

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

4.00PM 7 MARCH 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

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

PART ONE

44. PROCEDURAL BUSINESS

44.1a Declarations of Substitutes

There were none.

44.1b Declarations of Interests

There were none.

44c Declaration of Party Whip

There were none.

44d Exclusion of Press and Public

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

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

45. MINUTES OF THE MEETING HELD ON 23 JANUARY 2012

45.1 The minutes of the meeting held on 23 January 2012 were agreed and signed by the Chair.

46. CHAIRS COMMUNICATIONS

46.1 Councillor Warren Morgan, Committee Chair welcomed everyone to the final meeting of ECSOSC. He said Councillor Pete West Cabinet Member for Environment and Sustainability had given his apologies for today's meeting, and had thanked the committee for its comments at the January meeting on the waste management and waste planning reports.

46.2 Councillor Morgan was proud to have served as Chair since the Committee was formed in 2008. He thanked the officers who had prepared reports and answered questions especially

those who appeared regularly at Committee, and the Scrutiny Team. Thanks were also due to members of the public and external contributors.

46.2 Councillor Morgan was grateful to Councillors from all political groups who had served on ECSOSC over the years and to Cabinet Members and those who had been involved with the Committee in other ways.

46.3 Comments from scrutiny would be reported to Cabinet where relevant.

47. PUBLIC QUESTIONS/ LETTERS FROM COUNCILLORS/REFERRALS FROM COMMITTEES/NOTICES OF MOTION REFERRED FROM COUNCIL

47. 1 There were none.

48. REPORT OF THE TRAVELLER STRATEGY SCRUTINY PANEL - FOR AGREEMENT

48.1 Chair of the Scrutiny Panel Dr Aidan McGarry of Brighton University School of Applied Social Science, introduced the report of the Traveller Strategy Scrutiny Panel as set out in his Foreword. He particularly thanked Councillors Littman, Robins and Simson who had served on the Panel, also everyone who had provided evidence to the review, plus the Housing Strategy Team and the Scrutiny Team.

48.2 Dr McGarry said the Travellers Strategy 2012 was a significant step forward in balancing the needs of the settled and travelling communities.

48.3 Together with Karen Amsden Scrutiny Officer and Nick Hibberd Head of Housing and Social Inclusion, Dr McGarry answered questions.

48.4 On the role of the press, it was encouraging that recently there had been more positive reporting by the Argus on Traveller issues. The 'Planning Made Plain' Guide for Gypsies and Travellers from Clearwater Gypsies, was helpful as a basis to provide local advice to Travellers. It was pleasing that experience with Van Dwellers elsewhere such as in Bristol, was being investigated potentially for inclusion in the 2012/2013 protocol.

48.5 The Traveller lifestyle might be regarded by some people in the settled community as a romantic ideal, however travelling is in their blood and Travellers can suffer from living in bricks and mortar. Primary and Secondary Schools do work with Traveller groups, inviting speakers to talk about Traveller lifestyles; this raises awareness and helps to limit discrimination and bullying.

48.6 As regards benchmarking, local authorities could not be directly compared, especially between rural and urban areas. However some, such as Fenland and Bristol were being proactive; in the latter case, costs had been shown to be significantly reduced over 5 years by listening to the local needs of local Travellers and the settled community.

48.7 On transient Travellers, Dr McGarry said short-term visitors (not only Travellers) without links to the area, would not necessarily have any commitment to fostering relations with others. Education was of paramount importance, as in Belfast where projects focussing on children were helping to overcome the effects of segregation.

48.8 Site selection was a separate process and not a part of the scrutiny review. However the Panel had heard some good ideas for criteria, for inclusion in the Strategy. At present a single site seemed more practicable.

48.9 Regarding the different roles of Traveller support and enforcement, (that in some areas such as East Sussex and West Sussex were carried out by separate teams) the Panel were impressed with the work of Brighton & Hove Traveller Liaison Team officers, who combined both aspects well sometimes under difficult circumstances.

48.10 Members discussed at length what both the settled community and Traveller community can do, to improve relations between Gypsies and Travellers and mainstream society. The Committee Chair Councillor Warren Morgan summarised this; that the Council has a key role in ensuring that barriers between the settled and Traveller communities are broken down.

