

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 25 OCTOBER 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

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

PART ONE

25. DECLARATIONS OF INTEREST

- 25.1 Prior to the consideration of the items on the agenda the Mayor welcomed Councillor Wilson as the newly elected Member for East Brighton Ward to the Council and wished her well in her role.
- 25.2 The Mayor then asked if there were any declarations of interest and noted that there were no declarations of interest in matters appearing on the agenda.

26. MINUTES

- 26.1 The minutes of the last ordinary meeting held on the 19th July 2012 were approved and signed by the Mayor as a correct record of the proceedings.
- 26.2 The minutes of the special meeting held on the 24th July 2012 were approved and signed by the Mayor as a correct record of the proceedings.

27. MAYOR'S COMMUNICATIONS.

- 27.1 The Mayor stated that he wished to welcome Hannah Ward-Penny as the Youth Mayor and her Deputy, Azdean Boulaich to the meeting. He was looking forward to working with them and to attending various events over the coming months.
- 27.2 The Mayor stated that he was pleased to announce that the Our Choice Team in Children's Services had won the Most Unique Engagement Method Award at the recent CVSF Sector Awards for 2012. The award was for partnership work with Adventure

Unlimited, engaging children in care and other vulnerable young people in fun sporting/confidence building skills as well as giving them a chance to have their voice heard. It was a young person led participation project and he invited Tina Owens, Senior Youth Worker to come forward to receive the award.

- 27.3 The Mayor stated that he was also pleased to announce that the Hove Street Sweeping team were joint winners of the Hove Business Partnership – Hove Heroes Award. This was an award from the local business people to those people who they believed had contributed significantly to the area, economy and community. He then invited Mike Moon, Head of Operations to accept the award on behalf of the team.
- 27.4 The Mayor noted that City Clean had also been awarded a 4 Star Clean Britain Award and invited Councillor West to come forward to receive it on their behalf.
- 27.5 The Mayor stated the he was very pleased to announce that Brighton & Hove has been recognised by the European Commission as an excellent and outstanding City in the field of Urban Transport by awarding the council the Runner- Up Civitas 'City of The Year' prize. He noted that the winning city was one of the council's ARCHIMEDES partners San Sebastian. He stated that it was a great honour for the City, not only as it set Brighton & Hove in the top echelon of the 70 plus European Cities involved in CIVITAS, but also reflected the sheer dedication of Transport Officers and Politicians from the current and previous administration who had worked in local, national and international partnerships to deliver a range of innovative and interesting projects including Electric Vehicle Charging Points, Road Safety and Cycle Infrastructure Improvements, enhancements to Journey On and Talking Bus Stops and better targeted Journey Planning to name but a few. He then invited Councillor Davey to come forward to receive the award.

28. TO RECEIVE PETITIONS AND E-PETITIONS.

- 28.1 The Mayor invited the submission of petitions from councillors and members of the public. He reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.
- 28.2 Ms. Paynter presented an e-petition signed by 85 residents concerning the provision of public toilets in the city;
- 28.3 Ms. Shepherd presented an e-petition signed by 151 residents concerning inadequate coach parking facilities in the city;
- 28.4 Mr. Love presented an e-petition signed by 110 residents concerning Norton Road Car Parking Charges;
- 28.5 Councillor Wilson presented a petition signed by 18 residents concerning road safety at a junction in Crossbush Road;
- 28.6 Councillor Simson presented a petition signed by 328 residents concerning the reinstatement of the No. 52 bus service;

- 28.7 Councillor Fitch presented a petition signed by 31 residents concerning the protection of Toad's Hole Valley from development; and
- 28.8 Ms. Simson presented a petition signed by over 140 residents concerning the need for a crossing outside St. Joseph's School.

29. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

- 29.1 The Mayor reported that seven written questions had been received from members of the public and invited Ms. Shepherd to come forward and address the council.
- 29.2 Ms. Shepherd asked the following question;

“Given that this council states that it wants to provide cost effective services for all of Brighton and Hove residents and to be an attractive destination of choice for tourists and businesses I would like to know whose short-sighted decision it was to cancel in 2011 the creation of a much needed extension to the existing coach park in Madeira Drive which at the same time would have produced much needed revenue and when will this decision be reversed.

The recent parking survey and City Plan are ominously silent on coach parking facilities. Why? Whatever the pro's and cons are for committing over £14,000,000 towards the construction towards the i360 tower, an investment in coach parking of £200,000, one seventieth, over 40 additional places would have been provided creating the opportunity of increasing the gross annual income from parking, a basic requirement for a premier league city and resort such as ours with clear economic, strategic and ecological advantages, the coach park would have been in profit in under a year.

What other business schemes currently under consideration can demonstrate that? ”

- 29.3 Councillor Davey replied;

“The administration is fully aware of the important role of tourism and visitors in the city's economy and that coaches bring day trippers here on a regular basis to enjoy what the city has to offer. As you know the current coach parking site in Madeira Drive is in high demand and in the summer particularly though some drivers choose not to pay but to use Roedean Road.

Previous Conservative and Labour administrations have also recognized this over the last ten years or so, they have tried and have not been able to address the needs of coach drivers. A single site, the former gas works above the Marina, was identified in 2004 as a possible site but I understand it proved too expensive to develop. Planning permission was granted for a temporary coach park at the Black Rock site in 2011 but the cost exceeded the budget that was made available.

No decision has been reversed as you suggest other than planning consent, no public decision was made to implement a coach park at Black Rock. Sufficient funds were never identified, the £100,000 which I understood was set aside to build that park was barely half of what was required and no funds were identified for running it and I certainly didn't see a business plan.

You ask also, what happened to this money. The £100,000 which was a seaside town grant was spent by the Conservative and Labour opposition groups at budget council in February 2012 to help fund their Council Tax freeze.

The City Parking Review is very much focused on provision for residents but it's certainly an opportunity for you to put forward your reviews and I hope very much that you have done that or if you haven't you will do so very soon.

Officers are developing a seafront strategy and transport access for people and vehicles needs to be part of that and I'll be asking transport officers to input into that seafront strategy on this topic particularly and as you know there's also the City Plan which mentions coach parking."

29.4 Ms. Shepherd asked the following supplementary question;

"What mechanism is in place to measure the demand for coach parking in the city? The recent local transport plan makes no reference to the problem of coach parking, so what precise steps are being taken to address this?"

29.5 Councillor Davey replied;

"I will ask officers to look into that and get a response back to you."

29.6 The Mayor thanked Ms. Shepherd for attending the meeting and putting her questions and invited Mr. Green to come forward and address the council.

29.7 Mr. Green asked the following question;

"As Deputy Leader of the Council and apparent spokesperson for the Green administration - notwithstanding anyone's right to Freedom of Information - what protocols do you have in place to protect the confidentiality of individual cases that you and your colleagues deal with and, indeed, any sensitive business that you have been elected to manage and guard wisely?"

29.8 Councillor Mac Cafferty replied;

"Information that Councillors have access to is obviously restricted by law, there are categories of confidential and exempt information that are set out in that legislation. Including information relating to any individual and information relating to the financial or business affairs of any particular person. There are some exemptions to that as you might expect, including information on a need to know basis and a protocol that is set out in the Council's Constitution that all 54 Councillors sign up to as well. We are also bound by a code of conduct which specifically addresses our responsibilities in relation to how we handle confidential information.

We're prohibited under that code from disclosing information which we ought to be aware of, is of a confidential nature. Any complaints in relation to the breach of that code can be investigated and indeed they can be brought to the new Audit and Standards Committee.

Our employees must comply with the data protection and freedom of information act. When they're processing and disclosing information, it's also a condition of their employment that they must not inappropriately publish or otherwise divulge confidential information. That responsibility continues, thankfully, even after the individual has left their employment. Those are rules are set out in the Council's employee code of conduct as well. I imagine you may have a specific supplementary and I'll do my best to answer that as best as I can."

29.9 Mr. Green asked the following supplementary question;

"As a follower of a number of blogs and social media sites, how do you expect me and the people of Brighton and Hove to believe that this administration and in particularly yourself, are capable and trustworthy to exercise the necessary and proper confidentiality, following a complete lack of discretion in passing and publishing sensitive and in-accurate information concerning Councillor Summers and the Green Party Group to activists in the social media who, like you, have made it their personal crusade to publicly discredit her?"

29.10 Councillor Mac Cafferty replied;

"I can't speak for others but I have not tweeted on the sad subject of what has happened to Councillor Summers and I take very seriously any comments that have been produced in the public domain about Councillor Summers. I'm more than happy to have a discussion with you about the very serious subject of what has happened to Councillor Summers."

29.11 The Mayor thanked Mr. Green for attending the meeting and putting his questions and invited Ms. Joseph to come forward and address the council.

29.12 Ms. Joseph asked the following question;

"Seventeen months into your term as the first Green administration, to what extent do you feel you have tackled, or begun to tackle, the priorities identified in your manifesto in a way that has included, engaged and benefited all the different people groups that comprise this city?"

29.13 Councillor Mac Cafferty replied;

"We obviously take very seriously how we engage the population of the city and we hope to that end that the way that we've been consulting over our budget has been quite a good start. We've included the opposition parties, for example, in how we relate to the budget and we've been actively including the opinions of the city's residents for example in some of the budget work we've done as well.

Specifics, underneath what we've done since we became the administration; we've signed up to a thing called the Open Government License which sees content on the Council's website made available for re-use. We're working with 'My Society' to adapt better workflow for Freedom of Information Requests.

We're publishing increasing amounts of data including map data for Council services and assets. We're re-writing the economic strategy with the Local Economic Partnership which brings together the lead businesses in the city. We're writing a City Prospectus so that we can attract inward investment.

We're bidding for Government through the City Deal and a few weeks ago we launched the Eco Technology Show all of which demonstrates our commitment to involving and working with businesses in the city. Also, only a few weeks ago, we thrashed out the final finances for the i360 which will be on the sea front and we only did that with the co-operation of the Local Enterprise Partnership as well.

We financially supported a local supported employer, 'Able and Willing', which you may have heard of, it's formally known as Castleham Industries. They employ 20 staff, 90% of whom have a disability, with the investment and the involvement of the Council and the way that we spoke to them, they've been able to buy new equipment and continue supporting people with disabilities in to work.

We've also been investing in 'Riding the Wave', with some support for small businesses. We're examining, currently, what way we can offer more apprenticeships and training opportunities to young people through partnership working with the Council and City College who we obviously relish working with. We have the establishment of a One Stop Shop for young people in the city centre where they can go for advice from a variety of agencies, that's on Queen's Road.

We introduced an Eco Tourism Strategy for the city showing how Brighton and Hove can make best use of its sustainable assets and attractions. All Councillor Officers now get £7.19 as their wage because we have set up a living wage at commission. That was set up by the Chamber of Commerce and in conjunction with the Hotels Association and, indeed, the Albion.

We're also promoting the Sussex Credit Union because we realise that times are tough. We've met with various landowners, developers, housing co-ops and other partners to kick start developments that have otherwise become stuck. We've agreed a Tenant Scrutiny Panel so that our tenants can keep an eye on what's happening with their Tenants' Tenancy Agreements. We're working with partners including Brighton Housing Trust on an ethical lettings agency. We've brought more than 100 homes back into use because we've sat down with housing providers and private owners of empty properties.

We've supported Brighton Women's Centre. We've introduced a carer's card which supports carers and people who have a disability, mental health problem or long term illness. That enables them to discounts that are supported across the city. We're bringing in a Safe in the City delivery unit, we've set up Cumulative Impact Area to deal with Licensing, I could go on but I realise that there's probably a supplementary that you would like to ask as well."

29.14 Ms. Joseph asked the following supplementary question;

"Before I give the Supplementary question, I want to make a point of saying I am not coming from a biased position where I connect with people's hearts, I connect with people's emotions and I see people for who they are not what label they come from. As

someone who's been actively involved in the community at grassroots level and invested so much over the first of the last 15 years I'd like to know when this Administration is going to come clean on it's equality drive and what we know is equality and admit that, to date, it has done little to assist encourage the significant representation of Christians in this city who invest untold amounts of time, energy and resources providing services that the Council for various reasons, probably very good reasons, have been unable to do so.

We've seen this Administration consistently and unashamedly promote resources countless to LGBT which I have no problem with but when it's a bias I have a huge problem with it. I want to know whether or not this Administration has the will to deal with Christian groups on an even playing field and if so, how you intend to demonstrate it?"

29.15 Councillor Mac Cafferty replied;

"The inclusion of all faiths in Brighton and Hove's life and the inclusion of all faiths and non, in the way the city is run is of an incredible importance. To that end, there are indeed Christians in our Group and Christians in our Party and the Chief Executive of the Green Party is an active Christian, for example. To that end we fully acknowledge their role in what way we understand our own politics.

In terms of what way we engage, I know, for example myself and my colleague in my Ward Councillor Ollie Sykes, talk all the time to faith leaders and that's of all the Abrahamic faiths, that's Jews, Muslims as well as Christians and we take very seriously their opinion and what they have to say, not least because of the very important role that you've identified in your supplementary question to me which is the very important role that they play and I want to carry on with that and I would hope that all of my colleagues in this Administration would take very seriously the important role that all faiths play in our city and that we carry on doing that in the future and I'm more that happy for us to have a conversation outside of these four walls to carry on how we do that best."

29.16 The Mayor thanked Ms. Joseph for attending the meeting and putting her questions and invited Mr. Bell to come forward and address the council.

29.17 Mr. Bell asked the following question;

"As you have announced an underspend in this year's council budget can you please inform us as to why for the sake of £60,000 the 52 bus service has been cut so that the elderly in Woodingdean can no longer get to the hospital, working council tax payers can no longer commute to the station and children going to BHASVIC, Cardinal Newman and Blatchington Mill schools are now put in danger by having to wait in the dark to catch three buses instead of the direct route they use to have on the original 52 bus route."

