repeat questions because we often are the victims of repeat questions from one of his colleagues on his side.

My supplementary is: as Councillor Duncan is aware Sussex Police Authority will shortly be setting their budget for 2011/2012. In the interests of openness and transparency will Councillor Duncan pledge to consult with residents and fellow Councillors before casting his vote, in particular about whether the Authority should be taking advantage of the Government's offer to freeze council tax or will he, as he did last year, be voting for a large increase in council tax."

67.6 Councillor Duncan replied, "As Councillor Simson may or may not be aware there is a legal responsibility on Police Authorities to consult widely with members of the public before setting their budget. That exercise will happen ahead of the budget meeting for the Police Authority on February 10th.

The result of that consultation will be reported to all Members, including myself, and I will base my decisions at that meeting on several things, mainly the debates at that meeting which I can't pre-empt but not least the consultation responses and what residents of this city, and indeed if this Administration has got a particular view I invite you to share it with me and I will bear that into account as well, but ultimately I will be voting in that meeting according to the questions that are put to that meeting on an agenda which has yet to be published, so I can't pre-empt the question or the answer at this stage."

- 67.7 (b) Councillor Duncan asked, "You will see that the subject I have indicated is 'Undercover Policing'. The reason for that is that, as you may or may not be aware, there was considerable disquiet earlier this year about news reports which emerged to say that undercover police had infiltrated and were working within the environmental and peace movements and that the identity of one such officer, not one employed here in Sussex, had been made known to the public and there were all sorts of concerns that the activity of that officer was being paid for by the tax-payer.

I immediately, in my responsibility as this council's representative on the Police Authority, went to the officers of Sussex Police Authority and asked them for a briefing on Sussex's involvement in this sort of activity. I am yet to get a proper answer but my question for you at this stage is: when there is a budget meeting on February 10th I will have to decide how best to vote, knowing that there are £52 million worth of cuts from this Government on the back of cuts made by the last Government to policing in Sussex. I've had to decide priorities and I wondered if it was your priority and therefore this Administration's priority to keep funding undercover officers working in Sussex's environmental protest groups or to protect the funding of liaison officers working with the victims of domestic violence and LGBT hate crime?"

- 67.8 Councillor Mears replied, "First of all I should point out that undercover policing is clearly an operational matter for the Force and it would not be appropriate for me as Leader of the Council to tell them how they should be doing their job, just as I wouldn't be expecting them to tell me how to do mine. I understand that you have already put a question to the Sussex Police Authority on this matter and that you have received a response from the Deputy Chief Executive. I will read out his response just for clarity.

'The Authority assures you that it takes the responsibility for the oversight of all matters of policing very seriously, including the use of undercover and surveillance tactics that the police employ as necessary. Operational and financial details are made available to senior members of the Police Authority who have been vetted as required. This means that these details are made available to the Authority in a controlled, sensitive and confidential way.'

I understand that the Police Authority has also offered you as our Member on the Brighton & Hove City Council further briefings on the regulation, authorisation and safeguards and finance in general terms in relation to this sensitive area of policing. I suggest you take it up with them Councillor because you are on the Police Authority. It's a very interesting question that you have just asked me but I actually think you're ducking your responsibilities."

- 67.9 Councillor Duncan asked the following supplementary question, "I will just ask a supplementary, although I do note that I don't want to use my supplementary to ask the same question again but I'm none the wiser about your attitudes really whether or not you think it's more important to protect the rights of victims of domestic violence or make sure that we've got the presence of undercover officers in protest organisations. I really don't know your views. I didn't hear your answer to that point.

My supplementary question is simply this: do you therefore, if indeed you think that it is an operational matter and it's entirely up to the police to get on with whatever policy they want to have about undercover officers, are you quite comfortable with the answer that you've just read that the representative of this council on Sussex Police Authority has absolutely no role in the scrutiny or oversight of any plans the Chief Constable might have in this regard?"

- 67.10 Councillor Mears replied, "I think I understand your question. I'm quite concerned at your level of questioning because you are the council's representation on the Police Authority. You have access to briefings, far more than myself as Leader or Opposition Members. You have access through the Police Authority but the officers in the Police Authority, perhaps you're struggling, have offered to give you extra briefings so you totally understand.

It is not for this council to direct the Police Authority or indeed the Fire Authority but we do have discussions and obviously if issues come up we would put our point across if it was relevant to the residents in the city. I mean surely Councillor that's your role when you go to the Police Authority.

I did attend a Police Authority meeting, actually you weren't there which is quite interesting, but it was interesting to see that the other Members on the Police Authority took their role very seriously and were asking the relevant questions, so Councillor my question to you which isn't really the right way round but I think Councillor, I'll rephrase that Councillor. My concern, Mr Mayor, and I will address you. My concern, Mr Mayor, is that I do find the Councillor's questions quite bizarre. I'm not quite sure where he's going, perhaps he want to stick it on a leaflet, I really don't know but I think he needs to recognise he has a responsibility to this council. He is the police representation on this Authority and he should take his responsibilities seriously or stand down."

- 67.11 (c) Councillor Janio asked, "I know that as well as being our representative on the Sussex Police Authority that you also sit on the Authority's Resources Scrutiny Committee. Given this can you assure us that you will both scrutinise and hopefully reject any unnecessary proposals to reduce funds available for the protection of private property in Brighton and Hove?"

- 67.12 Councillor Duncan replied, "Well, in short, the budget papers they're not presented simply in terms of what bits of expenditure are about protecting property or indeed upholding any law 'X' as opposed to any other law 'Y'.

What I can do is, I can absolutely assure you that during all the discussions that have taken place in setting the Local Policing Plan for Brighton and Hove for the next year, I have absolutely defended and insisted that the police should put in there a commitment to protect personal property in the city and equally to protect the right to peaceful

protest. There is a recognition that as in all of these things they're in the Local Policing Plan, there is some balance there. That's an operational matter for the police but I can assure you that if there are any proposals specifically to cut money for the protection of private property then, of course, I will vote against it but I don't anticipate there being any such proposal."

67.13 Councillor Janio asked the following supplementary question, "So if we assume that these resources are going to be available, you said a peaceful protest. Does that mean you will also support the police acting against unruly mobs that are active in this city, for instance maybe against Vodafone in this city? Will you support the action of the police against unruly mobs in this city?"

67.14 Councillor Duncan replied, "Well, that is as I said a really vague question. Of course I support the police in their activities when their activities are about defending the rule of law and combining the protection of life, limb, everyone's right to personal property and defending the right to peaceful protest. Sometimes protest isn't peaceful and the police have to take other measures and just pat everyone on the back. I accept that, of course, and I don't really understand what more I could say but please be assured that I want to protect everyone's rights in this regard."

67.15 (d) Councillor Fryer asked, "My question is to the Leader of the Council if she happens to know why the Localism Bill makes no reference to giving people more power over licensing regulations?"

67.16 Councillor Mears replied, "Can I just for clarity, just to help Councillor Fryer, the licensing is not in the Localism Bill, because the licences are taken as a separate issue. To be helpful, Mr Mayor, if she was to contact her colleague MP I am sure she would be able to give her the details in the House of Commons and explain to her where licensing actually comes forward and I am sure she will find it quite helpful."

67.17 Councillor Fryer asked the following supplementary question, "I think you are aware that a lot of residents feel there should be a lot greater powers for local residents over the licensing regulations and there was a hope that the Localism Bill would address those concerns and it hasn't.

I think you are aware that a lot of people would like more powers for the local people over licensing regulations and they were hoping the Localism Bill would address those concerns and it doesn't look like it is addressing those concerns, so hopefully you'll agree that residents want more power over this.

My question is, would you be prepared to make that representation to your colleagues in Government that the Localism Bill should refer to licensing as well?"

67.18 Councillor Mears replied, "I thought I was being helpful first time round but I obviously wasn't, so I'll make it perhaps a bit clearer for the Councillor. The Home Office is responsible for licensing and in December 2010 they introduced a whole range of reforms in the Police Reforms and Social Responsibility Bill.

Proposals include:

- applicants being requested to give greater consideration to the local area when making their licence applications;
- retailers being banned from selling alcohol below cost price;
- extending early morning restriction orders;
- flexible closing times;
- a late night levy;
- making health bodies responsible authorities;
- making relevant licensing authorities responsible authorities;
- tougher rules on persistent sales of alcohol to children;
- police representation to be given greater consideration, reducing the burden of proof;
- suspending the licenses due to the non-payment of fines;
- revised guidance on temporary events notices;
- removing the vicinity test for the interested parties;
- review of cumulative impact policies.

I had explained in my first answer, Mr Mayor, that I think the Councillor has got confused between the Localism Bill but as I said if she looks up the Home Office she will find that she will be able to access the answers she is looking for.”

67.19 (e) Councillor Oxley asked, “Could I ask Councillor Smith to make a statement on the future of the King Alfred?”

67.20 Councillor Smith replied, “The starting point for any development brief which emerges in the next year or so for the King Alfred site is the provision of first-class sporting facilities. A city of this size and reputation deserves to have a leisure centre to compare with any in the country and we are determined to deliver that for the residents.

It is extremely regrettable that the previous Administration got so tied up with the Karis scheme on the King Alfred that they completely got it out of context. It was supposed to be a leisure centre with a slightly lower amount of residential property. It ended up a grossly over-developed site: it was over-priced, everything went out the window.

What is upsetting to this council is the previous Administration didn’t have any Plan B to counteract this. We promised when we came in four years ago that we would restore the King Alfred so it can be used today. We have spent over £2 million on the King Alfred bringing it up to date and I am sure if any councillors in this room haven’t been in the King Alfred to see the modern facilities, they will be impressed.

May I end saying the last thing, I am happy to confirm to Councillor Oxley that the Conservative Administration will never sanction any development on the site without the involvement of the local community.”

67.21 Councillor Oxley asked the following supplementary question, “I am very grateful to Councillor Smith and especially for his final comments there regarding the importance of taking local people along but can I press him further. Will a future Conservative Council build towers on that site?”

67.22 Councillor Smith replied, “No.”

67.23 (f) Councillor Fallon-Khan asked, "I have here a copy of the 2005 Local Plan. On page 200 it clearly identifies, in 6104, Hangleton Bottom as a waste site. Could I ask Councillor Alford, the Cabinet Member for Central Services, to clarify to the council who was in Administration at the time and where does the ultimate responsibility lie for this folly?"

67.24 "I have with me here today a document that was delivered to my home in December. It states as follows:

'The preferred option of the Inspectors who carried out the Inquiry into the Waste Local Plan for the whole area was that for the future Hangleton Bottom should be retained as an open space.'

Not my words, the words of a Labour Party document published on behalf of Councillors Carden and Hamilton. Anyway if we can just clarify the situation once and for all, at the risk of repeating myself, the Local Plan was implemented 21 July 2005 by a Labour Administration who approved Hangleton Bottom for inclusion in the Waste Local Plan for recycling purposes. There again we know that included Councillor Mitchell, Chair of the Environment Committee, Councillor Hamilton, Chair of the Planning Applications Sub-Committee and Councillor Carden as Mayor.

We must conclude now that not only did the Labour Administration approve the Hangleton Bottom site for recycling operations but even more disturbingly they appear to have ignored the advice of the Inquiry Inspectors at the time not to do it. Could I make it clear myself and my Conservative colleagues in South Portslade and Hangleton, together with our MP, Mike Weatherley, all remain totally opposed to any form of recycling operation at Hangleton Bottom."

67.25 Councillor Fallon-Khan asked the following supplementary, "Following on from misinformation put out in Councillors Hamilton and Carden's names, will the Cabinet Member for Central Services please explain again what market testing actually is, reiterating why this Administration want to give opportunities to the residents to make choices for themselves, something evidently lacking in 2005 when the Labour Party made the decision for them?"

67.26 Councillor Alford replied, "Market testing is not selling, it will form part of a consultation where residents can make their own choices on information from Market Research, particularly with reference to community facilities. Market Research is followed by an informal planning brief, then preliminary discussions with Members and consultations with residents. If residents do not like what is on offer they can reject it. If residents do like what they see, a marketing partner can be sought, an exploration brief given, then some analysis, and even if anything came to Cabinet residents would still have an opportunity to reject the proposition. Simply put residents will decide, not Councillors, on what ultimately happens at Hangleton Bottom. This is in style with the totally opposite approach that is usually demonstrated by the Labour Party."

68. REPORTS OF THE CABINET, CABINET MEMBER MEETINGS AND COMMITTEES.**(a) Callover**

68.1 The following items on the agenda were reserved for discussion:

- Item 69 - Support Services for Victims of Sexual Violence Scrutiny Review Panel Report;
- Item 70 - Dementia Strategy Scrutiny Review Panel Report;
- Item 71 - School Exclusions Scrutiny Review Panel Report.

(b) Receipt and/or Approval of Reports

68.2 The Head of Democratic Services confirmed that Items 69, 70 and 71 had been reserved for discussion; and

(c) Oral Questions from Members

68.3 The Mayor noted that there were no oral questions as all the items had been reserved.

69. SUPPORT SERVICES FOR THE VICTIMS OF SEXUAL VIOLENCE - SCRUTINY REVIEW PANEL REPORT

- 69.1 Councillor Watkins introduced the report and stated that he believed the review and the recommendations would have a significant impact in the city. He wished to thank all those who attended the meetings and gave evidence as well as the officers who supported the review. He also hoped that the forthcoming budget cycle would provide an opportunity to give consideration to the level of support that those organisations involved in the area required from the council. The whole process had been enlightening and he hoped all Members would take the time to read the full report.
- 69.2 Councillor Simson welcomed the report and stated that it had been an important review which had heard from a number of people and organisations. She noted that the Community Safety Forum was fully supportive of the review and that the Cabinet had accepted the recommendations, some of which had already been implemented. She wished to thank the Panel Members and the officers involved.
- 69.3 Councillor McCaffery also welcomed the report and wanted to thank Councillor Watkins for his sensitive chairing of the review panel. She noted that a number of the recommendations had been implemented and hoped others would be taken forward and real progress made.
- 69.4 Councillor Brown stated that it had been an important piece of work and noted that the Children and Young People's Plan included an element to strengthen child protection. She stated that officers were working with partner organisations to take matters forward and a presentation was to be made at the next Children & Young People's Trust Board meeting on the issue.

- 69.5 Councillor Phillips stated that she believed this had been an important area for a scrutiny review and she had found the evidence to be both moving and enlightening. She thanked everyone involved in the process and hoped that the voluntary organisations involved would continue to be fully supported by the council.
- 69.6 Councillor Duncan noted that the review had followed from a notice of motion and stated that he believed it was one of the most significant issues that had come before the council. He intended to ensure the report and its findings were brought to the attention of the Sussex Police Authority.
- 69.7 Councillor Watkins thanked the Members for their comments and the positive response to the report. He hoped that having brought together a number of people and representatives as part of the review process that they would now continue to meet and work together to ensure that a comprehensive support service could be maintained. He suggested that the council could facilitate regular meetings and commended the report to the Council.
- 69.8 The Mayor noted that the report had been moved and asked that the recommendation be agreed.
- 69.9 **RESOLVED:** That the report be noted.

Refreshment Break

- 6.10 Following the debate the Mayor then adjourned the meeting for a refreshment break at 6.20pm.
- 6.11 The Mayor reconvened the meeting at 6.55pm.

70. DEMENTIA STRATEGY - SCRUTINY REVIEW PANEL REPORT

- 70.1 Councillor Hawkes introduced the report and stated that this was something which affected the whole family and carers not just the individual who was suffering from the illness. It was an emotional subject and one that needed on-going review and support. She wished to thank the Members on the Panel and the officers who supported the review.
- 70.2 Councillor Turton referred to the first recommendation and suggested that further consideration may be required in light of the proposals contained in the Health & Social Care Bill. He noted that unless amendments were made, the Bill would result in competition rules being brought into the primary care area and financial penalties which then might impact on the services available.
- 70.3 Councillor Ann Norman welcomed the report and stated that it was an excellent example of collaborative working. She believed it was vitally important to continuing working with health partners and support organisations. She also hoped that in the future the difficulties caused by head injuries bringing on trauma could be taken into account, as this was an area where an increasing number of people were suffering.

- 70.4 Councillor Ken Norman thanked the Review Panel for the report and stated that it had highlighted a potential time bomb that was ahead of everyone. It was therefore important to ensure that the delivery of services met individual's needs. He noted that Brighton & Hove was involved in a national pilot project on dementia support and to date feedback had been very positive. He also noted that it was intended to have a dementia champion appointed by the Brighton Hospital Trust.
- 70.5 Councillor Wrighton thanked the Panel for the report and the scrutiny team who helped to put the report together. She stated that it was important to ensure that healthcare staff and GP's were trained to recognise the onset of dementia and that more support was available to carers. She hoped that further reports would be brought to the Scrutiny Committee so that this matter could be carefully monitored.
- 70.6 Councillor Oxley welcomed the report and noted that it was becoming an increasing issue in the city. He felt that the question of support to carers needed further consideration as relationships with loved ones changes as the illness progressed. It was also important to be aware how people could become isolated with the onset of the illness and how this could be addressed, whilst recognising the need to maintain an individual's dignity.
- 70.7 Councillor Fallon-Khan stated that he believed it was an excellent report and one which needed to be brought to the attention of the GP's in the city.
- 70.8 Councillor Peltzer Dunn stated that it was a caring and compassionate report which addressed the issue and should be fully supported. He hoped that it would help to remove the stigma associated with the illness and help to ensure the sufferer and/or carer never felt alone in trying to deal with the illness.
- 70.9 Councillor Randall welcomed the report and stated that he hoped alternative methods of treating the illness would be given more consideration; such as the pro-active approach taken in Finland which had had excellent results.
- 70.10 Councillor Watkins stated that he hoped the report would be publicised widely throughout the city including doctors' surgeries.
- 70.11 Councillor Hawkes noted the various comments and stated that she was aware of the Finish model which she hoped could be taken board. She also hoped that the point raised by Councillor Norman regarding head injuries could be taken on board as part of the process in implementing the recommendations and therefore commended the report to the council.
- 70.12 The Mayor noted that the report had been moved and asked that the recommendation be agreed.
- 70.13 **RESOLVED:** That the report be noted.

71. SCHOOL EXCLUSIONS - SCRUTINY REVIEW PANEL REPORT

- 71.1 Councillor Fryer introduced the report and stated that it had been a very interesting review. She wished to thank the other Members of the Panel and to pay tribute to Councillor Smart who had passed away. The review had highlighted areas for improvement and the need to ensure that exclusions were not used as a form of punishment but rather to protect young people from harm. There was a need to provide suitable facilities at schools and to embed the process into the schools' culture and she welcomed the approach of CAHMS.
- 71.2 Councillor Allen stated that it had been an excellent review and he wished to thank Councillor Fryer for Chairing the Panel and hoped that the recommendations would be taken forward.
- 71.3 Councillor Brown thanked the Panel for the positive report and stated that she supported the recommendations which she hoped would be taken forward by the Headteachers and Schools. She also noted that the number of exclusions had gone down recently and that a virtual Head had now been appointed for Looked After Children. She hoped that this would have a positive impact and help to address the issue of SEN pupils being excluded.
- 71.4 Councillor Watkins welcomed the report and the appointment of the virtual Head, which he felt could be the template for the future.
- 71.5 Councillor McCaffery welcomed the report and the comments on foetal alcoholism and noted that there could have been more of a reference to autism. She also suggested that as many councillors were on schools' governing bodies they should actively raise the matter of exclusions at Governors' meetings to help address the issue and take the recommendations forward.
- 71.6 Councillor Fryer noted the comments and hoped that all Members would support the recommendations and ensure that they were implemented.
- 71.7 The Mayor noted that the report had been moved and asked if the recommendation was agreed.
- 71.8 **RESOLVED:** That the report be noted.

72. NOTICES OF MOTION.**(a) Maintain the Brighton & Hove Schools Sports Partnership "Sport for All"**

- 72.1 The Notice of Motion as detailed in the agenda was proposed by Councillor Mitchell and seconded by Councillor Davis.
- 72.2 The Mayor then put the following substantive motion to the vote:

"This council notes with concern the attempts by the Secretary of State for Education, Michael Gove, to abolish the 450 School Sports Partnerships in the country that include

the Brighton & Hove Schools Sports Partnership based at Dorothy Stringer School that now stands to lose its previous funding of £320,000 per annum to run the Partnership.

The council further notes that government funding for school sports has been reduced with short-term funding from the Department for Education ending between 2011 – 2013.

The council reaffirms its support for the work of the Partnership and its Sports Co-ordinators that, through its involvement with all LEA schools, has significantly increased participation in sport, dance and healthy activities with thousands of Brighton and Hove young people taking part in activities provided by the additional 64 sporting clubs organised by the Partnership.

It particularly acknowledges and values the commitment from the 1,000 Volunteer Sports Leaders within the programme, both adults and year 10 and year 11 students.

It notes the comments of local Headteachers who have praised the work of the Partnership for its sharing of expertise and advice and who have seen how regular sporting activity has helped to raise educational attainment in their schools.

The council recognises that regular participation in enjoyable, varied sporting activity can improve the health and well being of young people and provide a positive outlet for competitive physical exercise and behaviour.

It acknowledges the success of this year's School Sports Festival that involved 19,000 of the city's young people.

Within the reduced funding regime this council requests the Cabinet to commit to:

1. Taking the lead, along with organisations such as Brighton & Hove Albion FC, Sussex Cricket Club, South East Dance and local gymnastic clubs, to ensure that access to the variety of sporting and other activities currently on offer to the city's young people does not diminish and that where possible budgets, premises, transport and expertise can be shared; and
2. Working quickly and pro-actively with all its schools, including Primary Schools, and local sports leaders, with the aim of maintaining a Brighton & Hove Schools Sports Partnership based on the ethos of 'Sport for All'.

The Council further requests the Chief Executive to write to the Secretary of State for Education highlighting the success of the Brighton and Hove School Sports Partnership and asking that he reconsiders his decision to reduce its funding."

72.3 The motion was carried.

(b) Promoting Choice Through Transport Policy.

72.4 Councillor Hyde informed the Mayor that she wished to withdraw the motion.

72.5 The Mayor noted that the motion had been withdrawn.

(c) Improvements to the Management of Housing

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

72.7 Councillor Simpson moved an amendment on behalf of the Labour Group which was seconded by Councillor Allen.

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

72.9 The Mayor then put the following Notice of Motion as amended to the vote:

“This Council welcomes the huge improvements in housing management performance over the last 3 years which are highlighted in the recent Audit Commission report – ‘Review of the Housing Repairs and Maintenance Contract’. In particular:

- Urgent repairs have reduced from 29% in 2007/08 to 14% in 2009/10 whilst planned repairs have increased from 44% in 2007/08 to 62.4% in 2009/10
- 98.3% of urgent repairs are now completed in the target time compared to 89.3% in 2007/08
- A massively improved response time for emergency repairs with 98.4 % completed on time in 2009/10 compared to 83% in 2007/08
- The time taken to re-let properties has also improved from 35 days in 2006/7 to 26 days in 2009/10.
- At the end of March 2010, over 60% of the Council's housing stock was ‘decent’ compared to 44% at the end of March 2008
- Improving value for money - housing management costs have now reduced to average when compared to other councils.
- Increasing income through improved management of tenant rent and a significant reduction in bad debt provision.
- Resident satisfaction with the service is in the top 25% of councils, with 96% happy with the service and 88% rating the service as 8 out of 10 or above

Furthermore, this Council welcomes the Audit Commission’s recognition of the causes of the previous poor performance.

However, this council does express concern at the proposal by Communities Secretary Eric Pickles to curb the ability of councils, as part of their housing management and housing need processes, to bring empty homes back into use, with a requirement that they stay empty for two years thus adding to neighbouring residents’ fears that they will attract squatters.

This Council further welcomes the Audit Commission’s recognition of the efforts of the Council to bridge the Decent Homes funding gap left by the previous Administration after the failed stock transfer ballot in 2007. In particular:

- A new procurement strategy and combined housing procurement contracts which will save approximately £150 million over 30 years.
- A new housing Local Delivery Vehicle – Brighton & Hove Seaside Community Homes which will deliver up to £30 million of investment into some of the City's poorest housing stock.
- A bid to the Coalition Government's '*Decent Homes Backlog Funding for Council Landlords 2011-15*' which, if successful, would be the first money received by Brighton & Hove tenants for improvement works from central Government for over 10 years.

In addition, there is a clear and welcome recognition of the strong resident involvement mechanisms put in place since 2007, which have contributed to these successes.

This council also notes that following the national implementation of the first ever Decent Homes Policy, nine out of every ten social homes are now up to the Decency Standard as the previous Government worked to tackle the £19bn backlog of council and housing association repairs when 40% of social homes were in an unacceptable condition.

Therefore, this Council places on record its thanks and appreciation to all residents, council officers, partners and other stakeholders who have contributed so much to improving the housing service which the tenants and leaseholders of Brighton & Hove deserve."

72.10 The motion was carried.

(d) Save London Road Post Office

72.11 The Notice of Motion as detailed on the agenda was proposed by Councillor West and seconded by Councillor Davey.

72.12 Councillor Oxley moved an amendment to delete paragraph 4 of the motion on behalf of the Conservative Group which was seconded by Councillor Young.

72.13 The Mayor noted that the amendment moved by Councillor Oxley had not been accepted by Councillor West and therefore put the proposed amendment to the vote which was lost.

72.14 The Mayor then put the following substantive motion as unamended to the vote:

"This Council notes that the Post Office Ltd has written to the Chief Executive stating its intentions to close and relocate London Road Post Office Branch to new premises at 14 Preston Road, north of Preston Circus.

This Council also notes that in 2008 six post office branches were closed in the City. There was widespread public outcry from residents and businesses, and a strong

campaign of opposition including a letter-writing campaign, a petition, public meetings and a motion passed by this Council.

This Council acknowledges that residents and businesses are concerned that the new location is not as accessible as the current one, won't offer the same level of service, and that there is also likely to be a negative impact on the local economy of London Road.

Further, this Council notes the recently-passed Postal Services Bill, which could have serious consequences for Post Offices across the city. The provisions eliminate any guarantee of the current business agreement with Royal Mail, thus allowing for its privatisation – an option which remains deeply unpopular with most people, as it may lead to increased prices and a wider deterioration of service in favour of profit. [1]

This Council recognises:

1. The economic and social importance of maintaining an adequate and accessible post office service at the heart of the London Road shopping and commercial district;
2. The importance to local residents and businesses, particularly vulnerable and less mobile users, of other remaining Post Office branches around the city;

The Council therefore requests that the Chief Executive:

1. Responds to this consultation, and writes to Secretary of State for Business Innovation and Skills, setting out the concerns that Council has noted;
2. Explores with the Post Office alternative partnership arrangements, including the possibility that Council and Post Office services might be offered from a shared premises;
3. Makes clear to the Post Office the importance of all the remaining branches in the city and seeks assurance that none of these are under threat of closure; and that investment and innovation will ensure they will not be allowed to fall into a less viable state."

[1] 60% of people believe the Royal Mail should remain a wholly publicly-owned organisation. YouGov Poll August 2010."

72.15 The motion was carried.

Motion to terminate the meeting:

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

72.17 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.

(e) Continue the Educational Maintenance Allowance

72.18 The Notice of Motion as detailed in the agenda was proposed by Councillor Hawkes and seconded by Councillor Mitchell.

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

“This council expresses deep concern over the proposed cancellation of Education Maintenance Allowance (EMA).

This Council is aware that:

- The EMA is available to 16-19 year olds who come from low income families and whose household's net income is below £30,000 per annum and that there is an additional grant for those students from families whose household income is below £20,000 per annum.
- That significant numbers of students attending Sixth Forms and Colleges of Further Education in Brighton and Hove benefit from EMA. For example, 65% of students, aged 16-19, that attend City College Brighton & Hove qualify for EMA.
- EMA is intended to help with the cost of books, travel, equipment or anything useful to the continuation of learning and paid straight into the pupil's bank account, giving them independence and allowing them to take charge of a small weekly budget.
- Payments are only made for good attendance, punctuality and performance.

This Council believes that EMA is needed to maintain participation, aspiration and attainment levels amongst young people and believes that their removal is especially likely to disadvantage young people in lower socio-economic groups in continuing their education. This will affect their ability to access further training and jobs to the detriment of the local economy and their personal lives.

Therefore, this council:

- 1) Calls on all of its Elected Members to note the national 'Save EMA' petition – <http://saveema.co.uk/join>
- 2) Requests that the Council's Chief Executive writes to the Rt. Hon Michael Gove, the Secretary of State for Education, asking him to reinstate EMA; and
- 3) Calls on the three Brighton and Hove MPs to lobby the government for a reversal of their decision to scrap EMA that will reduce access to further education for young people in Brighton and Hove and will prevent many children from the poorest families from accessing further education at all.”

72.20 **The motion was carried.**

(f) The Local Government Finance Settlement and Subsequent Effects

72.21 The Notice of Motion as detailed in the agenda was proposed by Councillor Randall and seconded by Councillor Kitcat.

