

# **BRIGHTON & HOVE CITY COUNCIL**

## **COUNCIL**

**4.30pm 26 JANUARY 2012**

## **COUNCIL CHAMBER, HOVE TOWN HALL**

## **MINUTES**

**Present:** Councillors Meadows (Chair), Wells (Deputy Chair), Barnett, Bennett, Bowden, Brown, Buckley, Carden, Cobb, Cox, Davey, Deane, Duncan, Farrow, Fitch, Follett, Gilbey, Hamilton, Hawtree, Janio, Jarrett, Jones, J Kitcat, Lepper, Littman, MacCafferty, Marsh, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pidgeon, Pissaridou, Powell, Randall, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Turton, Wakefield, Wealls and West

## **PART ONE**

### **53. DECLARATIONS OF INTEREST**

- 53.1 Councillor Turton declared a personal but non prejudicial interest in Item 65(b), Notice of Motion concerning rail fares as he commuted from Brighton to London for his work.
- 53.2 Councillors Randall and Wells declared a personal but non prejudicial interest in Item 65(a), Notice of Motion concerning council tax as they were Board Members of Brighton & Hove Seaside Homes Ltd.
- 53.3 Councillors Lepper, Simson and A. Norman declared a personal but non prejudicial interest in Item 59(a), Petition concerning Music & Arts Services Cuts, as they had signed the petition.
- 53.4 Councillor Mitchell declared a personal but non prejudicial interest in Item 64, Shadow Health & Wellbeing Board as she was an employee of the Sussex Health Trust.
- 53.5 Councillor West declared a personal but non prejudicial interest in Item 63, East Sussex, Brighton & Hove and South Downs National Park Waste & Minerals Plan, as he was a member of the South Downs National Park Authority.
- 53.6 Councillor Janio declared a personal and prejudicial interest in Item 58(a), Deputation on Parking Charges, as he would benefit from any changes and would therefore leave the meeting during consideration of the item.
- 53.7 Councillors Simson and Mears declared a personal but non prejudicial interest in Item, 58(a), Deputation on Parking Charges as they had an interest in local businesses within the city.

53.8 No other declarations of interests in matters appearing on the agenda were made.

#### **54. MINUTES**

54.1 Councillor Cobb noted that word 'roof' was missing from paragraph 43.27 and asked that it be included.

54.2 Councillor Peltzer Dunn noted that the word 'hawking' in paragraph 43.42 should read 'altering' and that in paragraph 43.44 the words 'radio sussex' had been omitted in line two. He also questioned the inclusion of the last sentence in the first paragraph under 43.43 and the whole of the second paragraph as he could find no record of this in the web cast.

54.3 Councillor West referred to paragraph 47.8 and asked that it be reviewed as it was not clear.

54.4 Councillor Fitch asked that in view of the concerns raised the minutes be deferred and brought back to the next meeting for approval after being reviewed by officers.

54.5 The Mayor noted the points raised and agreed to defer the item to the next meeting.

54.6 **RESOLVED:** That the minutes of the last ordinary meeting held on the 15<sup>th</sup> December be not approved in view of a discrepancy raised by Councillor Peltzer Dunn in relation to the answer to a question provided by Councillor Davey, and that they be brought back to the next ordinary meeting for approval along with the minutes of the current meeting.

#### **55. MAYOR'S COMMUNICATIONS.**

55.1 The Mayor announced that she wished to hold a minute's silence as a mark of respect for former councillor Gwenda Beishon who had died recently. She had served on Brighton Borough Council in 1973 representing Hollingbury Ward and then again on the Shadow Unitary Authority in 1996, and Brighton & Hove Council until 2003, representing Hollingbury & Stanmer Ward.

55.2 Following the minute's silence, the Mayor stated that she wished to offer the Council's congratulations to Jess Wood, who recently received an MBE for her work with the Allsorts Youth Project for LGBT young people.

#### **56. TO RECEIVE PETITIONS AND E-PETITIONS.**

56.1 The Mayor invited the submission of petitions from councillors and members of the public. She reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.

56.2 Councillor Barnett presented a petition signed by 146 residents concerning Library cuts in Portslade.

- 56.3 Mr. Murtagh presented a petition signed by over 250 residents concerning parking on the Moulsecoomb estate on match days.
- 56.4 Councillor Brown presented a petition signed by 101 residents concerning parking restrictions in the Droveaway.

**57. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.**

- 57.1 The Mayor reported that three written questions had been received from members of the public and invited Ms. Fishleigh to come forward and address the council.
- 57.2 Ms. Fishleigh asked the following question; "Since the Save Saltdean Lido Campaign, presented a petition to Council in October, there appears to have been some activity from the Council. However can you outline in detail what activities the Council have undertaken since that time including the results of that activity and what activity is scheduled to take place over the next few months?"
- 57.3 Councillor Bowden replied; "This is a two part response. I have been doing things as part of the executive and the planning authority has been doing other things.
1. Writing a report for my Cabinet Member Meeting (CMM).
  2. Considering the report at my CMM meeting held on 6th December, at which various interested parties attended and spoke.
  3. Meetings with the lessee.
  4. Meeting with the Saltdean Community Association.
  5. Appointment of an external Valuer, who has since produced a full valuation report regarding the likely surrender value of the leasehold interest and the value likely to be assessed if the local planning authority seek to make a compulsory purchase order.
  6. Re-inspection of the property to check the extent of compliance with the notice served under the lease. As a result of this inspection the Council are not satisfied that the notice has been complied with.
  7. A letter has been sent to the lessee urging the company to negotiate the terms of an agreed surrender of the lease.
  8. The above information and any developments between now and then will be referred to in the report I am expecting for my next CMM on 6th March."

57.4 Councillor MacCafferty replied; "Lido related activity from the local planning authority includes:

    1. Appointment of a surveyor to see if there is any scope for the service of a Listed Building Repairs Notice.
    2. There has been an inspection by the surveyor and a warning letter will be issued. If reasonable steps are not taken by the lessee the Planning Committee will consider what further action is appropriate.
    3. Earlier this month there was a meeting requested by the lessee regarding a proposed development. The proposals were not favourably received and were referred to in Councillor Bowden's letter to the lessee which urges the company to have constructive negotiations with the Council."

- 57.5 Ms. Fishleigh asked the following supplementary question; "History has shown us that the lease holder does not respond well at all to the previous letters and warnings from the council. In May 2010 the council sent him a letter requiring the completion of a list of essential repairs by the end of the year, we've seen a Scott's schedule after an FOI request prepared by council officials in March 2011 listing the progress on each time of required repair and most of the items had no work done or the tenant had completed work to an unsatisfactory standard.

I want to tell people, these letters are sent over and over again and the lease holder has little regard for these letters. What we would like to know is that if Mr Audley fails, again, to comply with the terms of his lease, what are you actually going to do? Are you going to serve a section 48 notice backed up by regular inspections and if Mr Audley does not abide by the section 48 notice are you going to start to move towards a compulsory purchase order?"

- 57.6 Councillor Bowden replied; "The direction of travel is very clear from the itemised actions we've taken since the last council meeting and I don't think the lessee can be in any doubt of where we want to go with this. It's very unusual for an item like this to come to full council on so many occasions and even to draw out of Westminster, the local MP to talk. The amount of noise around this matter is not going to go away. We are determined to resolve this once and for all."

- 57.7 The Mayor thanked Ms. Fishleigh for attending the meeting and putting her questions and invited Mr. Kemble to come forward and address the council.

- 57.8 Mr. Kemble thanked the Mayor and asked; "Would the Cabinet member for transport please clarify and justify why it is necessary to take out a complete lane in each direction of the Old Shoreham Rd in each direction to install a cycle lane that is twice the width of the cycle lane in Grand Ave?"

- 57.9 Councillor "Thank you for your question about the cycle and pedestrian improvements currently being made along Old Shoreham Road between the junctions of The Drive and Dyke Road. When you describe a 'complete lane' being taken out it is unclear which 'lane' you are referring to. Dual carriageway provision on Old Shoreham Road (A270) ends at the junction of Neville Road/Sackville Road and should operate as single carriageway until Lewes Road in the east, past the vogue gyratory.

A resident petition first brought to Environment CMM in January 2010, highlighted concerns with 'informal' dual carriageway arrangements at Old Shoreham Road, particularly for young people attending schools in the area. The petition referred specifically to unnecessarily wide carriageway arrangements which encouraged overtaking and speed. Such concerns are somewhat justified by over 40 road related casualties in the last three years, three of which were serious and one fatal.

Public consultation in September 2011 showed that 75% of respondents supported the proposals to install cycle and pedestrian facilities along Old Shoreham Road between the junctions of The Drive/Shirley Drive and Dyke Road. The previous layout of this section of the Old Shoreham Road created a hostile environment for people considering or choosing to walk and cycle. The Old Shoreham Road is an arterial route and as such we are keen to give cycles users ample room where we can. The reallocation of space

will bring significant benefit to cycle users and pedestrians and improve road safety along there generally. The scheme is also anticipated to positively tackle congestion in the 'school run' peak."

- 57.10 Mr. Kemble asked the following supplementary question; "Would councillor Davey agree with me that enclosing the Old Shoreham Road to install these lanes, which at the junction of Old Shoreham Road Dyke Road, is 1.7 meters wide and that the junction where the scheme ends at the Upper Drive is widening out to 2.4 meters in comparison to the Grand Avenue one of 1.5 meters has increased traffic on the diversionary routes, created rat runs, reduced air quality and delayed the emergency responding to incidents thereby increasing response times?"
- 57.11 Councillor Davey replied; "It is not possible to build new infrastructure without causing some disruption and we have already apologised for any disruption that has and will be caused but the council staff and the highways management people have worked with the bus companies and with the emergency services to minimise any disruption so that the works will be completed as quickly as possible."
- 57.12 The Mayor thanked Mr. Kemble for attending the meeting and putting his questions and invited Mr. Davis to come forward and address the council on behalf of Mr. Morris who had been unable to attend the meeting.
- 57.13 Mr. Davis thanked the Mayor and asked; "The council acts as trustee for the pleasure ground called The Level and holds the freehold, which is subject to: 1) covenants drawn up in perpetuity in 1822 designed to keep the land free from development, and 2) 1954 byelaws forbidding the use of bicycles.

As trustees, can the council provide details under what Act it obtained the freehold and what legal processes need to be followed to obtain planning permission for the new skate park/BMX park, including potential appropriation of land and amendments of byelaws, and how & when these are expected to be implemented?"

