

**BRIGHTON & HOVE CITY COUNCIL**

**ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE**

**4.00PM 5 SEPTEMBER 2011**

**COMMITTEE ROOM 1, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Morgan (Chair); Sykes (Deputy Chair), Cobb, Gilbey, Janio, Jones and Littman

**PART ONE**

**11. PROCEDURAL BUSINESS**

11.1 The Chair Councillor Warren Morgan welcomed everyone to the meeting especially members of the public. Referring to the Requests for scrutiny on the agenda he stressed that it was not the role of the Committee to discuss details here, but to decide whether or not to proceed with any scrutiny action.

**11a Declarations of Substitutes**

There were none.

**11b Declarations of Interests**

There were none

**11c Declaration of Party Whip**

There were none.

**11d Exclusion of Press and Public**

In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

**11.2 RESOLVED:** That the press and public be not excluded from the meeting.

**12. MINUTES OF THE MEETING HELD ON 6 JUNE 2011**

12.1 The minutes of the meeting held on 6 June 2011 were agreed and signed by the Chair.

### **13. CHAIRS COMMUNICATIONS**

13.1 The Chair Councillor Warren Morgan reminded the Committee that an informal workshop on the citywide parking review was being arranged for 1.30pm on 22 September.

13.2 He asked if Members wished to accept an invitation to visit the Marina to look at long-term flood defence; Members welcomed this and asked for a suitable date to be arranged.

### **14. PUBLIC QUESTIONS/ LETTERS FROM COUNCILLORS/REFERRALS FROM COMMITTEES/NOTICES OF MOTION REFERRED FROM COUNCIL**

14.1 There were none.

### **15. REQUEST FOR SCRUTINY OF TAXIS FOR DISABLED PEOPLE**

15.1 The Chief Officer of the Brighton & Hove Federation of Disabled People (FED) Geraldine Des Moulins introduced the request for scrutiny. She said there had been problems in the City about fair access for disabled people to Wheelchair accessible vehicles (WAVs) for a long time; since at least 1998. The FED did not advocate 100% accessible taxis but was working to increase the proportions of WAVs. That would be helpful both for the trade and for disabled residents and tourists, who often rely on taxis and private hire vehicles for independent everyday living.

15.2 The FED preferred to work collaboratively, however they felt like a 'lonely' voice amongst influential voices and there were barriers working with the Licensing Department. All taxi users including disabled passengers ought to have more of a say about the service provision, she said.

15.3 Efforts to work via the Licensing Committee had been exhausted and although taxi licensing was a complex area that Committee should be better briefed, in her opinion. Other Local Authority areas had made better progress, working proactively with disabled people, so why could that not happen in Brighton & Hove?

15.4 The Head of Environmental Health and Licensing outlined policy development work that had been undertaken via the Licensing Committee as set out in the Appendix; most of the agreed actions were now complete. Further actions had been added more recently and new requests were to be considered. Progress against equalities issues were being monitored and reported to Licensing. He told Members that nationally, some of the provisions of the Equality Act 2010 had not been introduced as timetabled and taxi licensing laws, widely considered arcane, were being reformed. There was no prescribed percentage or definition of WAVs. This was a difficult and complex area that did affect livelihoods and lives, he said.

15.5 The FED's Chief Officer strongly disagreed that significant actions had been completed and said it was unclear who was leading on implementing changes. She argued that much could be achieved by working together now, as elsewhere, rather than continually waiting for changes in the law.

15.6 Asked what Scrutiny could achieve, Geraldine Des Moulins stated that Licensing and taxi services could be influenced and improved if all the relevant stakeholders were listened to.

15.7 A Member commented that the Licensing Committee was kept informed about increasing the number of WAVs and that key issues were discussed at the Taxi Forum before being taken to Licensing.

15.8 In deciding on any action, the Committee wished to give Licensing Committee time to consider the matters raised in the June request for scrutiny and in additional information submitted by the FED in August.