48.11 The Head of Scrutiny Tom Hook pointed out that a detailed Action Plan (not reported here) would be attached to the Traveller Strategy.

48.12 Councillor Littman, a Panel Member, thanked Dr McGarry, fellow councillors and the 'extraordinary' officers for a very positive scrutiny which he hoped would continue in the new governance arrangements.

48.13 The Chair Councillor Warren Morgan, a Member of the constitution working group, said he was keen that Scrutiny Panels would be able to continue producing similar constructive work in future.

48.14 Councillor Morgan thanked Dr McGarry and the Panel for their positive work on this scrutiny review.

48.15 RESOLVED i) that the report be endorsed

ii) that the report be referred to Cabinet with the request that Cabinet enacts the recommendations

iii) that the key role of the Council in ensuring that barriers between the settled and Traveller communities are broken down, be noted

iv) that the minutes of ECSOSC be reported to Cabinet

49. MONITORING SCRUTINY REVIEWS: RENEWABLE ENERGY POTENTIAL

49.1 Head of Sustainability and Environmental Policy, Thurstan Crockett, introduced the progress report on renewable energy potential following the 2010/2011 scrutiny review. He said the planned photovoltaic (PV) programme had been significantly affected by national changes to the Feed in Tariff; the City's Climate Change Strategy was now published; the Sustainable Energy Working Group terms of reference had been drawn up and scoping had started on the City Energy Study.

49.2 Going through each recommendation (Appendix 1) Thurstan Crockett said photovoltaic installations at Hove Town Hall, Bartholomew House and the Learning Development Centre had now received planning permission. Shoreham Port had signed a 10-year agreement on renewable energy schemes. At recommendation 5 (Sustainable energy team), available

resources were key to progressing these initiatives. Complex data issues were involved in the monitoring of sustainable energy (Recommendation 9).

49.3 A three-month photo exhibition on renewable energy was being held at Brighton Station and a Big Lottery partnership bid to tackle climate change under the 'Communities Living Sustainably' programme had now been shortlisted. On Community Energy, the city partnership behind this was bidding for funds amongst other things to investigate the feasibility of anaerobic digestion, a community wind turbine and solar photovoltaic energy in partnership with Brighton Energy Co-operative.

49.4 The Chair Councillor Morgan welcomed the short-listing of the Big Lottery Bid. He pointed out that on-shore wind turbines had previously been discounted.

49.5 The Strategic Director, Place Geoff Raw referred to efforts to bring forward renewable energy proposals. He emphasised that these were required to be 'investable' propositions. PVs installed on roofs were commendable but changes to the Feed In Tariff had had a big impact and companies were looking for alternative solutions. The government's new Green Deal would open up more opportunities for various energy efficiency markets and measures that the Council and partners could take up where appropriate.

49.6 A report to Cabinet would be looking at the 'workstyles' programme in the context of PV; this was a relatively small but important part of the investment plan.

49.10 Regarding Shoreham Port, the Head of Sustainability and Environmental Policy said a range of schemes, such as insulation and the potential for wind turbines were at the early discussion stage. Joint planning arrangements between Brighton & Hove, West Sussex and Adur were already established.

49.11 The Committee heard answers to further questions. On the capacity of the Sustainability Team; the Council would use its available resources to prioritise work to best advantage. Power from the Rampion offshore wind programme was not being brought ashore at Shoreham; capacity had been identified elsewhere and this was a commercial decision by the developers in discussion with National Grid.

49.12 The Sustainable Energy Working Group was an advisory body. The linked work programme would be commercially orientated to bring active solutions (Thurstan please clarify?)

49.13 In relation to traffic movements linked with Shoreham Port, these would be limited to an extent by the transport of oil by sea into the Port, and the positioning on-site of the electricity generators. Department for Transport was looking at significant investment in transport infrastructure via the Coast to Capital LEP.

49.14 The focus of the scrutiny panel had been on PV rather than solar thermal, for which at that time the Feed in Tariff gave the higher rate of return, intended to have been invested across the Council's housing stock to spread the benefit. Business models were now changing; the Council would consider any 'investable' proposition that stacked up financially.