- 57.14 Councillor West replied; "The Council acquired the freehold of The Level under The Brighton Borough Extension Act of 1873. The final details of the proposed skate park/BMX park are being designed. Once the design is finalised the Council, as local planning authority, will be able to determine whether or not it requires planning permission, since the criteria are based on volume and heights. If planning permission is required a planning application would be submitted by the Council's Parks' Team. Any planning application would be the subject of public consultation and any material planning considerations raised would be taken into consideration before any decision is made.

No appropriation of land will be required in connection with the proposed skate park/BMX park. The 1954 Byelaws allow the riding of bicycles on The Level in certain circumstances. The Byelaws would not need to be amended to allow the proposed skate park/BMX park to go ahead"

- 57.15 Ms. Davis asked the following supplementary question; "As the trustees, the council have certain obligations under the covenant I have mentioned. You should be aware that an application to register the open space on the Level and the rose walk as a town

green has been submitted to the council which would protect the land from future development and secure it as a permanent pleasure ground for the public being the main obligation of the council acting as trustees.

The council's first move has been to reject such application which has been challenged by the applicant. Would the council consider voluntary registration of such land or part of it to demonstrate to the people of Brighton that as trustees it aims to honour the original deeds under which the land was donated to the inhabitants of Brighton?"

- 57.16 Councillor West replied; "I will get the Head of Law to write to you explaining and answering the questions you have asked in your supplementary. We are intending to honour the wishes of the members of public, having had a considerable expression from people as to their support through the consultation for the plans that have gone ahead we have successfully won our funding bid from the lottery which is a fantastic achievement for us and we will now be able to move forward together with people to deliver on that in the coming months.

We will then end up with the park that the people of that area and the city as a whole so desperately need and deserve and that we can be once again, extremely proud of and I think that is what the public want here and I hope we can work together on some of the details that you have been rightfully raising over time and end up with a really great result and everyone can enjoy a fantastic future at the Level together."

- 57.17 The Mayor thanked Ms. Davis for attending the meeting and putting her questions on behalf of Mr. Morris and noted that concluded the public questions.

## **58. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

- 58.1 The Mayor reported that two deputations had been received from members of the public and invited Mr. Raggio as the spokesperson for the first deputation to come forward and address the council.

- 58.2 Mr. Raggio thanked the Mayor and stated that:

"These damaging proposals penalise people opting to drive their own vehicles. Traders and businesses that use private motor transport essential to their companies and need should not be victimised and turned into a cash cow. The parking budgets across the board from pay and display machines, permits of all kinds, wavers are to be increased by an alarmingly high percentage. Putting up the price of traders and business permits will not only have a detrimental effect on Brighton and Hove, local businesses are currently under extreme pressure. The Greens seem to have a lack of knowledge of the local economy and out of touch with local businesses.

The originally proposed prices were so high following the TNT campaign the Greens were advised the prices which are currently over a 70% increase, for hard pressed traders each will have to find an extra £250 a year whilst business permits are an extra £125 a year. As much as we are pleased the Greens have recognised our campaign, reducing the proposed price does not defer away from the alarmingly high increase during a time of economic uncertainty and recovery.

The Green administration believes they have inherited a current system that discriminates against new and start up businesses, so why hasn't the council scrapped the waiting list yet? That doesn't have an association with the massive price hikes. In an attempt to offer traders something in return the Greens have misunderstood the needs of running a business. The waiting list should be scrapped; the current waiting list is worth nearly £150,000 based on the current price. The extra traders who aren't on the list due to being put off by the 2 – 3 year waiting list would be more inclined to come forward and pay £350 this would have been an extremely popular and positive move for the council. Showing support to local economy your judgement was clouded by the greed of the proposed price hike and the sole reason for scrapping the waiting list is to simply maximise the revenue of the proposed price and not to help the traders. What use are the permits without a waiting list if permits cannot be afforded? How can a business benefit from a dramatic price increase of over 70%?

The high parking prices will also result in many companies increasing their prices hence passing the cost onto consumers; the residents of Brighton and Hove. Some businesses that put up prices may well price themselves out of work having a dangerous negative impact onto their business causing cease trading. The knock on effect in terms of jobs and therefore benefit claims is not known but has this been considered?

These are tough times ahead for many homes which will immediately affect businesses. We often get compared to the centre of London, only being 50 miles away, even the Green administration has fallen into this trap, comparing rates to the most expensive boroughs in London. We are not London we are Brighton and Hove. Incomes in Brighton are significantly lower yet the prices we pay to park down here will be matched. Companies will no doubt be forced, under so much pressure, to try and find business and work outside of the city.

The Sunday times reported this last weekend, 'Brighton and Hove have become the 3<sup>rd</sup> most expensive place to park in the country.' One priority for the council during the recession or recovery should be to support local businesses and help stimulate the local economy. Back in 2010 the council reduced the trader's permit prices to help the local economy during the recession. We urge the council to make a brave, 100% percent u-turn on the trader's permits and business permit proposed prices similar to Westminster council last week. London's Mayor Boris Johnson said 'common sense has prevailed and has described the decision as brave and correct adding that 'it is very important that businesses should not have any extra burdens.'

Westminster council admitted they needed to pay attention to local economy and after doing so quashed their plans of increasing the recent parking prices. I beg the question to you Ian Davey, are you paying attention? From shops, estate agents, letting agents, independent traders, service companies and one man bands, businesses and it's consumers have expressed deep concerns by signing our TNT online petition, currently with over 600 signatures and we've also collected 500 signatures handwritten.

The Argus, the local paper, have been running an independent online poll, 77% over 1055 votes agree with TNT. We urge the Greens to listen to the local community and it's businesses. The people of Brighton and Hove are currently having to make sacrifices in order to stay in business and to manage their monthly outgoings per home.

The council needs to understand what it takes to run a business, many people are making ends meet putting in extra hours with limited wages, if being drawn at all, just because you own a business doesn't mean automatically mean you have extra money in the bank, far from it. Brighton and Hove's administration, to swallow their pride, admit they have got it wrong, fully reverse their own damaging parking charge hikes before it's too late. In the own words of your campaign, 'fair is worth fighting for' and we promise today the TNT will continue to grow and fight for what is fair."

58.3 Councillor Davey thanked Mr. Raggio for attending the meeting and presenting his deputation and replied,

"One of the points you raised was about the article in the Times which highlighted Brighton and Hove as the third most expensive place to park and what they didn't say is that, that is actually under current prices introduced by the previous Conservative Administration where it is currently £3.20 an hour to park in the old town. There are also many other factors which will be occurring over the next few months imposing new costs or increased costs on non local businesses, including what I understand is to be an increase in business rates from the national Conservative Government so you may wish to address some attention there.

During the consultation we have spoken to businesses and we have listened to the views of people about the proposed changes. In response, I am looking at a reduced rate for Trader and Business permits. Historically the council has restricted the number of trader permits which are issued despite however business friendly previous administrations were. They did not take the measure of eliminating the rationing which has restricted many hundreds of traders from enjoying the same privileges as traders with permits do now. As a result there are 366 traders on a waiting list.

Checking the council's website, ten permits were issued in December so if that rate were to continue it would take 3 years for many of those traders to actually gain that benefit. This puts new businesses at a serious disadvantage as they currently have to wait that length of time before they can purchase a permit. In the mean time many of these traders have to use on street pay and display bays or come down to Hove Town Hall and queue up to apply for a daily waiver costing both time and money. So alongside the new £160 quarterly price for a trader permit, we're proposing to remove the restriction on the number of permits issued. This will eliminate the rationing and allow all traders the equal opportunity to have one. At a cost of less than £2 a day to park anywhere in the City, these permits remain good value for money and are much lower than many authorities that often charge a £1000 a year or more.

I would like to take this opportunity to promote the quarter year permit option which will help businesses with their cash flow also, because there will not be a waiting list, traders will now be able to buy permits only if they need them rather than having to buy them to avoid losing the permit all together and go to the bottom of the list. With regard to business permits, these apply in a single zone, it is worth noting that these are not available in the City Centre due to a lack of available space while some areas have a long waiting list and are at or near capacity.



The new proposed £300 per annum for a Business Permit will equate to less than £1 a day, and remains very competitive with other comparable authorities. Some of which don't offer them at all or charge up to £1000 a year."

- 58.4 The Mayor thanked Mr. Raggio for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Cabinet Member Meeting for Environment, Transport & Sustainability for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 58.5 The Mayor then noted that Mr. Turvey would be presenting his deputation as part of the next item, which was the petition debate on the proposed Music & Arts Services Cuts.

## **59. PETITIONS FOR COUNCIL DEBATE**

- 59.1 The Mayor stated that under the Council's petition scheme, if a petition contained 1,250 or more signatures, it could be debated by the Full Council and such a request had been made in respect of an e-petition concerning proposed cuts to the Music & Arts Services. She also noted that a deputation had been submitted on the issue and at the request of the Spokesperson, had agreed that he should speak to the deputation and present the petition on the matter at the same time.

### **59(A) MUSIC & ARTS SERVICES CUTS**

- 59.2 The Mayor then invited Mr. K. Turvey to present both the deputation and the petition concerning the proposed cuts to the music and arts services.
- 59.3 Mr. Turvey thanked the Mayor and stated that a total of 4,234 people had signed the combined paper and e-petition which read as follows:

"We the undersigned petition the council to not cut funding to the Brighton and Hove Music & Arts Service by 50% in 2012 and by 100% by 2013.

Currently 2500 children each week are engaged in Music and Arts Service activities across the city including 500 families from low income backgrounds who access subsidies provided through the service. We believe that an "outstanding" Music and Arts Service, such as we have in Brighton and Hove is an integral part of a comprehensive education for all children in our City. We urge the Council to reverse this proposed cut that will directly impact on children and young people across the city from all schools."

- 59.4 Mr. Turvey also referred to the deputation which had been circulated with the addendum papers and noted that a number of testimonials had been submitted in support of the music & arts services. He stated that he hoped the council would take account of the number of people who had signed the petition and review the proposed cuts so as to reinstate the funding for the services that were enjoyed by people of all ages. He noted that a mother of a child on income support had not been aware of the fact that her child could benefit from attending a music workshop at Blatchington Mill School but since this had been made known to her, her child had benefitted enormously and was looking

forward to attending music classes in the future. However, the proposals would mean that they would lose that part of their lives.