29.18 Councillor Davey replied;

"I very much wish you were right on the difference between the £110,000 per annum that this Council is paying the Big Lemon to run the shortened 52 service and the price of the extended route which we received was only £60,000. The reality is it isn't and it

was much higher than that and much more like double that. Of course the contract was for 4 years so the overall commitment over that period was substantially greater than £400,000. The Council is not able to afford that sum of money in the current economic climate, we should only have to listen to the news every single day to comprehend the situation that the extra cuts imposed on this Local Authority and other Local Authorities throughout the Country are getting worse week on week.

The revised 52 route is timetabled to synchronise with the Council's subsidised 47 route at the Marina and neighbouring continuous journeys to the hospital and to the city centre. There are also many other services running along the coast road to connect to and from Woodingdean into the city centre itself."

29.19 Mr. Bell asked the following supplementary question;

"Is this an attack on the lives of us living in Woodingdean because this is devastating the lives of the elderly, the school children and those trying to go to work. I'm interested to know what value the Green Administration will put on a life because lives are in danger waiting in these dark streets, travelling down these roads, having to cross main road going to school and having at least a 10 minute walk to get into school now."

29.20 Councillor Davey replied;

"This Council puts a great deal of value on road safety and one of the things we are doing is introducing 20 mile per hour speed limits across the city to make the streets safer than they are at the moment. Many children across the city are having to walk to school, many children do not have buses direct to their school and I wish they did but the reality is that has never been the case and it isn't the case at the moment. If you have specific concerns please submit them to the road safety team and I'm sure they'll have a look at them."

29.21 The Mayor thanked Mr. Bell for attending the meeting and putting his questions and invited Mr. Tilley to come forward and address the council.

29.22 Mr. Tilley asked the following question;

"It is requested that the Brighton and Hove public are allowed to take photos (silent, non flash) and video recordings on mobile devices during public Council meetings."

29.23 Councillor J. Kitcat replied;

"I personally would very much support that and I have put that case in the last review of the constitution but I could not find cross party support for that position. The current position is that the constitution requires the agreement of the Chair at each meeting whether that can be allowed. I would hope that there would be a default in favour in the future and I hope that other Members would support it the next time we review our constitution."

29.24 The Mayor thanked Mr. Tilley for attending the meeting and putting r his question and invited Ms. Simson to come forward and address the council.

29.25 Ms. Simson asked the following question;

“St Josephs Primary School in Hollingdean is situated on a busy main bus route and every day parents, carers and their children take their lives in their hands when trying to cross outside the school. The school has contacted the Council on many occasions asking for a crossing to be situated outside the school and only last week was told the earliest this could happen was 2015. For the safety of everyone at the school are you prepared to do to make it safe to cross either with a proper crossing or at very least a school crossing patrol?”

29.26 Councillor Davey replied;

“Council officers carried out an assessment last year and didn’t find that it particularly merited the installation of a formal crossing. I’m told that this month, they’ve looked at it again and at the possibility of a school crossing officer and other access improvements for pedestrians in the area. I think the message is work with the School Travel Team to improve things in the area.”

29.27 Ms. Simson asked the following supplementary question;

“We did have someone come last week following this campaign to look again about what can be done but we haven’t had any answers and our parents want to be reassured that this matter will be taken seriously and dealt with as soon as possible and we just want to know how soon there will be a satisfactory outcome for our children?”

29.28 Councillor Davey replied;

“I’ve got a long response which I won’t read but I will get to you in writing but the School Travel Officers will be in touch see what can be done as soon as possible.”

29.29 The Mayor thanked Ms. Simson for attending the meeting and putting her questions and invited Mr. Pamely to come forward and address the council.

29.30 Mr. Pamely asked the following question,

“The curtailment of the 52 bus route and the changes to its timetable has seriously jeopardised our safety. Please give in detail your analysis of the risks factors and the dangers posed when allowing the changes to the running of the 52 bus. What considerations were there about linking with other bus service times (as these are not working), the locations for changing buses for children as young as 11 years of age in extended journey times, the geographical nature of Ovingdean, (its hills and exposed unlit downland road), and, the demographic make-up of the Ovingdean area?”

29.31 Councillor Davey replied,

“The budget savings as a result of Central Government cuts form quite difficult decisions across a whole range of Council services. This is the same for all Local Authorities many of whom have drastically cut funding for supported bus routes or in some cases are in the process of stopping them altogether.

It's also worth remembering that the very minimal reduction in this Council's budget was supported by all political parties in this room at Budget Council in February of this year. The shortened 52 service timetable has been synchronised to link up with the 47 at the Marina to allow passengers to change there for its service to the hospital and the city centre and there are also links along the seafront.

Public Transport and the Children and Young People teams are providing detailed information to parents concerning school journeys and information, as always, has also been provided to schools. With regard to risk, the services connect at the Marina so there's a perfectly straight forward change there. With regards to Health and Safety, there is an operator's Code of Conduct which sets out what is expected of the operators and I'll get that provided in the written response. Also there's going to be a review of School Transport taking place over these next few months so you can input any specific safety concerns into that."

29.32 Mr. Pameley asked the following supplementary question,

"Don't you think that by continuing what you have currently running is in fact failing to protect the citizens of Ovingdean and Woodingdean?"

29.33 Councillor Davey replied,

"No I don't, this Council is providing £110,000 a year to fund a bus service from Woodingdean/Ovingdean down to the Marina."

29.34 The Mayor thanked Mr. Pameley for attending the meeting and putting his questions and noted that this concluded the public questions for the meeting.

30. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

30.1 The Mayor reported that seven deputations had been received from members of the public.

30.2 Councillor G. Theobald noted that two of the deputations referred to the No. 52 Bus Service and that Item 46 on the agenda also related to the subject matter, and asked if the two deputations could be brought forward and taken with the report listed as Item 46.

30.3 The Mayor noted the request and stated that he was happy to take Items 30 (f) and (g) being the deputations together with Item 46, Supported Bus Routes and invited Mr. Wedd as the spokesperson for the sixth deputation to come forward and address the council.

30.4 Mr. Wedd thanked the Mayor and noted that copies of the deputation had been circulated and therefore he wished to say the following:

"Please re-instate the 52 bus service to its original route and timings from the city centre to Woodingdean and Ovingdean. You know the background, you made the decision and we know that money is tight at present and we know that savings have to be found but only Ovingdean in bearing the brunt of those savings, all other bus services were saved.

Lost passengers, lost revenue, more car journeys. The brief in your papers from me showed some of those negatively affected. Residents, parent, school and college students, primary school children, nurses, volunteers, City Council workers and patients for the RSCH.

The new times don't suit; when the choices miss the bus or miss school, my daughter misses the bus and I don't go on the bus either with her. That's missed tickets, missed revenue. Before this was introduced there was little or no visible consultation, certainly not on the 52 that I got on everyday. Since implementation, very little justification. Over the last 6 weeks I've asked Councillor Davey and his officers 21 questions about the tendering process. I've had barely an acknowledgement and yet no reply I'm sure the Councillors will share my regret at what appears to be reticence on behalf of Councillors whose decision it was.

Nine other routes have been saved in part or in whole, I congratulate the Council for saving those, can you not save just the last one? We've been given lots of explanations about why the buses have to be re-timed. The Big Lemon says it's to meet the 47 at the Marina. Not so, Mr Johnson told me that cross ticketing was always part of the tender, there was never a link. If that's the case then why the City Council compel the Big Lemon 52 service to meet and only to meet, the 47 Compass?

Which organisation is telling the complete truth? Mr Johnson has also blamed the print run of the bus times publication for holding on to the new, inconvenient times and as we know bus times is published by the red buses which I think is a competitor to Big Lemon and Compass. It's a bit like getting BA to sell the seats on Virgin Airplanes.

My brief to you Councillor shows that the morning timings are useless for all practical purposes for passengers trying to get to work or school. It isn't just a change at the Marina that's not a minor inconvenience, it's often windy, it's often wet, the sheltering is awful you have to walk and the bus times that you are going to catch are not on the internet and they're not on the real time displays.

Do we wait for 55 minutes or only 5? And those two changes together plus times and the changes are a positive disincentive to passengers, like me, committed to bus travel. Customers have a choice, most have cars or alternatives to the bus, they don't have to get the car, fight the traffic and parking fees but many are because the 52 no longer works for them. Think of the journey out of the city centre, there's only one place where the coast way bus combines with the 52 and that's Roedean School right on the A259 in the wind, I don't know if there's a bus shelter there, can't remember but it's bleak, horrid, exposed and it's the only place where the 2 buses cross.

Think about the walk up Greenways, for a young and fit and healthy pedestrian like me it's easy but for the infirm or the elderly; yet another obstacle to bus transport and school children have to change. You see 150 odd children from Cardinal Newman, 39 odd from BHASVIC. Their journey time has doubled. What about the impact of Kent having multiple bus companies running services in Brighton?

What about the tourists? Think about London buses, New York cabs. Ticket prices up 25% when you buy from the driver and just in closing, can I ask you to consider all the

other places in the County of Sussex which are better served than Ovingdean. All we want is a service as good as Steyning, all those well known Brighton Council Tax payers in Tunbridge Wells, Lewes, Uckfield and Ringmer. Ringmer has twice as many buses as Ovingdean and they don't pay taxes to you. What do we want please Councillors? Reversion to our old bus times, school buses back, a direct city centre just like Ringmer and Steyning and you can afford it. It is not as much as you say Councillor Davey."

30.5 Councillor Davey replied;

"I can't remember how many questions you submitted, but you asked for them to be treated as an FOI (Freedom of Interest request) and they are being treated as such and a response will be coming accordingly. Brighton and Hove Buses did not withdraw the 52 at weekdays and 57 Sunday services Woodingdean/Ovingdean direct to the city centre, the contracts for these Council supported services came to an end and the new tenders were awarded as you know to the Big Lemon and Compass Travel respectively.

Under European Legislation we have to go out to competitive tender for the services and each company bids for those tenders. We have to accept the best bid based on quality and price, as bus companies will use their vehicles on commercial and supported services in the most efficient way possible, we cannot stipulate a particular vehicle levy for our supported buses without insisting our services were operated using branded buses which would raise the cost substantially and we are not allowed to direct an award to a particular dominant operator and I'm sure other Councillors would not wish us to show preference like that even if we were able to.

As you point out there is an improving service from and to destinations in the widest Sussex area which is very good news for this city as more people are choosing to travel here by bus. All of these services are operated commercially by either Brighton and Hove Buses or other bus companies with no financial support, certainly from this Local Authority. If the number of passengers on the number 52 route were sufficient a commercial service could possibly be operated but reports from the operators unfortunately show that, in their view, this is not the case. With regards to cost, the extra contract cost of maintaining a falling 52 service over 4 years was considerably more than £100,000 per annum which the Council was unable to afford.

However the Council has ensured that there is a good link from the 52 to the hospital and into the city centre. With regards to timetables, the Council has arranged the Brighton and Hove Bus Company to provide and maintain all timetables for the bus services it funds regardless of operator. This ensures that the bus information is provided to the same uniform high standard across the city and the number of other bus operators using commercial routes within the city also choose to pay to have their service included within the Brighton and Hove Buses timetable frames in Brighton and Hove Buses format.

The Big Lemon's Buses on the route through Ovingdean are clearly marked with the route number and destination, in your written deputation, and I'm not sure you mentioned it in your verbal one, you also mentioned the Lewes Road and the money being used to pay for the improvements is from a one off Government Funded grant specifically for that purpose and would not be transferable to support an existing bus service elsewhere."

30.6 The Mayor then invited Miss. Tsapparelli as the spokesperson for the seventh deputation to come forward and address the council.

30.7 Miss Tsapparelli thanked the Mayor and stated,

“I’ve been catching the 52; the only school bus that services Woodingdean and Ovingdean for over 3 years. I left the house at 8:35am every morning and caught the bus all the way to school and also in the afternoons, a journey taking me around 50 minutes. The double decker bus was usually full with students from Cardinal Newman School and Sixth Form, BHASVIC and Blatchington Mill. Two weeks after the new school year began I was given a letter informing me that my bus would be cancelled in less than a week and I would have to find alternative means of getting to school. I currently catch 2 buses to school, the first of which being the 52 to the Marina and in order to catch this bus I leave at 7:25am 10 minutes earlier.

As we approach winter and it becomes increasingly dark in the mornings and late afternoons, I’m waiting at bus stops in the dark often alone. After catching the 52 for 25 minutes, I wait in the Marina for my next bus the 7 which despite being due every 7 minutes sometimes takes nearly 20 often in the cold and the rain. I get off the bus at Montefiore Road at approximately 8:30 but frequently later, school starts at 8:40am this is a 0.6 mile walk that takes 10 minutes if I rush, the journey entails walking along and crossing the busy Old Shoreham Road, in order to avoid being late for school and getting detention I do not have time to walk to a crossing and must wait for a gap in the traffic and run across the road.

I also have to walk across a field with no path and is muddy but as the mornings become colder, will become icy and more hazardous. In the afternoons I make the same journey in reverse arriving in the Marina at 3:35pm and wait until 4:10pm sometimes alone and, again, am concerned about the safety implications of this. I am currently 14 but my younger sister, aged 12, must also make this journey and I cannot always accompany her. My youngest sister is 10 and will be a pupil at Cardinal Newman School when she is aged 11, how am I expected to get to school in time without endangering my life?”

30.8 Councillor Shanks replied;

“The history of bus services is a long complicated one to fit in here, but we all wish that we did not have the situation of privatised bus services etc. We are really sorry about the lateness of the announcement of this and we have apologised to schools and to parents because people need to know what’s happening in advance so I do apologise for that. We are looking at school transport across the city because it’s obviously very important to us to make sure that children are able to get to school on time, we don’t have a legal obligation to make sure that there’s a bus that goes to your home but we do have a responsibility to make sure there are school places and we need to look very closely at the safety issues so we are having a review of this and I’ve asked officers to look at this across both school transport and public transport to make sure that those two are working well together. So I’m sorry about your journey but it is something that we are concerned about and we are happy to hear individual stories to see if we can help with that.”