72.22 Councillor Hamilton moved an amendment on behalf of the Labour Group which was seconded by Councillor Mitchell.

72.23 The Mayor noted that the amendment moved by Councillor Hamilton had not been accepted and therefore put the proposed amendment to the vote which was lost.

72.24 The Mayor then put the following substantive motion unamended to the vote:

“This Council notes with dismay the cuts imposed by the national coalition government upon funding for local services. This Council is concerned that December’s local government finance settlement will limit the council’s ability to meet the level and quality of service provision that the people of Brighton & Hove deserve.

This Council also notes that despite the Secretary of State Eric Pickles’ dismissal of the ‘front-loaded’ nature of these cuts as “a fiction”, it is clear that the heaviest burden will fall in the coming financial year, with a target of £30 million of spending to be axed. [1]

This Council deplores the Government’s decision to force local government into enacting these cuts so suddenly, while limiting options to mitigate the effects on services and jobs. This Council refutes the coalition government’s claims that these cuts can be met solely by back-office changes and by raiding reserves. Most of this Council’s reserves are allocated and cannot be spent to plug holes caused by cuts in central government grants.

This Council deeply regrets that residents of the city - particularly vulnerable groups - will bear the burden of unsustainable growth under the previous Labour government ideologically-driven cuts programme under the current Coalition Government.

Furthermore this Council is concerned that such cuts will also damage the local economy as redundancies occur, support for those put out of work becomes more costly, and a drop in demand for goods and services affects other sectors.

Therefore, this council:

- Rejects the Government’s assertion that their programme of cuts is “fair” or “necessary”;
- Deplores the confrontational approach taken by the Local Government Minister Eric Pickles MP in responding to local government concerns;
- Reaffirms the importance of working with trade union representatives to find ways to preserve services and jobs;

- Encourages and supports an open, cross-party process to address the difficult challenges posed by the 2011/12 council budget and to minimise the loss of essential frontline services.”

[1] Hansard, 6th December,
<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm101206/debtext/101206-0001.htm>.

72.25 **The motion was carried.**

73. CLOSE OF MEETING

73.1 The Mayor closed the meeting at 10.10pm

Signed

Chairman

Dated this

day of

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 3 MARCH 2011

COUNCIL CHAMBER, BRIGHTON TOWN HALL

MINUTES

Present: Councillors Wells (Chairman), A Norman (Deputy Chairman), Peltzer Dunn, Alford, Allen, Barnett, 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

74. DECLARATIONS OF INTEREST

- 74.1 Councillors Harmer-Strange, Randall, Simpson, Wells and Barnett declared a personal but not prejudicial interest in Item 76, in regard to the fact that they were directors of the Local Delivery Vehicle (LDV), which was affected by proposals contained within the budget reports;
- 74.2 Councillor Wells declared that he had a personal but not prejudicial interest in Item 76 as he had been a former member of the Local Delivery Vehicle (LDV), which was affected by proposals contained within the budget reports;
- 74.3 Councillor West declared a personal but not prejudicial interest in Item 76 as he was a member of the Local Access Forum which was affected by proposals contained within the budget reports.
- 74.4 No other declarations of interests in matters appearing on the agenda were made.

75. MAYOR'S COMMUNICATIONS.

- 75.1 The Mayor reported that under Section 30(6) of the Local Government Act 1992 the Council had a duty to set the Council Tax by 11 March 2011. A failure to set a tax did not then in itself invalidate the tax demands but it had other adverse consequences including the potential loss of income to the Council. One significant practical implication was that the contractor who printed and sent out the Council Tax bills had a slot booked to process the City Council's bills and a delay in setting the Budget could have significant implications in this respect.

- 75.2 The Mayor noted that the procedure agreed for the budget debate enabled the Administration to outline its budget proposals along with any amendments and for the various Groups to put forward up to six amendments. He reminded the council of the need to set a balanced budget and whilst there was a situation of no overall control, he noted that Members had both a collective and individual responsibility to ensure that the process allowed for the setting of a balanced budget. He also noted that should any of the amendments put forward be approved, there may then be a need to adjourn the meeting to enable the Director of Finance and/or the Monitoring Officer to clarify the impact on the overall budget position.
- 75.3 The Mayor stated that there would not be a formal call over as he was aware that Members wished to discuss all three items under the Cabinet's proceedings. He also noted that a procedural note in relation to the Budget debate had been circulated as part of the addendum, which he hoped Members would find helpful. In this respect he stated that it was intended that the General Fund Revenue Budget and Council Tax 2011/12, the Supplementary Financial Information report, the Capital Resources and Capital Investment Programme and the Housing Revenue Account Budget would be taken together in the one debate.
- 75.4 The Mayor outlined the process for the debate and asked that in moving the Budget and the amendments, the Member concerned should give an indication of their Group's position in respect of the various amendments that had been notified to enable proper space for debate on the issues of contention. He stated that following the conclusion of the general debate, he would then take votes on each amendment and finally on the substantive proposals as proposed or as amended. He noted that there would be three separate votes on the substantive proposals, i.e. Item 76(a) together with Item 76(b), then Item 76(c) and finally Item 76(d).
- 75.5 The Mayor then advised the council that Procedural Rules would need to be suspended in so far as was necessary to enable the business under Item 76(a-d) on the agenda to be dealt with as set out in the procedural note and moved the suspension accordingly.
- 75.6 **The Motion was carried.**
- 76. TO CONSIDER THE REPORTS AND RECOMMENDATIONS OF THE CABINET OF THE 17 FEBRUARY 2010 IN RESPECT OF:-**
- 76. (A) General Fund Revenue Budget and Council Tax 2011/12
(B) Supplementary Financial Information for Budget Council
(C) Capital Resources and Capital Investment Programme for 2011/12
(D) Housing Revenue Account Budget 2011/12**
- 76.1 The Mayor referred to the procedural note that had been circulated and stated that he would first call upon Councillor Mears to move and Councillor Young to second the recommendations en bloc on all three Budget items as put forward by the Administration, together with the Conservative Group's amendment. Councillor Mears would have unlimited time and Councillor Young would be limited to 5 minutes.
- 76.2 He would then call Councillor Randall to formally move the first joint amendment on behalf of the Labour and Green Groups and Councillor Hamilton to second. Councillor

Randall would have unlimited time and Councillor Hamilton would be limited to 5 minutes.

- 76.3 He would then call on Councillor Mitchell to formally move the second joint amendment on behalf of the Labour and Green Groups and Councillor Kitcat to second. Councillor Mitchell would have unlimited time and Councillor Kitcat would be limited to 5 minutes.
- 76.4 He would then call on Councillor Morgan and Councillor Turton to formally move and second the Labour Group's amendment en bloc. Councillor Morgan would have unlimited time and Councillor Turton would be limited to five minutes.
- 76.5 He would then call on Councillor Kitcat and Councillor Randall to move the Green Group's amendments en bloc. Councillor Kitcat would have unlimited time and Councillor Randall would be limited to 5 minutes.
- 76.6 The Mayor stated that following the moving and seconding of the various motions, he would open the matter to general debate where all councillors could speak either to the Administration's budget and/or the amendments.
- 76.7 The Mayor stated that following the general debate the council would then be asked to vote on the Conservative Group amendment, the Labour and Green Groups' two joint amendments in turn, the Labour Group's amendment, and the Green Group's 2 amendments in turn.
- 76.8 The Mayor stated that following the voting on each Group's amendments he would call on the Director of Finance to outline the impact on the Budget before proceeding to the next set of amendments should it be necessary to do so. Once voting had been completed and the Director of Finance had clarified the budgetary position, he would then put the substantive motions (as amended as appropriate) to the vote. There would be separate votes on items 76(a) taken with 76(b), and then 76(c) and 76(d).
- 76.9 The Mayor also noted that except as otherwise stated all Members would be limited to speaking for 5 minutes each unless an extension was granted.
- 76.10 The Mayor then called on Councillors Mears to move the Administration's budget and the Conservative Group's amendment.
- 76.11 In view of disruption to the meeting caused by people in the public gallery, the Mayor stated that he would adjourn the meeting for a short period, in order for matters to calm down. He then adjourned the meeting at 4.50pm.
- 76.12 The Mayor reconvened the meeting at 5.00pm and stated that he was prepared to hold further adjournments as necessary to ensure that councillors could be heard and matters debated. He then invited Councillor Mears to move the Administration's budget.
- 76.13 Councillor Mears thanked the Mayor and moved the Conservative Administration's budget as listed in the agenda, along with the amendment as detailed in the addendum papers. She noted that the budget was being put forward in what was a difficult economic climate and was pleased to be able to present a budget with a 1% reduction in council tax and which maintained front-line services. She wished to thank the officers

involved in the budget process and also her Cabinet colleagues. She felt that this had been a difficult budget process but it had remained true to the three key principals i.e. to keep council tax down, value for money and to protect and improve front-line services. She was confident that the budget before the council met these principals and put the council on a firm financial footing.

- 76.14 Councillor Young formally seconded the Conservative Administration's budget and the Conservative Group's amendment. She noted that the work undertaken in the previous year had laid the foundations for the budget proposals before the council and that the long-term strategy had enabled a reduction in the level of council tax to be put forward. She would continue to work with officers to maintain a firm financial footing for the council and invest in front-line services. She also wished to thank the officers involved in bringing the budget report forward and her colleagues in developing the proposals that were before the council.
- 76.15 Councillor Randall moved the first joint amendment from the Labour and Green Groups, as detailed in the addendum which had been circulated prior to the start of the meeting. He stated that the amendment enabled resources to be allocated to specific areas which would enable them to continue service provision and thereby benefit the city as a whole. He also wished to thank the finance officers who had worked with both groups to enable them to bring forward their amendments. He hoped that the joint amendment would be supported by all Members.
- 76.16 Councillor Hamilton formally seconded the joint amendment and questioned the level of reserves that were being maintained at a time when investment in service provision was required. He believed that further action could have been taken to secure services and staff and expressed concern over the level of cuts being implemented that directly affected the most vulnerable groups in society.
- 76.17 Councillor Mitchell moved the second joint amendment from the Labour and Green Groups, as detailed in the addendum which had been circulated prior to the start of the meeting. She stated that by reversing the proposal to remove the cycle lanes in Grand Avenue and the Drive, funding could be used to support services and improve areas in the city.
- 76.18 Councillor Kitcat formally seconded the joint amendment and welcomed the opportunity to be able to work across the two parties to put forward positive changes to the budget proposals. He noted that the amendment enabled additional resources to be put into various services across the city rather than wasting over £1m on the closure of a cycle lane.
- 76.19 Councillor Morgan moved the Labour Group's amendment as detailed in the addendum which had been circulated prior to the start of the meeting. He noted that the proposed amendment would enable improvements to be made to the seafront area and hoped that it would be supported.
- 76.20 Councillor Turton formally seconded the Labour Group's amendment and stated that importance of the seafront as an asset t the city needed to be acknowledged and supported. The proposed improvements would bring additional benefits to the city as a whole.

- 76.21 Councillor Kitcat moved the Green Group's two amendments as detailed in the addendum which had been circulated prior to the start of the meeting. He stated that the amendments put forward by the Green Group sought to maintain services and focus the need for cuts elsewhere. He wished to add his thanks to the officers concerned and hoped that the amendments proposed would be given consideration as they aimed to improve the quality of life for residents and address issues such as lowering the city's carbon footprint.
- 76.22 Councillor Randall formally seconded the Green Group's two amendments and stated that he believed the Administration's budget was placing the council in a difficult position. He did not believe that the economies anticipated would be achieved and that the savings identified would place vulnerable young and elderly people in difficulty.
- 76.23 The Mayor noted that further disruptions were being caused and stated that he was prepared to call for the public gallery to be cleared if those present were not willing to refrain and continued to disrupt proceedings. He then adjourned the meeting at 6.00pm.
- 76.24 The Mayor reconvened the meeting at 6.35pm and repeated his warning that he was prepared to have the public gallery cleared should further disruptions to the proceedings be made.
- 76.25 The Mayor then opened the matter up to a general debate and the following Members of the Council spoke on the various motions that had been put forward; Councillors Smith, Davey, Elgood, West, Alford, Peltzer Dunn, Drake, G. Theobald, Watkins, Simson, Fallon-Khan, Janio, Brown, Meadows, Steedman, Hawkes, McCaffery, Barnett, Oxley, Fryer, Simpson, Allen, Kemble, Young, K. Norman, Duncan, Wrighton, Randall and Caulfield.
- 76.26 The Mayor then called on Councillor Mears to reply.
- 76.27 Councillor Mears thanked the Mayor and responded to the various points that had been raised in the debate and moved the Administration's budget proposals together with the Conservative Group's amendment.
- 76.28 The Mayor then called on the Monitoring Officer to remind the council of the legal position and the process to be followed.
- 76.29 The Monitoring Officer referred Members to the protocol which had been circulated and drew attention to the need to set a lawful budget. He also noted that depending on whether each amendment was agreed, the Director of Finance may need to clarify the overall budget position before the next amendment or substantive vote was taken.
- 76.30 Prior to the Mayor putting the various amendments to the vote, Councillor Mears requested that a recorded vote be held for each amendment.
- 76.31 The Mayor noted that sufficient Members had supported the motion for a recorded vote and stated that each amendment would be called in turn and put to the vote.
- 76.32 The Mayor then put the Conservative Group Amendment 1 to the vote:

“To allocate the £0.205m unallocated reserves identified on page 14 of the agenda in paragraph 3.32 of the budget report to the following one-off proposals:

- £0.020m for new library books.
- £0.100m to provide transitional funding for city employment initiatives.
- £0.055m to provide one-off support for the Education Business Partnership.
- £0.010m for a bus study to consider city-wide gaps in service provision.
- £0.020m to provide additional one-off support for sports development work in the City’s schools.”

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford	✓		
	Allen		x	
	Barnett	✓		
	Bennett	Absent		
	Brown	✓		
	Carden		x	
	Caulfield	✓		
	Cobb	✓		
	Davey		x	
	Davis		x	
	Deane		x	
	Drake	✓		
	Duncan		x	
	Elgood		x	
	Fallon-Khan	✓		
	Fryer		x	
	Hamilton		x	
	Harmer-Strange	✓		
	Hawkes		x	
	Hyde	✓		
	Janio	✓		
	Kemble	✓		
	Kennedy		x	
	Kitcat		x	
	Lepper		x	
	Marsh		x	
	McCaffery		x	
	Meadows		x	
	Mears	✓		
	Mitchell		x	
	Morgan		x	
	Norman, Ann	✓		
	Norman, Ken	✓		
	Older	✓		

	Oxley	✓		
	Peltzer Dunn	✓		
	Phillips		x	
	Pidgeon	✓		
	Randall		x	
	Rufus		x	
	Simpson		x	
	Simson	✓		
	Smith	✓		
	Steedman		x	
	Theobald, Carol	✓		
	Theobald, Geoffrey	✓		
	Turton		x	
	Wakefield-Jarrett		x	
	Watkins		x	
	Wells	✓		
	West		x	
	Wrighton		x	
	Young	✓		
	Total	24	28	

76.33 The motion was lost.

76.34 The Mayor then put the Joint Labour and Green Groups' Amendment 1 to the vote:

"The following proposals will generate £1.411m permanent resources in the general fund revenue budget for 2011/12 and add £0.096m to reserves:

- Reverse the proposed 1% reduction in council tax thereby freezing the council tax for 2011/12 and generating £1.198m in council tax revenue.
- Reduce the budget for mowing of grass verges by £0.1m. This will reduce the frequency of mowing verges and can be achieved by reducing the overtime budget for this service.
- Reverse the proposed 5% reduction in resident's parking permits thereby freezing the cost of permits and generating £0.113m income.

To allocate the £1.411m resources to the following:

- £0.149m for the Community Safety Team & Partnership and Drug and Alcohol Action Team to reverse part of the savings identified on page 86 of the agenda.
- £0.091m for the Youth Offending Service to reverse the saving identified on page 76 of the agenda.
- £0.232m for the Communities and Equalities Team to reverse the savings identified on page 81 of the agenda.
- £0.200m for the School and Community Teams to reverse part of the savings proposed in the Educational Psychology (allocation £0.120m) and Education Welfare Services (allocation £0.080m) identified on page 76 of the agenda.

- £0.014m for the Sustainable Transport Parking Service to reverse the proposal to charge for car club bays which is part of the saving identified on page 83 of the agenda.
- £0.100m for Community Care to reverse part of the saving identified on page 78 of the agenda.
- £0.250m for School Improvement Service to reverse the £0.070m saving identified on page 74 and provide an additional £0.180m investment in this service.
- £0.044m for Workforce Development within Schools, Skills and Learning to reverse the proposed saving in School Workforce Development and Governor Support identified on page 75 of the agenda.
- £0.025m for Advisory & Adult Learning to reverse the proposed saving in City Wide Attendance Strategy Support identified on page 74 of the agenda.
- £0.050m for Music & Arts Study Support to reverse part of the proposed savings in the Music Service identified on page 75 of the agenda.
- £0.156m for the Fostering & Adoption Service to reverse part of the saving identified on page 76 of the agenda.
- £0.100m for Day Services to reverse the saving proposed on page 80 of the agenda.

The reversal of savings identified above means that £0.096m of reserves allocated to fund the part year effect of these savings will no longer be needed and it is proposed that this money will be retained in reserves.”

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford		x	
	Allen	✓		
	Barnett		x	
	Bennett	Absent		
	Brown		x	
	Carden	✓		
	Caulfield		x	
	Cobb		x	
	Davey	✓		
	Davis	✓		
	Deane	✓		
	Drake		x	
	Duncan	✓		
	Elgood	✓		
	Fallon-Khan		x	
	Fryer	✓		
	Hamilton	✓		
	Harmer-Strange		x	
	Hawkes	✓		
	Hyde		x	
	Janio		x	
	Kemble		x	

	Kennedy	✓		
	Kitcat	✓		
	Lepper	✓		
	Marsh	✓		
	McCaffery	✓		
	Meadows	✓		
	Mears		X	
	Mitchell	✓		
	Morgan	✓		
	Norman, Ann		X	
	Norman, Ken		X	
	Older		X	
	Oxley		X	
	Peltzer Dunn		X	
	Phillips	✓		
	Pidgeon		X	
	Randall	✓		
	Rufus	✓		
	Simpson	✓		
	Simson		X	
	Smith		X	
	Steedman	✓		
	Theobald, Carol		X	
	Theobald, Geoffrey		X	
	Turton	✓		
	Wakefield-Jarrett	✓		
	Watkins	✓		
	Wells		X	
	West	✓		
	Wrighton	✓		
	Young		X	
	Total	28	24	

76.35 The motion was carried.

76.36 The Mayor then put the Joint Labour and Green Groups' Amendment 2 to the vote:

"The following proposals will generate £1.175m in general fund revenue reserves for 2011/12:

- £1.100m by reversing the proposal set out in paragraph 3.11 on page 162 of the capital programme report to remove the cycle lanes in Grand Avenue and The Drive. Switch the capital grant funding to other schemes in the capital programme funded by either general fund revenue contributions or reserves thereby releasing the equivalent amount into general fund revenue reserves.
- £0.075m from the £0.205m unallocated reserves identified on page 14 of the agenda in paragraph 3.32 of the budget report.

To allocate the £1.175m to the following:

- £0.040m for City Clean to update the work already undertaken on a future food waste collection service and develop detailed financial and operational proposals for a trial.
- £0.200m for Early Intervention Services to provide transitional funding for the Connexions Service. The savings proposal is shown on page 77 of the agenda.
- £0.050m for Other Sustainable Transport to maintain certain supported bus routes for another year should alternative funding not be forthcoming. The savings proposal is shown on page 82 of the agenda.
- £0.030m for Schools, Skills & Learning to maintain the co-ordinator for school's equality and anti-bullying work for one year prior to the transfer of this responsibility to schools. The savings proposal is part of the full year effect of in-year grant cuts shown on page 75 of the agenda.
- £0.200m for a one-off risk provision in contingency to provide further protection for the shift to personalised care.
- £0.400m to provide funding to develop a Citywide Financial Inclusion Strategy including support for existing money and debt advice services and Credit Unions to be commissioned by the council via the Advice and Information Services Partnership of the LSP.
- £0.040m for Public Protection to provide transitional funding to support the changes outlined in the Public Protection saving proposals shown on page 85 of the agenda.
- £0.200m for a one-off risk provision in contingency to provide further cover for possible risks arising within Children's, Youth and Families.
- £0.015m for Grants to Voluntary Organisations to reverse the saving proposal as shown on page 81 of the agenda for one year only."

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford		x	
	Allen	✓		
	Barnett		x	
	Bennett	Absent		
	Brown		x	
	Carden	✓		
	Caulfield		x	
	Cobb		x	
	Davey	✓		
	Davis	✓		
	Deane	✓		
	Drake		x	
	Duncan	✓		
	Elgood	✓		
	Fallon-Khan		x	
	Fryer	✓		
	Hamilton	✓		

	Harmer-Strange		X	
	Hawkes	✓		
	Hyde		X	
	Janio		X	
	Kemble		X	
	Kennedy	✓		
	Kitcat	✓		
	Lepper	✓		
	Marsh	✓		
	McCaffery	✓		
	Meadows	✓		
	Mears		X	
	Mitchell	✓		
	Morgan	✓		
	Norman, Ann		X	
	Norman, Ken		X	
	Older		X	
	Oxley		X	
	Peltzer Dunn		X	
	Phillips	✓		
	Pidgeon		X	
	Randall	✓		
	Rufus	✓		
	Simpson	✓		
	Simson		X	
	Smith		X	
	Steedman	✓		
	Theobald, Carol		X	
	Theobald, Geoffrey		X	
	Turton	✓		
	Wakefield-Jarrett	✓		
	Watkins	✓		
	Wells		X	
	West	✓		
	Wrighton	✓		
	Young		X	
	Total	28	24	

76.37 The motion was carried.

76.38 The Mayor then put the Labour Group Amendment 1 to the vote:

“To allocate £0.130m from the £0.205m unallocated reserves identified on page 14 of the agenda in paragraph 3.32 of the budget report to the planned maintenance budget for seafront improvement works east of Brighton Pier.”

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford		X	
	Allen	✓		
	Barnett		X	
	Bennett	Absent		
	Brown		X	
	Carden	✓		
	Caulfield		X	
	Cobb		X	
	Davey		X	
	Davis	✓		
	Deane		X	
	Drake		X	
	Duncan		X	
	Elgood	✓		
	Fallon-Khan		X	
	Fryer		X	
	Hamilton	✓		
	Harmer-Strange		X	
	Hawkes	✓		
	Hyde		X	
	Janio		X	
	Kemble		X	
	Kennedy		X	
	Kitcat		X	
	Lepper	✓		
	Marsh	✓		
	McCaffery	✓		
	Meadows	✓		
	Mears		X	
	Mitchell	✓		
	Morgan	✓		
	Norman, Ann		X	
	Norman, Ken		X	
	Older		X	
	Oxley		X	
	Peltzer Dunn		X	
	Phillips		X	
	Pidgeon		X	
	Randall		X	
	Rufus		X	
	Simpson	✓		
	Simson		X	
	Smith		X	
	Steedman		X	
	Theobald, Carol		X	
	Theobald, Geoffrey		X	
	Turton	✓		

	Wakefield-Jarrett		X	
	Watkins	✓		
	Wells		X	
	West		X	
	Wrighton		X	
	Young		X	
	Total	15	37	

76.39 **The motion was lost.**

76.40 The Mayor then put the Green Group Amendment 1 to the vote:

“The following proposals will generate £1.700m permanent resources in the general fund revenue budget for 2011/12 and release £0.137m back to reserves:

- Reverse the proposed 1% reduction in council tax thereby freezing the council tax for 2011/12 and generating £1.198m in council tax revenue.
- Reduce the budget for mowing of grass verges by £0.1m. This will reduce the frequency of mowing verges and can be achieved by reducing the overtime budget for this service.
- Delete the proposal to create a Local Homes Venture Fund saving £0.2m.
- Reverse the proposed 5% reduction in resident's parking permits and reinstating a 2% increase in the cost of permits and generating £0.158m income.
- Remove all catering including drinks at member meetings, pre-meetings and informal member meetings saving £0.026m.
- Adopt the members allowance scheme set out in the Review of Members Allowances report to Council on 21 October 2010 agenda item 28a saving £0.018m.

To allocate the £1.700m resources to the following:

- £0.247m for the Community Safety Team & Partnership and Drug and Alcohol Action Team to reverse part of the savings identified on page 86 of the agenda.
- £0.091m for the Youth Offending Team to reverse the saving identified on page 76 of the agenda.
- £0.200m for Early Intervention Services to reverse part of the Connexions Service saving identified on page 77 of the agenda, prioritising SEN support in mainstream schools.
- £0.232m for the Communities and Equalities Team to reverse the savings identified on page 81 of the agenda.
- £0.250m for the School and Community Teams to reverse part of the saving proposed in the Educational Psychology and Education Welfare Services identified on page 76 of the agenda.
- £0.014m for the Sustainable Transport Parking Service to reverse the proposal to charge for car club bays which is part of the saving identified on page 83 of the agenda.

- £0.025m to Public Protection to provide an additional noise patrol shift per week.
- £0.070m for School Improvement Service to reverse the saving identified on page 74 of the agenda.
- £0.044m for Workforce Development within Schools, Skills and Learning to reverse the proposed saving in School Workforce Development and Governor Support identified on page 75 of the agenda.
- £0.025m for Advisory & Adult Learning to reverse the proposed saving in City Wide Attendance Strategy Support identified on page 74 of the agenda.
- £0.059m for Music & Arts Study Support to reverse part of the proposed savings in the Music Service identified on page 75 of the agenda.
- £0.135m for the Fostering & Adoption Service to reverse part of the saving identified on page 76 of the agenda.
- £0.015m for Grants to Voluntary Organisations to reverse the saving proposal as shown on page 81 of the agenda.
- £0.047m for Sustainable Transport to reverse part of the saving identified on page 82 of the agenda relating to reducing the number of posts in Environment Initiatives, Traffic & Transport, Road Safety & Transport Planning.
- £0.100m for Day Services to reverse the saving proposed on page 80 of the agenda.
- £0.127m for Development Planning to reverse some of the savings from reductions in staff proposed on page 85 of the agenda.
- £0.019m for Public Protection to reverse part of the savings for environmental protection and licensing proposed on page 85 of the agenda.

The impact of new savings and the reversal of savings identified above means that £0.137m of reserves allocated to fund the part year effect of these savings will no longer be needed and it is proposed that this money will be retained in reserves.”

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford		x	
	Allen		x	
	Barnett		x	
	Bennett	Absent		
	Brown		x	
	Carden		x	
	Caulfield		x	
	Cobb		x	
	Davey	✓		
	Davis		x	
	Deane	✓		
	Drake		x	
	Duncan	✓		
	Elgood		x	
	Fallon-Khan		x	
	Fryer	✓		

	Hamilton		X	
	Harmer-Strange		X	
	Hawkes		X	
	Hyde		X	
	Janio		X	
	Kemble		X	
	Kennedy	✓		
	Kitcat	✓		
	Lepper		X	
	Marsh		X	
	McCaffery		X	
	Meadows		X	
	Mears		X	
	Mitchell		X	
	Morgan		X	
	Norman, Ann		X	
	Norman, Ken		X	
	Older		X	
	Oxley		X	
	Peltzer Dunn		X	
	Phillips	✓		
	Pidgeon		X	
	Randall	✓		
	Rufus	✓		
	Simpson		X	
	Simson		X	
	Smith		X	
	Steedman	✓		
	Theobald, Carol		X	
	Theobald, Geoffrey		X	
	Turton		X	
	Wakefield-Jarrett	✓		
	Watkins		X	
	Wells		X	
	West	✓		
	Wrighton	✓		
	Young		X	
	Total	13	39	

76.41 The motion was lost.

76.42 The Mayor then put the Green Group Amendment 2 to the vote:

“The following proposal will generate £1.100m in general fund revenue reserves for 2011/12:

- £1.100m by reversing the proposal set out in paragraph 3.11 on page 162 of the capital programme report to remove the cycle lanes in Grand Avenue and The Drive.

Switch the capital grant funding to other schemes in the capital programme funded by either general fund revenue contributions or reserves thereby releasing the equivalent amount into general fund revenue reserves.

To allocate £1.060m to the following:

- £0.040m for City Clean to update the work already undertaken on a future food waste collection service and develop detailed financial and operational proposals for a trial.
- £0.030m for Schools, Skills & Learning to maintain the co-ordinator for school's equality and anti-bullying work for one year prior to the transfer of this responsibility to schools. The savings proposal is part of the full year effect of in-year grant cuts shown on page 75 of the agenda.
- £0.500m to create a fund to support the installation of renewable energy generating technologies on council owned buildings in order to take advantage of the time limited feed in tariffs.
- £0.040m for Public Protection to provide transitional funding to support the changes outlined in the Public Protection saving proposals shown on page 85 of the agenda.
- £0.450m for a one-off risk provision in contingency to provide further cover for possible risks arising within Children's, Youth and Families and in the delivery units for Adult Assessment and Adult Provision.

The remaining £0.040m to be added to reserves."