- 59.5 Councillor Shanks noted both the deputation and the petition and thanked Mr. Turvey for putting forward the arguments. She acknowledged the value of the services that were provided and stated that having listened to people's concerns as part of the budget consultation process, the savings for 2012/13 had been reinstated and 75% of the savings for 2013/14. The council was working with its partners and looking at options to provide for the funding gap that would exist and she was hopeful that this would be achieved.
- 59.6 Councillor A. Norman moved an amendment on behalf of the Conservative Group to include a further recommendation at 2.2 of the report detailing the petition, which requested that the Cabinet give consideration to ensuring that the music service remained fully funded for at least two years.
- 59.7 Councillor Wealls formally seconded the amendment and stated that the impact which music had on young people's lives was something that should be taken into account. He had not realised how much of a positive impact it could have on learning for other subject areas.
- 59.8 Councillor Lepper welcomed the changes to the proposed savings as outlined by Councillor Shanks and stated that she believed Brighton & Hove was the music capital of the south coast and should be protected.
- 59.9 Councillor Brown stated that she fully supported the petition and that the service offered was second to none and paid dividends in the long run for those that experienced it.
- 59.10 Councillor MacCafferty stated that he was himself a musician and fully appreciated how music played an important role in the lives of people. He noted that music & arts services had been cut severely by the Government and hoped that the council could support its service wherever possible.
- 59.11 Councillor Shanks noted the comments and stated that the reinstatement of the funding had resulted from the consultation process and listening to the concerns raised. She accepted that everybody felt that a wonderful service was provided and that was a reason why she was happy to accept the amendment and look to find ways of funding the service in the future.
- 59.12 The Mayor noted that the amendment had been accepted and put the recommendations as amended to the vote which was carried.
- 59.13 **RESOLVED:**
- (1) That the petition be referred to the Budget Cabinet Meeting on the 9<sup>th</sup> February for consideration;
  - (2) That the Cabinet be requested to give consideration to ensuring that the Music Service remained fully funded for at least two years.

**60. WRITTEN QUESTIONS FROM COUNCILLORS.**

60.1 The Mayor reminded the Council that written questions from Members 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:

**(a) Councillor Hyde**

60.2 “As a Brightonian I am very distressed at the Administration’s proposal to sell off the iconic mayoral number plate – CD 1 to raise a one-off sum of money. Can I ask the Leader of the Council to confirm that no more articles, historically associated with the mayoralty, will be sold off?”

**Reply from Councillor Randall, Leader of the Council.**

60.3 “In these tough economic times and with the authority facing an above-average cut of a third to our grant from Government, we have to take every opportunity to protect services by looking for savings across the Council.

I can confirm that there are no plans in the administration’s budget proposals to sell any other items associated with the mayor’s office.”

**(b) Councillor C Theobald**

60.4 “How much will children’s music fees be increased by from 2012/13 as a result of the proposed ending of all Council subsidy to the Music Service and is the Cabinet Member concerned that this will make it considerably less likely that children from lower income families will learn to play a musical instrument?”

**Reply from Councillor Shanks, Cabinet Member for Children and Young People.**

60.5 “We have listened to the views of people in the city and will be preserving all funding for the music service from the council this year and only reducing funding by 25% next. Central government cuts mean there is a reduction in funding and we therefore need to ensure that we support those children in most need. The service will concentrate on ensuring that children from less well off families continue to access our services.

The fees for Music & Arts service activities such as instrumental tuition will increase by 7.5% from April 2012. This takes into account inflationary pressures and also forms a part of a package of measure being taken to address the reduction in the level of Government grant available for the service as lead partner of our developing Music Education Hub. The subsidised tuition scheme available to families on low incomes will remain in place as will the subsidised instrument loan scheme, which is a central part of the service offer to support access and to enable children to practice and develop their musical skills.”

**(c) Councillor Peltzer Dunn**

- 60.6 “Can the Cabinet member for Housing please tell me whether the Ainsworth House redevelopment contract was awarded before Christmas as she stated at the last Council meeting and when is she expecting building work to start?”

**Reply from Councillor Wakefield, Cabinet Member for Housing.**

- 60.7 “I am pleased to confirm that Kier Property (part of the Kier Group) was appointed as preferred contractor on 23 December 2011, following a comprehensive procurement process.

The contract has been drawn up for signing and sealing by both parties. We expect this to be completed next week. Kier will then take formal possession of the site and commence works shortly.

The Tenants Working Group, which has been involved with every aspect of this project from the start, will be liaising closely with Kier during the build process to ensure that the 15 new environmentally friendly council homes meet our key requirements.”

**(d) Councillor Janio**

- 60.8 “Welcome new regulations issued by the Government mean that Local Authorities will now have to secure support from the local business community before introducing any workplace parking levy scheme. As this was one of the Administration’s key manifesto pledges, will Cllr. Davey please confirm if any discussions with local businesses have taken place on this and, if so, what level of support he found?”

**Reply from Councillor Davey, Cabinet Member for Transport and Public Realm.**

- 60.9 “Thank you for your question Councillor Janio. I recall the question on this subject that Councillor Carol Theobald asked my colleague Councillor Kennedy at the council meeting in July 2011. Councillor Kennedy indicated that the inclusion of workplace parking charges in our election manifesto reflects our commitment to sustainable transport. Transport measures to reduce the impact of congestion and pollution on the city are an integral part of the administration’s priorities.

Councillor Kennedy also clearly stated that any decisions would be based on engagement, in this case primarily with the city’s business community. Engagement remains a priority of this administration and any decisions or changes will take into account responses from with people who live and work in the city.”

**(e) Councillor A Norman**

- 60.10 “At the last Council meeting, in response to a question from Cllr. Carden on Cityclean, Cllr. West stated that “over 4 years there will be a cut in council public spending of 33%”. Would Cllr. West or Cllr. Kitcat please take the opportunity to correct this misinformation and apologise for misleading members and residents about the Council’s Budget?”

**Reply from Councillor J Kitcat, Cabinet Member for Finance and Central Services.**

- 60.11 “The response from Cllr West to Councillor Carden’s question about gutter clearing and weeds and grass in North Portslade should have read by way of context that the Council is experiencing a reduction in its formula grant of 33% over 4 years, not a reduction in council public spending of 33% as stated. This was indeed an error but should not detract from the fundamental point that this council is seeing unprecedented reductions in funding. This is not just in relation to the main formula grant but a whole range of other government funding sources. These austerity measures are ill-considered and damaging to the economy.”

**(f) Councillor Peltzer Dunn**

- 60.12 “Will the Cabinet Member for Housing provide an estimate of the number of City Council properties that are currently sub-let and will she join with myself and the Leader of the Council in welcoming the Government’s recent initiative to make sub-letting of council housing a criminal offence?”

**Reply from Councillor Wakefield, Cabinet Member for Housing.**

- 60.13 “The administration recognizes that there is a dire need for good quality affordable housing in the city, and that there is a ‘perfect storm’ brewing with significant Government changes to housing benefits and a stall in house-building across the country.

We are fully committed to tackling tenancy fraud and broadly welcome the government’s proposals to make sub-letting of council housing a criminal offence. Social housing is an important commodity for people in need, and abuse of its provision will not be tolerated. The Audit Commission has estimated in their report ‘Protecting the public purse’ that there is a 2.5% level of tenancy fraud in London with an assumption that there is a 1% level in other parts of the country.

On this basis it could be estimated that up to 120 Council properties are sub-let at any one time in Brighton & Hove. Anecdotal evidence would suggest that levels of subletting have historically been below the national average in Brighton & Hove, but may be on the increase. There have been 64 reports of suspected tenancy fraud in the Council’s housing stock since April 2011.”

**(g) Councillor G Theobald**

- 60.14 “Given the offer from the Government of £2.6 million to the Sussex Police Authority to freeze their council tax precept in 2012/13, can the Council’s representative please update members on how he intends to vote, on behalf of the residents of Brighton & Hove, at the forthcoming Authority Budget meeting?”

**Reply from Councillor Duncan, Cabinet Member for Communities and Community Safety.**

- 60.15 “Thank you for your question. There have been several debates throughout the year on the Sussex Police Authority Budget for 2012/13. All are available to watch using the

webcast facility on the SPA website, and I urge interested members to watch the debates in full. The SPA budget will be agreed at a special meeting to be held on February 16th. Only at that meeting will I have full access to all the relevant facts: it would be irresponsible of me to prejudge my position at that meeting, and I won't do so here.

That said, I have made my position fairly clear throughout the debates: that I will vote in line with residents' wishes to keep our streets safe in the face of enormous cuts to the Sussex Police budget imposed by Government "C the cuts, about £50m in three years, will hit local policing hard."

**(h) Councillor G Theobald**

- 60.16 "At the last Council meeting I asked Cllr. Davey if he would provide a figure for the budgeted parking income (both on and off street) for 2012/13. In his answer he only told me how much extra will be raised by the Administration's new proposals so please could he now give me the total figure for the whole city?"

**Reply from Councillor Davey, Cabinet Member for Transport and Public Realm.**

- 60.17 "The budgeted parking income (both on and off street) for 2012/13 (exclusive of Penalty Charges income, for which the council has no control over charging level) is £19,807,760

[Note: In 2012/13, Penalty Charge income is budgeted at £4,890,280]"

**(i) Councillor Cox**

- 60.18 "At the CMM on 30th November it was stated by the Administration that their proposed increases in city parking charges will lead to a 15% reduction in people parking across the city. Have they undertaken any research which would show a) how many of these people will simply take their trade to other shopping centres outside of the city where parking is either much cheaper or free? and b) what the estimated loss in turnover to local businesses in the city will be?"

**Reply from Councillor Davey, Cabinet Member for Transport and Public Realm.**

- 60.19 "The Visitor Survey conducted by the council in 2009 shows that the key factors for customers when choosing where to visit include the quality and range of shops, cultural activities, events and natural attractions like the beach. The cost of parking actually accounts for a relatively small proportion of visitor spend and does not play a significant role in overall choice. It may, however, influence the choice of transport mode, which in turn could help to improve the visitor experience with reduced congestion and reduced pollution.

Research also shows that where towns have attempted to attract visitors by making parking very cheap, or free, the actual impact has been at best insignificant. On this basis, we do not expect there to be a loss in turnover to local businesses as we expect visitors to continue to come to Brighton and Hove."

**(j) Councillor A Norman**

- 60.20 "Can the Cabinet member for Children & Young People please tell me the value of the contract between Brighton & Hove City Council and Resource Futures / the Sussex Wildlife Trust to deliver environmental education in the city's schools, when this contract was awarded and by whom?"

**Reply from Councillor Shanks, Cabinet Member for Children and Young People.**

- 60.21 "The budget for environmental education was formerly used to fund the post of a council officer. A review upon the post being vacated in 2010 under the last administration recommended that the budget be used to fund a tender for the work.

During the 2010/11 academic year School Futures, with the support of the Sustainability Team, undertook consultation with schools and other connected council services and produced a tender document. The tender required bidders to design and deliver an environmental education service supporting the councils' key aims and interest was expressed from all sectors. A shortlist of five were asked to bid and the panel, made up of officers from School Futures, the Sustainability and Procurement teams, awarded the contract to a bid from, the not for profit company, Resource Futures in September 2011. Their bid was submitted in partnership with local charity, the Sussex Wildlife Trust, who will be delivering the bio-diversity elements of the contract.