- 30.9 The Mayor thanked both Mr. Wedd and Miss. Tsapparelli for attending the meeting and presenting their deputations and invited Councillor J. Kitcat as Chair of the Policy & Resources Committee to introduce Item 46, Supported Bus Routes.
- 30.10 Councillor Kitcat stated that the item had been referred from the Policy & Resources Committee to the Council for information and concerned the previous request from the council for the committee to review the concerns raised by residents in regard to the decisions taken on supported bus routes. He stated that whilst the committee understood the concerns raised and noted that action had been taken to enable further routes to be supported and maintained. However, the No.52 service could not be fully funded and the shortened route was the one that had been tendered for and was being operated. The council was in a difficult financial position and unless further funding could be identified he could not see how the service could be supported any further.
- 30.11 Councillor Simson stated that the areas of Ovingdean and Woodingdean were the only ones in the city which were adversely affected by the decisions taken at the Policy & Resources Committee and she believed that something should be done to reinstate the full route. She also noted that the current service did not match up with other service providers' timetables and meant that children were finding it difficult to get across the city to school, commuters could not get to the station, it was difficult to get to the hospital and elderly people could not travel easily on the buses. She believed that people were being put at risk and that something had to be done to reinstate the full service and therefore suggested that another review be undertaken and an assessment made of how the service could be provided.
- 30.12 Councillor Mitchell stated that the proposed cuts to the bus routes had been put forward by the Administration and had not been supported by the Opposition Groups. When the matter was considered at the Policy & Resources Committee, additional resources were found to enable the reinstatement of a number of services and the Administration were urged to find the remainder in order to maintain the No. 52 service, but failed to do so. She noted that the budget setting process for 2013/14 was beginning and suggested that this issue should be revisited and funding identified to enable the reinstatement of the full service for the No.52 bus route.
- 30.13 Councillor Mears stated that there was a need to consider the safety of the children using the bus service and that she felt there was an accident waiting to happen, given the risks that had been highlighted by the deputations. She stated that residents felt that they were not being listened to by the council and they could not understand why the necessary resources could not be found to support this bus route. She suggested that there was a need to review the various projects that the Administration wished to support and to either delay some or put them on hold so that resources could be found to support the No. 52 service. She also noted that there had been a lack of consultation with Cardinal Newman school over the impact of the changes to the service for their children.
- 30.14 Councillor G. Theobald stated that the No.52 was the last major route that remained unsupported, resources had been found for other services that had been due to be cut and he questioned why it was nothing was being done to reinstate the No.52 service. He noted that it was the residents of Ovingdean, Rottingdean and Woodingdean that

had been left to suffer and queried why the required level of funding could not be found from the overall council budget of £800m. He asked that the matter be reconsidered and the necessary funding found to enable the full route for the No. 52 service to be reinstated.

- 30.15 Councillor West stated that whilst the Council's overall budget was around £800m, the current economic climate and budgetary pressures from the Government meant that it was a very difficult process to manage the budget. The supported bus routes had been put out to tender and following the procurement exercise savings achieved that enabled other routes to be supported. The No. 52 route had not proved viable and a tender had been awarded for the shorter route which did enable passengers to change at the Marina and get into and around the city. He also noted that the opposition groups had not come forward with any alternative ways of funding the full service and suggested that they should do so.
- 30.16 Councillor Peltzer Dunn questioned the value placed on a child's education and noted the extended travelling time caused by the decision to change the bus services and suggested that further consideration needed to be given to supporting the one area of the city that had been left unfairly affected by the whole process.
- 30.17 Councillor Cox referred to the deputations and suggested that there was a need to listen to the residents and find a way to support them rather than leave them to their own ends. He therefore sought reassurance that the matter would be looked at again.
- 30.18 Councillor Kitcat noted the comments and stated that it was a result of Government cuts to various subsidies that meant that difficult decisions had to be taken. He believed the procurement process had enabled some routes to be maintained and this proved its worth. It had not been possible to identify any further resources for the No.52 bus route and the proposed cuts to the routes had been agreed at the previous Budget Council meeting. He noted that a review was being undertaken in regard to school transport and hopefully it would lead to alternative provision but as things stood he did not see how any funding could be made available for the bus route.
- 30.19 The Mayor noted that the deputations would be referred to the Policy & Resources Committee 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. He also stated that the report on supported bus routes had been referred to the council for information and therefore moved that it be noted.
- 30.20 **RESOLVED:** That the report be noted.
- 30.21 The Mayor then invited Mr. Cummings as the spokesperson for the first deputation as listed in the addendum that had been circulated to come forward and address the council.
- 30.22 Mr. Cummings thanked the Mayor and stated that:

"We are here on behalf of the Roedean Residents Association to ask the council to rectify the current situation without further delay. Brighton and Hove prospers

enormously from the tourist industry and the tourists who come here and many thousands arrive by coach, dozens of coaches each week. However B & H City Council only provide 42 coach parking spaces in the city to manage the ever growing demand over recent years so officials have been quietly directing coaches to park along totally unsuitable roads adjacent to and actually within residential neighbourhoods such as Roedean Road, The Cliff, Roedean Crescent and Roedean Way being major examples.

As well as being a visual eyesore the continual mass of unofficial coach parking in this and other areas is dangerous to the road users and pedestrians alike; neither Roedean Road nor Roedean Way have pavements. Of course with no facilities provided for the drivers they are forced to resort to urinating and even defecating behind their vehicles which is an all too regular sight for local residents. Furthermore the volume of coach parking encourages lorries to park here (there is no HGV provision either) and as a result the whole area resembles a motorway service station without the services and not the beautiful residential neighbourhood that it actually is and deserves to remain.

Surely coach travel should be regarded as “green” and with the Green party doing everything they can to discourage the use of cars proper provision for coaches and their drivers is essential. The current provision could lead to questions on health and safety since the drivers spend many hours with no suitable rest area, food or toilets. We understand there is reluctance on the part of some companies to go to Brighton with these non-existent facilities but if these were in place they would send many more thus increasing business for the city in many different ways.

It cannot be stressed too highly the dangers this unauthorised parking creates. There is no pavement down Roedean Road, only a narrow pedestrian way marked with a white line over which most cars travelling towards the A259 are forced to drive. Any pedestrian takes his life in his hands using this way when coaches are parked. Also crossing the road is fraught with danger since there is no visibility, the bus service is disrupted because the drivers heading to Brighton rightly consider at certain times it too dangerous to drive on the wrong side of the road. Getting on and off the bus is a major problem with no visibility of oncoming traffic. There has been a serious accident recently entirely attributable to one of the car drivers being forced on to the wrong side of the road and it is only a matter of time before there is another possibly fatal accident. The council should be aware that it will carry huge responsibility for any accident related to coach parking other than in officially designated areas.

We urge the council to stop stone-walling this problem as they have been doing for years and act immediately to provide a 21st. century coach parking provision on a suitable site for our city.”

30.23 Councillor Davey replied,

“Clearly you are aware of the history, there’s a very long history to this and it’s been a problem which previous administrations have failed to deal with, it feels a bit like park and ride really where the city has never been able to find a suitable site for a coach park. The coach park in Madeira Drive is in high demand in the summer but is less used in the winter and as you know drivers sometimes prefer to park for free at Roedean Road. This year has seen a 10% increase in the use of Madeira Drive by coaches and

that built on a 10% increase in the previous year which reversed previous decreases in 2009.

So at the moment it is at least the highest it's ever been. Unfortunately there are insufficient funds to establish a permanent coach park as originally conceived on the Black Rock site as was mentioned a little while ago and so I've asked officers to review the position and take into account what options there may be for parking in the city, whether there is a financially viable use at Black Rock and I think this needs to feed in to part of the comprehensive Seafront Strategy and look at all those competing uses for this land.

But all of this has to live within the constraints of space and money, both of which are very severe but I will be asking Transport Officers to look to feed this in to the Seafront Strategy and see what solutions we can possibly come up with."

- 30.24 The Mayor thanked Mr. Cummings for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the Transport Committee 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.
- 30.25 The Mayor then invited Mr. Campbell as the spokesperson for the second deputation to come forward and address the council.
- 30.26 Mr. Campbell thanked the Mayor and outlined a number of grievances that he had with the council and certain councillors.
- 30.27 Councillor West replied to the effect that given the nature of the allegations he felt it was better to not seek to reply but suggest that they were raised and dealt with through the proper process.
- 30.28 The Mayor thanked Mr. Campbell for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the appropriate Committee 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.
- 30.29 The Mayor then invited Councillor Summers as the spokesperson for the third deputation to come forward and address the council.
- 30.30 Councillor Summers thanked the Mayor and stated that:
- "There is an urgent need to give consideration to the impact of the new home care contracts introduced by the Council. These new contracts were designed to ensure that people receiving home care received more choice and control as the previous system was not suitable for the more flexible services that are required, which is why the council changed the way providers are paid.

Councillor Jarrett has stated that the council is not responsible for the way independent providers pay their staff and has no power to control them, but is keen to work with them

to provide a minimum live-able wage of £7.19 per hour. This figure being less than a shop assistant can earn in this city. This shows how little Councillor Jarrett, and all those who support this figure, value both the care workers and those they serve across this city despite statements to the contrary. He also states that he is looking into ways to support the home care industry locally in terms of both recruiting and retaining home care workers, and trying to address the issue of rising fuel costs. Work is being undertaken to look at initiatives that can be implemented to help providers (not staff) with these costs.

The council is charging its clients a maximum of £21.50 per hour to run its in-house services, yet expects that outside agencies will provide the same high level of service for just £14.50 per hour. How does that work? However, nothing done properly is done cheaply and that is a trap the Green council has fallen into when changing the way providers are paid. The council no longer pays enhancements for weekends/anti-social hours and expects lone agency workers to visit service users up to 10pm, yet council workers visit in pairs. It no longer pays fuel allowance nor does it even make provision for it or for wasted time travelling between calls (which increases working hours) or depreciation of vehicles, nor does it pay enhancements to providers to ensure continuity of care. All this apparently gives service users more choice, control and flexibility - how?

You have all seen the effects that the new contracts have had on one small local agency within this city in the 3 months since the contracts have begun, and the costs that those care workers who remain are expected to swallow in order to continue working. 8 workers with between 4 and 7 years' experience have left and more may follow. This agency previously had an excellent staff retention record, and was rated in the care quality commissions report as a well-performing caring agency. The staff who have left have been replaced mainly by students who work in their spare time to fund their studies, and by the time they are experienced they will have left to pursue their dreams and so the cycle will continue.

At the last Adult Care & Health Committee meeting Councillor Jarrett confirmed that across the city, in the 3 months since the contracts began, 153 care workers have been recruited and 60 have left. How long the remaining 93 will stay remains to be seen. However, it was curious to note that the number of home care staff across the city has not, according to Councillor Jarrett, diminished. This then begs the question whether or not it has, in fact, been increased in order to meet the demands of an increasing number of people receiving home care! Much of this information, and more, has been presented at the last 2 Adult Care & Health Committee meetings and is also supported, as you can see, by both Unison and Michelle Mitchell of Age UK.

This deputation requests that the council reconsiders the position it has placed care workers in, and seeks to address the imbalance caused with a report to the next Adult Care & Health Committee meeting.”

30.31 Councillor Jarrett replied,

“I will say first of all that we do value care workers and that one of the first intentions of this re-tendering process was to raise the minimum wage that care workers were paid and that has been achieved but unfortunately not everybody benefited and there were

some circumstances in one or two of the contracts which meant one or two people lost out.

The new contractual arrangements consolidated the rates at which providers are paid from nearly 30 different rates to 3 rates the existing system was just too complicated to handle, it was very difficult for a number of people to understand The hourly standard of special care rate found plus a 15 minute call enhanced rate

These rates were increased by 10.7% and 11.8% from the rates prior to the contract so we did increase the base rates. However there were no enhanced rates paid to provide us for evening and weekend work in the contract. Providers continue to receive enhanced rates for bank holidays. The contract with the providers, does not specify the rates of pay for staff and each provider agency, however as part of the procurement process all providers were asked to confirm that they would be paying staff at least the local living wage.

Providers confirmed that currently pay rates for experienced workers now vary from £6.55 for a standard hour week day to £8.65 and for new care workers from £6.30 to £7.60. The standard weekend rate care paid is from £7.65 to £9.75 for experienced care workers and from £7 to £8.76 for new care workers. The highest reported hourly rate was £9.98.

The new providers awarded contracts in the city are offering higher pay rates ranging from £7.50 to £11. Some providers make their own arrangements as to how they divide up the money that we give to them and they do pay enhancements for evenings, 46% of providers and for weekends 90% of providers do pay an enhanced weekend rate.

Providers have responded in a variety of ways in relation to new rates the Council pays and the rates that staff are paid. The hourly rate the staff are paid will vary between provider and within each provider it will vary depending upon their hours of work, number of hours paid and experience of workers.

In relation to uniforms, which was a previous question asked, 85% of providers do have a uniform and all these are provided free of charge. That was a question that was raised by Councillor Barnett I believe. The review of the Contract Implementation confirms that since the implementation overall providers have recruited 150 new additional staff and 60 care staff have left. We have had a net increase in the number of staff who are employed. The level of experience of staff who have left cannot be confirmed, we could surmise that somebody leaving would have had some experience but we can't say exactly how much experience they had.

The actual recruitment and potential data reaching the individual provider varied and this would vary depending upon the specific contract given to each provider. Loss of staff is regretted but it is a sector which does traditionally have high turnover and the overall capacity which is the thing that should concern us in the city has not been diminished so we have the capacity to deliver the care and that's the critical thing.