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford		X	
	Allen		X	
	Barnett		X	
	Bennett	Absent		
	Brown		X	
	Carden		X	
	Caulfield		X	
	Cobb		X	
	Davey	✓		
	Davis		X	
	Deane	✓		
	Drake		X	
	Duncan	✓		
	Elgood	✓		
	Fallon-Khan		X	
	Fryer	✓		
	Hamilton		X	
	Harmer-Strange		X	
	Hawkes		X	
	Hyde		X	
	Janio		X	
	Kemble		X	
	Kennedy	✓		

	Kitcat	✓		
	Lepper		X	
	Marsh		X	
	McCaffery		X	
	Meadows		X	
	Mears		X	
	Mitchell		X	
	Morgan		X	
	Norman, Ann		X	
	Norman, Ken		X	
	Older		X	
	Oxley		X	
	Peltzer Dunn		X	
	Phillips	✓		
	Pidgeon		X	
	Randall	✓		
	Rufus	✓		
	Simpson		X	
	Simson		X	
	Smith		X	
	Steedman	✓		
	Theobald, Carol		X	
	Theobald, Geoffrey		X	
	Turton		X	
	Wakefield-Jarrett	✓		
	Watkins	✓		
	Wells		X	
	West	✓		
	Wrighton	✓		
	Young		X	
	Total	15	37	

76.43 **The motion was lost.**

76.44 The Mayor then called on Councillor Mears.

76.45 Councillor Mears asked for a short adjournment in light of the various amendments that had been carried so that the Groups could have time to consider the implications for the budget proposals and clarify any concerns with officers prior to the substantive votes being taken.

76.46 The Mayor stated that he was willing to grant the request and therefore adjourned the meeting at 9.35pm.

76.47 The Mayor reconvened the meeting at 10.10pm and stated that he intended to put each of the items to vote as outlined in the protocol.

76.48 The Mayor then put the substantive motions for the General Fund Revenue Budget and Council Tax 2011/12 together with the Supplementary Financial Information (Items 76(a) and 76(b)) as amended to the vote.

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford	✓		
	Allen			x
	Barnett	✓		
	Bennett	Absent		
	Brown	✓		
	Carden			x
	Caulfield	✓		
	Cobb	✓		
	Davey		x	
	Davis			x
	Deane		x	
	Drake	Absent		
	Duncan		x	
	Elgood		x	
	Fallon-Khan	✓		
	Fryer		x	
	Hamilton			x
	Harmer-Strange	✓		
	Hawkes			x
	Hyde	✓		
	Janio	✓		
	Kemble	✓		
	Kennedy		x	
	Kitcat		x	
	Lepper			x
	Marsh			x
	McCaffery			x
	Meadows			x
	Mears	✓		
	Mitchell			x
	Morgan			x
	Norman, Ann	✓		
	Norman, Ken	✓		
	Older	✓		
	Oxley	✓		
	Peltzer Dunn	✓		
	Phillips		x	
	Pidgeon	✓		
	Randall		x	
	Rufus		x	
	Simpson			x
	Simson	✓		
	Smith	✓		

	Steedman		X	
	Theobald, Carol	✓		
	Theobald, Geoffrey	✓		
	Turton			X
	Wakefield-Jarrett		X	
	Watkins		X	
	Wells	✓		
	West		X	
	Wrighton		X	
	Young	✓		
	Total	23	15	13

76.49 The Mayor noted that the motion had been carried.

76.50 RESOLVED –

- (1) That subject to (3) below, the 2011/12 General Fund Revenue Budget proposals as amended be approved including;
 - A freeze in the level of council tax;
 - The 2011/12 budget allocations to services as set out in revised appendix 1 attached to these minutes;
 - The council's net General Fund budget requirement for 2011/12 of £232.2m;
 - The commitments and reinvestments as set out in paragraph 3.48 of the report, as amended, including funding for free swimming for the under 11's;
 - The budget savings package as set out in appendix 10 to the report, as amended;
 - The value for money savings as set out in appendix 11 to the report;
 - The corporate budgets of £20.5m;
 - The contingency budget of £4.1m as set out in table 6 of the report, as amended;
 - The reserves allocations as set out in appendix 5 and paragraph 3.32 of the report, as amended;
 - The borrowing limit of £367m for the year commencing 1st April 2011;
 - The annual Minimum Revenue Provision statement as set out in appendix 8 to the report;
 - The prudential indicators as set out in appendix 9 to the report;
- (2) That the Medium Term Financial Strategy (MTFS) budget and resource projections for 2011/12 to 2014/15 as set out in appendix 6 to the report and amended as per the revised summary of MTFS projections attached to these minutes be noted;
- (3) That the supplementary information needed to set the overall council tax as detailed in paragraph 4.5 of the report (Item 76(b)) and the revised calculations required under the Local Government Finance Act 1992 as shown below be noted;

**CALCULATION OF BRIGHTON AND HOVE'S BUDGET
REQUIREMENT AND COUNCIL TAX**

CALCULATIONS REQUIRED UNDER THE LOCAL GOVERNMENT FINANCE ACT 1992

S32	Expenditure	£	£
	Gross Revenue expenditure on Brighton and Hove services	698,404,143	
	Contingency	4,126,000	
	Levies and "County-wide" services	139,377	
	Special levies	27,480	
	Parish precept	27,000	
			702,724,000
	Income		
	Fees, charges and specific Government Grants	465,413,000	
	Contribution from reserves	5,063,000	
			470,476,000
	Net Budget Requirement (R)		232,248,000

S33	R = Budget requirement		232,248,000
	P =		
	Revenue Support Grant	26,542,853	
	NNDR income	85,870,605	
	Previous year surplus/deficit	0	
	Total of P		112,413,458
	R - P (Total Council Tax required)		119,834,542
	T = Taxbase		94,897.89
	(R-P)/T =Basic Council Tax		1,262.77

S34	(i) S34 (2)	
	B = Section 33 Calculation	1,262.77
	A = Total of Special Items (as defined in S35)	54,480
	T = Taxbase	94,897.89
	B - (A / T) = Council Tax for areas with no special items	1,262.20
	(ii) S34 (3)	
	C = Section 34 (2) calculation	1,262.20
	S =	
	Rottingdean Parish special item	27,000
	Hanover Crescent Enclosure Committee special item	6,674
	Marine Square Enclosure Committee special item	15,251
	Royal Crescent Enclosure Committee special item	5,555
	TP =	
	Rottingdean Parish taxbase	1,540.33
	Hanover Crescent Enclosure Committee taxbase	39.59
	Marine Square Enclosure Committee taxbase	78.37
	Royal Crescent Enclosure Committee taxbase	30.40
	C + (S / TP) = Council Tax for areas with special items:-	
	Rottingdean Parish	1,279.73
	Hanover Crescent Enclosure Committee	1,430.78
	Marine Square Enclosure Committee	1,456.80
	Royal Crescent Enclosure Committee	1,444.93

- (4) That it be noted that at its meeting on the 20th January 2011 the Cabinet calculated the following amounts for the year 2011/2012 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992;

- (a) 94,897.89 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its council tax base for the year;

- (b) Parts of the Council's Area
- | | |
|------------------------------|----------|
| Rottingdean Parish – | 1,540.33 |
| Hanover Crescent Enclosure – | 39.59 |
| Marine Square Enclosure – | 78.37 |
| Royal Crescent Enclosure – | 30.40 |

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate;

- (5) That the following amounts be now calculated by the Council for the year 2011/2012 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992 ("the Act"):-

£698,404,143 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act net of contingency, levies and "County-wide" services and special items:

Contingency – £4,126,000

Levies and "County-wide" services:-

£60,386 Environment Agency (Flood Defence)
£78,991 Sussex Inshore Fisheries & Conservation Authority

Special expenses:-

£27,000 Rottingdean Parish
£ 6,674 Hanover Crescent Enclosure Committee
£15,251 Marine Square Enclosure Committee
£ 5,555 Royal Crescent Enclosure Committee
£54,480 Total of special items

- (a) £702,724,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act including contingency and special items;

- (b) £465,413,000 Income from Fees, Charges and specific Government grants,
£5,063,000 Contribution from reserves,

£470,476,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3) (a) to (c) of the Act;

- (c) £232,248,000 being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council in accordance with Section 32(4) of the Act as its budget requirement for the year;
- (d) £112,413,458 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates and revenue support grant and decreased by the amount of the sums which the Council estimates will be transferred in the year from its general fund to its collection fund in accordance with section 97(3) of the Local Government Finance Act 1988 (Council Tax surplus) and increased by the amount of any sum which the Council estimates will be transferred from its collection fund to its general fund pursuant to directions under section 98(4) of the Local Government Finance Act 1988 (Community Charge Surplus);
- (e) £1,262.77 being the amount at 2(c) above less the amount at 2(d) above, all divided by the amount at 1(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year;
- (f) £54,480 being the aggregate amount of all special items referred to in Section 34(1) of the Act;
- (g) £1,262.20 being the amount at 2(e) above less the result given by dividing the amount at 2(f) above by the amount at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special items relates;
- (h) Parts of the Council's area

Rottingdean Parish -	£1,279.73
Hanover Crescent -	£1,430.78
Marine Square -	£1,456.80
Royal Crescent -	£1,444.93

being the amounts given by adding to the amount at 2(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its council tax for the year for the dwellings in those parts of its area to which one or more special items relate;

(i)

Valuation Band: Parts of the Council's area		A*	A	B	C	D	E	F	G	H
		£	£	£	£	£	£	£	£	£
Rottingdean Parish		710.96	853.15	995.35	1,137.54	1,279.73	1,564.11	1,848.50	2,132.88	2,559.46
Hanover Crescent		794.88	953.85	1,112.83	1,271.80	1,430.78	1,748.73	2,066.68	2,384.63	2,861.56
Marine Square		809.33	971.20	1,133.07	1,294.93	1,456.80	1,780.53	2,104.27	2,428.00	2,913.60
Royal Crescent		802.74	963.29	1,123.83	1,284.38	1,444.93	1,766.03	2,087.12	2,408.22	2,889.86
All other parts of the councils area		701.22	841.47	981.71	1,121.96	1,262.20	1,542.69	1,823.18	2,103.67	2,524.40

*Entitled to disabled relief

being the amounts given by multiplying the amounts at 2(g) and 2(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

- (6) That it be noted that for the year 2011/2012 the Sussex Police Authority has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Valuation Band (£)								
A*	A	B	C	D	E	F	G	H
76.90	92.28	107.66	123.04	138.42	169.18	199.94	230.70	276.84

*Entitled to disabled relief

- (7) That it be noted that for the year 2011/2012 the East Sussex Fire Authority has stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Valuation Band (£)								
A*	A	B	C	D	E	F	G	H
45.48	54.57	63.67	72.76	81.86	100.05	118.24	136.43	163.72

*Entitled to disabled relief

- (8) That having calculated the aggregate in each case of the amounts at 5(i), 6 and 7 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of council tax for the year 2011/2012 for each of the categories of dwellings shown below:-

Valuation Band: Parts of the Council's area	A*	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£	£
Rottingdean Parish	833.34	1,000.00	1,166.68	1,333.34	1,500.01	1,833.34	2,166.68	2,500.01	3,000.02
Hanover Crescent	917.26	1,100.70	1,284.16	1,467.60	1,651.06	2,017.96	2,384.86	2,751.76	3,302.12
Marine Square	931.71	1,118.05	1,304.40	1,490.73	1,677.08	2,049.76	2,422.45	2,795.13	3,354.16
Royal Crescent	925.12	1,110.14	1,295.16	1,480.18	1,665.21	2,035.26	2,405.30	2,775.30	3,330.42
All other parts of the councils area	823.60	988.32	1,153.04	1,317.76	1,482.48	1,811.92	2,141.36	2,470.80	2,964.96

*Entitled to disabled relief

76.51 The Mayor then put the substantive motions for the Capital Resources and Capital Investment Programme for 2011/12 (Item 76(c)) as amended to the vote.

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford	✓		
	Allen			X
	Barnett	✓		
	Bennett	Absent		
	Brown	✓		
	Carden			X
	Caulfield	✓		
	Cobb	✓		
	Davey		X	
	Davis			X
	Deane		X	
	Drake	Absent		
	Duncan		X	
	Elgood		X	
	Fallon-Khan	✓		
	Fryer		X	
	Hamilton			X
	Harmer-Strange	✓		
	Hawkes			X
	Hyde	✓		
	Janio	✓		
	Kemble	✓		
	Kennedy		X	
	Kitcat		X	
	Lepper			X
	Marsh			X
	McCaffery			X
	Meadows			X
	Mears	✓		
	Mitchell			X
	Morgan			X
	Norman, Ann	✓		
	Norman, Ken	✓		

	Older	✓		
	Oxley	✓		
	Peltzer Dunn	✓		
	Phillips		X	
	Pidgeon	✓		
	Randall		X	
	Rufus		X	
	Simpson			X
	Simson	✓		
	Smith	✓		
	Steedman		X	
	Theobald, Carol	✓		
	Theobald, Geoffrey	✓		
	Turton			X
	Wakefield-Jarrett		X	
	Watkins		X	
	Wells	✓		
	West		X	
	Wrighton		X	
	Young	✓		
	Total	23	15	13

76.52 The Mayor noted that the motion had been carried.

76.53 RESOLVED –

- (1) That the Capital Investment Programme for 2011/12 be approved and the estimated resources in future years as detailed in appendix 1 to the report, as amended, be noted;
- (2) That the allocation of £0.5m resources in 2011/12 for the Strategic Investment Fund for the purposes detailed in paragraph 3.26 of the report be agreed;
- (3) That the allocation of £0.5m for the ICT Fund be agreed;
- (4) That the allocation of £1.0m for the Asset Management Fund be agreed; and
- (5) That the potential use of council borrowing as set out in table 5 in the report be agreed.

76.54 The Mayor then put the substantive motions for the Housing Revenue Account Budget (Item 76 (d)) to the vote.

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford	✓		
	Allen			X
	Barnett	✓		
	Bennett	Absent		

	Brown	✓		
	Carden			X
	Caulfield	✓		
	Cobb	✓		
	Davey			X
	Davis			X
	Deane			X
	Drake	Absent		
	Duncan			X
	Elgood			X
	Fallon-Khan	✓		
	Fryer			X
	Hamilton			X
	Harmer-Strange	✓		
	Hawkes			X
	Hyde	✓		
	Janio	✓		
	Kemble	✓		
	Kennedy			X
	Kitcat			X
	Lepper			X
	Marsh			X
	McCaffery			X
	Meadows			X
	Mears	✓		
	Mitchell			X
	Morgan			X
	Norman, Ann	✓		
	Norman, Ken	✓		
	Older	✓		
	Oxley	✓		
	Peltzer Dunn	✓		
	Phillips			X
	Pidgeon	✓		
	Randall			X
	Rufus			X
	Simpson			X
	Simson	✓		
	Smith	✓		
	Steedman			X
	Theobald, Carol	✓		
	Theobald, Geoffrey	✓		
	Turton			X
	Wakefield-Jarrett			X
	Watkins			X
	Wells	✓		
	West			X
	Wrighton			X

	Young	✓		
	Total	23		28

76.55 The Mayor noted that the motion had been carried.

76.56 **RESOLVED –**

- (1) That the Housing Revenue Account Budget for 2011/12, as set out in Appendix 1 to the report be approved;
- (2) That the individual rent increases and decreases in line with rent restructuring principles as determined by the Government be approved; and
- (3) That the changes to fees and charges as detailed in paragraphs 3.17 to 3.26 of the report be approved.

77. CLOSE OF MEETING

77.1 The Mayor thanked Members and closed the meeting at 10.25pm.

The meeting concluded at 10.25pm

Signed

Chairman

Dated this

day of

Summary of MTFS projections

	2011/12	2012/13	2013/14	2014/15
	£'000	£'000	£'000	£'000
Budget b/fwd	230,790	232,221	224,179	222,180
Function & Funding changes	20,473	-519	-	-
Revised Budget b/fwd	251,263	231,702	224,179	222,180
Inflation	3,004	2,618	4,370	4,329
Service pressures including specific grant reductions and commitments / improvements	13,943	8,348	10,880	7,951
VFM programme, efficiency & other savings *	-23,179	-21,097	-17,991	-19,057
Commitments and reinvestment	2,661	-1,393	-320	293
Contribution from Health	-3,285			
Total	244,407	220,178	221,118	215,696
Change in contribution in reserves	-9,191	4,001	1,062	-
Council Tax Freeze Grant	-2,995	-	-	-
Budget Requirement	232,221	224,179	222,180	215,696
Funding				
Formula Grant	112,413	101,377	96,308	86,677
Council Tax	119,808	122,802	125,872	129,019
Total	232,221	224,179	222,180	215,696

* Note: the savings total £81.3m over the 4 year period.

Movements in block allocations 2010/11 to 2011/12										Item 79(b) Appendix 1	
	Changes						Commitments			Increase	Increase
	2010/11	in	Internal	2010/11			and		2011/12	over	over
	Revised	function /	Transfers	Adjusted	Inflation	Service	reinvestment	Savings	Original	adjusted	adjusted
	Base	funding		Base		Pressure			Budget	base	base
	£'000	£'000	£'000	£'000	£'000	s £'000	£'000	£'000	£'000	£'000	%
Commissioner - Childrens, Youth & Families	14,247	501	-51	14,697	287	3,906	0	-2,109	16,781	2,084	14.2
Commissioner - Schools, Skills & Learning	5,861	-111	-263	5,487	71	2,043	210	-1,020	6,791	1,304	23.8
Delivery Unit Childrens & Families	27,413	477	37	27,927	371	1,871	287	-1,556	28,900	973	3.5
Delivery Unit City Services	8,163	0	9	8,172	45	516	597	-412	8,918	746	9.1
Commissioner - People	2,341	1,036	-4	3,373	20	0	0	0	3,393	20	0.6
Delivery Unit Adults Assessment	60,285	4,673	-107	64,851	1,107	2,265	-2,785	-5,070	60,368	-4,483	-6.9
Delivery Unit Adults Provider	9,571	179	70	9,820	19	85	180	-465	9,639	-181	-1.8
Commissioner - Communities & Equalities	2,311	0	1	2,312	41	450	400	0	3,203	891	38.5
Commissioner - City Regulation & Infrastructure	8,570	94	-342	8,322	138	163	0	-397	8,226	-96	-1.2
Delivery Unit City Infrastructure	19,866	0	3	19,869	251	741	85	-2,443	18,503	-1,366	-6.9
Delivery Unit Planning & Public Protection	5,525	-16	17	5,526	35	236	40	-735	5,102	-424	-7.7
Community Safety	1,187	0	3	1,190	11	642	0	-198	1,645	455	38.2
Delivery Unit Housing & Social Inclusion	344	0	1	345	5	0	0	0	350	5	1.4
Commissioner - Housing	4,547	11,249	16	15,812	25	0	0	-592	15,245	-567	-3.6
Commissioner - Tourism & Leisure	1,528	0	1	1,529	27	0	165	-945	776	-753	-49.2
Commissioner- EDR	570	65	1	636	6	0	0	0	642	6	0.9
Commissioner - Arts	1,537	0	0	1,537	30	0	0	-83	1,484	-53	-3.4
Delivery Unit Tourism & Leisure	4,541	0	-305	4,236	5	111	0	-243	4,109	-127	-3.0
Major Projects	355	0	1	356	4	0	0	-20	340	-16	-4.5
Resources	18,196	836	-497	18,535	212	530	135	-1,558	17,854	-681	-3.7
Finance	5,929	0	-106	5,823	63	70	0	-1,141	4,815	-1,008	-17.3
Strategic Leadership Board	0	0	1,318	1,318	0	0	0	0	1,318	0	0.0
Total Directorate Spending	202,887	18,983	-197	221,673	2,773	13,629	-686	-18,987	218,402	-3,271	-1.48
Corporate Budgets	8,986	1,490	-33	10,443	148	314	408	-1,280	10,033	-410	
Financing Costs	10,446	0	130	10,576	0		-149	0	10,427	-149	
Corporate VFM Savings	0	0	0	0	0		0	-2,875	-2,875	-2,875	
Contingency	3,938	0	304	4,242	79		-195	0	4,126	-116	
Council Tax Freeze Grant	0			0			-2,995		-2,995	-2,995	
Levies to External Bodies	201	0	0	201	4		-2	-37	166	-35	
NET REVENUE EXPENDITURE	226,458	20,473	204	247,135	3,004	13,943	-3,619	-23,179	237,284	-9,851	-3.99
Contributions to/ from(-) reserves	4,332	0	-204	4,128			-9,191		-5,063	-9,191	
BUDGET REQUIREMENT	230,790	20,473	0	251,263	3,004	13,943	-12,810	-23,179	232,221	-19,042	
Funded by											
Formula Grant	109,185	20,473		129,658					112,413	-17,245	
Collection Fund surplus/(deficit)	2,286			2,286					0	-2,286	
Council Tax	119,319			119,319					119,808	489	
Total	230,790	20,473		251,263					232,221	-19,042	

Council	Agenda Item 84(a)
24 March 2011	Brighton & Hove City Council

Subject:	Royal Sussex County Hospital parking		
Date of Meeting:	24 March 2011		
Report of:	Monitoring Officer		
Contact Officer:	Name: Mark Wall	Tel: 29-1006	
	E-mail: mark.wall@brighton-hove.gov.uk		
Wards Affected:	All		

For general release

Note: The subject matter of the petition is an executive function and therefore not one that Full Council can make a decision on.

PETITION TRIGGERING A FULL COUNCIL DEBATE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not a petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 A combined paper and e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 1,745 signatures.

2. RECOMMENDATIONS:

- 2.1 That the petition is referred to the Environment Cabinet Member Meeting for consideration.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:

3.1 The Petition

"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."

Lead Petitioner – Councillor Jayne Bennett

- 3.2 As the subject matter of the petition relates to an executive function, the options open to the council are:

- To note the petition and take no action for reasons put forward in the debate; or

- To refer the petition to the relevant Cabinet Member Meeting; or
- To refer the petition to the relevant Cabinet Member Meeting with recommendations.

4. PROCEDURE:

- 4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:
- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
 - (ii) The Mayor will then call on the relevant Cabinet Member to respond to the petition and move a proposed response;
 - (iii) The Mayor will then open the matter up for debate by councillors and call on those councillors who have indicated a desire to move an amendment or additional recommendation(s) to the recommendation listed in paragraph 2.1 of the report;
 - (iv) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
 - (v) After a period of 15 minutes, the Mayor will then call an end to the debate and ask the relevant Cabinet Member to reply to the points raised;
 - (vi) The Mayor will then formally put:
 - (a) Any amendments in the order in which they are moved, and then
 - (b) The substantive recommendation(s) as amended (if amended).

Council	Agenda Item 84(b)
24 March 2011	Brighton & Hove City Council

Subject:	Keep Brighton Unique		
Date of Meeting:	24 March 2011		
Report of:	Monitoring Officer		
Contact Officer:	Name: Mark Wall	Tel: 29-1006	
	E-mail: mark.wall@brighton-hove.gov.uk		
Wards Affected:	All		

For general release

Note: The subject matter of the petition is an executive function and therefore not one that Full Council can make a decision on.

PETITION TRIGGERING A FULL COUNCIL DEBATE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not a petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 An e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 1,421 signatures.

2. RECOMMENDATIONS:

- 2.1 That the petition is referred to the Cabinet for consideration.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:

3.1 The Petition

"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.”

Lead Petitioner – Mr Tom French

3.2 As the subject matter of the petition relates to an executive function, the options open to the council are:

- To note the petition and take no action for reasons put forward in the debate;
or
- To refer the petition to the Cabinet; or
- To refer the petition to the Cabinet with recommendations.

4. PROCEDURE:

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

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
- (ii) The Mayor will then call on the relevant Cabinet Member to respond to the petition and move a proposed response;
- (iii) The Mayor will then open the matter up for debate by councillors and call on those councillors who have indicated a desire to move an amendment or additional recommendation(s) to the recommendation listed in paragraph 2.1 of the report;
- (iv) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
- (v) After a period of 15 minutes, the Mayor will then call an end to the debate and ask the relevant Cabinet Member to reply to the points raised;
- (vi) The Mayor will then formally put:
 - (a) Any amendments in the order in which they are moved, and then
 - (b) The substantive recommendation(s) as amended (if amended).

Council	Agenda Item 84(c)
27 January 2011	Brighton & Hove City Council

Subject:	Save the Drive Cycle Lanes, Hove		
Date of Meeting:	24 March 2011		
Report of:	Monitoring Officer		
Contact Officer:	Name: Mark Wall	Tel: 29-1006	
	E-mail: mark.wall@brighton-hove.gov.uk		
Wards Affected:	All		

For general release

Note: The subject matter of the petition is an executive function and therefore not one that Full Council can make a decision on.

PETITION TRIGGERING A FULL COUNCIL DEBATE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not a petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 A combined paper and e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 3,543 signatures.

2. RECOMMENDATIONS:

- 2.1 That the petition is referred to the Environment Cabinet Member Meeting for consideration.

3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:

3.1 The Petition

"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.”

Lead Petitioner – Councillor Ian Davey

3.2 As the subject matter of the petition relates to an executive function, the options open to the council are:

- To note the petition and take no action for reasons put forward in the debate;
or
- To refer the petition to the relevant Cabinet Member Meeting; or
- To refer the petition to the relevant Cabinet Member Meeting with recommendations.

4. PROCEDURE:

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

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
- (ii) The Mayor will then call on the relevant Cabinet Member to respond to the petition and move a proposed response;
- (iii) The Mayor will then open the matter up for debate by councillors and call on those councillors who have indicated a desire to move an amendment or additional recommendation(s) to the recommendation listed in paragraph 2.1 of the report;
- (iv) Any councillor may move an amendment or recommendation, having regard to the recommendation in 2.1 above and any such proposal will need to be formally seconded;
- (v) After a period of 15 minutes, the Mayor will then call an end to the debate and ask the relevant Cabinet Member to reply to the points raised;
- (vi) The Mayor will then formally put:
 - (a) Any amendments in the order in which they are moved, and then
 - (b) The substantive recommendation(s) as amended (if amended).

Council	Agenda Item 85
24 March 2011	Brighton & Hove City Council

WRITTEN QUESTIONS FROM COUNCILLORS

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

(a) Councillor Davis

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

Reply from Councillor Theobald, Cabinet Member for Environment.

(b) Councillor Elgood

"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."

Reply from Councillor Theobald, Cabinet Member for Environment.

(c) Councillor Elgood

"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 vica 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?"

Reply from Councillor Theobald, Cabinet Member for Environment.

(d) Councillor Lepper

"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."

Reply from Councillor Fallon-Khan, Cabinet Member for Enterprise, Employment & Major Projects.

(e) Councillor Morgan

“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?”

Reply from Councillor Alford, Cabinet Member for Central Services.

(f) Councillor Morgan

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

Reply from Councillor Young, Cabinet Member for Finance.

(g) Councillor Elgood

“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?”

Reply from Councillor Theobald, Cabinet Member for Environment.

(h) Councillor Hawkes

“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?”

Reply from Councillor Brown, Cabinet Member for Children & Young People.

(i) Councillor Hawkes

“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?”

Reply from Councillor Brown, Cabinet Member for Children & Young People.

(j) Councillor McCaffery

“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 Councillor Theobald inform me of the cost of a normal return journey to the city Centre for two adults and two children?”

Reply from Councillor Theobald, Cabinet Member for Environment.

(k) Councillor Simpson

“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?”

Reply from Councillor Young, Cabinet Member for Finance.

(l) Councillor Meadows

“Is Councillor 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?”

Reply from Councillor Norman, Cabinet Member for Adult Social Care & Health.

Council	Agenda Item 86
24 March 2011	Brighton & Hove City Council

ORAL QUESTIONS FROM COUNCILLORS

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

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

- (a) **Councillor Smith**
Subject matter – City Libraries.

Reply from Councillor Kennedy, Chairman of the Culture, Tourism & Enterprise Overview & Scrutiny Committee.

- (b) **Councillor Hamilton**
Subject matter – Portslade Town Hall and Council Offices.

Reply from Councillor Alford, Cabinet Member for Central Services.

- (c) **Councillor Fallon-Khan**
Subject matter – Value for Money.

Reply from Councillor Mears, Leader of the Council.

- (d) **Councillor Davis**
Subject matter – St Anne's Wells Gardens.

Reply from Councillor Smith, Cabinet Member for Culture, Recreation & Tourism.

- (e) **Councillor Barnett**
Subject matter – Apprenticeships.

Reply from Councillor Fallon-Khan, Cabinet Member for Enterprise, Employment & Major Projects.

- (f) **Councillor Morgan**
Subject matter – The Brighton Centre.

Reply from Councillor Smith, Cabinet Member for Culture, Recreation & Tourism.

- (g) **Councillor Alford**
Subject matter – Council Housing.

Reply from Councillor Caulfield, Cabinet Member for Housing.

- (h) **Councillor Turton**
Subject matter – Park & Ride.

Reply from Councillor Theobald, Cabinet Member for Environment.

- (i) **Councillor Carden**
Subject matter – Footpaths.

Reply from Councillor Theobald, Cabinet Member for Environment.

- (j) **Councillor Lepper**
Subject matter – Traffic & Road Safety in Hollingdean.