The contract is for three years from November 2011 and will cost £46,500 for Year 1 and £40,000 for each of Years 2 & 3. The contractor will support the city's schools in working towards Eco Schools Awards, offer training to school staff, arrange workshops, conferences, assemblies and competitions for pupils and support the work of council teams advising schools on energy, transport and waste issues. A steering group of eco contacts from the city's schools has been formed to advise upon need and future direction and the council is monitoring progress."

**(k) Councillor K Norman**

- 60.22 "Can the Cabinet member confirm how much extra money Brighton & Hove will receive as part of the Coalition Government's 'new deal' to help enable older people to continue to live comfortably in their own homes?"

**Reply from Councillor Jarrett, Cabinet Member for Adult Social Care and Health.**

- 60.23 "While I welcome the announcement of the 'New Deal for Older People', I can't give you any details, as the coalition government has not shared this information with local authorities yet. I will provide an update once more information is available".

**(l) Councillor G Theobald**

- 60.24 "Given that it is now over 12 weeks since the new Agency Workers Directive, signed up to by the previous Labour Government, was introduced, can the Cabinet Member please give me a more accurate picture of the additional costs to the local authority and across the city as a whole?"

**Reply from Councillor J Kitcat, Cabinet Member for Finance and Central Services.**

- 60.25 "The agency worker regulations came into force on the 1st October 2011 and any uplift in cost would be from 24th December 2011. Therefore, the first real uplift will be reflected in the January figures which we will not see until the February data comes out. However, I have asked HR to update you as soon as those figures are available. Agency workers who were on continuous assignments of twelve weeks prior to this date received pay and benefits comparable to permanently employed council staff. However, December saw the council's costs from the use of agency workers drop to its lowest level at £171K. The costs for the same period in 2010 were £269k.

The costs would have been held down by the holidays over the Christmas period but the figure continues to reflect the council's reduction in agency spend. We are expecting an uplift in costs in January as all agency workers will be entitled to additional holiday entitlement as a result of the new regulations. It is also a five week month without the distortions created by the extended Christmas holiday. We would expect that the January figure will still be less than that for the comparable period in 2011."

**(m) Councillor Bennett**

- 60.26 "In their local election manifesto the Green Administration made a commitment to create a ring-fenced fund for communities to make local environmental improvements. Can the Cabinet Member for Environment please update Council on how this is progressing?"

**Reply from Councillor Duncan, Cabinet Member for Communities and Community Safety.**

- 60.27 "Thank you for your question. As you know the Government is imposing enormous budget cuts on the city and this council, reducing the amount of money available for core services to the city's most vulnerable.

In this context I am delighted to report that we have been able to embed a dedicated funding stream for Environmental Sustainability projects into this Council's grants programme, which supports smaller organisations across the city.

In 2011/12 this fund paid out grants of approximately £25,000 to beneficiaries including the Friends of Saunders Park, Bevendean Community Garden, the Brighton and Hove Fair Trade Steering group, and many others. In 2012/13 we anticipate that the fund will be worth a similar amount."

**(n) Councillor Farrow**

- 60.28 "It is being reported that there are proposals for the overall budget for Community Development to be cut by £100k. Would the Cabinet Member for Communities please confirm the exact amount of the cut that is being proposed and will he state what Community Development support will continue within Moulsecoomb and Bevendean Ward to enable this much needed work to continue."

**Reply from Councillor Duncan, Cabinet Member for Communities and Community Safety.**



- 60.29 “Thank you for your question. I am delighted to confirm that there is no cut in the Community Development budget in the proposals that the administration will put before Council next month. The £400,000 budget for community development will be targeted at those areas where need, inequality and capacity are greatest. It will also support measures to improve local democracy and hand control of neighbourhood budgets to local people.

The allocation to Moulsecoomb and Bevendean in 2012/13 will be approximately £65,000 per year.”

## **61. ORAL QUESTIONS FROM COUNCILLORS**

- 61.1 The Mayor reminded the Council that councillors’ oral questions would be taken in the order listed on the Council Agenda and that a period of 30 minutes was set aside for the item. Should any questions not be reached at the end of the time period, those councillors would have the opportunity for their question to be carried over to the next Council meeting.

- 61.2 (a) Councillor G. Theobald asked, “A recent article in the Argus quoted a 35 year old traveller, John O’Leary from Ireland, who was part of an unlawful encampment at Waterhall over the Christmas period. Mr O’Leary said, “The Council has been so helpful, we’ve said a prayer for the council. We’re all so thankful that they have been so welcoming, they have let us use the toilets and brought bins down which have been regularly emptied. We now have confirmation that these welcoming policies of his administration towards travellers have led to considerably greater numbers of unlawful encampments in the city since May as evidenced by the government’s official caravan count in July and the unprecedented number of winter encampments this year.

So will Councillor West take the opportunity to apologise to the Members of this Council and the residents of Brighton and Hove for misleadingly stating on a number of occasions that numbers of travellers in the city were no different from previous years?”

- 61.3 Councillor West replied, “Travelling communities are mobile, and therefore all count figures reflect a snapshot of a fluid situation. My comments in June were correct and the situation at that time was similar to the normal seasonal increase that we experience in the early summer months.

The official snapshot count happens twice a year, that wasn’t one of those points in time, and can be subject to significant variation depending on the circumstances on the date the count is taken. The key issue for local people is the impact that encampments have in their local communities.

Our monitoring has shown that our efforts over the summer resulted in a marked decrease in the number of traveller encampments in the city and this has helped to manage the impact that unauthorised encampments have had upon the local community. During the first quarter of 2011/12 (from April until the end of June) there were 30 encampments compared to 11 in the same period the previous year. This increase was because the authority was moving the Traveller groups on twice as quick as before. However we recognised that this approach was not working as it caused the

Travellers to fragment into a larger number of smaller encampments which impacted on local communities.

To minimise the impact on local people we changed our approach and allowed a group to stay at the 19 Acres site. As a direct result of this there was a 40% reduction in the number of encampments during the 2<sup>nd</sup> quarter of 2011/12 with just 18 encampments. This reduction was seen at the height of the summer where we would normally expect an increase and in fact there were 25% fewer encampments this time than the same period last summer where the previous administration saw 24 encampments.

We have also successfully used site protection measures at a number of sites. Withdean Park saw 5 encampments earlier in the year but our site protection works have made sure that there has not been a single encampment on the site since the works were done.

We have also worked with the Police to support Operation Monza during the summer where the Police made daily visits to encampments to improve relations with Travellers and reassure residents. During this period, not a single encampment needed to be moved because of nuisance or anti-social behaviour and our teams saw a marked decrease in resident complaints.

The facts are clear; our approach is working and is helping to minimise the impact that encampments have upon local communities.”

- 61.4 Councillor G. Theobald asked the following supplementary question, “At his Cabinet Member Meeting on Tuesday, when discussing the warding of a new contract to service Horsdean and unlawful traveller encampments, Councillor West said that he was keen to normalise the relations between the travellers and the settled community.

Given that the settled community pay for these sorts of facilities through Council Tax, will Councillor West undertake to seek a financial contribution from any future unlawful traveller encampments and also from Horsdean towards his services?”

- 61.5 Councillor West replied, “When we did discuss the new contract for traveller waste and refuse removal on Tuesday at my CMM, what I have discovered is that the contract that Councillor Theobald let some years ago to a private contractor was entirely the cost of collecting ordinary refuse from the small number of pitches at the transit site. We would make a saving now by bringing the service in house and getting Cityclean to do that, we would save £24,000 a year just picking up their rubbish from but a small number of people.

It is only a pity you didn’t spot the opportunity in the past. I am not going to respond to your other wider questions because you haven’t, as some Members have been polite enough to do, kept your question within the frame of the original.”

- 61.6 **(b)** Councillor Mitchell asked, “Within its 2011/2012 budget, the Council identified a significant amount of funding for the drawing up and the implementation of a financial inclusion strategy for the city. With low income households turning, in increasing numbers, to loan sharks and pay day loan companies and in the face of benefit cuts to

come, will Councillor Ben Duncan advise the council on the progress of this strategy and tell us when we can expect to see a comprehensive report on its implementation?"

- 61.7 Councillor Duncan replied, "We've seen, in the last couple of days, how the economy is shrinking, how economic mismanagement at a national level is causing real problems for people in the city and in the country. We've hear a big debate about policy of capping benefits at a level below that which will be required for some families to make ends meet.

We're hearing this in a context of wide ranging changes to housing benefit which will leave a large a number of young people in this city really worrying about how they'll have a home or a roof over their head at night and we're seeing enormous proposed cuts in legal aid some of the harm of those cuts will be felt by victims of domestic violence who are unable in the way they have been in the past to get the advice they need on how best to live the life they want free from violence and abuse.

There are just a few examples of the perfect storm in the advice and benefits system in this city and that's why it was so important that we have taken this work forward.

With the funding that was identified there have been two workshops which have been held by the advice partnership but a sub group of the 2020 community partnership with the council's involvement which started by looking at what the problems are and then trying to work out some of the solutions. The key date around when we will see what the progress of all of these in terms on commissioning is April this year because that's when the legal aid cuts come into force.

There have of course been a number of projects which have progressed through the course of this period. These are, specialist advice services for people with disabilities, there have been a number of different path finder projects involving Brighton Housing Trust and the Citizen's Advice Bureau. There's been a lot of work done on developing a new financial inclusion hub for the city and there's been a working group that's been looking at the quality standards of advice provided around the city.

That's as much detail as I can give you now, but watch this space April 2012 is when the work on this strategy which was funded last year will come to fruition in a way that we can look at the details of it."

- 61.8 Councillor Mitchell asked the following supplementary question, "This strategy and the funding identified for it was something that you and your group voted against at the last budget council. You say that the legal aid cuts and so on are coming into force in April, could you give a guarantee to the council that you will be bringing a report to Cabinet before then which sets out the actual work in progress and the proposals for how the strategy is being put together and the support that will be given to the various advice agencies including, hopefully, the Credit Union around this matter?"
- 61.9 Councillor Duncan replied, "Yes."
- 61.10 (c) Councillor Janio asked, "The Administration's own life cycle analysis shows that a separate food waste collection would deliver little if any environmental benefit to the city, given that the food waste collection trial will cover only 6000 households and cost

approximately £500,000 can the Cabinet Member for Environment and Sustainability please estimate what the cost of extending this service would be to all areas of the city not currently served by communal bins?"