The actual number of people receiving home care has increased slightly as has the number of hours of care but we're still undertaking a full analysis of that information. Quality of service remains good and broadly at the same levels as before contract implementation we do monitor quality of care by a number of routes. Care providers are in the main, continuing to provide the standard of care required. The difficulties that we

have experienced in the past for instance over the summer of 2011 have not occurred this year in summer 2012 so it is a positive indication that this contract is working well.

We provide a comprehensive free training development program to independent sector care providers, this program has continued and we have a commitment to a skilled and a competent workforce.

This is a new contract, it's been tendered, and we cannot alter the conditions of that contract early on in the contract without applying to all the providers. This is an £11,000,000 contract we cannot simply go chopping and changing conditions without proper data to work on. We are undertaking a full review as is usual in these cases, there will be a six month review and after the six months review a report will come back to the appropriate committee which will be in January."

30.32 The Mayor thanked Councillor Summers for speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the Adult Care & Health Committee 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.

30.33 The Mayor then invited Mr. Carlisle as the spokesperson for the fourth deputation to come forward and address the council.

30.34 Mr. Carlisle thanked the Mayor and noted that copies of the deputation had been circulated and therefore he wished to say the following:

"I'm here today to talk to you regarding the impact of the decision to close 2 residential homes for adults with learning disabilities in Hove, the manner in which that decision was arrived at and some of the figures being quoted.

I'd like to thank Council Leader Mr Kitcat for his response to my original letter which you've all received. It's my understanding that the current gross expenditure for running both 228 New Church Road and 267 Old Shoreham Road is combined total of £964,760. This figure comes from a unit cost analysis performed in March of this year.

Given that Mr Kitcat claims that current estimated savings to be made by closing both these services are around £600,000 more, this would mean that the Council would then be allocating the budget of only £364,760 to provide a frankly bare minimum service for those affected. The difference is roughly two thirds, I fail to see how these complex and vulnerable people can have their needs met to an acceptable standard given the enormous cut in the budgets proposed. The people who this affects will suffer significant risk to their personal safety as a direct result of this decision. I cannot see how a service of comparable, safety and dignity can be offered given the reductions proposed.

Remember these are people who's disability were deemed so severe by managers employed by this Council that they were not consulted on this proposal that directly affects them due to the heightened anxiety and the resultant likelihood of both challenging and self injurious behaviours that this consultation will cause them. Imagine then if you will, the state of heightened anxiety and distressing behaviours that are likely to occur if they are forced to move from homes that minimise all these risks as far as possible, into new bigger and much less homely and more institutional environments.

This, Councillors, is going backwards and is certainly not valuing people and it goes against everything the Government says about independent living, rights, choice and people's control over their own lives. I'd like to illustrate this point with detailed knowledge of one particular person affected by this decision. I'm going to tell you about the last time she moved house, from somewhere she wasn't particularly happy, to the place she has become the most settled, anyone who knows her, has ever seen her.

It took her years to settle into her current home, in the first few years, after she moved, her anxiety was heightened to such an extent that it produced in her extreme self injurious in which she would spend hours every day repeatedly banging her head against the wall of her bedroom leaving her with a large open wound in the middle of her forehead that has become a permanent scar today.

It is only because the excellent trained staff team and the accumulated familiarity over the last 9 years that has enable her to reduce these distressing daily incidents to virtually nothing. So the decision taken by the sub-committee to close her home will in all likelihood condemn her to repeat those negative behaviours over and over again for who knows how long. That is not right, it is not fair. I ask you what choice or control is she being given over her own life? And that's just one person that's affected; please think about all the others who will be affected in their own way by this decision.

I'd also like to raise the issue about how the decision was taken at committee and how, on any other day, would have been different. It's my understanding the Councillor Powell who normally sits on this committee but was on leave at the time of the vote would have voted to keep the services open meaning that the vote would have been 6-4 in favour of keeping them open in their current format however Councillor Powell's substitute on the committee on that day, I believe it was Councillor Shanks, voted in the other direction to close the service meaning the vote was tied at 5-5 giving the chair, Councillor Jarrett, the casting vote and we all know the way that went.

Now I'm not fully up to speed on whether or not this goes against the Council's constitution or whether or not it is in fact legal or even if Councillor Jarrett and his Green Party cohort have acted over and above their agreed constitutional powers but I do believe that it is plating politics with the lives of our cities vulnerable and voiceless people.

On top of this I would like to draw Council's attention to the way in which the consultation was amended with only nine days to go before the vote after the official consultation period was over. I fully understand that Councillors only require five days to read and digest information prior to a vote, my contention is that parents, carers, advocates, staff, members of the public and let's not forget the people with a learning disability affected, did not get opportunity to review or comment on the amended document.

Finally, and perhaps more shockingly, I've recently been made aware of an off the record meeting that's taken place in which objections to the proposed closures have been made by a relative of one of those affected to Councillors who have intimated that if the closure remove did not take place now then it will be more likely that those affected will be moved over to private sector, against the wishes of the relatives and

carers, sooner rather than later. The relative threatened to withdraw their objection as they wanted the relative to remain in in-house service provision as long as possible.

Obviously I do not want to name names in an open forum but if anyone wishes to speak to me regarding this I'd be more than happy to do so and I can provide notes.

I was also stunned to learn that similar Councillors voting on this did not actually visit the homes they voted to close. Councillors I urge you to conduct a full review of this decision, exploit all other options that would be less damaging to our cities most vulnerable people."

30.35 Councillor Jarrett replied,

"That doesn't match up very much with what I had but I will attempt to respond to the points you've introduced as well as the sum of your original responses. As far as the finances go, there is not a reduction in the amount of money that is going to be spent on the care for the individuals. We are still going to be providing at least the same standard of care with the same number of staff at the same level of training, that was always the intention, you may have a different interpretation of the numbers to what the officers have prepared, I can ask them to look at your figures and we can perhaps see where that discrepancy arises but there is no reduction in the amount of money that is going to be spent on the people but we will be spending less on the properties and that is where the major saving comes and also perhaps in the total number of managers that are required that is where the statement arises.

So my intention at the beginning of this process was that if we could possibly save money on having less premises rather than any reduction in the frontline care that was a preferable approach to take. I would have to disagree with you that this is moving to an institutional setting, we're talking about moving to, perhaps in the case of Windlesham Road, somewhere which will accommodate 4 or at the most 5 of the residents. We already have a number of units across the city which have 4 or 5 residents, I have visited them and I think they're perfectly nice places and I was impressed by the quality of care and the facilities that I saw there.

I have visited one of these location prior to the arranged visit that was made for members of the committee, I went on a fact finding visit relatively early on in my time as the lead member, so I have visited the New Church Road address. I was unable to visit the Old Shoreham Road address on that occasion because there were some problems at that address which made it inadvisable for me to visit.

Other members of the committee were not able to go on the arranged visit because they had prearranged engagements elsewhere that was a, if you wish to come arrangement, for some members of the committee. In terms of the voting at committee I am advised in all cases by Democratic Services and by Legal staff who are present at all times in the committee, I was not advised that anything I was doing was incorrect or unsound and my understanding of the process of substitutes is that a substitute acts upon their own free will and votes as they see fit and that that is the process we have. They are the substitute not mandated.

You are quite correct that there could have been a different decision at that committee had there been different people in that committee, that is always the case with any committee. If there are different people there, a different decision might be arranged, that does not make the decision of that committee unsound, if that is the case; every decision this Council has made in the last 30 years in unsound.

The original consultation process led to some options which were presented to the June committee meeting. Following some discussions at the June committee meeting it was considered that some additional consultation should be attempted or at least analysed as to the risk of whether the consultation would do more harm than good and some decisions were arrived at on a case by case basis bearing in mind the condition and the likely responses of the particular people involved and I had to take the advice of officers that they would do this to the best of their ability and that they would properly assess the risks that might be involved.

But the change in the options which came to the September committee do not invalidate the consultation that took place, all the Members were fully aware of the responses to the consultation, the responses to consultation were there in the papers that were considered by the committee in September, so I believe that the committee Members that took the decisions were fully informed as to the wishes of the people who had been involved and the primary wish that was brought to our attention by a number of family members was the wish for this to remain a council run in-house service and that was a thing that was uppermost in my mind; to maintain a high quality in-house Council service and to make it future proof in to the foreseeable future at a time when our income will be severely decreased and there will be increase in pressure on our expenditure due to increased demand upon our services. So always in my mind, was the wish to maintain this as a quality in-house service.

I had a meeting with an immediate relative of one of the people in the Old Shoreham Road accommodation. She was concerned about the whole situation, she wanted to know what would happen, I explained as best I could, what would happen in terms of the process, how the move would be handled, and I explained my wish to keep this as an in-house service and I said that the reason that I was prepared to go ahead with this was that I was concerned that at some future time, the financial circumstances might force another successive administration to consider out sourcing the service.

This is something that has happened in other Councils so I don't think that should be seen as a threat it was never intended as a threat, it was simply my analysis of the facts of the situation and I maintain that that is still my analysis of the facts of the situation that if the service is more expensive than it needs to be then there is a greater risk of it being outsourced by some previous administration of some other party or combination of parties over which I will have no control and that is still my position. There was never any intention to be a threat."

- 30.36 The Mayor thanked Mr. Carlisle for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the Adult Care & Health Committee 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.

30.37 The Mayor then invited Ms. Townsend as the spokesperson for the fifth deputation to come forward and address the council.

30.38 Ms. Townsend thanked the Mayor and stated that:

“At the beginning of April this year the cost of parking on and around the London Road went up not only significantly, but, as it turns out, also prohibitively. This has had an absolutely disastrous effect on the local businesses, with some retailers experiencing as much as a 30% decrease in trade.

Every shop and outlet in the London Road area has the same story to tell. Overnight there was a dramatic drop in trade with customers, after expressing their disbelief, disgust and anger at the cost of the parking, then saying that they would not be returning. Time and again potential customers have been seen to park, look at the cost of parking on the meters, then just get in their cars and drive off.

Passing trade, always an important asset to retailers has as good as disappeared. Customers are now often seen to hop out of their cars to buy just a single item whilst the driver of the car drives around the block once or twice until the shopper returns to the drop off point; this is an unsatisfactory mode of shopping for both customer, trader and the environment.

Local traders will testify that nothing, not the redevelopment of the Open Market nor the recession has had such a devastating effect on their trade as this recent increase in parking charges. The £1 charge for the first hour in the London Road car park has had no positive effect in alleviating the problem. On the contrary, the exorbitant rates for subsequent hours including the higher charges for weekend parking, has only contributed to the loss of trade. Traders have had to make staff redundant.

This situation is economically unsound. People are losing their jobs. Shop owners who have been trading in the area for many years are now losing their livelihoods. Customers are losing their preferred area of shopping and let's be honest, the London Road has long been a life-line for people on low incomes. Once the Open Market re-opens it will struggle to survive if it sits alone in a desolate, economic wasteland. This will turn into a lost opportunity. The traders of the open market have struggled for years for this rejuvenation, to bring it in line with modern, vibrant markets where local produce can be sold, alongside more colourful products, to local people. And what about the Mary Portas Funding? What is the point of investing this money if you can't even get the basics right and when it appears that the council is not committed to one of her fundamental recommendations - cheap easy parking. Get the cars parked up as quickly as possible and get the shoppers into the shops. Will this represent another lost opportunity? None of us want to see the Open Market become the 'Green' white elephant of Brighton, but unless something is done fast this is how it will be known.

This deputation is being made to demand that the parking charges be reviewed with the utmost urgency and returned long term to less than £1 an hour, a level commensurate with an economically depressed area, in a bid to encourage the return of shoppers and trade.

For the month of December, in the run-up to Christmas, we would like to see the well-advertised suspension of all parking charges, both on street and in the car park, in an attempt to boost trade and re-coup the serious losses that have been forced upon this retail area since April. For the sake of the London Road you must act now.”

30.39 Councillor Davey replied,

“The traffic situation around London Road is complex, as I’m sure you are aware, there’s some of the worst traffic congestion in the city and as a consequence has some of the worst air pollution. Viaduct Road, for example, has featured as one of the worst areas for air quality since monitoring began and as recently as 2010, just but a few yards from St Bartholomew’s Primary School the Oxford Road/London Road junction was the worst in the city at almost double the limit set by the European Union.

This was a deteriorating situation that could not be ignored particularly as the city faces the prospect of millions of pounds in fines from January 2013 for failing to comply with EU air quality regulations. Traffic congestion and air pollution not only impact upon local people’s health but also upon their decision as to whether to shop in London Road or not. While some may complain about the on street parking charges others complain about the impact of traffic and choose to shop elsewhere.

London Road has some of the best public transport links in the city with the hundreds of buses carrying thousands of people going to and through the area each day. It is also closer to Brighton Station and to London Road Station. Many people also walk through the area on their way to the city centre. There is a foot fall that many that will be the envy of many shopping streets and in reality there are only a limited number of on-street parking spaces available in the area and much of what there is, is for residents or dedicated for those with disabilities and these are reasonably well used.

There has been a steady fall in on-street car parking usage in the area for a number of years and the number of street spaces has also been reduced. In contrast the London Road car park has increased particularly following recent refurbishments. Even in the last year, usage has been 15% over expectations and the £1 for one hour during the week offer has proven extremely popular counting for 30% of week day transactions.

The Council continues to promote the use of the car park and it has even put stickers on pay and display posts encouraging people to use it because it is very cheap. We continue to promote more sustainable transport choices and it’s encouraging to see that during the same period bus patronage in the city has increased by over 5% with an 8% rise in September alone.

