

BRIGHTON & HOVE CITY COUNCIL MEETING

4.30PM 25 OCTOBER 2012

COUNCIL CHAMBER, HOVE TOWN HALL

AGENDA



Brighton & Hove
City Council

Council Meeting

Title:	Council
Date:	25 October 2012
Time:	4.30pm
Venue	Council Chamber, Hove Town Hall
Members:	All Councillors You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Syed Tariq Jung
Contact:	Mark Wall Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk



The Town Hall has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However use of the lift is restricted for health and safety reasons please refer to the Access Notice in the agenda.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

FIRE / EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

AGENDA

PART ONE

Page

25. DECLARATIONS OF INTEREST

- (a) Disclosable of pecuniary interests not registered on the register of interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

26. MINUTES

1 - 46

To approve as a correct record the minutes of (a) the last Council meeting held on the 19th July and (b) the Special Council meeting held on the 24th July 2012 (copies attached).

Contact Officer: Mark Wall

Tel: 29-1006

Ward Affected: All Wards

27. MAYOR'S COMMUNICATIONS.

28. TO RECEIVE PETITIONS AND E-PETITIONS.

Petitions will be presented to the Mayor at the meeting.

29. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of the 18th October 2012 will be circulated separately as part of an addendum at the meeting.

30. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

A list of deputations received by the due date of the 18th October 2012 will be circulated separately as part of an addendum at the meeting.

COUNCIL

31. PETITIONS FOR COUNCIL DEBATE

47 - 50

The following petitions are to be debated at the Council meeting. Reports of the Monitoring Officer (copies attached):

(a) **No to Development on Toad's Hole Valley.** Lead petitioners Councillor Bennett and Brown.

(b) **West Pier Market.** Lead petitioner Mr. P. Fijalkowski.

6.30 - 7.00PM REFRESHMENT BREAK

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

32. WRITTEN QUESTIONS FROM COUNCILLORS.

51 - 54

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

Contact Officer: Mark Wall

Tel: 29-1006

Ward Affected: All Wards

33. ORAL QUESTIONS FROM COUNCILLORS

55 - 56

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

Contact Officer: Mark Wall

Tel: 29-1006

Ward Affected: All Wards

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

(a) Call over (items 35 to 41 and 43 to 48) will be read out at the meeting and Members invited to reserve the items for consideration.

(b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.

(c) Oral questions from Councillors on the Committee reports, which have not been reserved for discussion.

35. APPOINTMENT OF CHIEF EXECUTIVE

57 - 62

Extract from the proceedings of the Policy & Resources Committee meeting held on the 11th October 2012, together with a report of the

COUNCIL

Interim Lead, Chief Executive Services (copies attached).

Contact Officer: Mark Wall *Tel:* 29-1006
Ward Affected: All Wards

- 36. SCRUTINY REPORT ON INFORMATION SHARING REGARDING VULNERABLE ADULTS** **63 - 136**
- Report of the Monitoring Officer (copy attached).
- Contact Officer:* Tom Hook *Tel:* 29-1110
Ward Affected: All Wards
- 37. STATEMENT OF LICENSING POLICY AMENDMENTS DUE TO REVISED LEGISLATION AND GUIDANCE** **137 - 144**
- Extract from the proceedings of the Licensing Committee (Licensing Act 2003 Functions) meeting held on the 28th June 2012, together with a report of the Head of Law (copies attached).
- Contact Officer:* Rebecca Sidell *Tel:* 29-1511
Ward Affected: All Wards
- 38. OPTIONS FOR PROVIDING ADDITIONAL SCHOOL PLACES BETWEEN SEPTEMBER 2013 AND SEPTEMBER 2016** **145 - 156**
- Extract from the proceedings of the Children & Young People Committee meeting held on the 15th October 2012, (to be circulated), together with a report of the Director of Children's Services (copy attached).
- Contact Officer:* Gil Sweetenham *Tel:* 29-3474
Ward Affected: All Wards
- 39. REVIEW OF ALLOCATION OF SEATS FOR POLITICAL BALANCE** **157 - 162**
- Report of the Acting Chief Executive (copy attached).
- Contact Officer:* Mark Wall *Tel:* 29-1006
Ward Affected: All Wards
- 40. APPOINTMENT OF INDEPENDENT PERSONS TO AUDIT AND STANDARDS COMMITTEE** **163 - 166**
- Report of the Interim Lead, Chief Executive Services (copy attached).
- Contact Officer:* Elizabeth Culbert *Tel:* 29-1515
Ward Affected: All Wards
- 41. APPOINTMENT OF REPRESENTATIVE TO THE COAST TO CAPITAL COMPANY**
- To approve the appointment of Councillor J. Kitcat as the Council's representative to the Coast to Capital Company and Councillor Mac Cafferty as his designated deputy. (A briefing paper from the Interim Lead, Chief Executive Services will be circulated with the addendum papers that are to be circulated on the day of the meeting).