- 61.11 Councillor West replied, "The Life Cycle Analysis carried out does state that the benefits of doing separate food waste collections are marginal. You are not comparing like for like, on the waste hierarchy, compost and recycling are higher up than burning your rubbish. A third of domestic waste is food being thrown away every week. Despite the work that we've been doing with the food partnership to reduce the amount of food being thrown away; it's not significant in its achievement. Our recycling rate at the moment, as under the previous administration, has been falling. It's languishing at about 27%.

Only by tackling food waste in a proper way, by making collections, will we be able to make any significant improvement. And we've been working people to promote home composting and it's about as far as you can take it with people wanting to do that. The only way we are really going to make a dent in this is by collecting food waste. We have got targets, your government has set some of those. We are way behind those, unless we start collecting food waste we will not be able to address that. There are additional benefits to collecting food waste as well, which are that they can have a positive impact on the amount of dry recycling that people do and they will also call into question people's actual amount of food that they are wasting in the first place. It makes people more conscious of how much waste they are generating.

Until we trial this, we won't know for sure what the impacts will be locally, there are 130 Council's in the country that are collecting food waste already and it is to our shame that we are not doing this already. Officers are working out detailed costings and the trial is estimated to cost £500,000 but that does include capital investment in vehicles and bins. That will not be the on cost of that areas collection, we are also submitting bids for funding which will significantly reduce the amount of contribution that this Council has to make and will be, in our final budget proposal that we'll be publishing before the next cabinet, revising the figure that is in there at the moment that was pencilled in and we will be revising that on reflection of the cost that we really expect this to be.

I would like to say to Councillor Janio, we have targets that we need to meet, it is the right thing to do, it is the only way that we are going to address improving recycling and it won't cost the dramatic headline figures he suggested."

- 61.12 Councillor Janio asked the following supplementary question, "The life cycle analysis says there is no scientific justification for this so we will ignore that answer completely. Would he agree with me that the decision to go ahead with this trial is based on dogma and ideology rather than science and rational thinking it's in the manifesto, you think you've got to go ahead with it, can't you just cancel it and save the city a lot of money?"
- 61.13 Councillor West replied, "I would just like to remind councillor Janio that there are plenty of Conservative Councils collecting food waste and this council ought to be doing that as well."
- 61.14 (d) Councillor Carden asked, "A resident of our ward in Portslade has cleared the path adjacent to his property behind housing association homes in Hamilton Close. Will the

council take away the rubbish he has collected from a point close to the highway as it appears there is no resource for removing this rubbish?”

- 61.15 Councillor West replied, As far as verge cutting goes, the frequency of verge cutting in Portslade has not varied for 20 years apart from under the previous administration, who decided to put additional funds into that. He will recall we amended that budget last year to take out the £100,000 for that extra cut that the Tories put in. That was an amendment that was put by ourselves with the support of the Labour & Co-operative Group.

They will tell you in a minute that we voted against that because we voted against the whole budget. However we voted in favour of our amendment and we gathered their support, so what I'm asking Councillor Carden is that given that the budgetary picture of this Council, that we are having our grant from the government reduced by a third over the next 4 years and it seems the Labour leadership nationally now is suggesting that they wouldn't do anything different than the Tories are doing.

So we can blame equally the Labour Party for this as much as we can for the Tory Party, when exactly does he think that we will be finding additional resources to spend on such things that he is asking. His party and our party decided there were better things to spend that £100,000 on people's services and that is the position that we are in today. We will not be increasing verge cutting and matters like that.”

- 61.16 Councillor Carden asked the following supplementary question, “I said rubbish, I did not mention grass. The people in my ward have long ago learned that the only way to keep our verges tidy is to cut it ourselves. This is rubbish, the person concerned has gone along and brought it all together and I have asked for it to be cleared. However I am told that they do not have the resources. So this person, unless I can do something quick, is going to take this rubbish and put it back where he got it from. I also caught this guy doing something else in North Portslade, going up the gutters with a hoe, clearing the grass which is growing out the verges anything up to 3 feet high at times.

People are doing this now, how are you going to recompense these people? They are doing the council's work getting no reward or even getting no recognition from the likes of yourself.”

- 61.17 Councillor West replied, “You did bring up grass cutting in the end as well so what you are telling us is that members of the public are clearing up refuse and then wanting it taken away, they are also cutting the grass on the verges because it has got too long for their liking. My answer from before relates to that second point you made there.

If you've got a specific site, Councillor Carden, where refuse needs to be picked up from clearing please let me know where it is and I will ensure that City Clean come and deal with it. However my original point still stands, we are under incredible financial pressure and it is not going to be the case that those sorts of services are going to be improved I am sorry to say that but that is a consequence of your government's (Labour) mismanagement of the economy and this government's (Conservative) determination to destroy public service.”

- 61.18 **(e)** Councillor Peltzer Dunn asked, "For reference, I will be referring to 43.42 on page 24 of our papers in the unaccepted minutes' section. At council on the 15<sup>th</sup> December I asked Councillor Duncan to advise me to the cost incurred by the Council in cleaning up Victoria gardens after the occupation which took place. To date notwithstanding promises of further information, the only advice I have been giving is that £200 will be spent on reseeded areas where the damage to grass was severe."

Is Councillor Duncan now therefore in a position to answer my original questions, i.e. what were the staff costs incurred in cleaning and clearing the site?"

- 61.19 Councillor Duncan replied, "Firstly, since that question was asked at last council, officers have carried out a lot of work to try and come up with a figure that answers it in a more meaningful way than just a little bit of staff time with minimal cost. What I can say is that the work required to answer your question is costing an enormous amount of money. I admire your tenacity Councillor Peltzer Dunn because by continuing to raise this you're ensuring that this Council wastes money on looking at the detail of how staff are managed rather than the instance in which we are employing to actually do it."

That notwithstanding I say the work is progressing to give a detailed answer to your question and I'm happy to give that written answer as I've said before. But for an honest and frank answer to your question at last council, I refer you to that answer because it appears your question is exactly the same."

- 61.20 Councillor Peltzer Dunn asked the following supplementary question, "Will Councillor Duncan let council know what action has been taken over the unauthorised camping taking place at the Hove seafront pitch and putt course and would he agree with me that a history of such events of this type could substantially affect the viability of the pitch and putt operation?"

- 61.21 Councillor Duncan replied, "I think there is some detail there which I haven't got now because the pitch and putt in Hove, as I said last time when you asked another question that was very specific, you haven't given any advanced expression or indication that you are going to answer that. I would love to answer that in detail and I will do a written question, I look forward at the next council meeting to you asking another oral question saying I wasn't quite satisfied with that written response but I will of course give you a written response to exactly the detail you are now asking."

- 61.22 **(f)** Councillor Marsh asked, "Can I ask the Cabinet Member whether he agrees that mobile libraries are a vital resource for those residents in our city who live in the more outlying areas which mean that they cannot easily access our static libraries for a variety of reasons; health, mobility, transport costs etc?"

- 61.23 Councillor Bowden replied, "I do agree that mobile libraries do provide a life line to people who are in isolated communities and we would dearly like to keep our mobile library. In fact we've set out what the costs are involved, the mobile library we currently have is at the end of its natural life, the costs of replacing it is about £120,000 the running costs because it is so old are £77,000 and rising and faced with how we balance the books, the mobile library came under scrutiny. Also under scrutiny is the number of people who actually used the library, some 860 people are registered with it nearly 70% actually use static libraries as well."

So we have around 200 people who use the library at a huge cost and there are, I can give in a written answer if you wish the actual costs of running the library per person but they are very large. At the budget scrutiny meeting chaired by Councillor Ken Norman a very interesting suggestion was put forward by the Labour Leader, Councillor Mitchell and we have in fact approached the voluntary sector to see if anyone is interested in taking this on. A letter has gone out to the voluntary sector asking whether they would be interested because they actually have access to funds that the council is denied. So we are exploring that possibility. I have invited Councillor Mitchell to be part of the discussions and I hope that Councillor Marsh would also join discussions should something come forward from those ideas. I have also asked councillor Mears to join us should those discussions progress.

So we've made a proposal, we are consulting and I'm getting many interesting responses and I won't say more on that until the end of the consultation."

- 61.24 Councillor Marsh asked the following supplementary question, "The residents of Bevendean have enjoyed the reinstatement of their mobile library which I managed to get for them after a successful campaign. Am I now expected to tell them that their library service is going to be axed in what appears to be another attack on vulnerable communities by this Green administration?"
- 61.25 Councillor Bowden replied, "The good news is that we're not proposing to cut any libraries unlike a number of administrations around the country, Tory and Labour alike. All 14 of our libraries are going to stay open under our proposals unless, of course, our proposals are voted down in Full Council at the Budget meeting, then other parties will have to answer to their residents. However we are proposing to keep all our libraries open except we either find money down the back of a Greek sofa or we have to sacrifice it and the numbers tell themselves, a very detailed analysis of usage of who is using the mobile library speak for themselves. We may have some painful news but let's see what happens with the voluntary sector, maybe there is some light at the end of the tunnel."
- 61.26 (g) Councillor Brown asked, "Can the Cabinet Member for Culture, Recreation and Tourism, please explain what the administration's policy is for attracting more tourists to the city in order to boost the local economy?"
- 61.27 Councillor Bowden replied, "We attract 8.1 million, and rising, people. I can announce today that the Labour party are coming back to have their annual shindig, all 8000 of their hangers on will be there. Your supporters, journalist, advisors, all will be there boosting our economy tremendously. So all our restaurants and hotels will be beneficiaries of that.

We have Visit Brighton which I'm very pleased to say, signed up its 400<sup>th</sup> partner and we are working very closely with that sector, we're working very closely with the Hotel's Association and the Tourism Alliance. We get tremendous coverage in national and international media expelling the virtues of Brighton which is not just a bucket and spade city anymore, we've moved beyond that, we have restaurants, museums, festivals, all of this we embrace.

We are not making any changes, we have put forward proposals for 2013/2014 about what we might be doing with the Tourist Information Centre, anticipating our next follow up and we're confident that we're going to have a better offer and a better service to look after the tourists who come down here. On the Tourist Information Centre some 400,000 visit our Tourist Information Centre where it is currently located, there's another Tourist Information Centre under the station in the toy museum which I've questioned whether that's in the right place but our Visit Brighton website has millions of hits and a lot of people are planning their visits to the city and finding out what's available via the website."

61.28 Councillor Brown asked the following supplementary question, "Well how, therefore Councillor Bowden, can you reconcile these policies with your administration's proposals to cut the street sweeping and graffiti removal budgets, increasing Royal Pavilion charges, possibly closing the Visitor Information Centre, closing public toilets including, unbelievably, ones on the seafront and ramping up city parking charges by astronomical amounts? Surely these measures will deter visitors not attract them?"