The Portas review may have mentioned parking but there are also 27 other recommendation including making high streets accessible, attractive, safe and encouraging local businesses. There are a number of developments which will have a positive impact upon the area including the Open Market and The Level, both of which will be complete next year and help to encourage more people in to the area.

Whilst I can see that lower on-street parking charges may seem attractive in reality they would lead to increased congestion, further degradation in air quality and less reliable

public transport and so not a way forward for a key city centre area. Most people who travel to London Road either walk, cycle or go by bus whilst the car park remains an option for those who choose to drive. The Council is investing in London Road area and will continue to do so and as a recent Argus report showed, after years of deterioration there are many reasons to be optimistic about the future of the area.”

30.40 The Mayor thanked Ms. Townsend for attending the meeting and speaking on behalf of the deputation. He explained that the points had been noted and the deputation would be referred to the Transport Committee 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.

30.41 The Mayor noted that the deputations had been presented and therefore the item was concluded.

Note:

30.42 The Mayor then adjourned the meeting for a refreshment break at 7.00pm for a period of 45 minutes.

30.43 The Mayor reconvened the meeting at 7.45pm and noted that it was the last council meeting for the Strategic Director; People who was leaving join the London Borough of Bromley. He thanked the Strategic Director for his service and wished him well for the future on behalf of the council.

Note: In having regard to the time, the Mayor then took item 34, Reports of the Committees, in order to determine how much business remained to be considered by the council and thereby have an indication as to how much longer the meeting was likely to run. The actual resolution is listed under Item 34 to maintain chronological order for ease of reference.

31. PETITIONS FOR COUNCIL DEBATE

31.1 The Mayor stated that the council’s petition scheme provided that where a petition secured 1,250 or more signatures it could be debated at a Council meeting. He had been notified of two such petitions which had sufficient signatures to warrant a debate and therefore would call each of the lead petitioners in turn to present their petitions before opening the matter up for debate.

31.2 The Mayor also noted that there was an error in the report concerning the first petition relating to Toad’s Hole Valley, in so much as it should recommend that the petition was referred to the Policy & Resources Committee for consideration rather than the Economic Development & Culture Committee. He further noted that it was for the Council to debate the prayer of the petition and the recommendation to refer it to the Policy & Resources Committee. The Council was not being asked to make a decision on the City Plan and the outcome of the debate did not fetter the Council’s discretion in any way. Should the recommendation to refer the petition to the Policy & Resources Committee be agreed, it would then be taken at the January Committee meeting alongside representations received as part of the consultation process for the City Plan.

A report of on which was due to be considered by the committee at that time before being presented to the Full Council on the 31st January 2013.

(a) Toad Hole Valley Petition

- 31.3 The Mayor then called on Councillor Brown to present the petition on Toad's Hole Valley.
- 31.4 Councillor Brown thanked the Mayor and stated that the petition sought to secure the future of Toad's Hole Valley and to prevent any development of the area, it read "We the undersigned oppose the proposed redesignation of Toad's Hole Valley for housing and mixed use development." It had been signed by 1,384 residents to date and the figure was likely to increase as further support was sought.
- 31.5 Councillor J. Kitcat stated that the land in question did not belong to the council and therefore it would be difficult to prevent any future development of the area bearing in mind the Government's intention to enable planning applications to be made more easily. The intention to include the area in the Local Development Plan was to enable the council to gain some control over its future, albeit that it would not prevent any planning applications from being submitted. He therefore wished to move an amendment to the report's recommendations so that the petition was noted and the widespread support for making the best use of the site was noted. He referred to the letters of support from the City Sustainability Partnership, Brighton & Hove Economic Partnership and the Coast 2 Capital Local Economic Partnership that had been circulated to all Members.
- 31.6 Councillor Mac Cafferty formally seconded the amendment and stated that Toads Hole Valley had not been included in the National Park as it had not been regarded as being an area of historical significance or having any special interest. The Government's National Planning Framework meant that it could be an area that was identified as being suitable for development and discussions had been held with the owners to see how they could work with the council in regard to its future. It was therefore appropriate to consider its potential as part of the City Plan debate that would be held in January.
- 31.7 Councillor Fitch expressed his concern over the potential development of an area that was welcomed by residents for being a green space and its public use. He had a set of additional signatures to the petition presented by Councillor Brown which he wished to present and noted that further signatures would be sought as this was a matter that affected a number of people and they did not want to see any development of any kind of the urban fringe. He was concerned that the matter was being debated prior to the consideration of the City Plan and without having the necessary information available to Members.
- 31.8 Councillor Brown stated that she could not support the amendment and that the petition sought to protect the last green space that existed along the urban fringe. There was an abundance of wildlife and protected species in the area and the residents believed that the current proposals provided for an over-development of the area that should be protected. She hoped that a resolution would be found that maintained the area in its current state.

- 31.9 Councillor Bennett stated that the issue had raised residents concerns more than any other and there was a need to understand these concerns and work with the residents to ensure that the area was safeguarded for the future. The current proposals had raised concern over the likelihood of increased congestion, parking, loss of green space, and a greater population density without the much needed recreational space.
- 31.10 Councillor Mitchell stated that she was concerned the issue was pre-empting the City Plan debate and did not want to pre-judge the outcome of that debate in the absence of supporting papers. She noted that in 2009 the Labour and Green Groups had supported the protection of the area as a green space and felt that the aims of the petition should be debated as part of the overall City Plan debate.
- 31.11 Councillor West stated that there was a need to recognise that the council faced housing targets and that there was a need to look at all areas of the city. The proposals put forward were in recognition of that and with a view to protecting the urban fringe, however if things were left as they were, then the area was open to future development proposals that may have a greater affect on the site.
- 31.12 Councillor Littman noted that it was an area of private land and that it would be the owners who determined its future and therefore the council had sought to work with them to enable some control over how development proposals were taken forward.
- 31.13 Councillor J. Kitcat stated that there was a need to note that Government policy had changed and the council was required to meet its housing targets and planning restrictions had been eased to enable developers to bring forward proposals for sites. The matter would need to be debated in January and he drew attention to the fact that the city had less than 5% Grade A employment space which was desperately needed.
- 31.14 The Mayor noted that an amendment had been moved and out it to the vote which was lost. He therefore put the recommendation that the petition be referred to the January Policy & Resources Committee to the vote which was carried.
- 31.15 **RESOLVED:** That the petition be referred to the Policy & Resources Committee for consideration.

(b) West Pier Traders Petition

- 31.16 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 a petition concerning the West Pier Market.
- 31.17 The Mayor invited Mr. Fijalkowski to present his petition.
- 31.18 Mr. Fijalkowski thanked the Mayor and stated that a total of 7,840 people had signed the paper petition which read as follows:

"The development of the i-360 tower on the site of the West Pier means that the West Pier Market, which has run on the site since 1996, will no longer be able to operate in its current location. We, the undersigned, call on the council to find a solution for the traders to continue to trade on Brighton seafront whilst the construction of the i-360 is

underway and to find a permanent solution to siting the market as part of the redevelopment of the area once building of the i-360 has been completed.”

- 31.19 Mr. Fijalkowski stated that officers had been discussing matters with the traders and it was hoped that a solution would be found. The traders understood that the current agreement was with the West Pier Trust and therefore the decision to give notice to the traders as a result of the i-360 development lay with the Trust. However, it was hoped that the council would be able to assist and the petition was simply trying to highlight the situation and express the anxiety of the market traders about their future prospects. He hoped that the market would be able to remain an integral part of the seafront area and noted that it had proved to be a starting point for local businesses in the city.
- 31.20 Councillor Bowden thanked Mr. Fijalkowski for attending the meeting and stated that the council was fully aware of the situation and sympathised with the traders’ position. However, it was looking to find a short-term location to help during the construction phase and would look at how the market could be accommodated in the future as part of the review of the seafront strategy. He was not yet in a position to take forward any options for a long-term solution but was willing to work with the traders to see if their needs could be met.
- 31.21 Councillor Theobald stated that the Conservative Group fully supported the petition and hoped that a viable solution could be found.
- 31.22 Councillor Mitchell stated that the Labour & Co-operative Group also fully supported the petition and hoped that an update to the position could be provided at the Economic Development & Culture Committee meeting in November.
- 31.23 The Mayor noted the comments and thanked Ms. Fijalkowski for attending the meeting and presenting the petition. He then put the recommendation to refer the petition to the Economic Development & Culture Committee for consideration to the vote which was carried.
- 31.24 **RESOLVED:** That the petition be referred to the Economic Development & Culture Committee for consideration.

32. WRITTEN QUESTIONS FROM COUNCILLORS.

- 32.1 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 A. Norman

- 32.2 “What is the cost of the Budget consultation work currently being carried out for the Council by the New Economics Foundation?”

Reply from Councillor Littman, Deputy Chair of the Policy & Resources Committee (Responsible for Finance).

- 32.3 “The Budget Update and Budget Progress 2013/14 report to Policy & Resources Committee on 12 July 2012 set out a wide range of Community Engagement and Consultation to help inform the setting of the 2013/14 budget. The overall budget for consultation approved by the committee was £15,000 to £20,000 including provision for a public consultation event.

Subsequently, the New Economics Foundation (NEF) were engaged to facilitate an independently run public consultation event at the Jubilee Library on 26 September 2012. The results and full report from the consultation event will be reported to members. The cost of the engagement with NEF is £4,000 plus a maximum of £200 for expenses.”

(b) Councillor A. Norman

- 32.4 “The latest Audit Commission Annual Governance Report for Brighton & Hove City Council once again identifies serious weaknesses in the operation of the Council’s Human Resources Payroll System which creates a ‘risk of misstatement and fraud’. Can the Leader of the Council please tell us what steps are being taken to address these serious shortcomings and does he agree that the length of time it has taken to sort out these problems is simply unacceptable?”

Reply from Councillor J. Kitcat, Leader of the Council.

- 32.5 “The problems that have arisen from the previous administration’s procurement of the HR IT system are concerning, and have needed some work to fix. The Audit Commission Annual Governance Report for Brighton & Hove City Council covers the period 1 April 2011 to 31 March 2012. The control issues relate to the outcome of work by both the Audit Commission and Internal Audit. During the year, the Audit Committee was made aware of the control issues and progress to address, including resource constraints and issues with the iTrent HR System. These issues have been taken very seriously and action has been taken to ensure that the recommendations made by both Internal Audit and the Audit Commission have been implemented. It should be noted that audits tests and further ones carried out by HR have not found any evidence of fraud.

Internal Audit is working closely with HR Management to implement actions and improve controls. A further Internal Audit review will be carried out in January 2013 to provide assurance. Only one medium priority internal audit recommendation now remains outstanding, expected to be implemented by the end of October 2012. This relates to the testing of all exception reports.

A number of control issues arose due to the complexity of the payroll operation. This is being addressed including the recent successful transition from weekly to monthly payrolls. To further reassure the Council, the Annual Governance Report informed the Audit & Standards Committee at its meeting in September 2012, that the District Auditor had carried out substantive testing of the payroll and concluded that there was no material impact on the council’s accounts or any evidence of fraud and that she was able to provide the council with an unqualified opinion on its 2011/12 financial statements.

The most recent external audit checks continue to confirm very good progress is being made. I would like to take this opportunity to thank the staff from HR and the Programme Management Office who have worked so hard on delivering these improvements.”

(c) Councillor K. Norman

- 32.6 “Section 269 of the Public Health Act gives local authorities powers to control the use of movable dwellings and to license the use of land as a site for such a dwelling. If the land in question is to be used for more than 28 days in total in any calendar year, planning permission must be obtained. Furthermore, a site which is used for more than 42 days consecutively or 60 days in total in any consecutive 12 months must have a site licence. Can Cllr. West please confirm whether planning permission has ever been sought, or a site licence obtained, for the ‘tolerated’ traveller site at 19 Acres, given that it has been occupied for well over 28 days on 3 separate occasions in the last 18 months?”

Reply from Councillor West, Chair of the Environment & Sustainability Committee.

- 32.7 “Government guidance states that it is good practice to allow some toleration for short periods in locations where the encampment does not have significant adverse impact on the settled community and/or where health and welfare needs might make immediate eviction unreasonable. Travellers on unauthorised encampments are considered to be trespassers, so no licence or planning permission application is necessary. There have been two occasions over the past 18 months when 19 acres have been occupied by an unauthorised traveller encampment for more than 28 days. On both occasions, after a short period of toleration in accordance with the government guidance, legal action was successfully taken to remove the travellers from the unauthorised encampment. To have applied for licences and planning permission would have been counterproductive and may have risked the possibility of an interest in land being created. “

(d) Councillor C. Theobald

- 32.8 “Nationally, £200 million of taxpayers’ money is lost due to fraud and error in the council tax benefit system. Localisation of council tax support will give councils a greater incentive to clamp down on fraud and error as they will get to keep all the savings made. Can the Administration’s Finance Spokesperson give an estimate of how much is currently lost through fraud and error in Brighton & Hove and what steps are being taken to cut down on that from next year?”

Reply from Councillor Littman, Deputy Chair of the Policy & Resources Committee (Responsible for Finance).

- 32.9 “In excess of £25m was paid out in Council Tax Benefit in 2011/12. Of this £83,508 was identified as overpaid due to local authority error or administrative delay and a further £59,949 as fraudulent overpayments. It is normal practice to recoup these

overpayments by collecting them as unpaid council tax. The localisation of council tax and the associated reduction in government funding of over £2.5m for the replacement scheme for Council Tax Benefit will place additional pressures on the council.

The council has a zero tolerance policy to fraud. The Head of Audit and Business Risk is paying particular attention to minimising the risk of fraud in the Local Council Tax Support System and is working closely with the Revenues & Benefits service to devise a rigorous fraud prevention and detection programme to ensure we continue in our determined drive to pay support only to those who are entitled to it. This will include the use of data and intelligence, and existing and planned powers for the proactive investigation of fraud.”