Reply from Councillor Theobald, Cabinet Member for Environment.

- (k) **Councillor Marsh**
Subject matter – Council Housing.

Reply from Councillor Caulfield, Cabinet Member for Housing.

- (l) **Councillor Mitchell**
Subject matter – Local Economic Partnership.

Reply from Councillor Mears, Leader of the Council.

- (m) **Councillor Hawkes**
Subject matter – Unauthorised Encampments of Van Dwellers in Hollingdean & Stanmer.

Reply from Councillor Caulfield, Cabinet Member for Housing.

- (n) **Councillor McCaffery**
Subject matter – Education Welfare State.

Reply from Councillor Brown, Cabinet Member for Children & Young People.

**EXTRACT FROM THE DRAFT PROCEEDINGS OF THE STANDARDS COMMITTEE
MEETING HELD ON THE 18 JANUARY 2011**

BRIGHTON & HOVE CITY COUNCIL

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors: Carden, Harmer-Strange, Lepper (Opposition Spokesperson) and Watkins

Independent Members: Dr M Wilkinson (Chairman), Mr Paul Cecil, Mr Peter Rose

Rottingdean Parish Council Representatives: Mr John Bustard, Mr Geoff Rhodes

Apologies: Councillor Lizzie Deane and Councillor Carol Theobald

PART ONE

22. ANNUAL REPORT OF THE STANDARDS COMMITTEE

- 22.1 The Committee considered a report from the Monitoring Officer regarding the Annual Report of the Standard Committee.
- 22.2 The Senior Solicitor, Ms Woodley, introduced the report, which outlined the work of the Committee over the last year. She noted that the undertaking to comply with the Code of Conduct had been duly signed by all Members of the Committee, and that the Membership of the Committee, which had remained fairly consistent over the life of the Committee, had promoted and maintained high standards across the Council for the period.

The functions of the Committee and its terms of reference were broad, and this was demonstrated in the varied work programme. The statistics for the number of Panel (or sub-committee) meetings held over the year were noted, and it was noted that Mr Ghebre-Ghiorghis had become the Monitoring Officer for the Council in August 2010. It was noted that Standards for England were in the process of winding down, following the publication of the Localism Bill, and periodic returns had been suspended. An update on the current status of the Localism Bill, and its implications for the Council would be dealt with in a following report.

- 22.3 Councillor Watkins asked where standards complaints would be escalated to if Standards for England was being decommissioned. Mr Ghebre-Ghiorghis reminded Members that a following report would deal with the implications of the Localism Bill as far as they were known.

22.4 RESOLVED –

1. That the Committee has reviewed the period January 2010 to December 2010 and has agreed the action it wishes to be taken.
2. That the Chairman be authorised to present the report to Council.

Council

24 March 2011

Agenda Item 88

Brighton & Hove City Council

Subject: Annual Report of the Standards Committee

Date of Meeting: 24 March 2011

18 January 2011 Standards Committee

Report of: Monitoring Officer

Contact Officer: Name: Liz Woodley Tel: 29-1509

E-mail: liz.woodley@brighton-hove.gov.uk

Key Decision: No

Wards Affected: All

FOR GENERAL RELEASE.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Section 3 of this report summarises the main ethical requirements of the Local Government Act 2000, and shows how the council has complied with them over the 12 months since the previous report of January 2010.
- 1.2 Section 4 of the report details the Monitoring Officer arrangements

2. RECOMMENDATIONS:

- 2.1 That the Committee reviews the period January 2010 to December 2010 and advises of any action it wishes to be taken.
- 2.2 That the Chair presents the report to Council.

3. RELEVANT BACKGROUND INFORMATION:

3.1 Code of Conduct

- 3.1.2 Under section 50 of the Local Government Act 2000, the Secretary of State may issue a model code as regards conduct which is expected of members and co-opted members of local authorities in England. Local authorities must adopt a code which incorporates the mandatory provisions of the Code and may incorporate other provisions which are consistent with the Model. The Council adopted a Code of Conduct for members on 15 May 2008, incorporating the mandatory provisions.
- 3.1.3 A person who becomes a member of the council may not act as such unless he/she has given a written undertaking that in performing his/her functions he/she will observe the council's Code of Conduct. Written undertakings have been given by all elected and co-opted members of the council.

3.2 Standards Committee

- 3.2.1 Section 53 of the Act requires the council to establish a Standards Committee, which must include two elected members and at least one independent member. The Committee must be chaired by a person who is not a member or officer of the council.
- 3.2.2 The Council has established a Standards Committee, with a membership of 12. Over the period of the report, the membership of the Committee has been as follows:
- 4 Independent Persons – Ms M Carter and Dr M B Wilkinson throughout. Helen Scott resigned from the Committee with effect from 30 September 2010. The appointment of two new independent members, Peter Rose and Paul Cecil was confirmed at the 21 October 2010 Council meeting
 - 2 Rottingdean Parish Councillors – Mr G Rhodes throughout. Mr J C Janse van Vuuren resigned from the Parish Council in May 2010. Mr J Bustard was nominated to replace him.
 - 2 Conservative Members - Councillors Drake and Mrs Theobald until May 2010 and Councillors Mrs Theobald and Harmer-Strange from May 2010.
 - 1 Green member – Councillor Steedman to August 2010 when he was replaced by Councillor Deane
 - 2 Labour members – Councillors Lepper and Carden throughout.
 - 1 Liberal Democrat Member – Councillor Watkins throughout.
- 3.2.3 Dr Wilkinson has been the Chairman throughout the period covered by the report. The composition of the Committee complies with the statutory requirements.

3.3 Functions of Standards Committees

- 3.3.1 Section 54 (1) (a) of the Act provides that the general functions of a standards committee are promoting and maintaining high standards of conduct by the members and co-opted members, and assisting them to observe the authority's code of conduct. By section 54 (1) (b) a standards committee is also required to have the following specific functions – advising on the adoption of a code of conduct; monitoring the operation of the code of conduct and advising, training or arranging to train members or co-opted members on matters relating to the code of conduct. All these issues are addressed in the Committee's terms of reference. (See Appendix 1)
- 3.3.2 An authority may arrange for its standards committee to exercise such other functions as the authority may consider appropriate. The terms of

reference demonstrate that the Standards Committee has been given a wide range of functions.

3.3.3 The Committee's wide remit is reflected in the written reports considered in the year:-

19 January 2010

- Annual report of the Standards Committee for the period January 2010 to December 2010.
- Guidance to Members on Confidential Information.
- Revised Members' Web Page Policy.
- Complaints Update.

22 June 2010

- Work programme for 2010/2011.
- Review of the Standards Framework.
- Setting up of working group to review the Code of Conduct for Member/Officer relations.
- Standards for England annual return.
- Complaints update.

14 September 2010

- Review of the Code of Conduct and the Arrangements regarding the Register of Members' Interests
- Appointment of Independent Members
- Review of the Code of Conduct for Member/Officer Relations
- Complaints Update

The meeting scheduled for 20 April 2010 was cancelled for lack of business.

3.4 Sub-Committees

- 3.4.1 A Standards Committee may appoint sub-committees to assist it in the discharge of its functions (Section 54) The Council has established a Standards Assessment Panel, a Standards Assessment Review Panel and a Standards Hearing Panel. Their terms of reference are included in appendix 1. The Assessment Panel has met 5 times and dealt with 8 complaints; the Review Panel met twice and dealt with 3 complaints and the Hearing Panel met 3 times (twice as a Consideration Panel and once as a full Hearing Panel).

3.5 Investigations

- 3.5.1 By section 57 A (1) of the 2000 Act, any person may make a written allegation to the standards committee that a member or co-opted member has failed, or may have failed to comply with the authority's

code of conduct. Where a standards committee receives such an allegation, it must refer it to the Monitoring Officer; refer it to Standards for England or decide that no action should be taken. In the period covered by the report there have been 8 allegations that members have breached the Code of Conduct.

3.6 Periodic Returns

- 3.6.1 Section 66B of the Act provides that an authority must send to the Standards Board (now known as Standards for England - SfE) within such period beginning with the end of each relevant period as the Board may direct, a return containing the required information. Until recently authorities were required to submit one annual return and four quarterly returns. Early in 2010 SfE suspended the requirement to submit returns until further notice. However, the annual return due by 16 April 2010 and the quarterly return for the quarter ending 31 March were submitted as required.

3.7 Disclosure and Registration of Members' Interests

- 3.7.1 By section 81 of the Act, the monitoring officer of each authority must establish and maintain a register of interests of the members and co-opted members of the authority. The council's Code of Conduct requires all members to register financial and other interests.
- 3.7.2 The council has declarations of interest from all Councillors and independent persons who are or who have been, members during the period of this report.
- 3.7.3 A copy of the register containing the most recent declarations of all current members and independent members serving on the Standards Committee is available for inspection at King's House. The register will be available at the Committee meeting for members' inspection. The register is also available on line, although members' home addresses have been withheld.

3.8 Issues for the Future

- 3.8.1 In May 2010 the Government announced its intention as part of the Decentralisation and Localism Bill to abolish the Standards Board regime. In December 2010 it published the Localism Bill. The Bill provides for the abolition of the Standards Board, and removes the requirement for local authorities to have a standards committee. The requirement for authorities to adopt a Code of Conduct is also to be removed, although they will be able to adopt one on a voluntary basis.

4. THE MONITORING OFFICER FUNCTIONS:

- 4.1 The functions of the Monitoring Officer derive from section 5 of the Local Government and Housing Act 1989 and the Local Government Act 2000. These are supplemented by the council's scheme of Delegation to Officers, various codes and protocols contained in part 9 of the council's constitution, as well as custom and practice. The Monitoring Officer in

respect of legality and the Director of Finance & Resources in respect of finance both have statutory powers to intervene in decision making and to issue formal reports to the full council. Neither officer has had to use these powers in the period covered by the report.

4.2 Adequacy of Resources and Officer Arrangements

For the period January 2010 to August 2010, Alex Bailey, the Director of Strategy and Governance was the council's Monitoring Officer. When he left the council, Abraham Ghebre-Ghiorgis, the council's Head of Law (now Head of Legal and Democratic Services) became the council's Monitoring Officer.

4.3 The council is obliged to provide the Monitoring Officer with the necessary resources to enable him to discharge his functions. The Monitoring Officer is supported by a number of lawyers (who attend Cabinet, Cabinet Member meetings and committees and provide legal and probity advice), the Standards and Complaints Team (which deals with allegations of maladministration by any part of the council and any ethical standards complaints about members) as well as Democratic Services Officers.

4.4 The council's Internal Audit undertakes an audit of corporate governance from time to time and supports the Monitoring Officer by identifying any issues and suggesting steps for improvement.

4.5 These arrangements, taken together, provide the necessary expertise and resources for the effective discharge of the Monitoring Officer's functions.

5. CONSULTATION:

5.1 The Chairman and Monitoring Officer have been consulted on the report.

6. FINANCIAL & OTHER IMPLICATIONS:

6.1 Financial Implications:

There are no direct financial implications arising from this report. Resources to support the activities described are met within current budget provision.

Finance Officer Consulted: Anne Silley

Date: 23/12/10

6.2 Legal Implications:

These are addressed in the body of the report.

Lawyer Consulted: Liz Woodley

Date: 31/12/10

6.3 Equalities Implications:

There are none.

6.4 Sustainability Implications:

There are none.

6.5 Crime & Disorder Implications:

There are none.

6.6 Risk & Opportunity Management Implications:

There are none.

6.7 Corporate / Citywide Implications:

There are none.

SUPPORTING DOCUMENTATION

Appendices:

1. Standards Committee's Terms of Reference.

Documents in Members' Rooms:

1. None.

Background Documents:

1. None.

The Standards Committee Explanatory Note

The Standards Committee deals with issues of conduct which includes assessing and determining complaints against Members, granting dispensations regarding Members' interests and promoting high ethical standards generally. The Standards Committee consists of six Councillors, two Parish Council representatives from Rottingdean Parish Council and four independent Members, none of whom are Councillors or Officers of the Council or any other body having a Standards Committee. All Members of the Standards Committee are entitled to vote at meetings. The Chair of the Standards Committee must be an independent Member, not an elected Councillor. Standards Committees are not subject to the political balance rules in section 15 of the Local Government and Housing Act 1989.

Delegated Functions

The Standards Committee will have the following delegated functions:

Setting standards of conduct throughout the City Council

1. promoting and monitoring high standards of conduct within the Council;
2. advising the Council on the adoption or revision of Codes of Conduct for Members and Officers;
3. monitoring the operation of the Council's Codes of Conduct, associated registers and declarations of interests;
4. responsibility for the overview of internal and external audit in so far as it relates to standards of conduct;
5. responsibility for the overview of the whistleblowing policy;
6. at the request of the Governance Committee, to review parts of the constitution and make recommendations to the Governance Committee and the Council.
7. receiving and considering reports or recommendations of the Monitoring Officer;
8. responsibility for the overview of complaints handling and Ombudsman investigations;

Building capacity to meet high standards of conduct

9. advising, training or arranging to train Members and Officers on probity and ethical matters including Code of Conduct issues;
10. granting dispensations to Councillors and co-opted Members from requirements relating to interests set out in the Code of Conduct;

11. supporting the Monitoring Officer in his/her statutory role and issuing guidance on his/her role;

12. supporting the Chief Finance Officer in his/her statutory role and issuing guidance on his/her role;

Enforcing standards of conduct

13. In relation to any written allegation that a Member, Co-opted Member or Independent Person (or former Member, Co-opted Member or Independent Person) of the Council or any of its Committees or Sub-Committees has failed, or may have failed, to comply with the Code of Conduct for Members:-

(a) assessing what action to take in relation to the allegation;

(b) dealing with any request for review of an assessment decision to take no action;

(c) receiving and making a determination in relation to any investigation report referred to the Committee;

14. determining and implementing appropriate action on other matters referred to the Council or Committee by the Standards Board for England or the Monitoring Officer;

15. appointing Sub-Committees (panels) to carry out the assessment, review and determination processes and for any other purposes connected with the function of dealing with complaints. For the avoidance of doubt, the appointment of such panels shall not be subject to the approval of the Governance Committee and such appointments may be made on a task and finish basis or on an ongoing basis.

Political Restriction

16. discharging the functions conferred on standards committees by section 3A of the Local Government and Housing Act 1989 in relation to the grant and supervision of exemptions from political restriction;

General

17. discharging any other functions conferred by law on standards committees;

Functions in relation to bodies other than the City Council

18. exercising the above-mentioned functions in relation to Rottingdean Parish Council and the Members of that Parish Council, so far as the functions are relevant to them;

19. exercising the functions of the Council in relation to the ethical framework and standards of conduct of joint Committees and other bodies;

Procedure

The Standards Committee may develop its own procedures and protocols for dealing with matters of conduct.

The Standards Panels (Known as Assessment Panels, Assessment Review Panels and Hearing Panels) Explanatory Note

These Panels are Sub-Committees of the Standards Committee and their main roles are to (a) assess allegations that Members have breached the Code of Conduct, (b) deal with any requests for review of assessment decisions to take no action and (c) hear cases and make determinations in relation to any allegations which are referred to them after investigation. They have been set up in accordance with Guidance from the Standards Board for England and the requirements of the relevant Regulations. Each Panel consists of Members drawn from the Standards Committee. Differently constituted Panels are set up to deal with cases involving Brighton & Hove City Council and cases involving Rottingdean Parish Councillors. The latter Panels, as required, include a Parish Councillor. The Sub-Committees are to be known as Assessment Panels, Assessment Review Panels or Hearing Panels, as appropriate.

Delegated Functions

1. To conduct assessment, assessment review and determination hearings in relation to allegations of breaches of the Code of Conduct for Members received by or referred to the Standards Committee or the Monitoring Officer under Part III of the Local Government Act 2000 as amended and regulations made thereunder;

2. In relation to the hearing panel that deals with Brighton & Hove City Council matters-

To hear and determine any applications from Members (including Co-Opted Members with voting rights) of Brighton & Hove City Council for dispensation under the Relevant Authorities (Standards Committee) (Dispensation) Regulations.

3. In relation to the hearing panel that deals with Rottingdean Parish Council matters -

To hear and determine any applications from Members of Rottingdean Parish Council for dispensation under the Relevant Authorities (Standards Committee) (Dispensation) Regulations.

4. To discharge any of the functions of the Standards Committee in connection with the above functions, as appropriate to the circumstances.

NB: The proceedings of the Panels are governed by procedures approved by the Standards Committee from time to time.

Council

24 March 2011

Agenda Item 89

Brighton & Hove City Council

Subject: Overview and Scrutiny Report: The Societal Impact of the In-Year Budget Reductions

Date of Meeting: 24 March 2011

Report of: Strategic Director Resources

Contact Officer: Name: Tom Hook Tel: 29-1110
E-mail: Tom.Hook@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Council's Constitution requires that the findings of scrutiny panels, along with the executive response, be reported to Full Council for information.
- 1.2 This report presents to Council the findings of the scrutiny panel review into the Societal Impact of the In-Year Budget Reductions and the Executive response.

2. RECOMMENDATIONS:

- 2.1 That Member's note Appendices 1 and 2.

3. BACKGROUND INFORMATION

- 3.1 The Government announcement of its emergency budget in June 2010 and the rapid in-year budget cuts this necessitated within the Council resulted in the Overview and Scrutiny Commission establishing a panel to look at the societal impact of the in-year budget reductions.
- 3.2 The scrutiny panel focussed on the societal impacts only of the specific grants affected by the 2010/11 in-year grant reductions announced in summer 2010.
- 3.3 The Panel heard evidence from the Community and Voluntary Sector Forum and budget holders on the grants subject to in-year cuts including:
 - Department for Education (Connexions, School Improvement, Extended Schools, Playbuilder, subsequently re-instated)
 - Road Safety

- Local Transport Plan programme capital funding
- Supporting People Administration
- Home Office funding and Prevent
- Housing & Planning Delivery
- Free Swimming

3.4 The panel made 6 recommendations, all of which were accepted by Cabinet. These were:

1. The Panel recommends that where service changes are proposed early and clear consultation with service users, employees and partners is ensured.
2. The Panel recommends that where not already in existence a clear understanding of priorities for and outcomes of, funding are available for all services. These should be reviewed regularly.
3. The Panel welcomes the strong partnership evident across the city and beyond and recommends that creative ways of strengthening sustainable partnership working on changing budgets be developed.
4. The Panel recommends that Equality Impact Assessments be undertaken for all major budgetary decisions and published as a matter of routine with budget papers. Risk and opportunity management consultation should also be reported.
5. The Panel recommends that the ongoing and longer term impacts of budget reductions should be monitored. The Council and partners need to agree a way to ensure that the impacts of changing budgets are understood.
6. The Panel recommends closer working with the CVSF to help improve dialogue between organisations linked to delivering the SCS priorities.

3.5 The full scrutiny panel report along with the evidence base is available in Members rooms and on the overview and scrutiny webpages.

4. CONSULTATION

4.1 No formal consultation has been undertaken in relation to this report. The Scrutiny Review undertook extensive consultation.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 No specific implications as this report is purely for the Council to note.

Legal Implications:

5.2 As indicated in paragraphs 1.1 and 2.1 above, and in accordance with the council's procedure rules on overview and scrutiny, this report is purely for Council to note. There are no further legal implications arising directly from the report.

Lawyer consulted: Oliver Dixon

Date: 10 March 2011

Equalities Implications:

5.3 No specific implications as this report is purely for the Council to note.

Sustainability Implications:

5.4 No specific implications as this report is purely for the Council to note.

Crime & Disorder Implications:

5.5 No specific implications as this report is purely for the Council to note.

Risk and Opportunity Management Implications:

5.6 No specific implications as this report is purely for the Council to note.

Corporate / Citywide Implications:

5.7 No specific implications as this report is purely for the Council to note.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of the Societal Impact of the In-Year Budget Reductions
2. Executive response to the scrutiny recommendations.

Documents in Members' Rooms:

1. Full Scrutiny Panel report and evidence base



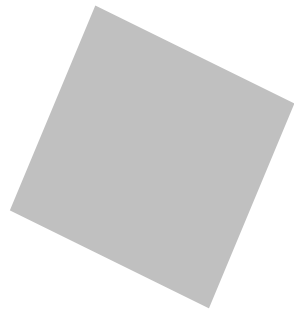
Report of the Scrutiny Panel

December 2010

**The Societal Impact
of the In-Year Budget Reductions**

Panel Members

**Councillor David Watkins (Chair)
Councillor Gill Mitchell
Councillor Vicky Wakefield-Jarrett**



Chairman's Foreword

In undertaking this investigation into the Societal Impact of the In-Year Grant Reductions, we were aware that the funding decisions had to be made quickly, with little time to assess fully, the potential impacts of all the possible combinations of funding options.

But we wanted to draw on this experience of an unexpected in-year cut, to take a look at the general process of making funding decisions, to see how impacts of changes in services can be assessed, and to better understand what practical preparations could be made to help deal with future reductions in the context of the new commissioning model.

The circumstances of each of the affected funding streams were generally quite different although we identified areas of common concern and good practice. We have used these to develop our findings and recommendations regarding: early consultations with stakeholders, prioritising and understanding the outcomes of funding, strong partnership working, reporting of equalities impact assessments and risk management consultation, monitoring impacts of changing budgets and close working with the Community and Voluntary Sector.

On behalf of the Panel I would like to thank all the officers and especially the Community and Voluntary Sector Forum who gave their evidence.

Councillor David Watkins
Chair of the Scrutiny Panel

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List of Recommendations

1. The Panel recommends that where service changes are proposed early and clear consultation with service users, employees and partners is ensured.
2. The Panel recommends that where not already in existence a clear understanding of priorities for and outcomes of, funding are available for all services. These should be reviewed regularly.
3. The Panel welcomes the strong partnership evident across the city and beyond and recommends that creative ways of strengthening sustainable partnership working on changing budgets be developed.
4. The Panel recommends that Equality Impact Assessments be undertaken for all major budgetary decisions and published as a matter of routine with budget papers. Risk and opportunity management consultation should also be reported.
5. The Panel recommends that the ongoing and longer term impacts of budget reductions should be monitored. The Council and partners need to agree a way to ensure that the impacts of changing budgets are understood.
6. The Panel recommends closer working with the CVSF to help improve dialogue between organisations linked to delivering the SCS priorities.

1. Introduction to Scrutiny Review

- 1.1 The Government announcement of its emergency budget in June 2010 and the rapid in-year budget cuts this necessitated within the Council resulted in the Overview and Scrutiny Commission establishing a panel to look at the societal impact of the in-year budget reductions.
- 1.2 Councillors Watkins (Chairman), Mitchell and Wakefield-Jarrett served on the Panel, which held two public meetings to hear from senior council officers and the Community and Voluntary Sector Forum (CVSF).
- 1.3 The scrutiny panel focussed on the societal impacts only of the specific grants affected by the 2010/11 in-year grant reductions announced in summer 2010. Arrangements for scrutiny recommendations to Cabinet on the 2011/12 budget proposals will be made as in previous years via the Overview and Scrutiny Committees and the Overview and Scrutiny Commission.

- 1.4 Whilst service areas were affected in different ways by the in-year reductions depending on their circumstances the Panel did identify areas of common concern and good practice, in addition to experience with individual funding streams on which to base their recommendations.
- 1.5 The Panel have deliberately undertaken a short focused review in order to ensure recommendations can be considered in time for the 2011/12 budget development process.
- 1.6 The Panel heard evidence from the Community and Voluntary Sector Forum and budget holders on the grants subject to in-year cuts including:
- Department for Education (Connexions, School Improvement, Extended Schools, Playbuilder, subsequently re-instated)
 - Road Safety
 - Local Transport Plan programme capital funding
 - Supporting People Administration
 - Home Office funding and Prevent
 - Housing & Planning Delivery
 - Free Swimming

2. National and Local Context

- 2.1 A £6.2 billion national saving for 2010/11 was announced in an emergency budget in May 2010 as a first step to tackle the national budget deficit. Of this Local Government would contribute some £1.2 billion through reductions in government grants. Further significant steps towards reducing government borrowing were anticipated in the comprehensive spending review.
- 2.2 An announcement of grants reductions by government during the course of a financial year had been unprecedented. It presented significant challenges to the council and partners, not least the timescale within which cuts had to be agreed.
- 2.3 Looking ahead, unexpected mid-year reductions are thought unlikely to recur to the same extent. However most of the existing 120 or so grants currently received by the Council are expected to be merged giving Local Authorities more flexibility with additional responsibility in deciding how the money will be spent.
- 2.4 For Brighton & Hove City Council the in-year reduction in revenue and capital grant funding was around £3.8 million. In common with other local authorities, the Council had to make the in-year spending reductions quickly in order to protect its financial position.

- 2.5 The decisions on implementing the reductions locally were broadly in line with national funding cuts starting from the premise that (unless demonstrated otherwise) where funding had stopped or reduced, the service would be stopped or reduced accordingly.

3. Practical preparations

- 3.1 Most grants are for a time-limited period so in many instances there would have been some thinking around managing with a reduced grant at some future time. In some service areas reductions in local authority funding had been anticipated well in advance, for example this was the case for the Planning Delivery Grant.
- 3.2 Other areas services have been developing alternative service models that will allow a smooth transition following grant removal. This can be seen in the evidence presented by the school improvement team; the removal of funding will merely speed up an existing direction of travel.
- 3.3 The Panel heard that a great deal of work was done on analysing grant funding streams in the period prior to the decision on the in-year grant reductions. Members heard that 90% of CVSF areas of concern as identified by the Community and Voluntary Sector Forum were protected.
- 3.4 Members were told by a number of witnesses that the tight timescales meant that it was not practicable to assess every single funding option and potential impact in the time available on this occasion. There were early discussions with partners when the initial announcements were made (see appendix 1) and the Panel received a summary of Adult Social Care and Housing budget information as an example.
- 3.5 The general approach taken across the council was that unless otherwise prioritised funding reductions for specific grants were kept within specific funding streams. If a grant was cut then the activity stopped, unless deemed a priority, or if alternative funding could be found.
- 3.6 Members heard some examples of action taken prior to 22 July Cabinet, aimed for instance at prioritising front-line services, identifying groups that may be disproportionately affected by cuts particularly in more than one service area, or ameliorating some of the impacts of cuts:
- Developing trust and transparency with communities about sources and aims and objectives of funding to encourage continuity despite service reduction (Prevent)

- Producing Equality Impact Assessments for affected service areas (School improvement, swimming)
 - Agreeing with partners on evidence-based 'core business' (Sussex Safer Roads Partnership)
 - Bringing key functions/posts within core budget (Housing and Planning Delivery Grant)
 - Voluntary contributions (by Football Association, Highways Authority to SSRP)
- 3.6 In future reports on proposals for funding reductions the Panel would like to see more evidence of the internal Risk and Opportunity Management consultations taking place.

4. Options for coping with budget reductions

- 4.1 Panel Members were given examples of how grant reductions could be dealt with:
- Contingency planning
 - Bidding regularly for additional funding
 - Look for 'softer' areas where resources might be found or investment deferred between years
 - Bring forward cuts where provision was due to shortly expire
 - Sources of additional income e.g. increasing the scope of speed awareness courses
 - Working with partner organisations e.g. free school sessions
 - Absorb cuts within the full service (Supporting People administration)
 - Utilising existing reserves
 - Reduced but continuing service
 - Ensuring flexibility exists within budgets

5. Prioritisation

- 5.1 A key thread throughout all of the evidence presented was the need to have clearly identified priorities, for instance whether it is a statutory requirement, or delivers a priority in the Sustainable Community Strategy. Notable examples presented to the Panel were:
- Agreed and ranked priorities with regular review and annual update within the CDRP
 - Revisit 'partnership core business', the SSRP took 4 – 5 review meetings June – August
 - Collect evidence to inform prioritisation within a partnership e.g. the SSRP

- Importance of a robust needs analysis
- 5.2 Experience from the Community and Voluntary Sector Forum described to the Panel showed that prioritisation of services can be informed by:
1. Reviewing the monitoring information on the particular service:
 - Assessing the full value of the outputs/outcomes of services, some of which may not be apparent 'on the surface'
 - Assessing the potential impact of cuts – the wider implications may be more far-reaching than they appear e.g. as a result of a domino- effect, especially regarding preventive work
 - Completing an Equalities Impact Assessment
 - Considering the impact on the most vulnerable communities
 2. Information from service providers and service users about:
 - Understanding of outcomes to investment; what services actually do for the level of resources they receive
 - Inputs ; any additional funding levered in, match funding or in-kind support; potential for charging for service provision
 - Outcome chains of the service within the particular organisation e.g. resources pulled in from across the organisation's projects and staff
 - Impact of reduction, eg where the removal of one worker may lead to a reduction in number of hours a centre may be open and the consequences to service users
 - Impact on core running costs of the organisation that may be disproportionately cut – e.g. future viability of the organisation
 - Potential for rationalisation and collaboration across fund holders

6. Consultation and Communications

- 6.1 Evidence presented clearly highlighted that where clear consistent communication between partners existed it was easier to agree priority services and ameliorate budget cuts.
- 6.2 However the Panel also recognised that in cases communication and consultation can be fraught with difficulties. Evidence regarding Connexions highlighted the balancing act needed between being transparent and consulting well with causing unnecessary stress based on rumours and misunderstanding.
- 6.3 Moving to a commissioning system is likely to result in an increase in the number of services delivered externally or in partnership. The Council

should therefore be clear as to its responsibility regarding what is a statutory service, how TUPE and transfers of ownership issues are to be handled and how best to negotiate service changes between organisations. Sufficient expertise needs to exist within the council to facilitate these responsibilities.