61.29 Councillor Bowden replied, "I'm not going to make political points about the central government because other Members have made it rather eloquently earlier but the facts are there so we've got less money to play with and we have to cut our cloth accordingly. We have increasing numbers going to the Pavilion, we have just secured a super amount of funding which you may have read in our council press releases and we are continuing to put on superb exhibitions to attract even more people.

The state of the economy means that we have to work very hard on all fronts with partners, unions and other groups to make sure that the city does not suffer and we're determined that it will not."

61.30 (h) Councillor Farrow asked, "Could the Leader of the Council confirm that he has recently had a conversation with a government minister which included a warning from the minister that local authorities such as Brighton & Hove City Council face several more years of cuts perhaps totalling around 40% of this council's budget by 2015?"

61.31 Councillor Randall "I certainly had a meeting where a civil servant said that rather than a minister, told me that where we are now is what we can expect beyond this public service finance agreement and that they're already looking at the next comprehensive spending review for local government and we can expect more of the same and what he said absolutely was, "you'd better get used to this."

In the context of what we've been hearing today, let us just remember what is behind all the things we've been talking about. We're having to make very hard decisions, nobody wants to cut a music service nor do we want to cut domestic violence services either and we've actually increased the money we've spent on this and there are tough decisions to be made. But remember where this comes from, it comes from over there (Conservative) by their government cutting public services cutting the money, it's them over there what's doing it and they're very kind enough to detach themselves from the political reality of what they are doing to this country and achieving absolutely nothing as we've seen from the growth figures today."



61.32 Councillor Farrow asked the following supplementary question, “Would the Leader of the Council agree that to simply keep cutting services in the way that his budget proposes to a total of 40% is not an option and that a radical overhaul of the council is needed now to downsize the layers of management and concentrate on frontline services?”

61.33 Councillor Randall replied, “I do agree with you entirely and we are doing that, I can’t remember the exact figure, Councillor Kitcat can give them to you, but what is referred to, for instance, as backroom staff accounts for only 5% of the budget of this council. I would like to say in passing we hear a lot about backroom staff as if their functions are not important, the people who do that work in this council now are doing it with far fewer resources than they had before and they’re still doing a very good job for this city despite the number who have left already and I think they should be acclaimed for that.

We are taking money out of the budget for staff this year at all levels and will be doing the same again next year and I agree with you we do have to look at it because it’s going to go and on, who’s ever in power in 4 years time. We’re going to be have the very same debate we’re having today and I fear for the future of local government.”

61.34 (i) Councillor Wealls asked, “Does Councillor Shanks and the Green administration support Michael Goves’ introduction of new arrangement for teacher and head teacher appraisals in maintain schools in England, specifically I’m sure you know what these are but you know Michael Gove made some proposals recently but they’ll come into effect in September 2012.

They will give schools more freedom over managing their teachers; it will require them to assess teachers every year against new, simpler teacher standards, it will allow poorly performing teachers to be removed in about a term rather than a year which is currently the case and to share more information on teacher performance with other prospective employers. If you do support them, would you be pushing for speedy adoption in the city’s maintained schools from September please?”

61.35 Councillor Shanks replied, “Anything that says do you agree with Michael Gove – obviously not. Schools already manage their teachers and the problem a lot of teachers will say is not lack of management or scrutiny, it’s the problem that they get too much top down direction of what to do every 5 minutes in your classroom.

Personally in my experience of education, actually that’s not a helpful thing. We should encourage teachers; we should support teachers to do their best. There are systems in place for teachers who aren’t performing and obviously Ofsted has a role to play in that. However I don’t think that punishing teachers is the way to improve our education system.

I think we need more resources into the education system but we also need to encourage good teachers to do their job and not to be constantly harassed by threatening them and to threaten to take their school into an academy etc.”

61.36 Councillor Wealls asked the following supplementary question, “I’m not sure if that was a yes or no in terms of supporting those initiatives as you know part of the process is to really push power down to schools so that they can take decisions themselves over poorly performing teachers and actually be able to move them on within a reasonable

amount of time. I think, in terms of the questions that we have over trying to get opportunities for disadvantaged children they're the ones are most disadvantaged by poor teaching. As there wasn't a response it is difficult to follow up with a supplementary.

Maybe you would like to comment on your own party's policy in terms of abolition of SATS, abolition of school league tables and also modelling the education system on what goes on in Wales where a third of the schools are not good enough and their standards have fallen behind the standards of the rest of the United Kingdom? Maybe that's the agenda the Green party would like to follow?"

- 61.37 Councillor Shanks replied, "To be clear, no I don't agree with Michael Gove and the way that this is being brought in but I will have a look at it because I don't really know the detail. In terms of our opposition to league tables and to stats, it shows really that we should be looking at the way children are educated and there's a lot more about education than simply league tables. We are concerned that children do well and to get good results at GCSE's and it is disappointing that some of our schools aren't getting those results.

However there are lots of other things that affect children and actually poverty is the thing that affects children's results more than anything so I think the bigger picture is really important here. I'll look at our policy on Wales."

- 61.38 (j) Councillor Turton asked "Would the Cabinet Member agree that street signage and furniture should be kept to a minimum and would it surprise him to learn that in a very small street such as Chisham Street in my ward it has 11 posts reminding residents that it is a resident's only parking area? The cost of removing 6 of these posts on the council approved contract is over £800. The reason given for that high cost is due to health and safety issues."

- 61.39 Councillor Davey replied, "It is absolutely our priority to minimise street furniture. Of course it is particularly frustrating to be spending scarce resources on taking out stuff which has been put in unnecessarily, so I have already contacted the Head of City Clean and they will be in touch and I'm hoping that they can hopefully be recycled into a new scheme."

- 61.40 Councillor Turton asked the following supplementary question, "It was the wider point about tendering and procurement, given that he and I would be appear to be shocked about the high cost of such a service and health and safety is sometimes used a blanket excuse by public bodies not to actually act not and not to put in detail, would you therefore agree to review the tender and procurement service for this particular issue?"

- 61.41 Councillor Davey replied, "I'm not in a position here today to commit to reviewing tendering but I will ask Gillian to have a look at that and certainly make sure that we're not putting in any stuff we don't need to."

- 61.42 (k) Councillor A. Norman asked, "The original decision to cease funding to shop mobility was taken without any consultation with the Federation of the Disabled. Can I be assured that meaningful discussions have taken place between the Council and the Fed

to ensure that future funding for shop mobility can be identified from Council funding streams so that this important service can continue to operate from Churchill Square?"

- 61.43 Councillor Davey replied, "Decision was made without consulting anybody, it was a proposal and ongoing discussions have taken place between Council officers and the Federation of the Disabled and as you are aware they are moving forward so that the Council will continue to fund shop mobility for at least another year and officers are continuing to work closely with them and look to maximise other opportunities for the scheme such as securing section 106 money through the planning process."
- 61.44 Councillor A. Norman asked the following supplementary question, "Users of mobility scooters continue to require more dropped curbs to make more parts of the city available to them; can you confirm that a complete survey of all the roads and junctions will be carried out in the very near future so that dropped curbs can be installed where necessary?"
- 61.45 Councillor Davey replied, "I don't think the Council is in a position to undertake a survey of the whole city but there has been a steady program, which I know was cut back by the previous administration. But this year there has been £20,000 invested which has all gone into the Bates Estate for which I know residents are extremely grateful and we are hoping to secure additional funding in next year's local transport plan capital budget to install even more so I hope we will have your support when that budget comes before Full Council."
- 61.46 (I) Councillor Gilbey asked, "In 2010 the 2 play areas in North Portslade received Playbuilder monies from the last Labour government to improve the parks. Unfortunately the openings of both parks were delayed due to safety issues. In Warrior Park the zip wire is now excellent for older children however for young children there is still only the 20 year-old set of swings and very few children use them. In Mile oak rec 3 new pieces of play equipment have classified as unsafe, unstable or not functional. On behalf of the local school children for Mile oak primary school and Packer, will the Council please look at replacing a slide and provide a swing boat for the older children?"
- 61.47 Councillor West replied, "I know you have written to officers and, I believe, met with them about the teething problems with the 2 play park areas and equipment they've given me a long list of things that they say they are going to look at what you've raised with them. I'm hoping that will progress and if you are unsatisfied with that, if you get in contact with me again I'll certainly look into it."
- 61.48 Councillor Gilbey asked the following supplementary question, "I will read out a letter from a pupil in year 6, Dear Councillor I am writing to you because I'm concerned that the Mile Oak Park has got worse. I'm sorry if this offends you but I prefer the old park. Furthermore a lot of pupils think that the old park was much better because it had the climbing frames and the swirly slide which we all loved. We would like all the children to be happy again, wouldn't you?"
- 61.49 Councillor West replied, "In view of the time available I don't think there's much more I want to add. The play builder scheme has actually been hugely successful in introducing investment for 22 sites around the whole city. I appreciate some people might have preferences for previous equipment but I can't particularly comment on

those points being made there, as I say officers will look at the issues that you've raised and we'll see where problems that have arisen can be addressed then hopefully as many people as possible will be happy with the equipment that's available now."

- 61.50 **(m)** Councillor Mears asked, "Following on from a recent statement made by the Leader of the Council to this chamber that the HCA had allocated two million to Brighton and Hove Council and in the interest of openness and transparency can Councillor Randall how the money is to be spent and a timescale attached to the allocation of this funding?"
- 61.51 Councillor Randall replied, "The money so far they've actually and given us £670,000, that money has been allocated to clear garage sites which will provide for sites across the city for 35 new council homes and the intention is to use HRA capital funding to pay for those and our officers are discussing with the HCA at the moment, how we can apply the rest of the money by the end of the year probably through Housing Association Schemes that are on the stocks. There are at the moment just over 500 Housing Association homes in the city either on site or in the pipeline which is good news to all of us."
- 61.52 Councillor Mears asked the following supplementary question, "The statement led out by the Leader of the Council was for £2 million pounds, my understanding the criteria, and on receiving 2 million pounds, is that a scheme needs to be onsite by the 31<sup>st</sup> March this year. So therefore the £600,000 you're talking about Councillor Randall unless those schemes are actually onsite, we will not be receiving the money unless you're taking it from somewhere else. And if we're not to receive the 2 million; Councillor Randall, that you made in your statement and I'm sure you wouldn't wish to mislead the members of this chamber, as this will have an impact on any Council house building which will include Ainsworth House. So can the Leader of the Council now confirm the statement that he made to this chamber around the 2 millions pounds and confirm whether not any site will be ready by the 31<sup>st</sup> March to enable our Council to receive the funding?"
- 61.53 Councillor Randall replied, "As I said in my previous answer, we have identified the site, we are looking at clearing them and we are producing schemes to come forward at the moment. As I said already the two million pounds, which that is part by the way so there's about 1.3 million, there are discussion between our officers and Housing Associations in the city who have schemes ready to go which we would put the money into. Of course we will try and involve the tenants as much as possible in all of this and knowing Councillor Mears' close relationship with tenants I'd like her to join with me in condemning a specious and stupid statement made last week by Grant Shapps the Minister for Housing who said, "For years the system for social housing has been associated with injustice where awards are reaped by those who know how to play the system best. Despite the terrible image a lazy consensus in Social Housing has ensured that for an entire generation no one has bothered to do anything about it."
- 61.54 **(n)** Councillor K. Norman asked, "Bearing in mind a member of the local community in my ward has already asked you part of this question, I will ask it in even greater detail. How much does it cost the Council to supply refuse collection, electricity, water, use of toilets and the cleaning up of the toilets at Waterhall during and following the most recent low occupation of the Waterhall car park for unauthorised and, as you call it, mobile communities visiting our city?"