15.9 After discussion the Committee agreed to ask for a further report to 23 January 2011 ECSOSC, to deal with the 6 bullet points listed in the request for scrutiny, plus additional concerns from the FED referred to in a separate note including: Engagement with all taxi service users; Disabled facilities for taxi pick-up at the football stadium; Information in the Blue Book about accessibility for disabled users; Openness and transparency of policy and practice on enforcement; eg suspension of licences/delay in related health checks; Frequency and method of licence renewal; Value for Money of driver training course; Length/consistency of Hackney Carriage Office knowledge tests and reason for separate tests for Brighton and Hove; Data and record keeping eg on number of WAV licences, driver training, checks on equipment such as ramps and swivel chairs; Efficient work practices; Types of WAV that are acceptable for a licence application; The High standard (and therefore cost) of the City's taxi fleet, compared with competitiveness for key Council school and other contracts; and the Level of taxi service and waiting time for wheelchair users and disabled passengers.

15.10 **RESOLVED** that a further report as minuted at 15.9 above be requested to 23 January ECSOSC and the Chair of Licensing Committee be invited to attend.

## **16. MONITORING WINTER SERVICE PLAN SCRUTINY REVIEW**

16.1 The Head of Highway Operations introduced the report, pointing out the significant developments in service, communications with residents, and joint working with partners since the severe weather events of winter 2009 – 2010.

All the improvements were detailed in the Appendices. The scrutiny process had proved helpful in focussing the joint working on this and other major incidents between key council service areas and with partners; and it was useful to bring to Council the various strands involved. Much had been achieved over more than a year. More work on planning for winter weather with the business community was in hand.

16.2 The Head of Operations answered questions on the limitations of both metal and the newer carbon fibre snow ploughs in an urban areas, and described from direct experience the various approaches to salting and ploughing at different times of day in different locations during a variety of weather conditions. Road widths, abandoned cars, speed bumps, pathways, cycle lanes, and slopes were some of the practical factors to be taken into account in tackling snow and ice.

16.3 Seven new gritters using the latest technology (orange with stainless steel hoppers) were being delivered to cover six routes, allowing for a spare for emergencies or breakdown. The Head of Operations detailed all the technical advantages of each type of vehicle. This did not

involve unnecessary expenditure; it was a proportionate response to the difficulties encountered in 2009-2010, she said.

16.4 The Head of Operations was widely congratulated on the ability of the team to be responsive and deal with extreme weather events and to learn actively from the feedback received.

16.5 The Chair Councillor Warren Morgan who also chaired the Winter Service Plan Scrutiny Panel welcomed the report on behalf of the Committee and thanked the officers. Members agreed to ask for a report back if necessary, after winter 2011-2012 to the 26 March meeting.

16.6 **RESOLVED** that a further monitoring report be provided to 26 March meeting only if necessary.

## **17. GYPSIES AND TRAVELLERS: REQUESTS FOR SCRUTINY**

17.1 At the invitation of the Chair Councillor G Theobald introduced his request for scrutiny of protester encampments. He referred to disruption caused by an encampment at the Old Steine in May. Because environment, transport, tourism, and community safety lay within the remit of several Cabinet Members Councillor Theobald requested a scrutiny review into the matter.

17.2 There was a question on the discussion at 6 June Cabinet (report paragraph 3.11 refers).

17.3 In considering the request the Committee Members did not feel the matter required a scrutiny review; however an officer report was asked for, with an invitation to the Commissioner, Community Safety and the Police.

17.4 Members also wished to invite Cllr Ben Duncan to speak to the Committee about policy in this area.

17.5 Councillor Theobald turned to the remaining part of his letter, requesting scrutiny of policy on gypsies and travellers as set out in Appendix 1. Concerned residents had contacted him, in particular about incursions onto sensitive sites such as nature reserves. Councillor Theobald asked what was being done to prevent access, why did it sometimes take a long time to retain possession of land.