- 6.4 Evidence that inconsistent messages had caused confusion regarding Connexions concerned the panel. There was an understanding that commercial confidentiality and contract difficulties especially re TUPE, had further complicated the message regarding Connexions.
- 6.5 Panel Members felt that clearer and public guidance was required the timing for consultations on proposals for service changes. This should be spelt out during decision making process for budgetary changes.
- 6.6 As part of the process of assessing the impact of cuts, meetings of contracted partners / relevant organisations (with representatives of providers and/or service users) could be convened to discuss:
 - What other services are available which might be able to provide alternative support?
 - How might other services be adapted to provide alternative support?
 - How might alternative funding be levered in to fund the service?
- 6.6 The Chief Executive Officer of the Community and Voluntary Sector Forum reported disappointment about the limited information on the in-year changes to Connexions services.
- 6.7 However she said there were positive opportunities where CVSF can help facilitate conversation between sectors around making savings and efficiencies for the future. More dialogue will ensure that all parties understand the situation, understand the cost/value of services, get to grips with the need for generic/specialist services and work together to achieve the best outcome for service users.
 - Cuts processes should be open, transparent and consistent with evidence of cuts being applied (or not) according to a set of clear and objective criteria about need and priorities
 - There should be dialogue with the community and voluntary sector about these criteria before they are applied, in accordance with the principles set out in the Compact
 - Individual organisations threatened with cuts should be consulted about the impact on their service before it is applied
 - Organisations facing a cut in funding should be given at least 3 months notice and with a right of formal appeal to the most senior level of decision-makers

- Where a variation in existing contract arrangements is sought by the funder, this should be achieved by mutual agreement wherever possible
 - A Joint Funding Panel, comprised eg of representatives from the relevant public sector and CVSF should review options on community and voluntary sector funding cuts before any final decisions are made.
- 6.8 Members considered the advantages of regular cross-sector meetings on the role of CVS in service delivery, joint impact assessments, understanding of the effect of local authority decisions in CVS and providing information on how to secure contracts.

7. Advantages of Close Partnership working

- 7.1 The advantages of close partnership working were evident from all the evidence received by the Panel; such as:
- Joint decision-making linked with strategic assessments and regular feedback (CDRP)
 - Sharing of information on service needs and outcomes (CDRP)
 - Budget meetings throughout the year (CDRP)
 - Pooled budget allowing more flexible funding arrangements (CDRP, SSRP. swimming)
 - Strong joint working with Primary Care Trust had enabled the reduction in free swimming to be partly offset
- 7.2 Regarding the CVSF's proposal for a Joint Funding Panel and acknowledging increasing recognition of the third sector as a partner in service delivery, the Panel did agree that there was scope to investigate new ways of involving CVSF more closely in reviewing options.

8. Findings

- 8.1 Desk based research shows that no additional information on the potential impacts of grant reductions was available to comparator local authorities when the in-year funding decisions were made. No examples were found, of best practice regarding assessing the funding options quickly.
- 8.2 The Panel found little evidence to show how the potential societal impact of the in-year funding reductions might have been assessed in the time available by this Council or any other.
- 8.3 For the future, in-year funding cuts are thought unlikely to recur; many grants are to be combined and the council is introducing a model of intelligent commissioning.

8.4 Despite these changes, coping with the unexpected reductions in the middle of the financial year has provided the Panel with an opportunity to draw out some key factors for future public spending options in terms of transparency, consultation and communication, practical preparations, and partnership working.

- a) Consistent and clear communication with partners, service users and employees is vital. Whilst a balance needs to be struck to avoid undue stress and concern early communication can stop damaging rumours. The Council also has to balance its role as service provider and employer.
- b) Where in year cuts were transparent and owned by partnerships their effects can be ameliorated.
- c) Strong partnerships are better able to withstand reductions in funding and retain priority services.
- d) Excellent examples of innovation and strong partnership working e.g. swimming, road safety, community safety.
- e) The ongoing and longer term impact of budget reductions should be monitored. The Council and partners need to agree a way to ensure that the impact of changing budgets are understood.
- f) Equality Impact Assessments should be undertaken to inform all major budgetary decisions. These should be published as a matter of routine with budget papers. Consultation on risk and opportunity management should also be reported.
- g) Changes to services and funding should to be based on robust needs assessments and understanding of outcomes. Evidence to understand the outcome the funding delivers is paramount.
- h) External service providers make changing budgets in-year difficult. The implications of suddenly cutting a service, part of which is contracted out, need to properly assessed.
- i) Support needs to be available to understand TUPE, statutory responsibilities and contract renegotiations.
- j) Closer ways of working with the third sector will enable greater understanding of risks and impacts of potential spending cuts and help mitigate the impact on the sector and the communities and service users it supports.

9. Recommendations

- 1) The Panel recommends that where service changes are proposed, early and clear consultation with service users, employees and partners is ensured.
- 2) The Panel recommends that where not already in existence a clear understanding of priorities for and outcomes of, funding are available for all services. These should be reviewed regularly.
- 3) The Panel welcomes the strong partnership evident across the city and beyond and recommends that creative ways of strengthening sustainable partnership working on changing budgets be developed.
- 4) The Panel recommends that Equality Impact Assessments be undertaken for all major budgetary decisions and published as a matter of routine with budget papers. Risk and opportunity management consultations should also be reported.
- 5) The Panel recommends that the ongoing and longer term impacts of budget reductions should be monitored. The Council and partners need to agree a way to ensure that the impacts of changing budgets are understood.
- 6) The Panel recommends closer working with the CVSF to help improve dialogue between organisations linked to delivering the SCS priorities.

Executive Response to the report of the Societal Impact of the In-Year Grant Reductions Scrutiny Review

Ref.	Recommendation	Recommendation accepted (Yes/No/In Principle)	If accepted; action taken or likely date of action
1	The Panel recommends that where service changes are proposed early and clear consultation with service users, employees and partners is ensured.	Yes	As acknowledged by the Panel, there is a balance between communicating and consulting as early as possible and the need to avoid causing undue stress and concern. Consultation will continue to take place with relevant stakeholders at appropriate points in the development of proposals.
2	The Panel recommends that where not already in existence a clear understanding of priorities for and outcomes of, funding are available for all services. These should be reviewed regularly.	Yes	In most areas a clear understanding of priorities and outcomes is known, with the Panel noting some good practice. The Coalition Government's move to a reduction in specific grants and ring-fencing means that the Council will have more local choice in priority setting than previously. The new Intelligent Commissioning Framework will ensure that clear outcomes are established for all key services and that achievement of those outcomes is monitored and reported.
3	The Panel welcomes the strong partnership evident across the city and beyond and recommends that creative ways of strengthening sustainable partnership working on changing budgets be developed.	Yes	An exercise has been undertaken to assess the spend in the city by key public service agencies and how it may be affected by budget reductions. This has been reported to the Public Services Board and the Local Strategic Partnership. Chief Executives and Finance Directors (or equivalent) across the key public services agencies met immediately before Christmas to share information on their budget positions and consider how closer joint working can ensure a joined up approach to dealing with the collective financial challenges. An officer working group has been set up to consider the use of buildings by public agencies across the city and further work will be developed on collaborative procurement.

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			Work on the intelligent commissioning pilots has included analysis of cross public service and third sector spend and this will be further developed as this new model is rolled out.
4	The Panel recommends that Equality Impact Assessments be undertaken for all major budgetary decisions and published as a matter of routine with budget papers. Risk and opportunity management consultation should also be reported.	Yes	<p>As part of the budget process for 2011/12 an Equality Impact Assessment screening is being undertaken on each service area to highlight where there are areas requiring full assessment and set out the plans for this. Where service issues are identified as part of this screening or from completed impact assessments they will be highlighted within covering reports as the potential equality implications.</p> <p>For future years the assessment of equality impact, and any necessary consultation and engagement, will form part of the commissioning process. This will ensure that commissioning decisions are informed by the equality implications and that appropriate performance management is put into place.</p> <p>The potential risks and opportunities connected with changes to funding levels on service delivery should be assessed against the objectives and outcome measures identified for the service. The council has a risk & opportunity management methodology which will be applied in line with the operation of the council's new commissioning model and will link to the new Performance & Risk Management Framework. Work is underway to develop tools to assist managers and decision makers to consider the issues and inform dialogue between organisations. Information on consultations undertaken will be included in the Risk and Opportunity Management Implications section of relevant committee reports.</p>
5	The Panel recommends that the ongoing and longer term impacts of budget reductions should be monitored. The Council and	Yes	Within the Council the new Intelligent Commissioning Framework will ensure that the links between resource allocation, changing needs and outcomes achieved are clearly understood.

Item 89 Appendix 2

	partners need to agree a way to ensure that the impacts of changing budgets are understood.		The LSP will play a key role in ensuring that the partnerships across the city have a clear understanding of the impact of changing resource allocations.
6	The Panel recommends closer working with the CVSF to help improve dialogue between organisations linked to delivering the SCS priorities.	Yes	The Council continues to maintain close links with the CVSF at a strategic partnership level through the PSB and LSP and through key individuals such as the Cabinet Member for Community Affairs and Inclusion & Equalities and the Strategic Director for Communities. The CVSF is a full participant in the Council's Intelligent Commissioning Programme Board and is also actively engaged in the pilots.

**EXTRACT FROM THE DRAFT PROCEEDINGS OF THE ENVIRONMENT CABINET
MEMBER MEETING HELD ON THE 10 MARCH 2011**

BRIGHTON & HOVE CITY COUNCIL

COUNCIL CHAMBER, HOVE TOWN HALL

DRAFT MINUTES

Present: Councillor G Theobald (Cabinet Member)

Also in attendance: Councillor Mitchell (Opposition Spokesperson, Labour)

Other Members present: Councillors Brown, Fallon-Khan and McCaffery

PART ONE

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

- 113.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the Official Feed and Food Controls Service Plan required by the Food Standards Agency.
- 113.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That the Official Feed and Food Controls Service Plan 2011/2012 be agreed and commended to Full Council for approval.

Council

24 March 2011

Agenda Item 91

Brighton & Hove City Council

Subject: Official Feed & Food Controls Service Plan 2011/12

Date of Meeting: 10 March 2011 Environment Cabinet Member Meeting
24 March 2011 Council

Report of: Strategic Director, Place

Contact Officer: Name: Nick Wilmot Tel: 29-2157

E-mail: nick.wilmot@brighton-hove.gov.uk

Key Decision Yes Forward Plan No: ENVCMM16773

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To agree the Official Feed and Food Controls Service Plan previously known as Food Law Enforcement Service Plan required by the Food Standards Agency.
- 1.2 Food regulation protects the hygiene standards of food establishments in order to protect public health. There are over three thousand food establishments and proportionate regulation supports the local economy. Leisure and tourism are major employers with 15% to 20% of jobs in the city being related to tourism.
- 1.3 A particular objective is to support and advise businesses in this sector. This is very much welcomed and surveys show that over 98% of businesses inspected were either very satisfied or satisfied that their business was fairly treated and the contact was helpful.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member agrees the Official Feed and Food Controls Service Plan 2011/2012 set out in the appendix to this report and commends it to Full Council for approval.

3. RELEVANT BACKGROUND INFORMATION/IMPLICATIONS

- 3.1 The Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement requires the production and publication of a service plan. Every local authority is required to develop an annual food enforcement service plan, which provides the basis on which local authorities are monitored and audited by the Food Standards Agency.
- 3.2 To ensure local transparency and accountability, it is a requirement that the Official Feed and Food Controls Service Plan is submitted to the relevant member forum for approval.

- 3.3 The attached plan (Appendix A) is an integral part of the organisation of the food service within Environmental Health & Licensing and Trading Standards. Both services come within Planning and Public Protection. As a result of this close relationship a joint service plan is submitted. This reduces duplication, improves the effectiveness of service delivery and meets the monitoring requirements of the Food Standards Agency.
- 3.4 In accordance with the Standard outlined in the Framework Agreement the food service should be a mix of enforcement, intelligence based work, investigation and education. It is planned that a performance targets of completion of 98% of programmed food safety interventions of risk category A to D premises, the employment of an alternative enforcement strategy in respect of low risk premises (category E and F) and 90% of complaints responded to within 5 days are met.
- 3.5 A key indicator is the number of broadly compliant food establishments. This currently stand at 91.5% and exceeds the national average. Newly opened establishments are unrated until inspected.
- 3.6 In addition, areas of current good practice, and opportunities for further improvement, have been identified, both in Food Safety and Food Standards, in section 6.3 of the Service Plan. The targeting of resources to these areas of work aims to provide a balanced mix of services, which is most likely to benefit the business sector, consumers and other stakeholders. In line with the amendment to the Food Safety Code of Practice in June 2008 the service will continue to focus enforcement action on the poorer performing businesses.
- 3.7 A healthy food award scheme has been developed to improve healthy life expectancy and tackle obesity. Health Development Advisers also provide NHS vascular risk assessments (health checks).

4. CONSULTATION

- 4.1 This integrated report covers Food Safety and Food Standards, has been produced after close consultation and joint working between the relevant officers of Environmental Health & Licensing and Trading Standards.
- 4.2 Brighton & Hove Food Partnership were consulted during the drafting of this plan.
- 4.3 This service plan was welcomed by Environment Community Safety Overview and Scrutiny Committee on the 25th January 2011

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 5.1 **Food Safety** – The proposed detailed budgets for 2011/2012 for providing the food safety service within Environmental Health is detailed below. Any changes arising from the budget setting process can be reported verbally. The staffing

figures include a figure to cover the appropriate proportion of the Head of Environmental Health & Licensing and administrative support:-

	Food Safety
Staffing	647,100
Transport	13,600
Supplies and Services	23,900
Total	684,600

Food Standards - It is difficult to detail the time spent on the food standards function as it is carried out during a comprehensive inspection. Time monitoring is not currently used to apportion time to the food function. The cost of the food standards function in 2010/11 was as follows based on the percentage of time officers spend on the food function. Similar apportionments would be expected for 2011/12.

Inspection, complaints and advice

Staffing	
Managment/Support	£ 3200
Food Team	£30,120
Total	£ 33,320

Sampling	
Purchases	£500
Analysis	£9,500
Total	£10,000

Total	£43,320
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Finance Officer consulted: Karen Brookshaw

Date: 02/02/11

Legal Implications

- 5.2 The Food Standards Agency places a requirement on local authorities to develop and submit a service plan. Local authorities are audited and assessed by the Food Standards Agency on the basis of their food law enforcement service as provided for in their Service Plans. The Food Safety Act 1990 (Code of Practice) places a requirement on local authorities to operate an inspection rating scheme, which determines frequency of intervention of food premises. The Official Feed and Food Controls Service Plan 2011/12 identifies the planned number of interventions for that period.
- 5.3 The Council's Constitution requires the adoption of the Official Feed and Food Controls Service Plan to be reserved to full Council.

Lawyer consulted:

Elizabeth Culbert

Date: 25/01/11

Equalities Implications:

- 5.4 See 2.4.5 of appendix 1 for profile of food premises registering with the food service during the year 2010/2011. The service is mindful of the greater assistance food business operators require where their first language is not English. Written information, translation and interpreting services are employed where necessary to assist businesses to comply with regulatory requirements.

Sustainability Implications:

- 5.5 Liaison with relevant agencies in connection with local food initiatives, including the Brighton & Hove Food Partnership

Crime & Disorder Implications:

- 5.6 None

Risk and Opportunity Management Implications:

- 5.7 SMART target for the food safety service is (98% of due interventions achieved x 0.3 + 85 % of broadly compliant premises x 0.7)

Corporate / Citywide Implications:

- 5.8 Food safety standards protect the City's reputation, helps develop tourism and the local economy and helps visitors have a positive experience.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 There is no legal alternative to the statutory service plan.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 In order to comply with the Food Standard Agency Code of Practice.

SUPPORTING DOCUMENTATION

Appendices

1. Official Food and Food Controls Service Plan 2011/2012

Documents In Members' Rooms

None

Background Documents

None

Brighton & Hove City Council
Official Feed and Food Controls Service Plan 2011/2012

1. Service Aims and Objectives

1.1 Aims and Objectives

- 1.1.1 The food service function of Brighton & Hove City Council is enforced by Environmental Health & Licensing and Trading Standards sections of Planning and Public Protection.
- 1.1.2 The Environmental Health & Licensing service is primarily concerned with protecting and improving public health and the environment across the City. Within this service the Food Safety Team works to ensure that food prepared and sold from local establishments is safe. This is achieved by carrying out a programme of interventions at food businesses, sampling and responding to service requests. Wherever practicable links are formed with the business community and all relevant professional groups with the objective of increasing and promoting food safety awareness.
- 1.1.3 The overall objective of the service is to provide a comprehensive food safety service to benefit consumers and the business community, with a considered balance between enforcement, investigation, advice and education.
- 1.1.4 The Trading Standards service aims to provide a comprehensive range of enforcement and advisory services to the community within a statutory framework. Its goal is to contribute, in conjunction with other agencies, to the development of a safe, fair and equitable trading environment for all consumers, by means of advice, information, education and enforcement.

The core aims being to ensure: -

- Accurate and informative labelling of food; and
- That compositional standards of food are maintained

The objectives being: -

- To carry out risk-based and intelligence led activities
- To undertake screen testing and food sampling to reflect identified areas of concern.
- To respond appropriately to food complaints and initiate proportionate action.
- Respond to trader requests in a timely manner
- To educate the public on compositional and labelling issues to improve eating habits

1.2 Links to Corporate Objectives and Plans

1.2.1 The City Council's Corporate Plan for 2008-2011 has five priorities:

- *protect the environment while growing the economy;*
- *better use of public money;*
- *reduce inequality by increasing opportunity;*
- *fair enforcement of the law;*
- *open and effective leadership.*

1.2.2 The Feed and Food service has strong links in with these priorities. In particular the service objective to provide advice, education and enforce relevant standards in the food industry is key to protecting the environment while growing the local economy. The service recognises the impact of current economic conditions on all businesses. Wherever practical, assistance and guidance is offered to ensure feed and food businesses comply with legal requirements and do not pose an undue risk to public health or the environment.

1.2.3 The service reduces inequality by funding training and coaching to small and medium businesses that may otherwise struggle to comply with legal requirements. Where English is not the first language, interpretation and translation services are provided.

1.2.4 The Official Feed and Food Control Service Plan is part of the corporate annual planning and development process.

1.2.5 The service has a published Enforcement Policy. This policy is a cornerstone for fair and open enforcement.

1.2.6 The service reports on National Indicator NI 182 'Satisfaction of Businesses with Local Authority Regulation Services'. This indicator measures whether businesses think they have been treated fairly and helpfully by local authority regulators. The aim is to inspire local authorities to recognise the important contribution regulatory services make to local and national priorities, and encourage regulatory services to recognise their own role in supporting local businesses.

1.2.7 The food service also has links with other National Indicators:

NI 53 Prevalence of breastfeeding at 6 – 8 weeks from birth

See 3.7.1 of this plan.

NI 55 Obesity among primary school age children in Reception Year See 3.7.1 & 3.8

NI 56 Obesity among primary school age children in Year 6 See 3.7.1 & 3.8

NI 120 All-age all cause mortality rate – The whole service.

NI 122 Mortality from all cancers at ages under 75 – See 3.7.1 & 3.8**2. Background****2.1 Profile of the Local Authority**

- 2.1.1 Brighton & Hove is a unitary authority on the south coast of England. It is approximately 50 miles from London. Bounded by the English Channel to the south and the South Downs to the north, it covers an eight-mile stretch of seafront and extends inland for approximately five miles.
- 2.1.2 Demographic information is available from online Brighton & Hove Local Information Service <http://www.bhlis.org/>.

Resident Population by Ethnic Group 2007 Estimated

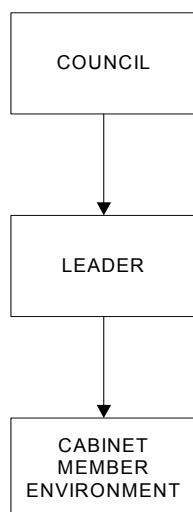
Total	253,500
White British	212,600
White Irish	3,600
White Other	14,000
Mixed White Other	5,800
Asian or Asian British	8,100
Black or Black British	4,400
Chinese	5,000

- 2.1.3 Tourism plays a major part in the local economy. Figures from the VisitBrighton Strategic Partnership 2010 estimate that 15% to 20% of jobs in the city are tourism related and eight million visitors bring £400 million into the local economy. The city boasts 4293 bedrooms, offering a bed stock of approximately 10,000. There is a large variety of hotels, food retailers and over 400 restaurants serving cuisine from around the world. The VisitBrighton Visitor Survey 2007 identified that 70% of visitors put going to a restaurant or place to eat as one of the most popular activities to do in Brighton & Hove.

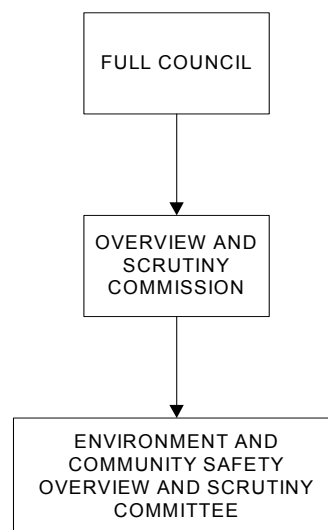
2.2 Organisational Structure

- 2.2.1 Brighton & Hove City Council has a cabinet style structure with Planning and Public Protection part of the portfolio of the cabinet member for Environment. The service reports to the Environment and Community Safety Overview Scrutiny Committee. Relevant structures are detailed over the page.

CABINET STRUCTURE



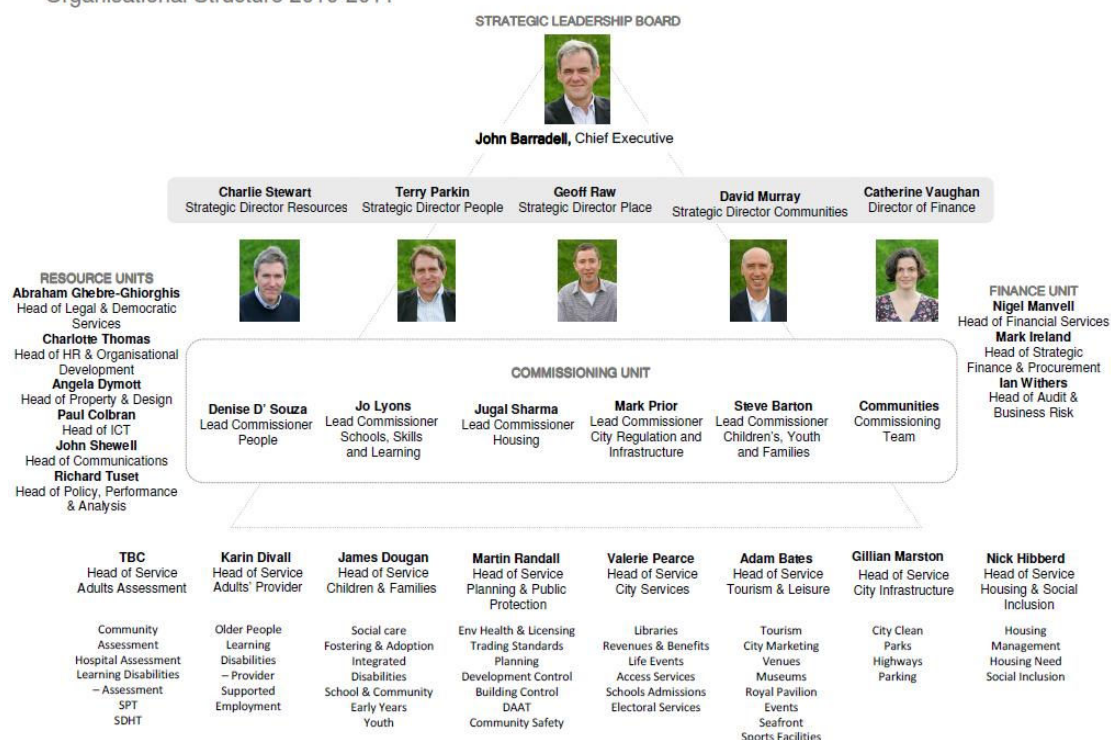
COMMITTEE STRUCTURE



2.2.2 From November 2010 Brighton & Hove City Council changed the way it works, rather than having directors responsible for specific services the Chief Executive and strategic directors lead a commissioning team looking at needs across the city, with eight teams delivering frontline services. The food service reports to the Head of Service Planning & Public Protection.

Brighton & Hove City Council

Organisational Structure 2010-2011



- 2.2.3 A formal arrangement is in place with the Health Protection Agency's Food Water & Environment laboratory based at the Ashford, Kent for the analysis of samples that require microbiological examination.
- 2.2.4 The Public Analyst contract was awarded to Worcestershire Scientific Services in May 2009 and will last for four years, the aim being to reduce cost, duplication and improve service delivery. The current allocation of costs for sampling analysis is £9000. The focus of the contract remains composition and labelling plus some chemical contamination.
- 2.2.5 An entomologist from a local natural history museum assists with insect identification where found in foodstuffs.

2.3 Scope of the Feed and Food Service

- 2.3.1 A specialist Food Safety Team within Environmental Health carries out the food safety function. The work of the Team includes the following:-
- Inspecting food premises;
 - The investigation of food safety complaints;
 - Food poisoning investigations when linked to a premises;
 - Investigating infectious disease notifications;
 - Microbiological food sampling;
 - Food safety training;
 - Responding to requests for advice;
 - Initiatives relating to working with the community and businesses;
 - Taking appropriate steps to publicise and act upon national food alerts;
 - Publicising the food hygiene standards of local businesses.
- 2.3.2 The food standards function is carried out by Trading Standards Officers in the Business Support Team. The work of the team includes the following: -
- Risk based enforcement activity
 - Complaint investigation
 - Food Analysis and investigation
 - Service Requests from businesses
 - Education programmes
 - Reacting to Food Alerts
- 2.3.3 Food Standards work is undertaken in conjunction with work on other areas of Trading Standards law. For instance, a programmed food visit will also include giving advice about other matters such as prices, business names and weights and measures. In this way a comprehensive visit is undertaken so as to minimise any inconvenience caused to the general day-to-day running of the business.

- 2.3.4 Trading Standards are responsible for enforcing relevant legislation in respect of imported feedstuff, whilst Environmental Health & Licensing enforce relevant legislation controlling imported food of non-animal origin and products of animal origin.

2.4 Demands on the Feed and Food Service

Food Safety

- 2.4.1 As at January 2011 there are 3165 food businesses registered. These premises are broken down into the following profile:-

3	Primary Producers
41	Manufacturers/Processors
3	Importers/Exporters
32	Distributors/Transporters
636	Retailers
2450	Restaurants and other Caterers
3165	TOTAL

- 2.4.2 Three food businesses are approved under Regulation (EC) 853/2004 for specific dairy, fish and meat products processing.

- 2.4.3 The nature of the city causes a considerable seasonal variation in the department's workload. Some businesses only open during spring, summer or school holidays; the intervention programme has to be tailored to meet these service needs. There is a dramatic increase in the number of visitors in the spring and summer and this increases the volume of requests for service, enquiries and other reactive work. Outdoor events such as music events, festivals, specialist markets, farmers' markets, open-air concerts and funfairs also add to the seasonality of the workload.