- 61.55 Councillor West replied, "I'm not sure how I should address the Councillor maybe he is the Conservative second spokesperson on travellers I'm not sure; but on this occasion I'm sure he's talking as a Ward Member. I have already supplied an answer to the ward member's constituents' questions about Waterhall but just for Member understanding the situation that occurred is that it was agreed between City Parks and the Traveller's Liaison Team to open the toilet block for the use of travellers at Waterhall while they were encamped up the car park before Christmas.

This was regarded to be a matter of responsible management as they had been advised that one of the travellers had a condition which required frequent access to a toilet. The toilets were cleaned immediately before Christmas by our contractor and as normal we arranged for the site to be cleaned after the encampment had been moved on. This was carried out during the week after the travellers had moved however the toilets had become blocked over the Christmas period resulting in them being left in a poor state which has been widely reported. Despite a number of allegations, Councillor, frequent visits were made to the site and it was never found that any electricity had been abstracted. The cost of the eviction, I think you've asked there, a possession for this land was obtained in the County Court on the 23<sup>rd</sup> December and the bailiffs were booked after the Christmas period, the travellers left the land prior to the eviction which meant that there was no eviction costs although there was a cancellation fee of £295.

The total cost of the encampment including repairs to the toilet block, I understand, we've not yet received all the invoices for the costs involved in clearing the blocked toilet however the costs associated with managing this encampment so far received are £2,288 and this includes unblocking the toilets a first time although they were as stated subsequently blocked again. I do not have any more detailed information for you, your questions was just entitled Waterhall, if you would like officers to give you further information about the finances I'm sure that can be arranged."

- 61.56 Councillor K. Norman asked the following supplementary question, "Yes Councillor West you did say that you responded to my resident. He keeps me copied in on every exchange you make with him. So far he has not copied me in on that and I would have thought I would have been copied in because I was on the list of email addresses so I don't know yet and I'm sure he may not have got it at this moment. So bearing in mind the Waterhall toilets are not used and available to the thousands of residents that regularly use Waterhall they are in fact only available when there are sporting events on and also bearing in mind that the current administration is planning to close some public toilets.

I want to know why they were opened, you gave me an indication of who authorised them, but it wasn't a clear indication and will you confirm that the toilets were left in a good and clean condition. I asked this question and part of my first question you haven't answered. That is use of electricity, the use of water and bearing in mind there are hose pipes connected to the taps within the building, electricity cables were connected from the electricity points to the caravans and the water pipes were as well.

I know that was refuted by you in an email but I would still like to know what cost the electricity and water has put to the Council. You come up with some very complicated answers which are not relevant to the questions I've asked, so I wish you'd stick to the questions and also not challenge the title of the questions because, like us last year, we

were subjected to strange questions and strange subjects from the members in your group. So just get on with the job, answer the questions that we put to you if you can't, and put them in writing at a later date. So if you could answer my most recent supplementary I'd be grateful."

- 61.57 Councillor West replied, "I think my problem with all of this is the level of inspection and interest and obsession that we get from Conservative Members about this one subject, this group of highly marginalized people. I don't think there's been a Cabinet member before that's know exactly how much electricity or water might have been used and the cost thereof at a particular encampment anywhere in the city at any given time so I'm extremely sorry if I don't have the information to hand at this moment in time but I have given you some figures that are relevant and expect that you might wish to have had.

But as I say Councillor the subject matter of your question and there was no more further detail, was entitled 'Waterhall.' That is all I was given to work upon, what I have offered already in my initial answer is that I will give you further information; water, electricity, any other costs you want as the breakdowns become available. I'm sure I can make my officers run around for a very long time getting all that information to you if that will be useful. I do think that Members need to consider the amount officer time in costs and travel that this is all costing by perpetually asking these awkward questions of us and I really do think that there are bigger matters for this Council to be spending it's time considering."

- 61.58 Councillor Hyde asked, "Would the Cabinet Member for Transport please re-consider his decision to penalise local small businesses on the northern side of western road by introducing the draconian loading restrictions at the command of Brighton and Hove Buses whose parent company the Go Ahead Group saw their operating profit rise by 14% to 115 million pounds last year. Also it should be noted that none of the affected businesses were written to or consulted."

- 61.59 Councillor Davey replied, "It's a bit of an exception in the city, this part of such a key arterial route, if one looks at most of the other key route sides, the eastern side of western road has loading bans all the time. Lewes road has peak time loading bans in the morning and the evening; London road has loading bans at various times during the day. The aim of all this is to keep traffic moving in the city. There is clearly a problem on Western road with inconsiderate and indiscriminate parking that can be observed at most times of the day causing disruption to traffic of all kinds and also a danger and a hazard to vulnerable road users such as walkers and cyclists but I have met the trader who your concerns are about and I'll tell you the same think as I said to him, that officers are looking at this and see what might be done to mitigate the impact his business."

- 61.60 Councillor Hyde asked the following supplementary question, "Now I've been informed that the officers are looking at it, well you put up for consideration that the restrictions in the evening are placed on the southern side of the road rather than having the restrictions both morning and evening on the northern side of the road. Would you ask officers to look at?"

- 61.61 Councillor Davey replied, "It's already been done."

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

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

- Item 63 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan.  
Item 64 - Health & Wellbeing Board Development (Shadow Year).

**(b) Receipt and/or Approval of Reports**

62.2 The Head of Democratic Services confirmed that Items 63 and 64 had been reserved for discussion.

**(c) Oral Questions from Members**

62.3 The Mayor noted that there were no oral questions.

**63. EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS LOCAL PLAN**

- 63.1 Councillor Randall introduced the report which outlined the progress of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (WMP), which would eventually replace much of the council's adopted Waste Local Plan and Minerals Plan. He noted that the WMP would provide planning policy for the management of all wastes and the production of all minerals in East Sussex and Brighton & Hove. The proposed plan would be put out to consultation and it was hoped to identify possible sites with a view to not relying on landfill or landraise options and stated that he was happy to accept the proposed amendment that had been circulated as part of the addendum papers.
- 63.2 Councillor Hamilton moved an amendment to include an additional recommendation (2), "To note that the issue of site allocation, including that of Hangleton Bottom, will be considered as part of the Waste Sites Development Plan Document which will be coming to Council for approval." He noted that Hangleton Bottom had been left in the Waste Plan as a possible site for a waste facility, but with the development of the Hollingdean depot and site, he believed there was no need for Hangleton Bottom to be included in a future plan.
- 63.3 Councillor Fitch formally seconded the amendment and stated that whilst Hangleton Bottom had previously been considered as a possible site for a waste facility, he did not believe that there was such a need and therefore hoped it would not be included in any future plans.
- 63.4 Councillor Mitchell stated that she supported the aims of the report but expressed concern over the loss of recycling rounds and questioned what was planned for Hangleton Bottom given that Hollingdean Depot had capacity and the waste incinerator facility was at Newhaven. She also welcomed the intention not to take waste from London.

- 63.5 Councillor Janio welcomed the report in general but questioned the need to identify more sites when capacity existed at Hollingdean and stated that he was happy to support the amendment.
- 63.6 Councillor MacCafferty stated that there was a need to work with East Sussex County Council and plan for future waste collections and treatment so that waste could be dealt with effectively and disposal kept to a minimum.
- 63.7 Councillor Gilbey stated that residents living next to Hangleton Bottom had been living under a cloud for over six years wondering what was going to happen, knowing that there was no infrastructure to support a waste facility. She hoped that they would soon have some clarity on what was planned so that they could get on with their lives and not have to worry about what might or might not happen.
- 63.8 Councillor Jarrett stated that there was a need to develop a strategic plan and to identify sufficient sites within that plan that would be accepted by the Planning Inspector so that the possibility of the plan not being accepted and opportunities opened up to private developers to use sites avoided.
- 63.9 Councillor Randall noted the comments and noted that East Sussex County Council's Cabinet had accepted the proposed plan and it was being considered by the County Council next week. He therefore recommended it to the council with the propose amendment.

**63.10 RESOLVED:**

- (1) That the analysis of the response to the consultation on the draft Waste and Minerals Plan be noted;
- (2) That it be noted that the issue of site allocation, including that of Hangleton Bottom, will be considered as part of the Waste Sites Development Plan Document which would come to Council for approval;
- (3) That the Proposed Submission Waste and Minerals Plan (PSWMP) and its publication for statutory public consultation for a six week period commencing on 24 February 2012 be agreed;
- (4) That it be agreed that the document be subsequently submitted to the Secretary of State subject to no material changes, other than alterations for the purposes of clarification, improved accuracy of meaning or typographical corrections, being necessary; and
- (5) That the Strategic Director, Place be authorised to agree any alterations for the purposes of clarification, improved accuracy of meaning or typographical corrections to the text of the PSWMP with East Sussex County Council and the South Downs National Park Authority prior to consultation.