COUNCIL

Contact Officer: Abraham Ghebre-Ghiorghis *Tel:* 29-1500
Ward Affected: All Wards

42. NOTICES OF MOTION.

167 - 178

The following Notices of Motion have been submitted by Members for consideration (copies attached).

- (a) **Traveller Encampments on Sensitive Sites in Brighton & Hove.** Proposed by Councillor G. Theobald.
- (b) **Impact of parking charges on the local economy.** Proposed by Councillor Cox.
- (c) **Maintain a Democratic Planning System.** Proposed by Councillor Meadows.
- (d) **Delivering Replacement Affordable Homes.** Proposed by Councillor Mitchell.
- (e) **Fuel Poverty.** Proposed by Councillor Sykes.
- (f) **Fracking.** Proposed by Councillor Phillips.

ITEMS REFERRED TO COUNCIL FOR INFORMATION

Items 43 to 46 have been referred to the Council for information from the various committees as listed.

43. LEARNING DISABILITIES ACCOMMODATION

179 - 202

Extract from the proceedings of the Adult Care & Health Committee meeting held on the 24th September 2012, together with a report of the Director of Adult Social Care – Referred to the Council for information (copies herewith).

Contact Officer: Karin Divall *Tel:* 29-4478
Ward Affected: All Wards

44. COMPLAINTS PROCEDURE

203 - 214

Extract from the proceedings of the Audit & Standards Committee meeting held on the 25th September 2012, together with a report of the Monitoring Officer – Referred to the Council for information (copies attached).

Contact Officer: Brian Foley *Tel:* 291229
Ward Affected: All Wards

45. SENIOR OFFICERS STRUCTURE

215 - 230

Extract from the proceedings of the Policy & Resources Committee special meeting held on the 6th September 2012, together with a report of the Acting Chief Executive – Referred to the Council for information (copies attached).

Contact Officer: Charlotte Thomas *Tel:* 29-1290
Ward Affected: All Wards

COUNCIL

46. SUPPORTED BUS ROUTES

231 - 246

Extract from the proceedings of the Policy & Resources Committee special meeting held on the 6th September 2012, together with a report of the Strategic Director; Place – Referred to the Council for information (copies attached).

Contact Officer: Nick Mitchell
Ward Affected: All Wards

Tel: 29-2481

PART TWO

ITEMS REFERRED TO COUNCIL FOR INFORMATION

Item 47 has been referred to the Council for information from the Policy & Resources committee.

47. SUPPORTED BUS ROUTES – EXEMPT CATEGORY 3

247 - 262

Extract from the proceedings of the Policy & Resources Committee special meeting held on the 6th September 2012, together with a report of the Strategic Director; Place – Referred to the Council for information (circulated to Members only).

Contact Officer: Nick Mitchell
Ward Affected: All Wards

Tel: 29-2481

48. MINUTES - EXEMPT CATEGORY 3

263 - 264

To approve as a correct record the part two minutes of the last Council meeting held on the 19th July 2012 (circulated to Members only).

Contact Officer: Mark Wall
Ward Affected: All Wards

Tel: 29-1006

49. PART TWO PROCEEDINGS

To consider whether the items listed in Part Two of the agenda and the decisions thereon should remain exempt from disclosure to the press and public.

50. CLOSE OF MEETING

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

Note:

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

COUNCIL

- (a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*
- (b) *Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

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

- (c) *Following completion of the outstanding items, the Mayor will then close the meeting.*
2. *If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*
3. *Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

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

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

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

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

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

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Mayor will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

COUNCIL

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

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

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

ACCESS NOTICE

The lift cannot be used in an emergency and Evac Chairs are not suitable due to limitations of the escape routes. **For your own safety please do not to go beyond the Ground Floor if you are unable to use the stairs.**

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

We apologise for any inconvenience caused

Date of Publication - Wednesday, 17 October 2012



Acting Chief Executive

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Grand Avenue
Hove
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