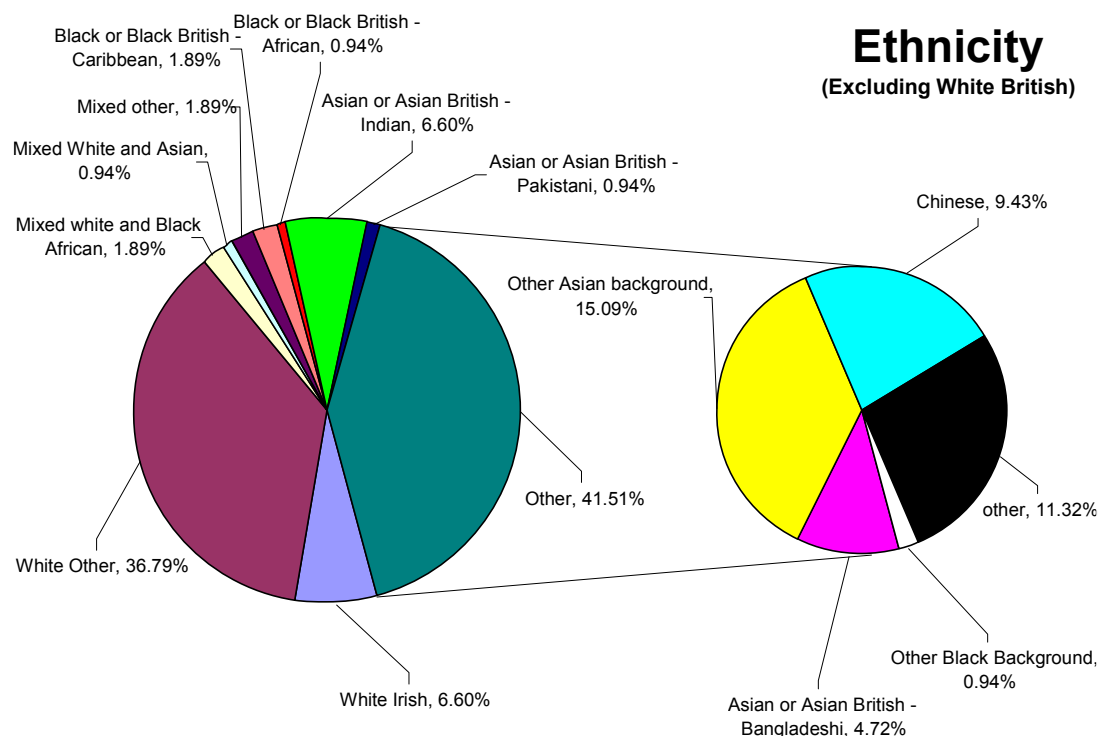
Food Standards

- 2.4.4 Premises data is captured on Uniform and therefore the premises profile is the same but as the risk assessment is based on the LGR scheme the individual premises have a different inspection frequency for Food Standards. As of the 1st January 2011 2302 premises were considered to have an inspectable risk for Food Standards work. It has been noted that there is a high turnover of new premises requiring food standards advice.

Access to services

- 2.4.5 As part of the drive for continued improvement and dialogue with businesses all establishments are requested to complete feedback questionnaires following inspections. The questionnaires request information on the ethnic origins of the business owners. The chart

below gives a breakdown for the 375 questionnaires returned between April 2009 and March 2010.



Demographic Information from Post Inspection Questionnaires April 2009 to March 2010.

- 2.4.6 In addition to having a number of key food safety advice leaflets in a variety of languages, the service has the capacity to have any leaflet, letter or other document translated as required. Wherever possible, opportunities are taken to provide information about services to ethnic communities. Food safety training courses have been staged in languages other than English including Bengali, Cantonese, Thai and Turkish which have proven to be successful and popular with traders. Where necessary, interpreters accompany officers on planned interventions. Where necessary, officers can access The Big Word On-Call Language Service by telephone when carrying out visits.
- 2.4.7 Service users are able to access the service by visiting either of the two City Direct Advice Centres situated in central Brighton, open between 9am and 4:30pm Monday to Friday and central Hove, opening hours 8:45am to 4:30pm on weekdays. Remote access to council services is facilitated through 'self-help' in 25 locations across the city including all the main council offices, libraries, leisure centres and some schools. General telephone calls are fielded via a Call Contact Centre on (01273) 292161. Advice can also be accessed via the council's web site, www.brighton-hove.gov.uk, or by email to ehl.food@brighton-hove.gov.uk.

- 2.4.8 Food Standards complaints are initially received by Consumer Direct South East. There is a referral protocol regarding food issues requiring enquiries to be sent to Trading Standards within 24 hours.
- 2.4.9 The Food Safety Team operates a Food Safety Hotline where businesses and consumers can obtain immediate advice from a food safety officer, during office hours. Senior food competent Environmental Health staff provide cover for an out of hours service to respond to food safety emergencies and incidents.
- 2.4.10 New food businesses registering with the service are provided with a detailed information pack and offered guidance to assist compliance with food safety legislation.

2.5 Regulation Policy

- 2.5.1 Brighton & Hove City Council has a Corporate Enforcement Policy in line with the national Compliance Code for Enforcers. This provides and overarching policy for all regulatory services. In addition the Environmental Health service has adopted a service Enforcement Policy in line with the national Compliance Code, Statutory Codes of Practice and relevant guidelines issued by Central Government departments and co-ordinating bodies. This policy is based on the seven 'Hampton Principles' of economic progress, risk assessment, advice and guidance, inspections and other visits, information requirements, compliance and enforcement actions and accountability.
- 2.5.2 The services detailed in this plan have arrangements in place to comply with the requirements of the Regulatory and Sanctions Act 2008, the main effect being measures to comply with the Primary Authorities Partnership scheme.
- 2.5.3 Any breaches of food law noted in businesses where Brighton & Hove City Council has an interest, either as proprietor or responsibility for structural repair, are brought to the attention of the Chief Executive without delay.

3 Service Delivery

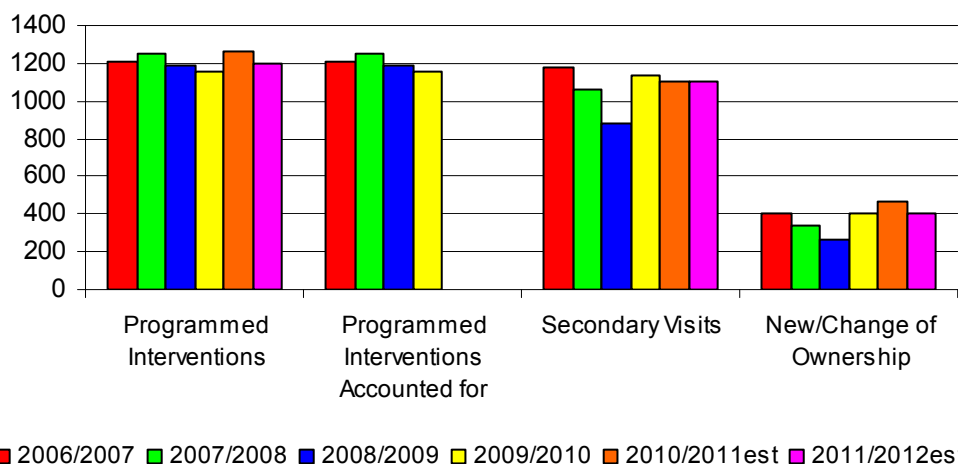
3.1 Interventions at Food and Feedingstuffs Establishments

Food Safety

- 3.1.1 This section details the planned risk based food safety intervention programme for 2011/2012. The level of achievement in food safety intervention based activity over the past four years is shown in the chart below along with estimates for completion of the current year and 2011/2012.

3.1.2 The Food Safety Code of Practice published in 2008 gave local authorities flexibility to introduce a mixture of interventions. Implementation of an intervention-based programme enables services to reduce the level of burden on compliant businesses and focus more resources on those with poorer standards. See detailed in 3.1.19 below the approach to be adopted by the Food Safety service for the year 2011/2012.

Chart of Intervention-Based Activity 2006-2012



See tables 3.1.1 and 3.1.3 for further details.

3.1.3 The service follows a risk-based approach when implementing the local food safety intervention programme. It aims to account for a minimum of 98% of businesses due for intervention in the year 2011/2012 in accordance with the Food Safety Code of Practice as detailed in 3.1.7 below. Table 3.1.1 gives details of performance against target since 2006 and estimates the number of planned interventions for the current year and 2011/2012. The target is set at 98% to take account of possible service or operational problems such as a turnover of staff at the end of the year, emergencies or difficulties contacting seasonal businesses or home caterers.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
Programmed Interventions	1208	1255	1193	1159	1262	1197
Accounted for	1208	1248	1188	1156		
Target %	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D
Achieved%	100 A-D	99.4 A-D	99.6 A-D	99.7 A-D		

Table 3.1.1 Achievement of Planned Food Safety Inspection/Intervention Programme 2006-12.

3.1.4 The Food Safety Code of Practice contains a mechanism for risk rating each businesses based on factors such as:- if unwrapped high risk-food is handled, prepared or cooked; size of the business; any high-risk operations are undertaken; number of customers; vulnerability of the customers to food-borne illness; standards of hygiene; condition of the structure and confidence in management. By scoring all of these

factors, an overall risk rating of A to E is arrived at. Category A premises are the highest risk and E the lowest.

3.1.5 As category E premises tend to present a minimal risk due to the limited types of food they deal with and/or they cater for a limited number of people. In line with the Food Safety Code of Practice, an alternative enforcement strategy is used to maintain surveillance of the low-risk, category E premises. This strategy enabled the service to provide greater focus on higher risk category A to D premises.

3.1.6 The alternative surveillance of low-risk businesses follows a structured documented procedure. The strategy employs postal questionnaires, sample inspections to check the validity of the information gained and follow up inspections where either the information returned leads to the conclusion that an intervention is necessary or no information is returned. Table 3.1.2 below shows the number of premises dealt with by this alternative method since 2006.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
Number of premises	133	285	243	188	414	272

Table 3.1.2. Number of premises dealt with under alternative strategy.

3.1.7 Planned food safety interventions programme for the year 2011/2012 as at December 2010 is:-

Risk Category of Premises	Number of Interventions Due
A	8
B	70
C	752
D	367
Total	1197
Low-risk premises to be dealt with under alternative strategy	272

3.1.8 It is the intention of the service to account for a minimum of 98% of the 1197 high-risk (A–D) establishments due during the year as above. The three product-specific premises approved under Regulation (EC) 853/2004 will receive interventions within the risk rated programme as necessary.

3.1.9 The Food Safety Code of Practice encourages food enforcement services to provide greater focus on the outcomes of activities rather than the traditional approach of reporting on activity alone. Local authority performance is monitored by the Food Standards Agency through the Local Authority Enforcement Monitoring System (LAEMS), the key performance indicator being:-

%of due interventions achieved x 0.3 + %broadly compliant premises x 0.7

- 3.1.10 In addition to achieving 98% of the intervention due the service will aim to achieve a target of 85% of food establishments deemed to be 'broadly compliant', or better, with food hygiene legislation. The overall target will therefore be:-

$$(98\% \times 0.3) + (85\% \times 0.7) = 88.9 \%$$

- 3.1.11 As at December 2010 the level of broadly compliant businesses stood at 91.5% of all food businesses.

- 3.1.12 **Secondary Interventions** - The main purpose of secondary interventions is to monitor food businesses that fail to comply with significant statutory food hygiene requirements, or where directly required by Regulation. Failure could include:-

- Failure to comply with a single requirement that compromises food safety, public health or prejudices consumers;
- Failure to comply with a number of requirements that, taken together, indicate ineffective management; or
- Service of a Hygiene Emergency Prohibition Notice or Order.

- 3.1.13 When considering both the need for and timing of a secondary intervention, consideration is given to the seriousness of any failing, history of the business, confidence in management and the likely effectiveness of this action when compared to any other enforcement option.

- 3.1.14 Secondary interventions are categorised as those that are not primary interventions but include:-

- Additional interventions of establishments that are subject to product-specific food hygiene regulations;
- Sampling visits;
- Visits to check on the progress of measures required after a previous intervention;
- Visits to investigate food and food premises complaints;
- Visits to discuss implementation of Hazard Analysis of Critical Control Points based system;
- Visits involving training of food handlers;
- Inspections of premises to assess a licence.

- 3.1.15 **Interventions at New Businesses/Change of Ownership** - Where the service becomes aware that ownership of a food business has changed or a new business has commenced, it aims to undertake an intervention within 28 days of the business starting trading.

- 3.1.16 The purpose of the intervention is to establish the scope of the business, gather and record information, determine if food sampling or swabbing is necessary, identify food safety breaches, determine relevant enforcement action to be taken by the food service, communicate this to the business and evaluate risk rating score. Based

on the last five years data, it is predicted that there will be 400 new businesses or changes of ownership in 2011/2012.

- 3.1.17 Monitoring of Vacant Premises** - Where food premises fall vacant, arrangements are made to monitor activity at the premises. When new businesses open, it is important that support and guidance on food safety issues are given at an early stage.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
Secondary inspections	1180	1060	855	1131	1100	1100
New Premises or Change in Ownership	399	336	267	398	470	400

Table 3.1.3 Estimate of secondary inspections & new businesses inspections for 2011/2012 based on data since 2006.

- 3.1.18** It is estimated that the number of staff required to carry out the programme of inspections plus other visits is 8 full time equivalents. Resources required to undertake secondary visits generated by complaints, enquiries or to undertake sampling are included in the appropriate part of this plan.

- 3.1.19 Intervention Plan 2011/2012** - The Food Safety Code of Practice suggests a sliding scale of interventions, with the better performing businesses requiring a lesser level of intervention.

- 3.1.20** The practical use of interventions in the Brighton & Hove area is heavily influenced by the local 'Scores on the Doors' scheme. All high-risk food business operators scoring less than the maximum five stars must be given the opportunity to improve their score. Establishments may only be rescored if the intervention used is an audit, inspection or part audit/inspection. The service therefore plans to:-

- inspect all high-risk food premises scoring less than five stars;
- carry out inspections or another official control ie audit, monitoring, surveillance, verification or sampling as appropriate of all other high-risk establishments;
- carry out either an official control or other control ie education, advice and coaching or information and intelligence gathering including sampling where the analysis is not carried out by an official laboratory at category D establishments;
- Continue with Alternative Enforcement Strategy for category E establishments.

- 3.1.21** All official controls must include a visit to the food establishment, have appropriate accompanying documentation and a measurable outcome. The risk rating score of the business may be revised in the case of the first two interventions only.

Food Standards

- 3.1.22 The LGR system requires high-risk premises to be visited each year, medium risk every two years and low risk every five years. This means that 45 high risk, 321 medium risk and 323 low risk premises should be visited each year.
- 3.1.23 The target for 2010-11 was to visit 100% high-risk and 50% of those medium risk premises liable to inspection. Similar targets will remain in place for 2011/12.
- 3.1.24 There is no commitment to visit low risk premises but in 2010-11, 234 low risk premises were visited as a result of project work, complaints and other routine inspections.
- 3.1.25 Approximately 5% of inspections require a follow-up visit. Officers do not work exclusively on the food function. Follow up visits will be made to all premises when a non-compliance is detected and formal action is contemplated.
- 3.1.26 Two part time posts make up the Food Team. All officers within the team work on a part time basis and their time is equivalent to 1 FTE. About 80% of their time is spent on the food function. From February 2011 an officer within the team will obtain the food qualification and will undertake food work as well. Again this will constitute approximately 80% of her time.
- 3.1.27 **New Businesses** - All new businesses are assessed and if appropriate will be inspected within 56 days of being identified. On registration an information pack containing advice on food standards, food safety and other relevant legislation will be supplied to the business offering a communication channel between the local authority and the business. The initial visit will be to establish the scope of the businesses activity, identify its compliance with food standards legislation and to determine the level of support required. An intervention programme will be designed to reflect the needs of the business and reviewed after one year. Inspections will then be programmed based on the LGR risk assessment.
- 3.1.28 **High Risk Premises** - All premises will be assessed to determine the most appropriate intervention method for them. Premises with good management control, no history of contraventions or complaints will be advised that they will be the subject of a 'light touch' approach and will only be inspected if they change their product range or complaints are received.
- 3.1.29 **Poorer performing High Risk Premises** -These premises will be inspected every year but may be the subject of additional interventions depending on their compliance.

3.1.30 Medium Risk Premises - These premises will receive an intervention at two yearly intervals. These interventions will alternate between comprehensive inspections, and a mix of sampling visits, complaint visits or other monitoring or surveillance. At least 50% of the premises liable to an inspection will be subject to a comprehensive visit.

3.1.31 Low Risk Premises - A programme of interventions will be based on the intelligence received about the individual premises or where the business requests support/advice.

3.2 Feed and Food Complaints

Food Safety

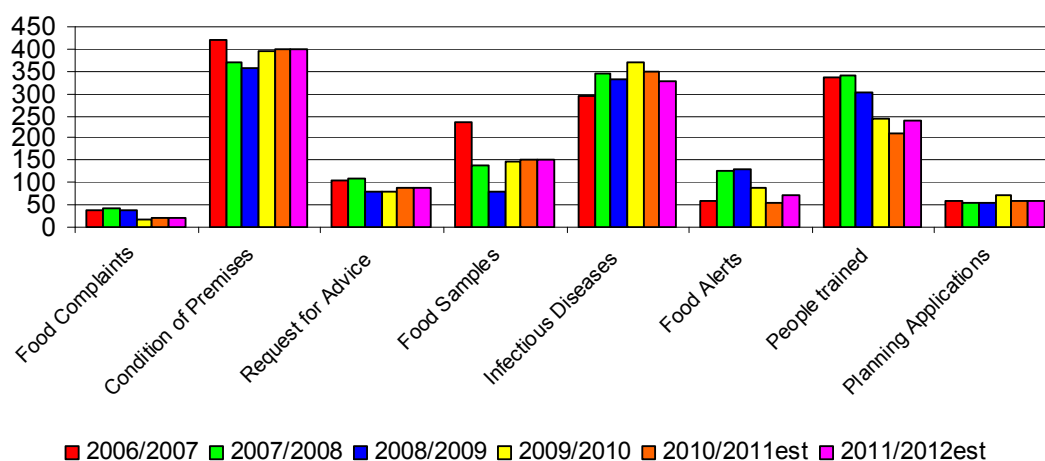
3.2.1 It is the policy of this authority to respond promptly to all requests for advice from business. It is the target of the service to respond to 90% of planning application consultations within 10 days, and all other demand driven work within 5 days.

Year	06/07	07/08	08/09	09/10
Within target %	96.6	97	96.6	97.7

Table 3.2 Percentage of Demand Driven Work within Target Response Time

3.2.2 All food complaints received are investigated in accordance with the council's Enforcement Policy and documented procedures. See below for a chart showing the pattern of demand driven work since April 2006 and estimates for the current year and 2011/2012. The source figures for this chart are contained in tables within the relevant part of the plan.

Chart of Demand Driven Work 2006-2012



See tables 3.2.1, 3.4.1, 3.4.3, 3.5.1, 3.6 and 3.8 for the source of data.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
Food Complaints	37	41	36	15	20	20
Condition of Premises	422	370	357	394	400	400

Table 3.2.1 Estimate of number of complaints for current year and 2011/2012 based on data from 2006 onwards.

- 3.2.3 It is estimated that 1.5 Full Time Equivalent officers will be required to meet this level of service requests.

Food Standards

- 3.2.4 It is the policy of this authority to respond promptly to all food complaints and to carry out enquiries in accordance with the complaints' procedure. The following figures show a final estimate for 2010/11 as the report is generated before the end of the calculated year.

Year	2004	2005	2006	2007	2008	2009	2010
Number of Complaints	64	170	183	253	295	279	292 est

3.3 Home Authority Principle and Primary Authority Principle

- 3.3.1 Brighton & Hove Council fully supports the LGR Home Authority principle, and has entered into six formal and 22 informal arrangements with businesses whose operational activity extends outside of the city. Currently there are no primary authority food businesses in the city.

3.4 Advice to Businesses

Food Safety

- 3.4.1 The service follows a policy of graduated enforcement in assisting businesses to comply with legal requirements. The key first step of this approach is to provide advice and information to businesses. Contact is made with new or potential businesses through the provision of new business information packs and via the development control planning process.

- 3.4.2 In addition to this, advice is given by an officer when carrying out interventions, making an officer available for one to one advice sessions and having a duty hotline service covering office opening hours.

- 3.4.3 Advice and information is also available through the council's website.

Year	06/07	07/08	08/09	09/10	10/11 est	11/12 est
No of Requests	105	108	80	82	90	90
Planning Applications	59	55	53	70	60	60

Table3.4.1 Showing number of requests received since 2006 and estimates for the current year and 2011/2012

- 3.4.4 It is estimated that 0.5 Full Time Equivalent Officer is required to meet this estimated demand.

- 3.4.5 The service is committed to good liaison arrangements with proprietors of food businesses, to encourage effective two-way communication and to provide information and training on legislation and good practice.
- 3.4.6 Local businesses were consulted on significant developments in policy such as the introduction of the 'Scores on the Doors' food hygiene rating scheme in 2007 and revision of the Environmental Health Enforcement Policy in 2009.
- 3.4.7 A Food & Safety newsletter is produced twice a year, which informs proprietors of new legislation, advice on good practice, and general items of interest. This is widely distributed throughout the city and sent out with intervention reports.

Food Standards

- 3.4.8 Requests by businesses for advice are recorded as Service Requests. There was a significant increase in the number of requests for advice in 2007 and this level has remained reasonably constant since then. The following shows requests up until end Dec 2010.

Level of Service Requests

2004	2005	2006	2007	2008	2009	2010
30	28	32	150	192	151	142

3.5 Feed and Food Sampling

Food Safety

- 3.5.1 The service participates in national sampling initiatives organised by LGRegulation, previously LACoRS, countywide programmes co-ordinated by the Chartered Institute of Environmental Health (CIEH) Sussex Food Liaison Group, local Health Protection Agency (HPA) and those instigated by the FSA. The sampling programme includes food or food-contact surfaces at approved premises, food manufacturers, and manufacturers selling mainly by retail as well as caterers and retailers. Samples of food and swabs of food-contact surfaces are also taken as part of routine work and when investigating specific issues at food premises.
- 3.5.2 During 2010/2011, the service took part in national food sampling programmes:-
- 'Pennington' Study – June 2010; The purpose of this study was to gather data on hygiene standards in catering and retail premises handling raw meats and ready-to-eat products. It also explored the impact of different interventions on microbiological quality and behavioural change. The study was designed to inform the central and local government response to the *E. coli* O157 Public Inquiry. Two of the businesses sampled in this study provided unsatisfactory

results. One of these businesses has since closed and undergone a refurbishment and the second has changed ownership. Further samples will be taken from both of these businesses during February as part 2 of the study.

- Hygiene practices in retail/catering premises and ready-to-eat foods focusing on *Listeria monocytogenes*. This study aimed to assess the microbiological safety of 'high risk' foods associated with *Listeria monocytogenes*. As part of this study duplicate samples were collected for certain products to carry out shelf life testing at the end of the use-by or best before dates. Thirteen samples were collected in total, 12 of which were satisfactory whilst the thirteenth sample was deemed unsuitable for the study.
- Follow up to the 'Pennington' study at establishments where problems had been identified in the initial sampling study. Due February 2011. See Above
- Large Scale Events sampling was carried out at the Springwatch Festival at Stanmer Park in June. 11 samples were collected including ready-to-eat food and swabs of food contacts surfaces including serving utensils and empty food containers. All samples collected at the event were satisfactory.
- Checking for *Salmonella* contamination in bean sprouts & sprouted seeds January – February 2011

3.5.3 In addition to these nationally agreed programmes, the service took part in regional wide microbiological sampling programmes across Kent, Hampshire, Surrey and Sussex.

- Regional Fish & Shellfish; A study carried out in Yorkshire the year before sampled ready-to-eat seafood including cooked prawns, mussels, dressed crabs etc. The study found 13% of the samples were unsatisfactory, with 1% of the samples positive for *Vibrio spp*, and 2.3% *E. Coli*. The study in Sussex was carried out to ensure the standards of shellfish sold locally. Within Brighton & Hove three of the samples collected were satisfactory. Advice was given in respect of the fourth sample and further samples taken.
- Checking bagged salads for the presence of *Salmonella spp* - September 2010. All samples collected proved to be satisfactory.

3.5.4 Sampling is also carried out during routine food hygiene inspections to aid officers in the assessment of practices carried out within commercial kitchens and identify any issues. Where any unsatisfactory results were found corrective action was put in place to ensure the quality of food products.

3.5.5 The national topics set for 2011/2012 are:

- Lightly cooked food April to September;
- Reactive response study, subject yet to be finalised - July to September 2011;
- A further follow up to the 'Pennington' study carried out last year.

3.5.6 The CIEH Sussex Food Liaison Group has yet to finalise countywide studies

3.5.7 An Environmental Health Officer within the Food Safety Team is responsible for organising and co-ordinating food safety sampling: it is estimated 0.25 Full Time Equivalent officer will be required for this service.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
No. of samples	237	137	82	146	150	150

Table 3.4.3 Number of Food Safety Samples Submitted for Analysis 2006-2010 & estimate for the current year and 2011/2012.

3.5.8 Arrangements are in place with the local Health Protection Agency laboratory for the analysis of samples that require microbiological examination. The allotted cost for sampling for the financial year 2010/2011 was £11,429.

3.5.9 As at the end of December 2010, the allocation for the year 2011/2012 had not been confirmed.

Food standards

3.5.10 Food Standards work is performed during a comprehensive inspection of the premises and generally linked to the metrology function. Officers currently undertake the food standards programme and deal with enquiries from consumers and businesses. The percentage of Officer time devoted to these functions has already been described earlier in this document. The food standards function in 2010/11 equated to approximately 1FTE.

3.5.11 A budget of £ 9,000 was allocated in 2010/11 to facilitate the contract with the appointed Public Analyst for the purposes of food analysis. A budget of £9,500 will be allocated in 2011/12. Sampling will be initiated to reflect perceived or identified problem areas but it is intended that we will be involved in at least one FSA led initiative, two regional projects, and two local projects in 2011/12. Sampling is undertaken in accordance with documented procedures and in accordance with the Codes of Conduct produced under the provisions of the Food Safety Act. Further funding is allocated for sample purchases.

Food Sampling Work undertaken in 2010/2011

MONTH	PROJECT
August	FSA Animal feeds
July/August	Local claims
Year long	Spirits Sampling as a part of the inspection programme
Year long	Home Authority Sampling
Jan/Feb	Meat species in takeaway foods
Year long	Complaints/Officer initiative

3.5.12 The national initiative is fully funded and takes account of potential problems requiring further investigation. The cost for the regional and local projects will be set to allow for contingencies, such as, complaints and reacting to food hazard warnings.

3.5.13 **Control and Investigation of Outbreaks and Food-related Infectious Disease** - Specific infectious diseases are notifiable to the local authority. The department investigates these cases in an attempt to identify the cause of illness and any practical measures to control potential outbreaks. See below for the number of cases investigated from 2006 to 2010 and an estimate of the numbers expected for the current year and 2011/2012. Investigations of outbreaks must commence as soon as practical. In individual notifications, the investigation has to commence within 5 days. It is estimated that 0.5 FTE officer will be required to meet this level of complaints.

Year	06/07	07/08	08/09	09/10	10/11 est	11/12 est
No. of reports	294	344	333	306	368	329

Table 3.5.1 Estimate of Number of notifications for 2010/2011 & 2011/2012 based on data from 2006 onwards.

3.5.14 The number of notifications included in table 3.5.1 has been corrected to discount those illnesses not associated with food such as mumps, measles and hepatitis. Table 3.5.2 below shows the number of *Campylobacter* and *Salmonella* cases notified from 2006 onwards. The number of *Campylobacter* confirmed notifications dropped significantly for the year 2009/2010, but show an increase for the current year. A main aim of the FSA Strategy for 2010-2015 is to reduce foodborne disease using targeted approaches including tackling *Campylobacter* in chicken. Reduction of *Campylobacter* in chicken is a priority because the handling, preparation and consumption of broiler meat may account for 20% to 30% of human cases of *Campylobacter*, while 50% to 80% in total may be attributable to chicken.

Year	06/07	07/08	08/09	09/10	10/11 est	11/12 est
Campylobacter	173	217	202	125	218	186
Salmonella	70	61	34	60	40	55

Table 3.5.2 Estimate of Number of specific notifications for 2010/2011 & 2011/2012

3.5.15 In April 2010 legislation was introduced that removed payments to GP surgeries for notifications and made pathology laboratories responsible to notify local authorities of specific infectious diseases where identified. It is not yet known how this will affect the numbers of notifications received by the council. The third major change removed the power to exclude those suffering from specific infectious diseases from food premises as a similar power exists in food safety legislation.

3.6 Feed/Food Safety Incidents

- 3.6.1 An out of hours emergency service is staffed by senior staff who are suitably authorised to carry out the full range of food safety functions including responding to emergency food safety incidents.
- 3.6.2 Information regarding national food safety alerts, such as product recalls from the FSA, is received during office hours via the national alert system.
- 3.6.3 The Environmental Health Manager (Food Safety) and senior staff within the Food Safety Team are registered on the rapid alert system to receive food alerts through a text message scheme direct to their mobile phones. The information contained in the food incidents is distributed and acted on as deemed necessary.

Year	06/07	07/08	08/09	09/10	10/11est	11/12est
Food Alerts	60	127	130	88	55	70

Table 3.6 Estimate of Food Alerts for the current year and 2011/12 based on data from 2006 onwards.

3.7 Liaison with Other Organisations

Food Safety

- 3.7.1 There are a number of arrangements in place with other professions and local authorities to promote consistency, provide joint projects and develop services: -
- The Food Standards Agency (FSA) selected Brighton & Hove to co-host one of half a dozen events throughout the country to gain the public's view of a number of subjects. Topics covered at the event in February include improving food safety in the home, how the public finds out about hygiene standards in local restaurants and cafes and residents thoughts about the FSA.
 - The service is one of 25 across the country to be chosen by the Local Better Regulation Office (LBRO) to take part in a national pilot testing the Regulators' Development Needs Analysis (RDNA) tool. RDNA is an online resource to help professional officers identify any gaps they have in the skills and knowledge required to undertake their duties.
 - The Environmental Health Manager in the Food Safety Team is the Secretary for the Sussex Food Liaison Group for 2010/2011. This group identifies and develops common approaches to food safety legislation, best practice and food safety training needs across Sussex.
 - An Environmental Health Officer in the Food Safety Team is the Secretary of the Chartered Institute of Environmental Health's Sussex Food Study Group. This group discusses common food safety delivery problems and develops joint procedures and practices for food safety issues.