(e) Councillor Bennett

- 32.10 “Residents are becoming increasingly concerned about the state of the tennis courts in Hove Park. Some work was carried out on the courts 2 or 3 years ago to improve drainage but this has not proved effective. Whenever there has been rain the courts flood and pools of water sit on them instead of draining away. This makes them dangerous to play on, but even worse is the fact that the courts become very slippery because they are never cleaned. Dirt carried in on shoes turns into mud after even a little light rain, and with poor drainage the mud is never washed away. Will the Chair of the Economic Development & Culture Committee please ensure that this situation is addressed as a matter of urgency before one of our residents has a serious accident as a result of the state of the courts?”

Reply from Councillor West, Chair of the Environment & Sustainability Committee.

- 32.11 “All flat surfaces are subject to problems with standing water in heavy rain. With Hove Park the problem is exacerbated by the large surface area and the fact that the surrounding park land is at a higher level than the courts. Because of this the courts have low level walls on three sides to prevent additional water ingress and this partly results in the water taking longer to drain. Drainage channels were installed two years ago which has helped the problem considerably. The water also drains away through the courts which are relatively porous.

Property Services are investigating whether it is possible to form drainage points on the south side of the courts to enable water to be swept away to the ‘Astro’ courts which are on a lower level and – being porous - should provide greater drainage capability. If it can be shown that such action would not result in damage or flooding to the ‘Astro’ courts, then the work will be carried out.”

(f) Councillor Cobb

- 32.12 “Can Cllr. Davey confirm when the last structural survey was carried out on the Hove Town Hall Norton Road car park? I am concerned that the many leaking drain pipes are undermining the structural integrity of the cement blocks of which the car park is built.”

Reply from Councillor Davey, Chair of the Transport Committee.

32.13 “The last concrete defect inspection survey was carried out on 23rd November 2011, with the next annual inspection scheduled for the end of October/early November this year. Repairs to the highest priority defects identified were carried out over the first three weeks of July this year. This included repairs to the North stairwell, re-sealing of expansion joints and repairs to the deck coatings to the upper exposed levels. The drainage pipes were also cleaned through from the roof levels to the ground, and the emptying of the ground and basement interceptor chambers is scheduled for November.”

(g) Councillor Simson

32.14 “At the beginning of this year, the Green administration made the decision to divert £175K from the Community Development budget to Neighbourhood Councils. This was despite the fact even following extensive consultation showing that there was little or no appetite for it in the communities and meant that vital community development work in both Woodingdean and Hollingbury was completely cut causing detriment to both neighbourhoods. Can Councillor Duncan please tell me whether:

- he still considers this was the right thing to do or has the administration made a mistake?
- this is producing value for money, as community development work does?
- he is considering diverting funds from other budgets causing those programmes to also suffer?”

Reply from Councillor Duncan, Chair of the Community Safety Forum.

32.15 “In answer to your specific questions, I can confirm that I still do consider establishing the neighbourhood council pilots - which seek to put real power in the hands of communities in a way previous administrations of this council seemingly quite failed to understand, and in response to an enthusiastic response from community activists and groups from across the city, including, for example, the Deans Business Club in Woodingdean - the right thing to do.

Two pilots were launched in September, and they are already starting to produce tangible results. A VFM analysis will be carried out in due course, but I stress the programme is not about saving money but delivering real democracy to communities across the city.

Finally, the success of devolving power to local communities will, of course, depend on the ability to fund the programme. At this stage, it's not the diversion of funds that seems to be the issue but massive cuts to this and other councils - and continued financial uncertainty, being forced on this council through last minute announcements by the Government, and deals over local taxation arrangements being done by local members of both opposition parties.”

Supplementary information

1500 residents responded to the consultation, 88% strongly agreed or tended to agree that they would like to have more influence over decisions and services affecting their area, of this 68% said that they would become involved in local governance. 30 expressions of interest were received to become pilot Neighbourhoods Governance areas, including one from Woodingdean, Deans Business Club.

The Community Development Commission 2012-14 provided an in-depth need assessment informing decision making, this refocused priorities on areas with the most need. The 175k continues to support the work of involving and engaging communities in local decision making and solutions.

The NG pilots were launched in September 2012 and will be monitored and evaluated quarterly alongside the commissioned community development work, with the first full report in January 2013. This will inform local and strategic decisions during and after the pilot. Monitoring and evaluation reports will identify outcomes achieved, key challenges and barriers to success and identify good practice that delivers sustainable results.

The Neighbourhood Governance approach in both pilots is being driven by existing residents groups who wish to have more power and responsibility, to create better neighbourhoods and local services. In Whitehawk these groups are merging to create one Neighbourhood Council and in Hollingdean and Stanmer a steering group is being developed that is made up of representatives from a range of groups and forums.

The Whitehawk Neighbourhood Council is planning an initial event in October which intends to stimulate discussions about budgets, allocations, funding priorities, and to open up new ways of achieving local priorities. They are also working on their own governance structures, looking to develop Participatory Budgeting with Health and Youth funding and develop a Neighbourhood Plan.

33. ORAL QUESTIONS FROM COUNCILLORS

- 33.1 The Mayor noted that notification of 11 oral questions had been received and invited Councillor Geoffrey Theobald to put his question to Councillor J. Kitcat.

Council Tax

- 33.2 Councillor G. Theobald asked, "At the recent Conservative Party Conference the Chancellor of the Exchequer announced that for the third year in a row the Government will be offering Councils significant extra money to help them freeze Council Tax. Will the Leader of the Council join with the Conservative Group today in committing to accepting that Government money and to delivering residents of Brighton and Hove a Council Tax freeze? Can I ask him, yes or no? "
- 33.3 Councillor J. Kitcat replied, "I think what needs to be considered is that, you will recall that there was this offer which is only worth 1% of one off money which means in future years the Council Tax base will be worth permanently less and you'll note that colleagues in your party like the Leader of Surrey have been highly critical of the way in which Mr Pickles has handled the affair. You may also note that in the last 6 weeks,

various Government announcements have been rapidly depleting the Council's budget position so that the budget position now stands at a £25,000,000 gap for the financial year ahead of us which is some £10-12,000,000 worse than was originally anticipated. So I think what Pickle's gives with one hand, he takes away with more than one hand doesn't he? So we are going to look at the detail, we are actually awaiting proper formal announcements of all of these from the Ministers because so far what we've had is comments in the Mail on Sunday and so on. I don't think that's proper for Ministers, I think they should make statements in the Houses of Parliament and I note the Conservative Party made such a commitment before they were elected to power and I was sorry to see them renege on that."

- 33.4 Councillor G. Theobald asked the following supplementary question, "As recorded in the minutes of the Policy and Resources Committee, meeting of the 12 July, you stated that for every 1% increase in Council Tax the Council would have to pay an extra £1,000,000 to Council Tax Benefit recipients under the new system starting next April. Is this still correct? And do you agree that if you increase Council Tax by, for example, 2% you will firstly be increasing the burden on our residents, secondly turning down £1,200,000 from the Government that would go into the local economy and thirdly paying out an extra £2,000,000 in Council Tax Benefit according to what you stated at the Policy and Resources Committee?"
- 33.5 Councillor J. Kitcat replied, "That is not correct and I'm pretty sure that's not what I said, what I would have said is that for every 1% increase in Council Tax, it may be that there was an error in the minutes that I didn't spot, it's possible, we can have a look at the Webcast but lets talk about the facts on the ground Councillor, the facts on the ground are simply this; based on the best information we have at the moment each 1% increase in Council Tax is worth about £1.2 million however about £200,000 of that would need to be paid out in Council Tax Support because, of course, your Government have localised Council Tax Benefit with a cut worth about 18% and our mainstreaming in to the grants so in future, regardless of the demand from those in our city, we will get no extra funding. So that is where we stand but of course the bill hasn't passed through Parliament yet so we don't actually know what the position is, perhaps you could speak to your Government and ask them to give us some certainty in these matters."

Neighbourhood Councils

- 33.6 Councillor Mitchell asked, "Could the Leader of the Council please confirm that the 2 Neighbourhood Council Pilots are exactly on track and are being implemented exactly as planned?"
- 33.7 Councillor Duncan replied, "I'm afraid much of what I'm going to say is in the addendum in front of you because it is the same information as is provided in answer to your written question from Councillor Simson but in short the answer is it is on track, there are 2 pilots as I'm surprised you don't already know. One is in the Whitehawk and Bristol estate areas of the East Brighton Ward of which I believe you are a Councillor, the other is the whole Hollingdean and Stanmer Ward and they're both on track. But in short the Whitehawk and Bristol Estate are coming together to have one neighbourhood Councillor, got a meeting later this month which is the first meeting of that neighbourhood Council. In Hollingdean and Stanmer, a steering group is in the process of being developed to bring various groups in the ward together that is made up of representatives of a range of groups all of which have responded very positively and

wanted to be involved. We're also in the process of establishing a cross party working group which I hope you are aware of and members of your group will fully participate in."

33.8 Councillor Mitchell asked the following supplementary question, "Have any additional staff been recruited for the implementation of these pilots as was mentioned at the cabinet meeting where the decision was taken to implement them?"

33.9 Councillor Duncan replied, "I will provide a written response. Remember these Neighbour Council Pilots were launched not 3 weeks ago at an event on the 26 September at the City Centre event, which was about bringing communities together and community engagement."

Free Schools and Academies Policy

33.10 Councillor Wealls asked, "Does Councillor Shanks agree with the Labour by-election leaflet from the East Brighton by-election which stated 'the Green run Council want to double the size of St Marks' School and have your children taught in drafty portacabins?' Is that what the Green Party wants or does she agree with me that this is disgraceful scaremongering which brings the whole of politics into disrepute?"

33.11 Councillor Shanks replied, "I do often agree with Councillor Wealls and on this occasion I of course agree with him, I was appalled to see that leaflet when I had sat in the meeting and categorically said that we will not be building portacabins and members who are here now had also heard me say that in the meeting. Obviously we are going to be hopefully expanding St Marks' School but it will not get to the size that was mentioned in that leaflet either obviously until the children go through because we'll be expanding one form entry at a time."

33.12 Councillor Wealls asked the following supplementary question, "Given that the Labour spokesperson was part of the group of us who agreed these proposals, and the Labour Councillors who sit on the Children and Young People's Committee sought assurances which they received, that there would be no portacabins, and voted for the paper at that meeting. When we speak about item 38 on the agenda tonight how do you expect the Labour Group to vote on those proposals and do you agree with me that the Labour Party should write to the head teacher at St Marks' School apologising because he had to write to the parents of children of that school explaining that there was nothing in of truth and substance in that leaflet?"

33.13 Councillor Shanks replied, "When I move the motion about schools I will be calling for all party support because we have had really good cross party working on this, it's been very good, it's been well supported, people have had all those discussion and then we've also had the Children's Committee which also supported the recommendations of the schools organisational club, this will then go out for consultation. I think it was appalling that one of the senior officers in the end wrote to the Argus about this because he was appalled at what was happening. Obviously it's good to have a decent political debate about schooling in our country and we often engage in that across the chamber but we might need to make sure of our facts and I think it is a disservice to the parents and I think it would be a good idea if the new Councillor for East Brighton talks to St Marks' about what the plans actually are and I can obviously brief her on those now that she's a member of the Council."

Services for Young People

- 33.14 Councillor Marsh asked, "I was very pleased to hear earlier, the partnership awards that we won, where we had worked with Council services and the voluntary sector so I wonder, would Councillor Shanks agree with me that we have some excellent voluntary organisations working and providing services for young people in this city who are especially disadvantaged and vulnerable?"
- 33.15 Councillor Shanks replied, "Yes thank you for the mention of the Partnership Agreement, that's been a really good piece of work across the city where local voluntary organisations have come together and produced a bid for our commissioned voluntary sector youth services worth £400,000 over three years and I'm really pleased that they won that bid they worked really hard and they'll be working very closely with our in house services to improve the services that we can offer particularly to those disadvantaged young people."
- 33.16 Councillor Marsh asked the following supplementary question, "It's very sad because one of those excellent projects in my own ward, Safe and Sorted, has been forced to close because of lack of funding. You and I, Councillor Shanks, were interviewed on radio Sussex and because we couldn't hear each other and we couldn't hear what was happening, I didn't hear the young person, who used Safe and Sorted Project, who asked, "why did this Green Administration decide to make funding available for a skateboard park in the Level when it couldn't actually find funding for the Safe and Sorted Projects supporting vulnerable, challenged young people in my ward? I didn't hear the answer to the question; I hope that Councillor Shanks can give me that answer now. "
- 33.17 Councillor Shanks replied, "I understand the funding for the Level is a separate issue on section 106 but I also didn't hear that young person, we did have a reasonable polite interview about that. As Councillor Marsh knows, Safe and Sorted was started by the YMCA and they got lottery funding for that which was a 3 year, I know you know this but maybe the other people don't, it was a 3 year lottery funding bid and last year we agreed to extend that because they could not secure any more funding, we kept it going for another year for a further £40,000 and then a further £20,000 last year. Unfortunately due to the fact that we haven't had extra money that was never part of the Council services, we haven't been able to continue funding for that. However the Director of Care and Support at the YMCA, who run this project, they remain committed to the young person of Moulsecomb and they hope that this is temporary measure and they're intending to 'work with us', this is from a letter that has been sent to us, "whilst we work with Brighton and Hove City Council and Impact Initiatives on consolidating advice provision for young people across the city." We're very concerned about the ability for young people to receive information and advice and there is a group working on this to look at how we continue to provide this on a commission basis and there's currently a group meeting on this and the membership of the group is Sussex Central YMCA, Impact Initiatives, Youth Access and the commissioners from our services; Children Services, Housing and Equalities and Communities.