49.15 Marine technology was considered to be less feasible here than elsewhere in the UK; best potential for tidal and wave energy was around West and Northwest coasts eg Scotland,

Cornwall, the Severn estuary. Brighton University was working on a wave energy model. Window glass and roof tiles were dealt with by Planning.

49.16 Members congratulated the sustainability team for its work that was nationally important. The Chair thanked the Strategic Director and officers.

49.17 RESOLVED: that the actions from the scrutiny review continue to be monitored via scrutiny under the new governance arrangements.

50. STREET LIGHTING

50.1 The Head of Highways Operations Christina Liassides and the Team Manager, Street Lighting and Design, Gillian Packham gave an update report on the street lighting review. At the time of the previous report to Committee, the limited service had been mainly reactive and capital investment had been needed. A small team with a new manager was now established that was able for example to draw up an inventory, improve contract management and start to plan ahead.

50.2 This was a complex area of work involving 25,000 items and each lighting column comprised network cabling, column, lantern and lamp. Condition of the assets, day-burning lanterns and heritage/conservation lighting columns were the main issues being addressed. A regular patrol helped identify issues but members of the public were also encouraged to send in reports, particularly on day-burning lanterns. Day-burning lanterns were a problem but did not necessarily cause extra financial costs to the Council.

50.3 The team was working to achieve the best levels of lighting, according to local conditions and the road usage, though lighting levels were a personal preference. More efficient white light schemes and part night dimming had been introduced in some streets. In the longer term it was hoped to implement further measures such as solar powered lights.

50.4 Cast iron columns had long lifetimes but cost around ten times the standard steel version. There were a few spares in stock but it was difficult to justify buying more of this type when steel columns could be modified to match them in appearance. Heritage lighting was being maintained at the seafront and Local Transport Plan capital funds were being allocated here.

50.5 Members welcomed the report that showed the progress achieved thus far. To keep informed especially on maintenance, energy efficiency, light pollution and cost, the Committee asked for a future update to scrutiny.

50.6 RESOLVED that a further progress report be made to Scrutiny.

51. WINTER SERVICE PLAN VERBAL UPDATE

51.1 The Head of Highways Operations Christina Liassides gave a verbal report on the Winter Service Plan, following the scrutiny review.

51.2 Communications had been one of the main learning points from recent severe weather events; the Head of Highways Operations had provided regular briefings especially to Ward Councillors during the February snow and ice. Less than half of the City had been affected but the western side saw snow and ice for 8 – 9 days.

51.3 Each cold weather event was different and experience of the various local conditions had again been used to advantage. The team had worked well and had been able to open up the bus routes quickly. The new gritters including the pavement gritters had performed much better than previous equipment and the new ploughs had been put to good use. New techniques had been tried – for instance gritters had followed each other to track the grit in and this had been effective. The team's drivers were pleased; finer gritting could now be achieved, to produce a lower spread rate over a greater width and with more accuracy.

51.4 Many of the affected areas had asked for more gritting; however the CityClean staff in the team also needed to continue their regular work on waste and recycling collection rounds. It was important that services were provided consistently; so it had been impossible to grit everywhere. Access could perhaps be improved a little on some hilltop areas and the gritting routes here would be adjusted if necessary.

51.5 A covering for storing salt was the only scrutiny recommendation that had not been achieved. Hollingdean depot was being redeveloped and a temporary covering was prohibitively expensive. Stores were being kept at premises in West Sussex and at Shoreham Harbour. A thatching agent produced a natural cover to the outdoor stockpile, so that very little salt was lost. However this salt formed lumps that had to be broken up and produced a less fine spread compared with salt stored indoors.

51.6 The Head of Highways Operations said the Scrutiny process had helped to publicise the City's response to severe weather and led to significant improvements in the service.

51.7 Members noted it was unfortunate that some grit bins (not on the highways) had been locked during the icy period.

51.8 On behalf of the Committee the Chair thanked the officers for maintaining routes throughout the city and for providing information during long working hours.

51.9 RESOLVED; that if necessary a further update be made to a future scrutiny meeting.

52. OFFICIAL FEED AND FOOD CONTROLS SERVICE PLAN

52.1 The Head of Regulatory Services, Tim Nichols, presented the report on Official Feed and Food Controls Service Plan 2012 – 2013 that will be reported to Cabinet and Full Council in March.