- The Food Safety Team has regular liaison meetings and agreed working arrangements with Educational Services and catering contract supervisors to ensure consistent enforcement within schools.
- The Health Development team within Environmental Health & Licensing develops initiatives such as increasing breastfeeding in restaurants.
- The service works with nutritional advisers for the PCT on the Healthy Choice Award initiative to promote healthy menu options in eateries. As at January 2011 29 gold level awards have been issued, 30 silver and 12 bronze since the scheme was launched in 2008. There are currently another 7 applications pending for assessment.
- Officers from Environmental Health & Licensing attend the District Control of Infection Committee co-ordinated by the Community Consultant in Disease Control which reviews procedures and agrees communicable disease outbreak and food poisoning control measures.
- The authority is a member of the Brighton & Hove Food Partnership. The partnership includes representatives from local businesses and community groups, community workers and members of the Sustainability Commission. The Partnership raises awareness of food producers in supporting health, the economy and the environment increasing access to nutritious, safe, affordable food and providing a network for information exchange.
- A liaison arrangement is in place with Sussex Career Services and local schools to enable teachers and students from Brighton & Hove to gain work experience.
- The service participates in a variety of Best Value benchmarking exercises in conjunction with other councils.
- During 2009/2010 the Environmental Health & Licensing service took part in the LACoRS/LBRO/CIEH national Regulatory Services Peer Challenge, see section 5.1.4 for further information.
- The service was audited in May 2010 as part of the Sussex Food Safety Inter Authority Audit.

This work is accounted for in the reactive work estimate of resources required.

Food Standards

- 3.7.2 The team works closely with 18 other Trading Standards Services in the southeast that together make up Trading Standards South East (TSSE). Activities include liaison on all trading standards issues, coordinated activities, sampling and advice projects and sharing of information via the TSSE intranet.
- 3.7.3 Trading Standards liaise closely with Environmental Health colleagues regarding healthy eating issues and support the Food Partnership activity wherever possible.

3.8 Feed and Food Safety and Standards Promotional Work, and Other Non-Official Controls Interventions

3.8.1 The service organises a number of food hygiene training courses per year. The food safety training activity April 2010 to December 2010 and total numbers of people trained are given below.

3.8.2 Type of Course Number of Delegates

CIEH Level1 Award in Food Safety in Catering Awareness	20
CIEH Level 2 Award in Food Safety in Catering	162
TOTAL	182

Year	2006/07	2007/08	2008/09	2009/2010	2010/2011est	2011/2012est
Number Trained	337	340	301	245	210	240

Table 3.8 Total Training Undertaken Since 2006

- 3.8.3 Twelve Level 2 Awards in Food Safety in Catering courses have already been scheduled for 2011 and six level 1 courses.
- 3.8.4 The service also offers the CIEH Level 3 Award in Implementing Food Safety Management Procedures designed specifically to assist food businesses to comply with requirements introduced in 2006.
- 3.8.5 In addition to this training, the service has allocated funds to arrange training for the poorer performing and new businesses to help them comply with legal requirement to introduce a documented system of food safety control measures. Seventeen businesses have attended workshops and associated 1-2-1 training sessions so far during 2010/2011. Given the current economic conditions it is unsure if this level of support can be offered for the coming year.
- 3.8.6 Safety in Action is a multi-agency event held over the course of a week in June, involving up to 600 Year 6 schoolchildren from across Brighton & Hove. The Food Safety Team attends and uses an ultra-violet 'Bug Box' to demonstrate good hand-washing practices. Children are also quizzed on when to wash hands and why good hand-washing is essential to prevent germs spreading. Food hygiene leaflets on hand-washing and the safety of packed lunches are included in 'goody bags' given out to each child at the end of the event, and fresh fruit cups are also given to the children at the end of the hand-washing activity session.
- 3.8.7 Food Safety Week took place from 7th to 13th June 2010 and a variety of activities were staged at venues across the city, including Children's Centres and day centres for adults. The aim was to highlight common sense measures to ensure food is stored, handled and cooked properly to minimise the risk of food poisoning. The service plans to take part in the 2011 Food Safety Week, 6th to 12th June. The Food Standards

Agency has indicated that the theme will build on the advice to the public given out in 2010.

3.8.8 Two Food and Safety newsletters are produced per year. The newsletters carry articles and information for businesses and members of the public. A copy is posted on the web site and sent out with correspondence.

3.8.9 In 2010 the Food Safety Team organised a Curry Chef and Chinese Chef of the Year competition. Both competitions proved popular. It is planned to make these annual events.

4. Resources

4.1 Financial Allocation

Food Safety

4.1.1 The 2011/2012 projected budget for the food safety service within Environmental Health & Licensing is detailed below. The staffing figures include a figure to cover the appropriate proportion of the Head of Environmental Health and administrative support and management time. In previous years the budget allocation for the Infectious Disease service has been reported separately. The two budgets have now been combined.

Staffing	£647,100
Transport	£ 13,600
Supplies and Services	£ 23,900
Total	£ <u>684,600</u>

Food Standards

4.1.2 It is difficult to detail the time spent on the food standards function as it is carried out during a comprehensive inspection. Time monitoring is not currently used to apportion time to the food function. Cost of the food standards function in 2010/11 was as follows based on the percentage of time officers spend on the food function outlined above and below:

Staffing Inspection, complaints and advice	
Management/Support	£ 3,200
Food Team	£30,120
Total	£ 33,320
Purchases	£500
Analysis	£9,500
Total	£10,000
Total	£43,320

The budget has not yet been set for 2011/12 but we envisage similar funding levels as this year.

4.2 Staffing Allocation

Food Safety

- 4.2.1 Establishment of the Food Safety Team for the year 2011/2012 is 11.3 full time equivalent field officers plus two full time equivalent administrative support staff and management, broken down as follows:-

1 x Environmental Health Manager
 2 x Senior Environmental Health Officers
 4.3 x Environmental Health Officers
 3 x Senior Technical Officers
 1 x Technical Officer

This is a reduction in establishment by 0.5 from previous years. The half a post being offered up as savings to assist the Environmental Health & Licensing Department meet the saving requirements of the Comprehensive Spending Review for 2011/2012.

- 4.2.2 Officers and external contractors have to comply with strict guidelines governing qualifications and competencies before they are permitted to undertake food safety duties. All Senior Technical Officers hold Higher Certificates in Food Premises Inspection and are able to inspect all risk categories of food businesses. All Environmental Health Officers are qualified to undertake inspections of all risk categories of food businesses.

- 4.2.3 Five officers within the other Environmental Health & Licensing Teams retain competencies to undertake food safety inspections. All food competent officers must undergo a minimum of 10 hours food safety training per year to retain their authorisation to undertake food safety inspections. In addition to the competencies and qualifications required by the Food Safety Code of Practice, officers engaged in food safety inspections must have undergone additional 'Scores on the Doors' consistency training.

Food Standards

- 4.2.4 The Inspection and Sampling Team is responsible for Food Standards Inspection. The proportion of time allocated to this function in 2010/11 was estimated as follows:-

Support	0.05
Management	0.05
Food Staff	1.00
Total	1.1 FTE

However as mentioned above a further 0.8 FTE will be working on the food function in 2011/12.

4.3 Staff Development Plan

- 4.3.1 The Authority has a structured appraisal and development system. During staff appraisals, individual training needs and any gaps in competence are identified. The information is used to produce individual training and development plans for each officer for the coming year. Brighton & Hove City Council was awarded accreditation to Investors in People in early 2009.
- 4.3.2 The Food Safety Team also has team meetings every six weeks. Any training needs of the service as a whole are identified and discussed at these meetings.
- 4.3.3 Through this system, the service ensures that all food competent officers receive sufficient good quality focused food safety training to comply with relevant Codes of Practice and professional membership schemes.
- 4.3.4 The service currently has three staff undergoing part time or distance learning to become Environmental Health Officers and two working towards a Higher Certificate in Food Premises Inspection

5.0 Quality Assessment

5.1 Quality Assessment and Internal Monitoring

Food Safety

- 5.1.1 The service has a documented procedure relating to food safety duties. Internal audits are carried out to ensure compliance with these procedures. The service is accredited to ISO 9001 and externally audited by the British Standards Institute.
- 5.1.2 The service actively seeks the views of businesses by giving out post-inspection questionnaires to traders inspected. In 2009/2010 375 questionnaires were returned. The key findings of these returns were:-
 - 98.4% of respondents were either very satisfied or satisfied that Brighton & Hove City Council had done all that it could to help deal with their premises inspection.
 - 99.2% of respondents understood the purpose of the visit to their premises.
 - 97.8% found the information given to them by the visiting officer easy or very easy to understand.

Similar high levels of satisfaction were recorded from questionnaires returned in the previous five years.

5.1.3 Information from these returns is also incorporated in Brighton & Hove City Council's return in respect of national performance indicator NI 182 'Satisfaction of Businesses with Local Authority Regulatory Services'.

5.1.4 The seven areas identified in the Improvement Plan following the Regulatory Services Peer Challenge undertaken during 2009 have been actioned. The external peer challengers congratulated the service for its excellent delivery of core services and its dedicated and committed staff. The challengers added that:

“we feel confident that the service will be successful in maintaining the momentum provided by the peer challenge process in improving what is already a very good service”.

5.1.5 In May 2010 the service took part in the Sussex Food Safety Inter Authority Audit. A third party auditor reviewed the service based on 'The Standard' in 'The Framework Agreement on Local Authority Food Law Enforcement' produced by the Food Standards Agency. The Auditor reported that:

“Processes and procedures for internal monitoring of service performance are in place, and appear to be effective, as evidenced by the relatively small number of recommendations for service improvement in this audit report”.

The small number of recommendations made have been acted on as necessary.

Food Standards

5.1.5 We aim to continually improve the level of service provided. Procedures are implemented and reviewed where necessary to incorporate identified improvements.

6. Review

6.1 Review Against the Service Plan.

Food Safety

6.1.1 In addition to the quality checks detailed in 5.1, performance is reviewed against the Service Plan by comparing the number of interventions achieved against the number programmed. Monthly statistical reports are produced so that performance can be closely monitored and managed through the year. Any problems are promptly identified and resolved through management reviews, team meetings and monthly one to one's between field staff and their line manager.

- 6.1.2 Official Feed and Food Controls Service Plans are produced and reviewed on an annual basis by management review, consideration by the Environment and Community Safety Overview and Scrutiny Committee and Full Council.
- 6.1.3 In the year 2009/2010 99.7% of the due food safety interventions were accounted for. This included interventions carried out and businesses that ceased trading before they could receive their planned intervention. Three hundred and ninety eight interventions were undertaken of new businesses or premises that had changed ownership.
- 6.1.4 At March 2010 87.75% of the food businesses in the city were deemed to be 'broadly compliant', or better, with food hygiene legislation. Using the outcome measure detailed in 3.1.10 (%of due interventions achieved x 0.3 + %broadly compliant premises x 0.7) gives an outcome of $99.7\% \times 0.3 + 87.75\% \times 0.7 = 91.34\%$.
- 6.1.5 The 2010/2011 Service Plan predicted that a total of 1262 food safety interventions would take place in this year. To the end of December 2010, 344 inspections of new businesses were undertaken and the service is on target to achieve the goal of carrying out interventions in at least 98% of the businesses due.
- 6.1.6 From April 2010 to the end of December 2010 the Food Safety Team served one Hygiene Emergency Prohibition Notice, 26 Hygiene Improvement Notices, accepted one voluntary closure of an establishment and undertook three successful prosecutions and one simple caution. The prosecutions attracted total fines of £6,765 and costs of £5871. One owner was prohibited from managing a food business.
- 6.1.7 Charts in Section 3 give a detailed break down of service activity from April 2006 to March 2010 and an estimation of the activity for the remainder of the current and coming year.

Food Standards

- 6.1.8 Service reviews are carried out on a monthly basis to check that our inspection programme is on target and to ensure that projects are being completed in the agreed timescale.
- 6.1.9 The Service Reviews indicate that we are on target to achieve our interventions programme.
- 6.1.10 During staff one-to ones each officer's performance is monitored, to identify good performance and any areas of improvement.

Complaints are responded to within the stated timescales.

6.2 Identification of Any Variation from the Service Plan

Food Safety

6.2.1 Reviewing the Service Plan for 2010/11 against current prediction for the year shows three probable areas of variation.

- Last year's Service Plan estimated that 350 applications to register a new food business or change of ownership would be received during the year. This was based on the number of applications received in the previous five years. As at December 2011 345 inspections of newly registered businesses had already taken place with another 90 registered and awaiting inspection. The original estimate has been increased to 470. The increase appears to be a result of a greater number of business turnovers and more people setting up businesses from their home
- At the start of the year it was estimated that there would be approximately 100 national food alerts. Extrapolating the number received between April and December 2010 it is now predicted that there will be 55 food alerts.
- At the beginning of the year it was estimated that 240 food handlers would undergo formal training organised by the service. This estimate has now been revised down to 210. It is felt that the rising popularity of on-line food safety training is the reason for the reduction.

Food Standards

6.2.2 There was no significant variation from the plan except that the project regarding feeding stuffs was not completed as we had no suitable premises in the city.

6.3 Areas of Improvement

Food Safety

6.3.1 Current possible areas of improvement for the future are:

- Continue the local Curry Chef and Oriental Chef of the year competition to build on the good working relations with ethnic food businesses and enhance the standing of small local businesses with the public;
- Lord Young's report 'Common Sense Common Safety' published in October 2010 acknowledged the benefits of a national Food Hygiene Rating Scheme (FHRS) for both consumers and food businesses. It recommended that all councils adopt the FHRS devised by the Food Standards Agency, which is due for review in April 2012. For the moment, Brighton & Hove City Council plans to continue with the 'Scores on the Doors' scheme which has proved widely successful

with clear advantages for consumers and local businesses. If the national FHRS proves equally successful, then the new scheme may be adopted locally.

Food Standards

6.3.2 Advancements have been made in the delivery of food law enforcement. There are many examples of joined up working and cooperation where coordinated sampling programmes and officer training feature highly. However there are still areas for improvement. They are as follows:

- Improved use of the Environmental Health newsletter to provide businesses with information.
- Increasing the number of voluntary contacts by businesses
- Developing the access to on line business advice.
- Better publicity for the healthy eating education message.
- Developing links with the schools
- Increasing and maintaining the competency and professional development of food officers.
- Establishing consumer concerns and reflect this in local activity.

**EXTRACT FROM THE DRAFT PROCEEDINGS OF THE ENVIRONMENT CABINET
MEMBER MEETING HELD ON THE 10 MARCH 2011**

BRIGHTON & HOVE CITY COUNCIL

COUNCIL CHAMBER, HOVE TOWN HALL

DRAFT MINUTES

Present: Councillor G Theobald (Cabinet Member)

Also in attendance: Councillor Mitchell (Opposition Spokesperson, Labour)

Other Members present: Councillors Brown, Fallon-Khan and McCaffery

PART ONE

112. HEALTH AND SAFETY ANNUAL SERVICE PLAN 2011/12

- 112.1 The Cabinet Member considered a report of the Strategic Director, Place concerning the Health & Safety Annual Service Plan required under the Health & Safety at Work Act.
- 112.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That the Health & Safety Annual Service Plan 2011/2012 be endorsed and recommended to Council for approval.

Council

24 March 2011

Agenda Item 92

Brighton & Hove City Council

Subject: Health & Safety Annual Service Plan 2011/12
Date of Meeting: 10 March 2011 Environment Cabinet Member Meeting
24 March 2011 Council
Report of: Strategic Director, Place
Contact Officer: Name: Roy Pickard Tel: 29-2145
E-mail: roy.pickard@brighton-hove.gov.uk
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Health & Safety Annual Service Plan required under the Health & Safety at Work Act etc 1974 Section 18 standard is part of the Council's Policy Framework on which the Environment Cabinet Member and stakeholders are normally consulted before final proposals are formulated.
- 1.2 This work is very important to a city like Brighton & Hove with its leisure and tourist industry, its night time economy and its retail businesses. It keeps the city's workers, residents and visitors safe and healthy and enhances the city's reputation as an attractive place to work, live and visit.
- 1.3 Businesses' satisfaction rates for the Health and Safety service remain high with 98.3% of business feeling that they had been treated fairly and 98.7% of businesses felt the contact was helpful.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member endorses the Health & Safety Annual Service Plan 2011/2012 and recommends Council to approve it.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Health & Safety Annual Service Plan is a statutory document required under guidance issued by the Health and Safety Executive (HSE), Section 18 Standard. The Annual Service Plan for this year reviews 2010-11 and details the aims and objectives for the enforcement of health & safety as a function of the Health & Safety Team.
- 3.2 To ensure local transparency and accountability, it is a requirement that the Health & Safety Service Plan is submitted to the relevant member forum for

approval. It also requires members to make a commitment to the Health & Safety Executive strategy 'be part of the solution'

- 3.3 Section 18 of the Health and Safety at Work etc Act 1974 (HSWA) puts a duty on Local Authorities (LAs) to make adequate arrangements for enforcement.
- 3.4 The primary purpose of the HSWA is to control risks from work activities. The role of the Local Authority is to ensure that duty holders manage and control these risks and thus prevent harm to employees and to the public. Part of this role involves providing support and advice. The attached plan (Appendix 1) sets out the adequate arrangements for enforcement.
- 3.5 In accordance with the Standard and guidance contained in HELA Local Authority Circular 67(2) the Health & Safety Service should provide a range of risk-based interventions. This would include routine inspection of high risk businesses, planned enforcement initiatives, investigation of accidents, investigation of complaints, advice, training and advisory activity, visits to new premises, revisits to check compliance, enforcement, Safety and Health Awareness Days etc;
- 3.6 In addition, local priorities have been identified and these include working with BME takeaways on workplace violence, helping hotels to improve safety, reducing night club workers exposure to harmful levels of noise and events are run safely.

4. CONSULTATION

- 4.1 A Senior Lawyer and Accountant have been consulted regarding the legal and financial implications. The service plan will be part of a rigorous consultation process in March 2011 involving members of the public, employers, employees, internal and external stakeholders such as Trade Unions, Corporate Health & Safety and local business forum. It must be a published document and is also available on the Council's website.
- 4.2 This report has already been through the city Councils scrutiny process and the health and safety service plan has been welcomed

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 5.1 The annual Health and Safety Service Plan sets out the approach that the Council will use to fulfil its statutory duties. The 2011/12 net budget for the Health and Safety Service within Environmental Health will be determined by Cabinet on 17th February 2011. The net budget for the current year is £165,360.

Finance Officer consulted: Karen Brookshaw

Date: 23/12/10

Legal Implications

- 5.2 Local Authorities have a statutory duty under Section 18 of the Health and Safety at Work Act 1974 to ensure adequate provision for health and safety regulation in their area. The S18 Standard and Statutory Guidance set out the requirements the Local Authority is obliged to comply with in making 'adequate arrangements for enforcement'- full compliance is required by 31st March 2011. The attached plan complies with the Council's obligations under the Standard and relevant Guidance.
- 5.3 The Council's Constitution requires the adoption of the Health & Safety Annual Service Plan to be reserved to full Council.

Lawyer consulted:

Elizabeth Culbert

Date: 11/01/11

Equalities Implications:

- 5.5 An Equalities Impact Assessment has been completed as part of our contact with groups during discussions in 2010. It has identified that additional work with BME takeaways is required.

Sustainability Implications:

- 5.6 Unacceptable risk, fatalities and major injuries would reduce development of the city, tourism and benefits to local people, in addition to private and family lives.

Crime & Disorder Implications:

- 5.7 Reduction in crime and disorder as part of the work place violence projects and retail robbery work.

Risk and Opportunity Management Implications:

- 5.8 A sensible approach to health & safety protects the Council's reputation as a responsible authority. Leading and promoting health & safety avoids tragedy and consequent adverse impacts.

Corporate / Citywide Implications:

- 5.9 A safe and healthy workforce benefits the local economy and develops the city's tourism

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 None. The Service Plan is a statutory requirement.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Compliance with statutory duties.

SUPPORTING DOCUMENTATION

Appendices:

1. Health & Safety Annual Service Plan 2011/2012

Documents In Members' Rooms

None

Background Documents

None

Brighton & Hove City Council – Service Plan - Health and Safety at Work – 2011/12

Overall **Aim** of the Service:

“To enforce the law fairly with better use of public money, protecting the environment while growing the economy.”

“To work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly.”

Our key delivery **priorities** are:

- To manage the risk in high risk, poor performing and/or rogue trader businesses reducing the flows on incapacity benefits from employment
- Investigating major injury incidents and fatalities.
- Responding to enquiries
- Promoting sensible risk management
- Work with business to achieve compliance with the law without increasing financial burdens

Local Priorities:

- Work place violence BME Takeaways – working with the community and partners.
- Reducing harmful noise exposure to night club workers.
- Safety in Hotels
- CDM – Planning applications
- Outdoor Events
- Sunbeds
- Asbestos duty to manage
- Officer competency training development RDNA
- Section 18 Compliance

Regional Priorities:

- Liquid Petroleum Gas (LPG) – bulk storage tanks
- Asbestos Duty to Manage (DTM)
- Construction (LACE)
- Twin Peaks (including Motor Vehicle Repair - MVR)
- Beauty Industry – sunbeds
- Retail Violence

Key National Indicators:

- NI 15 – Serious Violent Crime Rate
- NI 20 – Assaults with injury crime rate
- NI 21 – Dealing with local concerns about antisocial behaviour and crime by local council and police
- NI 28 – Serious knife crime rate
- NI 29 – Gun crime rate
- NI 120 – All-age all cause mortality rate
- NI 122 – Mortality from all cancers at ages under 75
- NI 137 – Healthy life expectancy at age 65
- NI 173 – People falling out of work and on to incapacity benefits
- NI 182 – Satisfaction of businesses with local authority regulatory services
- NI 183 – Impact of local authority regulatory services on the fair trading environment

National Priorities for local Authorities

- LPG inspection campaign
- Olympics
- Safe maintenance in the manufacturing sector (including ladder exchange)
- Asbestos - Duty to Manage
- Beauty Sector (including Sun beds)
- Work-related violence in retail and hospitality sector
- Open/Petting farms
- Vulnerable and migrant workers
- Safe interventions at balers and compactors

Our Achievements: 2010/11 – ‘Selling our story’ –Review of the 2010/11 Service plan

The team's achievements in 2010/11 were:

- Reviewed 250 high risk premises and carried out 150 planned and non-planned inspections.

- Visits to approximately 100 BME takeaways to raise awareness of work place violence and research its cause and effects.
- Inspection of 100 faith buildings across the city focusing on working from height.
- Responded to 675 service requests.
- Reviewed 300 accident notifications and investigated as necessary.
- Scrutinised 100 new and varied licence applications & planning applications.
- Participated in the Sussex Liaison Health & Safety Group CASE 2 project that included survey all 27 industrial estates and inspecting those that were high risk.
- Ensured that the City's outdoor events ran safely and included advice and assistance given to Pride, Marathon, Burning of the Clocks, Chinese State Circus and the Brighton Festival, Brighton carnival and the children's parade.
- Participating in the Sussex flexible warranting scheme and Major Incident Team.
- 12 messages of the month sent to over 200 businesses on mailing list
- Established a sub-group for Healthy Workplaces as part of the wider Healthy City Partnership
- Promoted the work of the Healthy Workplace sub-group through Federation of Small Businesses and Chamber of Commerce networks
- National Recognition for our work with Local Businesses to promote health & well-being in the workplace
- Visited by Anne Milton the Minister for Public Health to see and discuss the work that is being carried out
- Contacted 100 businesses to promote the Free Health Check service for employers and employees.
- 33 Businesses have received Health Checks for their workforce
- Over 500 Health Checks conducted in workplaces
- Provided 3 Managers Managing Stress courses (30 participants).
- Promoted the Brighton & Hove Business Awards (BAHBAs) to over 150 business contacts
- Enabled 75 businesses to take part in Beach Volleyball Tournaments (225 staff)

Ensuring Quality

To ensure that the service we offer to residents and businesses is of high quality we will ensure that:

- All officers carrying out enforcement work are appropriately authorized, according to their ability, qualifications, expertise and experience.

- That officer's competence is continually assessed and that we support officers to develop their skills and widen their experience.
- That we will ask for feedback from business and residents on the quality of the service we provide and strive to continually improve
- That our work is audited externally by the British Standards Institute to ensure compliance with ISO9000 Quality Assurance.
- We will continue to participate in local peer reviews with neighbouring local authorities to ensure consistency and best practice.
- To continually update our data base to provide accurate details of business to help us communicate targeted health & safety messages effectively.

Work plan and resources

Staff resources – 4.5 FTE Health & Safety Team – 3.25 FTE Occupational Health Team

Item	Resources	Timescales	How	Outcome
BME Takeaways – Work place violence				
To complete visits to 100 BME takeaways, working with the racial harassment forum, the partnership community safety team, and police to raise awareness of work related violence and ensure compliance with other related H&S requirements.	0.5 FTE	Throughout 20011/12	Visits to 100 premises (takeaways) 121 support given to draft risk assessments and to identify controls to combat violence at work, stress at work, Slips trips and falls, gas/electrical safety, working with the police, business crime reduction partnership, partnership community safety team, racial harassment forum	National Indicator NI 15 – Serious Violent Crime Rate NI 20 – Assaults with injury crime rate NI 21 – Dealing with local concerns about antisocial behaviour and crime by local council and police NI 173 – People falling out of work and on to incapacity benefits Performance indicator Number of completed visits % increase in confidence in management %increase in those premises that are H&S compliant. Outcome Increased standards of

				employee and public health and safety in take-away premises. Increased awareness of specific and general H&S issues pertinent to night time economy businesses.
Reducing Night Club Workers Exposure to harmful levels of noise				
To raise awareness of the noise regulations which cover noise in the entertainment industry.	0.3 FTE	Throughout 2011/12	Visits to approximately 50 night clubs in Brighton to raise awareness of noise in the entertainment industry, help businesses risk assess level of exposure to staff and advice on control to reduce exposure levels.	National indicator NI 173 – People falling out of work and on to incapacity benefits NI 182 – Satisfaction of businesses with local authority regulatory services NI 183 – Impact of local authority regulatory services on the fair trading environment Performance indicator No of visits to nightclubs % increase in risk assessments Outcome Increased compliance with noise at work requirements
Safety in Hotels				
Safety outreach to 500 hotel and guesthouses in the city.	0.1 FTE		Updating the council's website to provide up to	National indicator NI 120 – All-age all cause

			date health & safety information to hotels and guest houses across the city. Letter drop to 500 hotels drawing attention to this new resource for businesses.	<p>mortality rate NI 173 – People falling out of work and on to incapacity benefits</p> <p>Performance indicator Numbers of letters sent Reduction in complaints about hotels.</p> <p>Outcomes: Increase of numbers of premises H&S compliant</p>
Licensed Premises – Work Related Violence				
To follow up information from Joint intelligence meetings of violence in licensed premises and carry out visits to ensure compliance with H&S requirements.	0.1 FTE	Throughout 2011/12	Visits to 50 businesses. Advice given in respect of work related violence and ensure compliance with H&S requirements.	<p>National Indicator NI 15 – Serious Violent Crime Rate NI 20 – Assaults with injury crime rate NI 21 – Dealing with local concerns about antisocial behaviour and crime by local council and police NI 28 – Serious knife crime rate NI 29 – Gun crime rate NI 120 – All-age all cause mortality rate NI 173 – People falling out of</p>

				<p>work and on to incapacity benefits</p> <p>Performance indicator</p> <p>Number of premises inspected</p> <p>% increase in confidence in management</p> <p>% reduction in reported incidents in those premises</p> <p>Outcomes:</p> <p>Reduction in corresponding associated violence to workers</p>
Supporting Small & Medium Sized Enterprises				
Send monthly health & safety messages promoting sensible risk management.	0.1 FTE	Throughout 2011/12	Collect email addresses from visits & self assessment risk rating questionnaires. Use BHCC email system to deliver messages.	<p>National Indicator</p> <p>NI 173 – People falling out of work and on to incapacity benefits</p> <p>NI 182 – Satisfaction of businesses with local authority regulatory services</p> <p>NI 183 – Impact of local authority regulatory services on the fair trading environment</p> <p>Performance indicator</p> <p>Number of messages sent</p> <p>Outcome</p> <p>Increased standards of employee and public health and safety business contacted.</p> <p>Sensible risk management</p>

				promoted
Sunbed Safety				
To raise awareness of new legislation relating to the safety of sunbeds.	0.1FTE		Participate in the Sussex regional project. visits and letter drops to sunbed premises	National Indicator NI 173 – People falling out of work and on to incapacity benefits NI 120 – All-age all cause mortality rate Performance Indicator Number of premises inspected % increase in confidence in management %Increase in H&S compliance Outcome Reduction of skins cancers in young people.
Community Events			.	
Support the following community events <ul style="list-style-type: none"> • Ladyboys of Bangkok • Childrens Parade • Brighton carnival • Brighton Festival Performance • Chinese State Circus • Hanover day • Pride • Zippo Circus • Burning of the clocks 	0.2FTE	Througho ut 2011/12	Attend meetings, give advice, review event management plans and risk assessments. Attend events where necessary to enforce and give advice. Monitor and enforce occupational noise exposure limits.	National indicator NI 120 – All-age all cause mortality rate NI 173 – People falling out of work and on to incapacity benefits Performance indicator Number of Event Management Plans Reviewed Outcome Increased safety at public community events.