17.6 Councillor Theobald questioned the number of gypsy and traveller families involved, whether numbers might increase, if appropriate notices were being served and the possible options and implications for permanent or other sites in future. He said other local authorities need to take action.

17.7 He called for an independent, all-Party scrutiny review to consider these points and hear from traveller group representatives. The Brighton & Hove Environmental Action Group would be a potential witness.

17.8 Councillor Liz Wakefield had submitted a request for scrutiny as part of the public consultation on suitable topics for investigation. She told the meeting in her direct experience, Gypsy Roma and Traveller (GRT) groups were often disadvantaged especially in provision of health, education and homes services, and on average had reduced life expectancy by 15

years. She said there was no reason why children of GRT families could not attain good grades and every child had a right to education.

17.9 Councillor Wakefield said stereotypical views needed to be combated. The GRT community needed somewhere to live, and should be considered alongside the settled community. She said building bridges had been done elsewhere and asked that a scrutiny review be set up to look at how outreach work and services can be improved for gypsy roma and traveller groups in the City.

17.10 The Chair Councillor Morgan reminded Members that a review of the 2008 Travellers Strategy had been agreed at 14 July Cabinet with a view to approval by March 2012, according to the timetable included in the report at Appendix 5. It was important that scrutiny added value and did not duplicate work already being done.

17.11 Members agreed that there was a lot of support for conducting a scrutiny review. Some felt that more could be done to improve relations between communities and a scrutiny would help dispel misconceptions. Witnesses could include academics as well as community representatives. The process needed to be open and transparent.

17.12 The Head of Scrutiny Tom Hook suggested that any scrutiny panel could be designed to be flexible enough to dovetail with the Cabinet commissioned review.

17.13 Following discussion ECSOSC agreed to establish a Scrutiny Panel to be involved in the Cabinet review according to the draft timetable set out as Appendix 5 to the report, undertaking additional independent work only if necessary.

**17.14 RESOLVED** 1) that a report on protest encampments as minuted above at 17.3 – 17.4 be requested to a future meeting

2) that a scrutiny review be established as minuted above at 17.13

## **18. RENEWABLE ENERGY; RESPONSE FROM 14 JULY CABINET FOR INFORMATION**

18.1 The response to the recommendations of the scrutiny panel on renewable energy potential was included on the agenda for information.

18.2 Members asked questions about One Planet Living, Photovoltaic solar panel procurement and the impact on conservation areas, plus the potential economic costs of energy efficiency.

18.3 The Strategic Director Place said robust cost analysis was included in Cabinet decision-making. The scrutiny report and response would be reported to full council.

18.4 RESOLVED that the report be noted.

## **19. REPORT BACK FROM THE ECSOSC FLOOD RISK WORKSHOP**

19. 1 Councillor Sykes outlined the 22 July ECSOSC flood risk workshop that he Chaired. He told the meeting that the City was deemed to be at high risk from flooding events. The workshop had considered the analyses and looked for any gaps in available information.

19.2 However some of the larger stakeholders did not seem to be fully engaged and this seemed to be a national issue. The workshop recommended that representation be made to DEFRA regarding Network Rail's inadequate provision of information thus far. Members agreed to this.

19.3 The overall process for developing the larger Surface Water Management Plan would take until 2015; a follow-up workshop could be added to the work plan if needed in due course.

## **20. ECSOSC DRAFT WORK PLAN**

20.1 The Committee noted the draft work plan, that would also be considered at a 'Tripartite' meeting to be held soon between ECSOSC Chair, Cabinet Members and Strategic Director. The public consultation on scrutiny topics would be reported to the next meeting, 31 October. At present, a large proportion of suggestions fell within the remit of ECSOSC.

## **21. ITEMS TO BE REFERRED TO CABINET MEMBER, CABINET OR FULL COUNCIL**

21.1 The meeting noted that the response to the recommendations of the Panel on renewable energy, would be reported to full Council.

The meeting concluded at 5.45pm

Signed

Chair

Dated this

day of