**64. HEALTH & WELLBEING BOARD DEVELOPMENT (SHADOW YEAR)**

- 64.1 Councillor Littman introduced the report which detailed the proposed establishment of a Shadow Health & Wellbeing Board in April to run up until the formal creation of a Health & Wellbeing Board in 2013.
- 64.2 Councillor K. Norman referred to the extract from the minutes of the Governance Committee meeting held on the 10<sup>th</sup> January and stated that he hoped the Shadow Board would not become a political environment and therefore expressed concern over the proposal to increase the councillor membership from 3 to 7. He had attended a number of seminars and workshops with regard to the new Board and the intention had been to keep the membership to a minimum with only 3 councillor representatives. He therefore wished to move an amendment to that effect.
- 64.3 Councillor G. Theobald formally seconded the amendment.
- 64.4 Councillor Marsh welcomed the formation of the Board in principle but expressed her concern over the lack of clarity in regard to how it would relate to Children's Services as she feared there was a potential for fragmentation of the various services involved.
- 64.5 Councillor Bowden stated that he welcomed the report but when he attended the various workshops had expressed his concern over the lack of councillor representation, as they were the elected representatives, and whilst he fully agreed that the Board should not be political, he believed that the officers on the Board should be protected in terms of the decision making and accountability of the Board.
- 64.6 Councillor Turton welcomed the establishment of the Board and whilst he had some sympathy for the amendment, he felt that there was a need to protect the democratic mandate of councillors in regard to decision-making.
- 64.7 Councillor Randall stated that he supported the need to keep the overall size of the Board down, but also felt it was important to recognise that councillors should be seen as those taking responsibility for decisions and therefore needed to be in a position to do so without putting officers in a difficult position.
- 64.8 Councillor Littman noted the comments and stated that he could not accept the amendment and as there was a need to protect the non-elected members of the Board when decisions had to be taken and to ensure that such decisions were regarded as those of the elected membership.
- 64.9 The Mayor noted that the amendment had not been accepted and put it to the vote which was lost.
- 64.10 The Mayor noted that the recommendations had been moved and put them to the vote which was carried.
- 64.11 **RESOLVED:** That the establishment of a Shadow Health & Wellbeing Board from April 2012 as set out in the report and in accordance with the draft terms of reference attached at Appendix One, as amended by the Governance Committee at its meeting on

the 10<sup>th</sup> January 2012, 'That the second bullet point in paragraph 3 (Membership) reads: Six additional elected Members which , taken with the Elected Member as Chair set out above, will be allocated to the different groups in proportion to the number of seats they have at Council, be approved.

**65. NOTICES OF MOTION.**

**(a) Accept The Council Tax Freeze Grant**

65.1 The Notice of Motion as detailed in the agenda was proposed by Councillor A. Norman on behalf of the Conservative Group and seconded by Councillor G. Theobald.

65.2 Councillor Hamilton moved an amendment on behalf of the Labour & Co-operative Group which was seconded by Councillor Mitchell.

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

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

"This Council warmly welcomes the offer of Government grant funding worth £3 million that would enable a council tax freeze for Brighton & Hove's residents in 2012/13. It, therefore, profoundly regrets the Green Administration's stated intention to turn down this money and instead increase council tax by 3.5% for each of the next 3 years.

The Administration's refusal to accept the £3 million flies in the face of public opinion. Currently, over 7,000 residents have taken part in the Argus referendum on the subject and 70% have indicated that they would like a council tax freeze. The Argus' public-spirited campaign to consult as widely as possible with the residents of Brighton & Hove contrasts sharply with the Administration's consultation exercise which involved only forty eight residents, whilst incurring a cost of almost £10,000.

Therefore, without prejudice to the final decision being taken at the Budget Council meeting, this Council urges the Administration to produce a Budget for the whole city which will take advantage of the £3 million Government grant and deliver a much-needed council tax freeze to the hard-pressed residents of Brighton & Hove in these tough economic times."

**65.5 The motion was carried.**

**(b) Rail Fare Rises**

65.6 The Notice of Motion as detailed in the agenda was proposed by Councillor Turton on behalf of the Labour & Co-operative Group and seconded by Councillor Morgan.

65.7 Councillor Davey moved an amendment on behalf of the Green Group which was seconded by Councillor MacCafferty.

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

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

“This council notes with regret the recent rises of up to 11% on rail fares, and how this will impact on many of the 33,500 residents of Brighton and Hove who commute out of the city on a daily basis, many of them to London. Rises in the next two years could be up to 13%.

A Brighton to London season ticket on Southern has risen 7.76%, going up from £3,556 to £3,832, while some off-peak Brighton to London day returns have risen 10.18% to £24.90. A weekly First Capital Connect season ticket from Brighton to London has gone up from £77.60 to £80, and an annual ticket from £3,104 to £3,200 (3.1%).

This council believes that investment by the taxpayer in the rail network, whether the individual is a user of the rail system or not, is an essential part of encouraging the use of one of the more sustainable forms of transport, and that the cost of investment in the network should not be borne disproportionately by rail users.

This council further believes that the Government’s decision to side with the powerful private train operator lobby against commuter and passengers, for example by train companies more freedom to rig the system of fares, so that the busiest routes get biggest fare increases, shows they are desperately out of touch with the spiralling cost-of-living crisis facing so many hard-working families.

This council further believes that a co-operatively owned rail network, where passengers have a stake and a say in the transport they use, would be a better solution to the long term issues involved in promoting this form of transport.

This council asks the Chief Executive to write to the Secretary of State for Transport, asking her to review the application of the full increase in fares in the interests of the Brighton & Hove economy, and to consider limiting future rises to 1% above the rate of inflation, as supported by Transport Minister Norman Baker when in opposition.”

65.10 **The motion was carried.**

**(c) Protect BBC Local Radio Services**

65.11 The Notice of Motion as detailed in the agenda was proposed by Councillor G. Theobald on behalf of the Conservative Group and seconded by Councillor Peltzer Dunn.

65.12 The Mayor then put the following Notice of Motion to the vote:

“This Council notes with concern the proposals contained within the BBC Trust Service Review of Local Radio. If implemented, the plans would reduce the budget for the BBC's 40 local stations in England, including BBC Sussex, by 19%, or £15m, with the loss of 280 jobs, or up to 20% of staff at individual stations. This will result in a reduction in local

output of 22%, including the replacement of local afternoon and evening shows with standardised national content, the switching off of Medium Wave and less local sports and music coverage.

This Council applauds the efforts of the BBC, as a publicly-funded organisation, to make efficiency savings along with the rest of the public sector at a time of economic turbulence. However, this Council believes that such savings should not prevent the BBC from fulfilling its public service remit and urges them to find the money from elsewhere in the organisation, rather than from local radio, which many people, including the elderly and vulnerable, rely upon for information, advice and comfort.

This Council further notes the concern expressed by the Local Government Association about the detrimental impact the BBC's proposals could have on the ability of local authorities to manage in emergencies. In times of crisis such as flooding, severe weather or other major emergencies, councils, the police and fire authorities often rely on local radio to keep residents informed and issue safety advice.

The proposals for local radio come hot on the heels of the regionalisation of local television news coverage and the transfer of part of the operations of the city's only printed daily newspaper – the Argus – to Southampton.

Therefore, this Council resolves to write to the city's 3 MPs, outlining the concerns expressed in this motion and requesting that they make representations to Lord Patten – Chairman of the BBC Trust - to safeguard local radio and, above all, to keep it genuinely local."

**65.13 The motion was carried.**

**(d) Fair Deal For Pubs**

65.14 The Notice of Motion as detailed in the agenda was proposed by Councillor Randall on behalf of the green Group and seconded by Councillor Duncan.

65.15 The Mayor then put the following Notice of Motion to the vote:

"This council recognises the important role community pubs play in the life of the many villages that make up our city, supporting local activities and organisations and providing a safe and regulated environment for consumers.

It also recognises the many financial and other pressures faced by pubs, chief among them the rip-off that sees the big pub companies (PubCos) overcharge their tied tenants for beer, wine and spirits and restrict access to local ales, all of which has a disastrous impact on the pub trade.

Furthermore, it is concerned that the Department for Business, Innovation and Skills' proposals for reform of the pub industry relies heavily and naively on self-regulation and believes only a statutory code of practice, which includes a free-of-tie option with an open market rent review and an independent adjudicator, will resolve the corrosive contractual problems between the pub companies and their lessees

In addition, it notes the threat to the survival of pubs by the sale of alcohol across the city in off-licences, local shops and national supermarket chains at 'pocket-money prices' (1) that also fuels alcohol-related health problems and social damage (2).

Council therefore:

- (1) Supports the *Fair deals for pubs* motion passed unanimously in the House of Commons earlier this month, which calls on the Government to commission a review of self-regulation of the pub industry in the autumn of 2012 to be conducted by an independent body approved by the House of Commons Business, Innovation and Skills Committee.
- (2) Urges the government to introduce a minimum price for alcohol sales in England to stop the sale of cheap alcohol in shops and supermarkets and address the disparity between shop and pub prices, thus encouraging consumers to drink in the safe and regulated environment of the local community pub.

*Notes:*

- (1) *In a letter to the Daily Telegraph (13 December 2011) 19 medical experts urged the Government to bring in a minimum price for alcoholic beverages, saying that 'pocket money prices' should be a thing of the past. Thousands of lives could be saved if cheap alcoholic drinks were made more expensive, they argued.*
- (2) *It is estimated that alcohol harm in the UK costs the health, police and other services £25 billion a year. The estimated annual figure for Brighton and Hove is £106 million.*

**65.16 The motion was carried.**

**(e) Ultra-Fast Broadband For Our City**

65.17 The Notice of Motion as detailed in the agenda was proposed by Councillor J. Kitcat on behalf of the Green Group and seconded by Councillor MacCafferty.

65.18 Councillor Kitcat noted that since the submission of the notice of motion the position had changed and therefore he wished to amend it to reflect the change and was therefore happy to include the amendment has circulated in the agenda.

65.19 The Mayor noted that Councillor Kitcat had accepted the amendment and put the following motion as amended to the vote:

"Ultra-fast broadband is key to enabling the development of new services and innovative new businesses. Countries and areas with fast, affordable Internet connections have a clear record of strong economic development including South Korea, Finland and Silicon Valley. Ultra-fast broadband is defined as connections having download speeds of at least 80 megabits per second.

Brighton & Hove is a hub of start-up and established new media businesses covering numerous burgeoning sectors such as video games, mobile apps, web development,

online media, social media and many more. Our city has the highest level of digital business per head of population; the sector is growing here three times faster than the national average and creating the majority of new local jobs. More than ever given the difficult economic times it is critical that we support and nurture this sector to support economic development and good local jobs for our residents.

This Council notes the government's proposals for a fund to support the roll-out of ultra-fast broadband into a network of super-connected UK cities, each with more than 150,000 homes, a plan which does not include our city.

This Council agrees that as Brighton & Hove is a unique new media hub with it should have been included in the list of eligible cities for the government's broadband funding. The Council notes recent comments by Jeremy Hunt MP refusing our city's inclusion in the super-connected cities fund, but agreeing to support other avenues for achieving ultra-fast broadband for our city.

Hence this Council agrees to:

- 1) Thank the city's local MP's and business groups for their campaign to "Let Brighton Bid";
- 2) Ask the Chief Executive to write to the minister responsible, seeking support for ultra-fast broadband funding in our city;
- 3) Ask the city's Members of Parliament to continue urgently lobbying Ministers on this issue."

65.20 **The motion was carried.**

## **66. CLOSE OF MEETING**

The Mayor then closed the meeting.

The meeting concluded at 10.10pm

Signed

Chair

Dated this

day of