So it's really going to be an across the board look at this, properly, to make sure that we've got a working group set up and they'll be going to work together to secure additional resources and hopefully draw down charitable funding perhaps European funding. So the intention is that we are having this joint approach to take a strategic view

of the city's needs about information, advice and counselling because relying on lottery funding doesn't always work, as we've seen, it often tends to run out and this joint model should reduce the reliance on lottery and short term funding pots and build us a proper coherent model. So I'm really please that we're going to be able to go forward with that and I'd ask you to join with me in working towards achieving that aim."

Sustainable City

33.18 Councillor Janio asked, "I would be most grateful if the Chairman of the Environment and Sustainability Committee could share with us the latest plans that the Green Administration has with regards to achieving sustainable growth within Brighton and Hove?"

33.19 Councillor West replied, "On page 55 of your Agenda from Councillor Janio which says the subject matter is a sustainable city. What are we doing as a Green Administration? Well we are working incredibly hard to make the Council and the city more sustainable. As Councillor Janio is aware we have a priority of becoming the first One Planet council and City and this will not only underpin our contribution to tackling climate change and resource depletion but ensure the city adapts well with the changes ahead and economically, socially and environmentally thrives.

With many partners we've been drafting a One Planet Living and Sustainability Action Plan and our independent assessors, Bio Regional, are already impressed with what they see and with the practical deliverability of it. The first eco technology show in June was a roaring success, bringing together hundreds of local businesses from this fledgling and growing market. Thousands of local residents attended seeking out good ideas and making the lives and homes more sustainable and affordable. We've agreed to, again, financially support this show and I acknowledge that the Conservatives on our committee supported that expenditure unlike, unfortunately, the Labour colleagues who were too short sighted to see the benefits. Next year the show will be bigger and better and it will be held in the Brighton Centre and there will be many more local links, it's hoped that there will be work with local schools as well and that the melting pot of local ideas and local businesses will be strengthened further and this is a growth sector for the economy.

Where other areas are flat lining this sector is growing and we really need to be at the sharp end of this and this show is key to that. But more than that, at this year's Eco Technology Show the Technology Strategy Board approached us and said, "would we like to bid to be a Future City Demonstrator" so we said, "yes please" and we put in our outline and we were awarded £50,000 to develop a feasibility study and bid and the prize if we win it amongst many other cities that are bidding is up to £24,000,000. This is a considerable thing; it's a colossal opportunity for the city. Around this bid process there's a lot of really good partners that have come together, it's an extremely strong bid and really attractive idea of what we're coming up with and even if we don't win this particular pot of cash, we will have the legacy of a vision and the queue of people prepared to help us realise it anyway will not disperse easily.

I finally mention, as Councillor Janio will also know, that we have, as a council, decided to invest in automatic meter reading. Now this may be a bit of a dull affair for some members and I know that some members in Policy and Resources Committee struggled to realise and appreciate the benefit of it but we have to baseline in this Council what we

are using in terms of water and energy in order that we can both realise where the best savings can be made and know that we're making them but also to encourage to create the culture of every member of staff taking this matter seriously. The great benefit of this will not only be the contributions that we can make to climate change reduction and reducing water usage, it is the financial savings that we will be able to realise as an organisation that will allow us to concentrate our funding on supplying services to residents."

33.20 Councillor Janio asked the following supplementary question, "Councillor West will you not agree with me to put aside your political bias and fully engage with the most environmentally friendly and Conservative led Government to take this city in to the future?"

33.21 Councillor West replied, "No."

Portslade Town Hall

33.22 Councillor Hamilton asked, "I was going to ask about Portslade Town Hall however due to an officer mistake it's been rectified and now resolved so I change my question. I have here the hard charge tariff of Portslade Town Hall, it states that the main hall is suitable for 150 persons. If that number of people were at a function and there was a bowls match taking place at the same time there could 180 people on site on a road that has got not a bus route. It is proposed to close and sell the car park as part of the development site taking the number of parking places from 38 to 13. Do you think that this is an acceptable and sensible proposal?"

33.23 Councillor J. Kitcat replied, "With regard to future parking on the site, consultation in relation to the redevelopment on that area you referred to, Councillor Hamilton, will start in early 2013 there are a number of different options being looked at including change to the on street parking controls and the parking on the other side of Victoria Road which could be used more efficiently as currently most of it is being used by cars from the local car dealers. We do recognise that the situation needs to be reviewed and regularised and so we certainly will consult on that in the New Year."

33.24 Councillor Hamilton asked the following supplementary question, "When the sell off of the car park was agreed at cabinet on 17 March 2011 over 18 months ago Councillor Alford, the relevant Cabinet Member, stated that exploring the possibility of increasing parking in the area was a top priority. If it was a top priority can you tell me exactly what progress has been made in this matter?"

33.25 Councillor J. Kitcat replied, "I obviously can't speak for Councillor Alford but he did actually offer to hand over to me when I took over his portfolio but he never replied to my emails and calls so he never passed that message on but I'm happy to look at it now."

Travellers

33.26 Councillor Barnett asked, "The cost of eviction, rubbish collection and clear up from the unlawful Traveller encampments are born entirely by the residents and Council Tax payers of Brighton and Hove and Portslade without any financial contribution from the Travellers themselves, many of whom have permanent homes elsewhere in the UK and Ireland. We are told that we have to accept this because of the so called human rights

of the Travellers. Does the Leader of the Council think that this is morally acceptable and what about the human rights of the city's permanent residents?"

33.27 Councillor West replied, "I was trying to prepare for Councillor Barnett's question and I looked to see how many encampments have actually been in Hangleton and Knoll and since April there have been 6. 2 at Greenleas Park, both of these encampments left voluntarily after commencement of action to evict them. Then there was one on Benfield Valley Park on the cricket pitches there and this encampment was evicted by Sussex Police within one day following request from the Council that Police use their emergency power. However this is quite important context, at Devil's Dyke Road there have been two, that's just inside your ward but is quite far up onto the Downs. The first of these was evicted after 33 days when the Council got a possession order and the second is there now having moved from 19 Acres. But I thought as the Councillor is the Ward Councillor that she would be interested to know these things. In each of those cases it's clearly been a difficult matter because in cases where Travellers have come on to public paths it is a difficult matter, I accept that.

We are working very close with the Police and through our traveller strategy to ensure that we can try and minimise the impacts but there are Travellers coming here as they have done for many centuries, there's nothing new in that at all and it's certainly not something that's happened very recently under the Green Administration, I've got some figures which show that in July of this year we actually had the lowest number of Travellers on the July count since 2007. Do I think that they should contribute towards costs? If they were on a proper site, of course they would be contributing to costs through rent."

33.28 Councillor Barnett asked the following supplementary question, "They were on a site when they left without paying and refused readmission. But my second question and I did mention it to the Leader of the Council; at a recent unlawful Traveller encampment at Wild Park the Police stationed a mobile CCTV van by the park for a whole week. Does the Leader of the Council agree with me that it will have been much better use of Tax Payer's money if the Police had simply used their powers of eviction to evict the travellers and use the CCTV van for its proper purpose i.e. protecting the ordinary members of the public from crime and anti-social behaviour. May I please have a proper answer?"

33.29 Councillor J. Kitcat replied, "Everyone is an ordinary member of the public in the eyes of the Police, it's an operational decision for the Police and that van was there for their own purposes in terms of preventing crime and disorder and protecting the public including those on the unauthorised, not unlawful encampment and it is up to the Police to make those operational decisions. It's not a Council matter."

Grass Cutting

33.30 Councillor Meadows asked, "My residents were asking when the long grass and weeds were going to be cut along the Lewes Road highway, as they are very concerned that young children couldn't be seen by cars and they couldn't see cars it was so tall. However I should put more questions in to the Council Mr. Mayor because all of a sudden the Administration were galvanised and they cut it down the day before yesterday. So I've changed my question to, would this be an annual cut that residents

could expect? Could they expect to see several cuts in that area or just when I put a question in to Council?"

33.31 Councillor West replied, "There are certain sites where we have left grass this year in order to see what biological interest is on those sites and they will get one late cut. That's only about 20 sites around the city, I don't know the one you're talking about but cutting the grass generally around the city obviously has been a bit difficult because it's rained more this summer than in the last 100 years and the grass has grown as if you were in Ireland and it's been very difficult through that period of strong growth for City Parks to actually keep on top of that. However they have now, as the growth has slowed down, caught up. Now I know members opposite will say, "well why don't we (Green Administration) cut the grass more often, but I will remind the Labour Group that in 2011 we decided to amend the budget to actually remove the extra cut that the Conservatives had put in because we thought we can spend the money in other more appropriate ways."

33.32 Councillor Meadows asked the following supplementary question, "Would you not agree with me that this Green Administration is better at cutting services than it is at cutting grass?"

33.33 Councillor West replied, "Obviously Councillor Meadows thinks the idea of cutting services highly whimsical that she asks a question like that. I think that's actually rather disappointing. I don't know which piece of grass you're talking about; there are rather a lot in the city."

Health & Safety on Public Transport

33.34 Councillor Mears asked, "With the decision, now taken by the Green Administration to cut the number 52 bus service, can Councillor Davey confirm that every step has been taken by the Council to ensure that the Big Lemon Bus operator is complying with all the regulations under the Public Service Vehicles Accessibility Regulation and also that the buses are capable of undertaking the contract?"

33.35 Councillor Davey replied, "If you have particular concerns please let us know and we'll look into it but I have no reason to believe that there not adhering to the terms of their contract."

33.36 Councillor Mears asked the following supplementary question, "If Councillor Davey reads the report it says officers will actually undertake this piece of work, so I'm sure you've read it. The other point is, since the start of this contract there has been a number of breakdowns on the number 52 bus, some broken down on the seafront, some broken down going through Woodingdean, so what action will be taken by officers to ensure that the bus operator complies with all the regulations?"

33.37 Councillor Davey replied, "I don't monitor the performance of every bus in the city but if there are issues with this bus service I'll ask the officers to get a report to you."

Workplace Parking

33.38 Councillor Cobb asked, "The Brighton and Hove Green Party's 2011 Local Election Manifesto contained a commitment to impose work placed parking charges on businesses in the city. Last month Bristol City Council abandoned its plans to introduce

a work place parking levy following wide spread concern that it would be an extra tax on business and could seriously damage local traders. Can I now take this opportunity to see if somebody on the other side will rule out the introduction of a work place parking charge in Brighton and Hove?"

33.39 Councillor Davey replied, "The possibility of introducing work place parking charges was in our manifesto and what we said was that we would monitor developments elsewhere to see how they progressed and take a view as to their relevance and practicality for the city. Nottingham City Council has subsequently introduced a scheme and is using the funds raised, to invest in improved public transport including I believe a tram system which I'm sure will be immensely popular as they are elsewhere.

But I'm also aware that subsequently National Government have since made it more onerous for Local Authorities to introduce such schemes and as a consequence other cities such as Bristol have decided not to go ahead but that kind of stipulation from National Government does seem a strange form of Localism to me. Though the opposition remains the same, we will monitor progress of the Nottingham scheme and elsewhere but there are no immediate plans to progress such a scheme in the city as the Government have clearly made that almost impossible to do."

33.40 Councillor Cobb asked the following supplementary question, "Just to confirm, you are not ruling out a tax on private car parks?"

33.41 Councillor Davey replied, "A tax on private car parks is a totally separate matter to work place parking charges, there are a lot of private car parks in the city which has got absolutely nothing to do with work place parking, and it's a totally irrelevant follow up question."

Cuts to Bus Subsidies

33.42 Councillor Simson asked, "Can you ensure all those residents from Woodingdean and Ovingdean that came here today and those that haven't, because they couldn't get a bus, those that have demonstrated outside, those who have presented deputations and those that have asked questions; can you ensure those that are disabled and find it difficult to change buses at the Marina, those who need to get to the Hospital for treatment especially the elderly, those people that now have to take 3 buses to school or take their lives in their hand crossing a main road, those that are having to re-buy a car they had sold in order to use public transport and those who simply need to get to work on time; can you assure them all, and there are many of them, that you have listened today and will identify the funding needed to reinstate to 52 bus service as it was before the cut? And give it the opportunity to develop and increase usage and eventually maybe even become financially viable in its own right?"

33.43 Councillor Davey replied, "As we know the financial approaches on this Council are increasing week by week because of cuts imposed by your Conservative led Central Government so if you really have the energy to put into this I think you better direct it at your MP who is part of that Government and ask him to do what he was elected for and work on behalf of the residents of Ovingdean and Woodingdean to fight these cuts."

33.44 Councillor Simson asked the following supplementary question, "Are you actually prepared at all to even consider reviewing this?"

33.45 Councillor Davey replied, "As has also been said today the Transport Team and the Children and Young People Team are looking at school transport specifically and will be very pleased to hear the view of yourselves and to feed into that but also if you have got the several £100,000 necessary to run these services and others then please tell officers where that is."

33.46 The Mayor noted that there were no more questions and therefore the item had been concluded.

Motion to terminate the meeting:

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

33.48 The Mayor moved the closure motion and put the matter to the vote which was carried and therefore the Mayor noted each of the remaining items would need to be taken and voted on or withdrawn by the mover before the meeting was concluded. He noted that the remaining items were No's 38, 42 and 43.

34. REPORTS OF COMMITTEES.

Note: This item was taken after the meeting was reconvened following the adjournment for a refreshment break, but is listed in chronological order for ease of reference:

(a) Callover

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

- Item 38 - Options for Providing Additional School Places Between September 2013 and September 2016
- Item 43 - Learning Disabilities Accommodations
- Item 46 - Supported Bus Routes

(b) Receipt and/or Approval of Reports

34.2 The Head of Democratic Services confirmed that Items X had been reserved for discussion; and

34.3 The Head of Democratic Services confirmed that the following reports on the agenda with the recommendations therein had been approved and adopted:

- Item 35 - Appointment of Chief Executive
- Item 36 - Scrutiny Report on Information Sharing Regarding Vulnerable Adults
- Item 37 - Statement of Licensing Policy Amendments Due to Revised Legislation and Guidance
- Item 39 - Review of Allocation of Seats for Political Balance
- Item 40 - Appointment of Independent Persons to Audit & Standards Committee

- Item 41 - Appointment of a Representative to the Coast to Capital Company
- Item 44 - Complaints Procedure
- Item 45 - Senior Officer Structure
- Item 47 - Supported Bus Routes – Exempt Category 3
- Item 48 - Part Two Minutes – Exempt Category 3.