52.2 With 3,165 food businesses registered in Brighton & Hove, this is a significant local trade. It was mostly catering, rather than food production. There was a relatively high turnover of businesses, leading to some 300 new premises being inspected each year.

52.3 The approach to inspection is risk-based and consistently high levels of compliance were achieved throughout the City. Only three businesses had been prosecuted during the year (none from an ethnic minority). The service promotes training and record-keeping and produces a newsletter that included changes in national legislation and local issues. It is shortly to receive a fact-finding visit from Chinese Central Government regarding food regulation.

52.4 Brighton & Hove's Scores on the Doors scheme was well-liked and produced a demonstrable raising of standards. As many as 500 premises achieved 5* rating compared

with 78 in the initial year. This had now been replaced by a national scheme; Brighton & Hove joined the new National Food Hygiene Rating Scheme from 1 March.

52.5 The safer food better business training scheme provided 1:1 coaching. The Head of Regulatory Services described this as a regulatory partnership, which addressed issues together.

52.6 Answering questions, Tim Nichols explained that the National Food Hygiene Ratings Scheme was wider, including many more types of businesses such as confectioners and others providing no catering, that did not necessarily focus on risks. The scheme was expected to require a further 300 inspections each year, though these were unlikely to be time-consuming. The Food Standards Agency had funded an ICT changeover. The new Brighton and Hove NHS commissioned role of Health Development Advisers, promoted public health, for example breastfeeding in restaurants, fitted well within the food safety team.

52.7 The Chair thanked Tim Nichols and the team of officers for their important work in a vital area for the City.

52.8 RESOLVED The Committee welcomed the report.

53. HEALTH AND SAFETY ANNUAL SERVICE PLAN

53.1 The Head of Regulatory Services presented the health and safety annual report. A rigorous consultation process was being undertaken, including with businesses and trades unions.

53.2 He summarised recent nationally commissioned studies indicating a move away from interventions, regulations and inspections to a lighter touch approach of advice support and assistance; for example Lord Young's report Common Sense, Common Safety; Good Health and Safety, Good for Everyone and Reclaiming Health and Safety for All.

53.3 There was also a shift towards closer involvement in partnerships such as with the police in registering and inspecting scrap metal businesses. There was more partnership working with NHS organisations for example with hotels and swimming pools, and on firework displays.

53.4 In the year there had been only one prosecution, relating to an accidental release of disinfectant gas at a leisure centre.

53.5 Currently there are some 9,000 businesses subject to Council health and safety regulation resulting in reduced inspections annually; this figure would now reduce as only the Category A, high risk areas would be focussed on although service would also focus on sector and industry wide initiatives, working with those at risk, education and awareness and reactive interventions to incidents and complaints.

53.6 Nurses had now joined the Environmental Health Service, to carry out health checks for certain manual workers, and to give advice on lifestyle, obesity, blood pressure and diabetes.

53.7 Regarding the City's 101 cosmetic piercing premises, Members discussed the changing picture of cosmetic piercings and treatments and the close links with medical practices such as botox and laser treatments, scarification and acupuncture.

53.8 Answering a question on workplace violence at BME takeaways, the Head of Regulatory Services referred to the team's database that enabled self-reported racially motivated incidents to be surveyed. Jointly with the Police, an inspection and advice programme on community safety had been developed to help premises take extra precautions against violence.

53.9 Members discussed the reputation of Health and Safety as a discipline, that had been set up in the 19th century to limit children's working hours, and since the 1974 Health and Safety at Work Act, had led to a declining fatality rate. There had been phases of regulation followed by deregulation and it was acknowledged that health and safety could sometimes be used as a 'scapegoat' for other reasons (eg financial). Local information including from Councillors and officers was key, to help prioritise inspections and advice.

53.10 The Chair thanked the officers and commented it was important to monitor the changed approach to the service, to ensure that preventable accidents did not happen. This would be a continuing role for scrutiny.

53.11 RESOLVED; that the report be welcomed and scrutiny continue to monitor local health and safety.

54. ITEMS TO BE REFERRED TO CABINET MEMBER, CABINET OR FULL COUNCIL

54.1. It was noted that Items 48, 52 and 53 would be reported to Cabinet.

The meeting concluded at 6.30pm

Signed

Chair

Dated this

day of