<ul style="list-style-type: none"> • Brighton Marathon • Shakedown • Waterhall festival • Brighton Bebop festival • Tattoo Convention • Organised firework displays 				Forming links with communities
Partnership Working				
Participate in the Sussex Liaison Group (SHSLG) pan Sussex health & safety project	0.1 FTE	Throughout the year 2011/12	Represent BHCC at SHSLG Participate in Sussex wide Health & Safety initiative	National indicator NI 120 – All-age all cause mortality rate Performance indicator Number of meetings attended Project completed. Outcome Joined up approach to regional health & safety initiatives.
Peer review of section 18 standard	0.1 FTE	April 2011	To complete action plan and participate in the section 18 Sussex peer review process	National indicator NI 120 – All-age all cause mortality rate Performance indicator Implementation of Peer Review Action Plan. Outcome Raise standards of compliance with 'mandatory practice' S18 guidance.

To review new and varied license applications & planning applications and make representations where appropriate.	0.1 FTE	Througho ut 2011/12	Scrutinise and comment on applications where appropriate. Advice on CDM regulations & workplace regulations. Visits to premises as necessary.	National Indicator NI 120 – All-age all cause mortality rate Performance indicator Numbers of licence & planning applications reviewed. Outcome Proactive development of consistent and high standards of health and safety in proposed new commercial operations and licensed premises.
Programme work				
To carry out appromixetly 150 High risk planned general inspection targeting the highest risk (A, B1 & B2) including Cooling Towers	0.5 FTE	Througho ut 2011/12	To carry out 150 planned general inspections to high risk business due to be inspected in 2011/12. To advise and carry out enforcement as necessary.	National Indicator All specified NIs Performance Indicator Number of inspections undertaken. % increase in confidence in management % increase in H&S compliant businesses Outcome To maintain or where necessary improve standards of employee and public health and safety in local businesses.
To respond to approximately 675	2FTE	Througho	Respond to 95% of	National Indicator

requests for service		ut 2011/12	Service Requests within deadlines.	All specified NIs Performance Indicators. Percentage of Service Requests responded to within departmental deadlines. Outcome Maintain standards of customer service at a high level.
To review all accident notifications and to investigate them all appropriately.	0.2 FTE	Througho ut 2011/12	To review approximately 300 accident notifications and investigate accidents where they meet BHCC criteria for investigation	National Indicator All specified NIs Performance Indicator Number of accidents investigated. Outcome Reduce the level of work place accidents in local businesses
Data base accuracy				
To update the data base using food safety registration details and business rates details. To carry out surveys of all 27 industrial estates & major high streets.	0.1FTE	Througho ut 2011/12	Premises data from food safety registration forms and businesses rates to be placed on the health & safety premises data base. Street surveys to identify new or changed businesses.	National Indicator All specified NIs Performance Indicator Number of business placed on data base Outcome Better targeting of resources to the highest risk premises.
Healthy Work Places				
The Healthy City Partnership sub-group for Healthy Workplaces has developed action plans aimed to		Througho ut 2011/12	Establish a working sub-group and agree Terms of Reference	National indicator for all projects NI 120 – All-age all cause mortality rate.

support and encourage businesses to address the health & well-being of their workforce. The main issues health promotion areas covered are; Coronary Heart Disease (Obesity & Physical Activity), Cancers (Smoking), Mental Health (Stress).			Promote the work of the partnership to businesses Develop action plans for following 12 months	NI 122 – Mortality from all cancers at ages under 75 NI 173 – People falling out of work and on to incapacity benefits.
FREE NHS Health Checks in the workplace Helping to prevent heart disease, stroke, diabetes and kidney disease			Health Checks in the workplace for employees aged between 40 – 74 years. Make direct referrals to support services Provide behaviour change advice and support	
Managers Managing Stress Training			3 x training days provided for employers and managers	
Sponsor the Brighton and Hove Business Awards – Healthiest Business Award			Promote to all businesses and take part in the judging process	
Battle of the Businesses Sussex Sports			Provide a series of six	

Tournament (led by Active Sussex)			different sporting events over 12 months, open to all businesses across Sussex. Events include: Netball, Basketball, cricket, football Golf and Volleyball. This will continue in 2011.	
Sailing (training courses)			Delivered two five week sailing courses for Council employees. 24 people in total took part.	
Beach Volleyball Business Tournaments			Six Beach Volleyball Tournaments each involved 15 businesses, resulting in 75 businesses and 225 individuals taking part. This will also continue in 2011	

Council

24 March 2011

Agenda Item 93

Brighton & Hove City Council

Subject: Annual Investment Strategy 2011/12
Date of Meeting: 17 March 2011 Cabinet
24 March 2011 Council
Report of: Director of Finance
Contact Officer: Name: Peter Sargent Tel: 29-1241
E-mail: peter.sargent@brighton-hove.gov.uk
Key Decision: Yes Forward Plan No: CAB21059
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Local Government Act 2003 introduced a prudential capital finance system whereby levels of borrowing and investments are decided locally by each council.
- 1.2 Guidance issued under the Act requires a local authority to approve an annual investment strategy which gives priority to security and liquidity and requires the council to set out:
- its policy on determining the credit-worthiness of its investment counterparties and the frequency at which such determinations are monitored;
 - its policy on holding investment instruments other than deposits held in financial institutions or government bodies;
 - its policy on determining the maximum periods for which funds may be invested;
 - its policy on the minimum level of investments to be held at any one time.
- 1.3 The purpose of this report is to seek Cabinet approval to the Annual Investment Strategy 2011/12 and to recommend the Strategy to full Council for adoption at its meeting on 24 March 2011.

2. RECOMMENDATIONS:

- 2.1 That **Cabinet** agrees the Annual Investment Strategy 2011/12 as set in Appendix 1 to this report; and recommends Council to approve the Strategy at the meeting on 24 March 2011.
- 2.2 That Council approve the Annual Investment Strategy 2011/12 as set out in Appendix 1 to this report.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Strategy 2011/12

- 3.1 The Annual Investment Strategy (AIS) for 2011/12 is set out in Appendix 1 to this report and covers investments made by the in-house treasury team and the council's external cash manager. The council uses a cash manager to take advantage of investment opportunities in specialist markets not covered by the in-house team, such as government stock. The AIS gives priority to security and liquidity.
- 3.2 Security is achieved by;
- selecting only those institutions that meet stringent credit rating criteria or, in the case of non-rated UK building societies, have a substantial asset base, and
 - having limits on the amount invested with any one institution.
- 3.3 The council uses independent credit rating agencies to assess the creditworthiness of investment counterparties. The AIS 2011/12 continues with the policy of assessing creditworthiness by applying the lowest rating issued by the three main rating agencies – Fitch, Moody's and Standard & Poor's. In the majority of cases the ratings issued by the three agencies are aligned but this is not always the case.
- 3.4 Rating criteria is only one factor taken into account in determining investment counterparties. Other factors, such as articles in the financial press, will continue to be monitored and action will be taken where it is felt the risk attached to a particular counterparty has or is likely to worsen. Action will include the suspension of a counterparty in appropriate circumstances.
- 3.5 Liquidity is achieved by limiting the maximum period for investment.

Revision to Strategy in 2011/12

- 3.6 The AIS 2011/12 includes one major change. The AIS 2010/11 recommended a reduction in the period of investment, from 12 months to 6 months, for institutions with a short-term rating of "F1" (or equivalent). This change was recommended to reflect the increase in risk in these institutions at that time. This risk has lessened over the past 12 months as a result of improvement in the financial markets. The AIS 2011/12 therefore recommends a return to the 12 month maximum with effect from April 2011 for "F1" rated institutions.

New investment counterparties in 2011/12

- 3.7 A new investment fund is due to be launched in the Spring 2011 by CCLA Investment Management Limited, a leading manager of UK charity investments.
- 3.8 The fund, which is subject to final regulatory approval, will be known as the "Public Sector Deposit Fund" and will be available to public sector organisations. The investment philosophy for the fund will be security, liquidity and yield in that priority order. It will offer investment opportunities that the council would be comfortable to consider had it the sufficient scale of resources to do so.

- 3.9 The AIS 2011/12 recommends that the Fund is added to the list of approved institutions provided the fund receives approval from the Financial Services Authority and is allocated a rating equivalent to triple A (“AAA”) by the independent rating authorities.

4. CONSULTATION

- 4.1 The council’s external treasury advisor has been consulted.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The financial implications arising from the recommendations in this report are included in the Financing Costs budget.

Finance Officer consulted: Peter Sargent Date: 16/02/11

Legal Implications:

- 5.2 The council must have regard to the guidance issued by the Secretary of State in determining its policies for investment. The Director of Finance is satisfied that the recommendations in this report are consistent with the guidance issued.

- 5.3 There are no direct human rights implications arising from this report.

Lawyer consulted: Abraham Ghebre-Ghiorghis Date: 16/02/11

Equalities Implications:

- 5.4 None directly arising from this report.

Sustainability Implications:

- 5.5 The council’s ethical investment statement requests that institutions apply council deposits in a socially responsible manner.

Crime & Disorder Implications:

- 5.6 None directly arising from this report

Risk & Opportunity Management Implications:

- 5.7 The investment guidance issued under the 2003 Act requires the council to assess credit worthiness by reference to an independent rating agency. The AIS 2011/12 will use the ratings assigned by Fitch, Moody’s and Standard & Poor’s.

- 5.8 The ratings provide an opinion on the relative ability of an institution to meet financial commitments, such as interest, preferred dividends, repayment of principal, insurance claims or counterparty obligations. The council uses credit ratings as an indication of the likelihood of receiving its’ money back in

accordance with the terms of the investment. Other sources of information are used to supplement that provided by the rating agencies.

- 5.9 The minimum ratings set out in the AIS have the following meaning:

	<u>Generic criteria</u>	<u>Fitch</u>	<u>Moody's</u>	<u>Standard & Poor's</u>
<u>For investment up to 1 year</u>				
Short-term	Strong capacity for timely payment of financial commitments Where the credit risk is particularly strong, a "+" is added to the assigned rating	F1	P-1	A-1
<u>For investment in excess of 1 year</u>				
Long-term	Very strong capacity for payment of financial commitments. This capacity is not significantly vulnerable to foreseeable events.	AA-	Aa3	AA-

- 5.10 Investment risk is managed by selecting only institutions that meet the council's stringent credit rating criteria. Liquidity risk is managed by applying maximum investment periods to institutions.

Corporate / Citywide Implications:

- 5.11 Investment income is a resource used by the council to fund revenue expenditure. The recommendations in this report will help to minimise capital risk whilst optimising investment returns over both the short and longer term.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 This report sets out the council's annual investment strategy for the year commencing 1 April 2011. The AIS continues with the strong emphasis on risk management and liquidity, two cornerstones to the draft guidance issued by the Secretary of State and the impact these have on investment performance.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Guidance issued under the Local Government Act 2003 requires the council to approve an annual investment strategy. This report fulfils that requirement.

SUPPORTING DOCUMENTATION

Appendix:

1. Annual Investment Strategy 2011/12

Documents in Members' Rooms

None

Background Documents

1. Guidance issued by the secretary of State under Section 15(1)(a) of the Local Government Act 2003 effective from 1st April 2010
2. The Prudential Code for Capital Finance in Local Authorities published by CIPFA – fully revised second edition 2009

BRIGHTON & HOVE CITY
COUNCIL

ANNUAL INVESTMENT
STRATEGY
2011/2012

The Annual Investment Strategy 2011/2012 is subject to approval by Cabinet on 17 March 2011 and full Council on 24 March 2011

Brighton & Hove City Council
Annual Investment Strategy 2011/2012

This Strategy complies with guidance issued by the Secretary of State on investments.

The following sets out the council's policy on investment criteria and counterparties. It should be noted that the minimum criteria set out in this document is only one factor taken into account for the investment of council funds. Other factors, such as Government guarantees and support and information available from the financial press and similar publications will also be taken into account when determining investment decisions. Counterparties that satisfy the minimum criteria are not automatically included on the council's approved investment list.

1 Criteria to be used for creating / managing approved counterparty lists / limits

Each counterparty included on the council's approved lending list must meet the criteria set out below. Without the prior approval of the council, no investment will be made in an instrument that falls outside the list below.

1.1 Capital security

Table 1 sets out the minimum capital security requirements for an investment to be made.

<u>Table 1 – Minimum capital security requirements</u>	
Banks/building societies with a credit rating	the institution must have a minimum short term rating of highest credit quality
Building societies that do not satisfy the minimum rating criteria above	the society must have an asset base in excess of £5 billion
Money market funds / CCLA Public Sector Deposit Fund	the rating of the fund meets the minimum requirement of triple A ('AAA' / Aaa)
Debt Management Account Deposit Facility	the deposit is made in accordance with the rules and regulations relating to such investment as issued by the Debt Management Office from time to time

1.2 Maximum permitted investment by sector

Table 2 sets out the maximum permitted investment for each sector.

<u>Table 2 – Maximum permitted investment by sector</u>	
<u>Sector</u>	<u>%age of total investment portfolio at the time the investment made</u>
Banking sector	100%
Building society sector	75%
Local authority sector	100%
Money market funds / CCLA	100%

Public Sector Deposit Fund	
Debt Management Account Deposit Facility	50%
Maximum amount invested for more than 1 year	25% (excl funds administered by external cash manager)

1.3 **Maximum permitted investment by counterparty**

1.3.1 **General**

With the exception of money market funds, CCLA Public Sector Deposit Fund and the Debt Management Account Deposit Facility no one counterparty may have more than 75% of the relevant sector total at the time the investment is made.

1.3.2 **Rated counterparties**

Table 3 sets out the exposure limits and maximum periods for deposits based on various credit ratings.

<u>Table 3 – Exposure limits and maximum periods per counterparty (with rating)</u>				
	<u>A rating of at least (lowest of Fitch (F) / Moody's (M) / Standard & Poor's (SP))</u>			
Short-term rating	F = F1+ M = P-1 SP = A-1+	F = F1+ M = P-1 SP = A-1+	F = F1+ M = P-1 SP = A-1+	F = F1 M = P-1 SP = A-1
Long-term rating	F = AA+ M = Aa1 SP = AA+	F = AA- M = Aa3 SP = AA-	F = A M = A2 SP = A	F = A M = A2 SP = A
Exposure Limit	£10m	£10m	£10m	£5m
Maximum period – fixed deposits	3 years	2 years	1 year	1 year
Maximum period – negotiable instruments	5 years	5 years	1 year	1 year

In addition investment in money market funds and open ended investment companies with a rating of 'triple A' (i.e. AAA / Aaa) is permitted up to a value of £10 million per fund.

The only exception to Table 3 is investment in the council's banker, the Co-operative Bank plc. The maximum period and exposure limit for investment in this bank will be one month and £10 million respectively.

Where there is a significant or sudden deterioration in one or more of the other ratings (e.g. financial strength, support) allocated to a counterparty, the Director of Finance will undertake a review and, where necessary, suspend the counterparty from the council's approved lending list.

1.3.3 **Non-rated counterparties**

Table 4 sets out the exposure limits and maximum periods for deposits for counterparties that are not rated.

<u>Table 4 – Exposure limits and maximum periods per counterparty / fund</u> <u>(with no rating)</u>		
<u>Counterparty</u>	<u>Exposure Limit</u>	<u>Maximum period</u>
Local authority	£5 million	1 year
Non-rated building society with an asset base in excess of £5bn	£5 million	6 months
Debt Management Account Deposit Facility	£10 million	6 months

1.3.4 Cash manager

For the purposes of investments made by the council's external cash manager, the criteria in Table 5 will apply:

<u>Table 5 – Exposure limits and maximum periods per counterparty</u> <u>(Cash manager)</u>		
<u>Instrument</u>	<u>Exposure Limit</u>	<u>Maximum period</u>
Government stock	100% of Fund	10 years
Supra-national with minimum long-term rating of 'AA-' / Aa3 / AA-	100% of Fund	10 years
Regulation collective investment schemes	100% of Fund	n/a
Fixed term investments – minimum short-term rating of 'F1 / P-1 / A-1'	10% of Fund or £2.5m whichever is the greater	1 year
Fixed term investments – minimum long-term rating of 'AA- / Aa3 / AA-'	10% of Fund or £2.5m whichever is the greater	5 years

In addition to Table 5 the maximum average duration of the fund managed by the cash manager shall not exceed 4 years. All instruments used by the cash manager with a maturity of 3 months or more shall be negotiable.

1.4 Investment classification (regulatory)

The investment guidance issued by the Secretary of State requires the council to identify investments as either 'specified' or 'non-specified'. Table 6 sets out the requirements for each type.

<u>Table 6 – Investment classification</u>		
<u>Requirement</u>	<u>Specified</u>	<u>Non-specified</u>
Currency	Must be in Sterling	Any currency

Item 93 Appendix 1

Maturity period	Up to 12 months	Over 12 months
Credit worth	Counterparty with high credit rating or UK government or local authority	Other

All investments made by the council are denominated in Sterling and are made only in counterparties as set out in paragraph 1.3 above.

The maximum amount invested in non-specified investments will be 50% of the total value of investments. The use of non-specified investments is limited to:

- (a) investment in non-rated building societies with an asset base in excess of £5bn, or
- (b) investment for longer than 12 months in counterparties that meet the minimum long-term rating detailed in Tables 3 and 5 above.

2 Approved methodology for changing limits and adding / removing counterparties

A counterparty shall be removed from the council's list where a change in their credit rating results in a failure to meet the criteria set out above.

A new counterparty may only be added to the list with the written prior approval of the Director of Finance and only where the counterparty meets the minimum criteria set out above.

A counterparty's exposure limit will be reviewed (and changed where necessary) following notification of a change in that counterparty's credit rating or a view expressed by the credit rating agency warrants a change.

A counterparty's exposure limit will also be reviewed where information contained in the financial press or other similar publications indicates a possible worsening in credit worth of a counterparty. The review may lead to the suspension of a counterparty where it is considered appropriate to do so by the Director of Finance.

3 Full individual listings of counterparties and counterparty limits

For 2011/12 investment by the in-house treasury team will be restricted to UK banks and buildings societies only.

A full list of counterparties in which the council will invest surplus funds, together with limits and maximum investment periods is contained in Schedule 1 to this AIS.

There is no pre-determined list for investments made by the cash manager but all counterparties must meet the minimum criteria as set out in Table 5 above.

4 Details of credit rating agencies' services

Credit ratings will be based on those issued periodically by the Fitch Ratings Group, Moody's and Standard & Poor's.

5 Permitted types of investment instrument

All investments must be denominated in Sterling.

The in-house treasury team may invest in fixed term and variable term cash deposits, money market funds and open ended investment companies. The in-house treasury team may only invest in negotiable instruments where to do so offers additional value in terms of investment return and appropriate and supporting advice has been sought from the council's external treasury advisors on the suitability of such an investment.

The cash manager may invest in government stock, supranational institutions, regulation collective investment funds and fixed term instruments. All investments with a maturity of 3 months or more shall be negotiable.

6 Investment risk

6.1 Assessment of credit risk

Whilst the AIS relies primarily on the application of credit ratings to provide a pool of appropriate counterparties for the in-house treasury team to use, additional operational market information will be applied before making any specific investment decision from the agreed pool of counterparties. This additional market information (for example Credit Default Swaps, negative rating watches/outlooks) will be applied to compare the relative security of differing investment counterparties.

6.2 Investment risk matrix

The benchmark risk factor for 2011/12 is recommended at 0.05%, the same as 2010/11. This benchmark is a simple target (not limit) to measure investment risk and so may be breached from time to time, depending on movements in interest rates and counterparty criteria. The purpose of the benchmark is that the in-house treasury team will monitor the current and trend position and amend the operational strategy depending on any changes. Any breach of the benchmarks will be reported with supporting reasons in the mid year or end of year review.

6.3 Investment advisors

The council appoints treasury advisors through a regular competitive tendering process. One of the services provided by Sector is the provision of updated credit ratings and "watches" issued by the three rating agencies. In addition Sector are proactive in providing additional market information as set out in paragraph 6.1 above.

6.4 Investment training

The council's advisors have a wide ranging programme of training giving council officers access to seminars and printed material. The council's in-house treasury team is experienced in dealing with investments but where necessary further training and updates will be provided. Cabinet has previously endorsed the need for Members who are involved in the treasury management decision-making process to receive training. A programme of events will be set for 2011/12.

6.5 Investment of money borrowed in advance

The Council has the flexibility to borrow funds in advance of need (i.e. to fund future debt maturities). The Director of Finance may do this where, for instance, a sharp rise in interest rates is expected, and so borrowing early at fixed interest rates will be economically beneficial over the life of the loan or meet budgetary constraints.

Borrowing in advance will be made within the constraints set out in the treasury management strategy. The risks associated with such borrowing activity will be subject to appraisal in advance and subsequent reporting through the mid-year or end of year reviews.

6.6 Investment liquidity

Liquidity is achieved by limiting the maximum period for investment and by investing to dates where cash flow demands are known or forecast.

7 Ethical investment statement

The council has approved the following ethical investment statement that will apply to all cash investments made by, or on behalf of, the council

“Brighton & Hove City Council, in making investments through its treasury management function, fully supports the ethos of socially responsible investments. We will actively seek to communicate this support to those institutions we invest in as well as those we are considering investing in by:

- *encouraging those institutions to adopt and publicise policies on socially responsible investments;*
- *requesting those institutions to apply council deposits in a socially responsible manner.”*

Counterparties shall be advised of the above statement each and every time a deposit is placed with them.

8 Glossary

Long-term – period in excess of 12 months

Negotiable instrument – an investment where the council can receive back the amount invested earlier than originally agreed (subject to conditions)

Non-specified investment – see Table 6 above

Short-term – period up to and including 12 months

Specified investment – see Table 6 above

Supra-national – an organisation that encompasses more than one nation, such as the World Bank

Brighton & Hove City Council
Banks and Other Institutions
Annual Investment Strategy 2011/2012
In-house Treasury Team

<u>Counterparty</u>	<u>Specified/ Non- specified¹</u>	<u>Short-term (*)</u> <u>F = Fitch</u> <u>M = Moody's</u> <u>SP = Standard</u> <u>& Poor's</u>			<u>Long-term (*)</u> <u>F = Fitch</u> <u>M = Moody's</u> <u>SP = Standard &</u> <u>Poor's</u>			<u>Max amount</u>	<u>Max period – fixed deposit s²</u>
<u>UK BANKS</u>		F	M	SP	F	M	SP		
Barclays	Both (**)	F1+	P-1	A-1+	AA-	Aa3	AA-	£10m	2 years
Clydesdale Bank	Specified	F1+	P-1	A-1	AA-	A1	A+	£5m	1 year
Co-operative Bank plc	Non- Specified	F2	P-1		A-	A2		£10m	1 mth
HSBC Bank plc	Both (**)	F1+	P-1	A-1+	AA	Aa2	AA	£10m	2 years
Lloyds TSB Bank	Specified	F1+	P-1	A-1	AA-	Aa3	A+	£5m	1 year
Royal Bank of Scotland	Specified	F1+	P-1	A-1	AA-	Aa3	A+	£5m	1 year
Santander UK plc	Both (**)	F1+	P-1	A-1+	AA-	Aa3	AA	£10m	2 years
<u>UK BUILDING SOCIETIES (+)</u>									
Coventry (3)	Non- Specified	F1	P-2		A	A3		£5m	6 mths
Leeds (5)	Specified	F1	P-1		A	A2		£5m	1 year
Nationwide (1)	Specified	F1+	P-1	A-1	AA-	Aa3	A+	£5m	1 year
Principality (7)	Non- Specified	F2	P-2		BBB+	Baa2		£5m	6 mths
Skipton (4)	Non - Specified	F2	P-2		A-	Baa1		£5m	6 mths
West Bromwich (6)	Non- Specified	F3	P-3		BBB-	Baa3		£5m	6 mths
Yorkshire Society (2)	Non- Specified	F2	P-2	A-2	A-	Baa1	A-	£5m	6 mths
<u>OTHER</u>									
Other Local Authorities	Specified							£5m	1 year
Debt Management Acc	Specified							£10m	6 mths
Deposit Facility									
CCLA Public Sector	Specified							£10m	6 mths
Deposit Fund (++)									

(*) Ratings as advised by Sector January 2011

(**) investments repayable within 12 months are classified as 'Specified', investments for a longer period are classified as 'Non-specified'

(+) UK Building Societies ranking based on Total Asset size – Source: BSA factsheet February 2011

(++) subject to achieving final regulatory approval and minimum rating as set out in the investment strategy

¹ see para 1.4 of main report – distinction is a requirement under the investment regulations

² for negotiable instruments maximum period should read '5 years' instead of '2 years' and '3 years'. All other periods remain the same

Council	Agenda Item 94(a)
24 March 2011	Brighton & Hove City Council

NOTICE OF MOTION

CONSERVATIVE GROUP

INVESTING IN THE CITY'S HOUSING

"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.

Therefore, this Council notes with regret that this strategy and programme of council housing investment – as laid out in the Housing Revenue Account budget for 2011/12 - did not receive unanimous support from the Full Council on 3rd March

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 - highlighting the excellent partnership working taking place in Brighton & Hove."

Proposed by: Cllr Mary Mears

Seconded by: Cllr Maria Caulfield

Supported by: Cllrs Oxley, Young, Alford, Brown, Fallon-Khan, Smith, Simson, Bennett, K. Norman, A. Norman, Peltzer Dunn, Older, Cobb, Pidgeon, C. Theobald, G. Theobald, Hyde, Kemble, Harmer-Strange, Barnett, Janio and Drake.

Council	Agenda Item 94(b)
24 March 2011	Brighton & Hove City Council

NOTICE OF MOTION

CONSERVATIVE GROUP

ENHANCING BRIGHTON & HOVE'S TREES AND WOODLAND

"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.

Therefore, this Council resolves to request that the Cabinet Member for Environment:

1. 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;
2. Investigates the possibility of a developing a stand alone trees and woodlands policy, in consultation with the relevant scrutiny committee."

Proposed by: Cllr Tony Janio

Seconded by: Cllr Ayas Fallon-Khan

Supported by: Cllrs Oxley, Young, Alford, Brown, Mears, Smith, Simson, Bennett, K. Norman, A. Norman, Peltzer Dunn, Older, Cobb, Pidgeon, C. Theobald, G. Theobald, Hyde, Kemble, Harmer-Strange, Barnett, Caulfield and Drake.

Council	Agenda Item 94(c)
24 March 2011	Brighton & Hove City Council

NOTICE OF MOTION

LABOUR GROUP

A FINANCIAL INCLUSION PROGRAMME FOR THE CITY

“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 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;
2. 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;

And

3. Requests the Cabinet Member for Finance 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.”

Proposed by: Cllr Gill Mitchell

Seconded by: Cllr Christine Simpson

Supported by: Cllrs Marsh, Meadows, Allen, McCaffery, Carden, Hamilton, Davis, Morgan, Turton, Lepper and Hawkes.

Council	Agenda Item 94(d)
24 March 2011	Brighton & Hove City Council

NOTICE OF MOTION

LABOUR GROUP

THE IMPACT OF POLICE CUTS IN BRIGHTON & HOVE

“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."

Proposed by: Cllr Warren Morgan

Seconded by: Cllr Bob Carden

Supported by: Cllrs McCaffery, Hawkes, Simpson, Mitchell, Turton, Lepper, Davis, Allen, Hamilton and Marsh.

Council	Agenda Item 94(e)
24 March 2011	Brighton & Hove City Council

NOTICE OF MOTION

GREEN GROUP

EDUCATIONAL REFORMS AND THEIR EFFECT ON THE CITY

“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.”

Proposed by: Cllr Rachel Fryer

Seconded by: Cllr Bill Randall

Supported by: Cllrs Kennedy, Davey, Kitcat, Deane, West, Rufus, Duncan, Wrighton, Phillips, Wakefield-Jarrett and Steedman.

[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 2009/101

(3) Joint Strategic Needs Assessment, Brighton and Hove City Council, 2010

Council	Agenda Item 94(f)
24 March 2011	Brighton & Hove City Council

NOTICE OF MOTION

GREEN GROUP

REDUCING THE EFFECTS OF ALCOHOL ABUSE ON THE CITY

“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.”

Proposed by: Cllr Bill Randall

Seconded by: Cllr Ben Duncan

Supported by: Cllrs Kennedy, Wrighton, Wakefield-Jarrett, Steedman, West, Kitcat, Fryer, Deane, Davey, Rufus and Phillips.

- (1) All figures from Brighton and Hove City Council except
- (2) a Sussex Police Authority figure.