(c) Oral Questions from Members

34.4 The Mayor noted that there were no oral questions.

35. APPOINTMENT OF CHIEF EXECUTIVE

35.1 RESOLVED:

- (1) That the appointment of Penny Thompson, to be the Chief Executive and Head of Paid Service for the Council with effect from the 12th November 2012 be approved;
- (2) That the appointment be on a salary of £150,000 per annum; and
- (3) That the Director of Adult Social care (in her capacity as the Director with interim responsibility for Human Resources) and after consultation with the Leader of the Council, be authorised to take all steps necessary or incidental to implementation of the appointment, including any detailed terms or administrative arrangements that may be outstanding.

36. SCRUTINY REPORT ON INFORMATION SHARING REGARDING VULNERABLE ADULTS

36.1 **RESOLVED:** That the report be noted.

37. STATEMENT OF LICENSING POLICY AMENDMENTS DUE TO REVISED LEGISLATION AND GUIDANCE

37.1 **RESOLVED:** That the proposed amendments to the Statement of Licensing Policy as summarised at Appendix A to the report be noted and approved.

38. OPTIONS FOR PROVIDING ADDITIONAL SCHOOL PLACES BETWEEN SEPTEMBER 2013 AND SEPTEMBER 2016

31.1 The Mayor noted that the Labour & Co-operative Group's amendment to the recommendations contained in the report had been accepted by the Chair of the Children & Young People Committee and therefore put the recommendations as amended to the vote which was carried.

31.2 RESOLVED:

- (1) That the publication of the updated School Organisation Plan 2012 to 1016 and Consultation Document by end of October 2012 be agreed; and

- (2) That in regard to resolution (8) of the Children & Young People Committee as detailed in the extract from the proceedings, officers be requested to consult on the provision of new schools in the city as part of its overall consultation process on additional school place provision.

39. REVIEW OF ALLOCATION OF SEATS FOR POLITICAL BALANCE

39.1 RESOLVED:

- (1) That the allocation of seats as detailed in the report and in appendix 1 to the report be approved; and
- (2) That the revised memberships of the Environment & Sustainability and Transport Committees be agreed as follows:
- (a) Environment & Sustainability Committee on the basis of 4 Green, 4 Conservative and 2 Labour & Co-operative Members; and
 - (b) Transport Committee on the basis of 5 Green, 3 Conservative and 2 Labour & Co-operative Members.

40. APPOINTMENT OF INDEPENDENT PERSONS TO AUDIT AND STANDARDS COMMITTEE

40.1 RESOLVED:

- (1) That the appointments of David Horne and Lel Meleyal as Independent Persons and co-opted Members of the Audit and Standards Committee with immediate effect be approved; and
- (2) That it be noted that the appointments were made for a period of 4 years, with the possibility of an extension for a further 4 years by decision of the Monitoring Officer after consultation with the Chair of the Audit and Standards Committee.

41. APPOINTMENT OF REPRESENTATIVE TO THE COAST TO CAPITAL COMPANY

- 41.1 **RESOLVED:** That Councillor J. Kitcat be appointed as the Council's representative to the Coast to Capital Company and Councillor Mac Cafferty as his designated deputy; with the intention that Councillor Kitcat is appointed as a Public Sector Director to act on the Council's behalf and that Cllr Mac Cafferty be appointed as his designated deputy on the Coast to Capital Company.

42. NOTICES OF MOTION.

(a) Traveller Encampments on Sensitive Sites in Brighton & Hove

- 42.1 Councillor G. Theobald confirmed that he wished the Notice of Motion as detailed in the agenda to be taken and that he did not accept the amendment from the Green Group.

42.2 The Mayor then put the Green Group amendment to the notice of motion to the vote which was lost and then put the following motion to the vote:

“This Council notes the powers contained in the Criminal Justice and Public Order Act 1994 that allow Sussex Police, in conjunction with Brighton & Hove City Council, to move unlawful encampments off public land in the city where they consider that (i) there is disruption to local community activity; (ii) damage has been caused to the land/property, e.g. forced entry; (iii) there is evidence of arrestable offences being committed by the trespassers; or (iv) there is proof that any of the trespassers have used threatening behaviour.

Council further notes that the recent Traveller Scrutiny Panel recommended that, as a matter of priority, the Council produce a plan for identifying and securing sensitive sites in the city.

Given the unprecedented scale of unauthorised encampments in the city in recent months, many of which have occurred on sensitive parkland sites, this Council:

- 1) Requests that the Environment & Sustainability Committee considers the adoption of a sensitive site protocol, in partnership with Sussex Police, as a matter of urgency and that any future incursions on sensitive sites be the subject of immediate eviction utilising the powers described above.
- 2) Believes that any areas not included on a sensitive sites list should not automatically become ‘tolerated’ sites for unauthorised camping.”

42.3 **The motion was carried.**

(b) Impact of Parking Charges on the Local Economy

42.4 Councillor Cox confirmed that he wished to withdraw the motion.

(c) Maintain a Democratic Planning System

42.5 Councillor Meadows confirmed that she wished the Notice of Motion as detailed in the agenda to be taken.

42.6 The Mayor put the following motion to the vote:

“This Council, wishing to safeguard the quality of the built environment in Brighton and Hove and to help promote community cohesion, supports the Local Government Association in rejecting the government’s claim that the planning system is stifling economic growth and opposes the government’s proposals to significantly extend permitted development rights and to allow the removal of affordable housing requirements from developers.”

42.7 **The motion was carried.**

(d) Delivering Replacement Affordable Homes

42.8 Councillor Mitchell confirmed that she wished the Notice of Motion as detailed in the agenda to be taken.

42.9 The Mayor put the following motion to the vote:

“From April 2nd this year the regional cap on Right to Buy discounts has been changed to a discount of £75,000 for all areas of the country. The existing Buy Back provision has been retained with authorities able to fund up to 50% of the cost of re-purchasing a former council home.

The previous arrangements for 25% of Right to Buy receipts being retained by local councils has been removed.

In Brighton & Hove the need for good quality, affordable rented homes is acute and the Government’s changes to Right to Buy legislation could potentially see an escalation of the loss of council owned homes. Since April 2012 Right to Buy applications in Brighton and Hove have increased 5 fold from previous low levels since the economic collapse.

This council therefore calls on the Housing Committee to request officers to bring forward a report that;

- Evaluates whether the council would benefit from entering into the Right to Buy receipts scheme that would enable the receipts from any additional sales generated to be retained by the council in order to fund the provision of replacement housing stock.
- Explores whether the retention of Right to Buy receipts under the scheme could enable the council to buy back ex-council homes that come onto the housing market either from estate agents’ repossessions or at auction.
- Considers the possibility of the scheme being used in relation to leaseholders where the high cost of major works are causing particular difficulties.
- Demonstrates whether and if so, how entering into such a scheme could compliment the other initiatives being pursued in relation to the provision of affordable housing.”

42.10 **The motion was carried.**

(e) Fuel Poverty

42.11 Councillor Sykes confirmed that he wished the Notice of Motion as detailed in the agenda to be taken and that he was willing to accept the amendment from the Labour & Co-operative Group but not the amendment from the Conservative Group.

42.12 The Mayor then put the Conservative Group amendment to the notice of motion to the vote which was lost.

42.13 The Mayor then put the following notice of motion as amended to the vote:

“This Council notes with concern the impacts of the energy bill crisis faced by this country, with millions of people struggling to adequately heat their homes.

1 in 4 households in the UK are now in fuel poverty, meaning they need to spend more than 10% of their income on keeping their homes warm. The problem is likely to get worse with 1 in 3 households nationally projected to be in fuel poverty by 2016.

In Brighton and Hove nearly 16,000 households were calculated by DECC to be in fuel poverty in 2010. On the basis of the proportion of households in fuel poverty, our city is in the worst-performing 10% of Local Authorities in the South East including London.

Cold homes are damaging the health of vulnerable members of society, including children, older people and people with disabilities. Diseases such as asthma are made worse, and people are more likely to have strokes and heart attacks. Illnesses caused by cold homes cost the NHS nearly one billion pounds each year. Over the past five years, there have been on average 26,000 ‘Excess Winter Deaths’ in the UK; a far higher proportion of our population than in countries with a colder climate such as Norway and Sweden.

The main reasons for fuel poverty are that gas, oil and coal prices are high and rising, and that the UK’s homes are some of the most energy inefficient in Europe. Bringing the homes of the fuel poor up to the energy efficiency standards of homes built today would reduce their fuel bills by an average of 52%, taking the majority out of fuel poverty.

This Council welcomes the forthcoming Green Deal and ECO initiatives but considers them inadequate responses in the face of the urgency and scale of the fuel poverty crisis.

Further to the above, this Council:

- Asks Policy & Resources Committee to consider signing the Local Authority Fuel Poverty Commitment promoted by the End Fuel Poverty Coalition⁽¹⁾; and that Brighton & Hove City Council joins with other councils who are actively promoting co-operative energy switching schemes and to promote the benefits to this to local residents;
- Calls on Secretary of State Ed Davey to recommit to the target that no household should be living in fuel poverty by November 2016;
- Calls on HM Treasury to use the funds raised from carbon taxes (the Emissions Trading Scheme (ETS) and the Carbon Floor Price) to invest in a national programme to improve the heating and insulation standards of low income and fuel-poor households.”

(1) Text available here: <http://bit.ly/QFeVZG>

42.14 **The motion was carried.**

(f) Fracking

42.15 Councillor Phillips confirmed that she wished the Notice of Motion as detailed in the agenda to be taken.

42.16 The Mayor put the following motion to the vote:

“This Council notes with concern the effects of unconventional shale gas extraction, namely the case of Blackpool where minor earthquakes followed as a result of drilling in the area. (1).

This activity has also been linked with the contamination of local water sources such as aquifers, which provide about 30% of the UK's water. This puts both local communities who rely upon these water supplies, and the local environment at risk.

There are as yet no plans at present to extract gas in this way in Brighton and Hove - however Quadrilla, an American company, has already gained planning permission to use hydraulic fracturing or 'fracking' nearby in Balcombe, East Sussex. This could have an unquantified detrimental impact on the surrounding area including our city, and there are fears that any subsequent earth tremors could be a threat to the crucial London to Brighton railway route.

Fracking uses massive volumes of water, 1 million gallons(1) for each frack, which is also of great concern in a region only recently taken out of drought conditions. Methane gas produced at drilling sites is a significant contributor to climate change – far more potent a greenhouse gas than carbon dioxide.

This Council also notes that the production of hard-to-reach fossil fuels is incompatible with efforts to achieve statutory UK carbon targets. A focus on gas extraction detracts from and delays investment in renewable energy sources.

The European Parliament is due to report shortly on the Environment, Public Health and Food Safety impacts of shale gas and shale oil extraction activities. There is considerable concern across Europe with Bulgaria having banned it and moratoriums have been put in place in France, New South Wales and Westphalia (a German state). A citizens' petition has also been initiated on the subject.

Further to the above, this Council:

- Asks Policy & Resources committee to resolve that Brighton and Hove should become a 'frack-free' zone;
- Asks the Chief Executive to write to the Secretary of State for the Environment calling on him to impose a moratorium on onshore and offshore exploration, development and production of Coal Bed Methane, Shale Oil and Shale Gas, at least until a full independent environmental impact of the processes involved has been carried out;

- Calls on the Government to make it easier for co-operatives such as the Brighton Energy Co-op, housing associations and local authorities to generate their own renewable energy.”

(1) BBC News, 2nd November 2011: <http://www.bbc.co.uk/news/uk-england-lancashire-15550458>

(2) Figure from Tyndall Centre on Climate Change report of last year. Gasland & Josh Fox suggest the actual amount is higher.

42.17 **The motion was carried.**

43. LEARNING DISABILITIES ACCOMMODATION

43.1 **RESOLVED:** That the extract from the proceedings of the Adult Care & Health Committee meeting held on the 24th September 2012 together with the report be noted.

44. COMPLAINTS PROCEDURE

44.1 **RESOLVED:** That the report and the decision of the Audit & Standards Committee to adopt new arrangements for the investigation and hearing of complaints against Members be noted.

45. SENIOR OFFICERS STRUCTURE

45.1 **RESOLVED:** That the extract from the proceedings of the Policy & Resources Committee meeting held on the 6th September 2012, together with the report be noted.

46. SUPPORTED BUS ROUTES

Note: This item was taken as part of the debate at Item 30, Deputations from Members of the Public, 30(f) and 30(g), and the details of the debate are therefore listed in the minutes at that point, although the decision in relation to the report is also set out below:

46.1 **RESOLVED:** That the report be noted.

47. SUPPORTED BUS ROUTES – EXEMPT CATEGORY 3

47.1 **RESOLVED:** That the report be noted.

48. MINUTES - EXEMPT CATEGORY 3

48.1 **RESOLVED:** That the part two minutes of the last meeting held on the 19th July 2012 be approved as a correct record of the proceedings.

49. PART TWO PROCEEDINGS

49.1 **RESOLVED:** That the items 47 and 48 listed in part two of the agenda remain exempt from disclosure to the press and public.

50. CLOSE OF MEETING

50.1 The Mayor closed the meeting.

The meeting concluded at 9.15pm

Signed

Chair

Dated this

day of