

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 18 JULY 2013

COUNCIL CHAMBER, BRIGHTON TOWN HALL

MINUTES

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

PART ONE

13. DECLARATIONS OF INTEREST

- 13.1 Councillor Simson declared a personal but not prejudicial interest in Items 16 and 18, as a petition and deputation were due to be presented by her daughter in regard to road safety in Davey Road and St. Joseph's School; and Item 27(b) Notice of Motion regarding Teachers Pay as her was a Teacher;
- 13.2 Councillor Randall declared a personal but not prejudicial interest in Items 27(b) Notice of Motion regarding Teachers Pay as his daughter was a teacher and 27(c) Notice of Motion regarding Payday Lenders as he was a member of the local credit union;
- 13.3 Councillor Hamilton declared a personal but not prejudicial interest in Item 27(b) Notice of Motion regarding Teachers Pay as his daughter was a teacher;
- 13.4 Councillor Pissaridou declared a personal but not prejudicial interest in Item 27(b) Notice of Motion regarding Teachers Pay as her daughter was a teacher;
- 13.5 Councillor Rufus declared a personal but not prejudicial interest in Item 27(c) Notice of Motion regarding Payday Lenders as he was a member of the local credit union;
- 13.6 Councillor Mac Cafferty declared a personal but not prejudicial interest in Item 27(c) Notice of Motion regarding Payday Lenders as he was a member of the local credit union;
- 13.7 Councillor Duncan declared a personal but not prejudicial interest in Item 27(c) Notice of Motion regarding Payday Lenders as he was a member of the local credit union;

- 13.8 Councillor Wakefield declared a personal but not prejudicial interest in Item 27(c) Notice of Motion regarding Payday Lenders as she was a member of the local credit union;
- 13.9 Councillor Jarrett declared a personal but not prejudicial interest in Item 27(c) Notice of Motion regarding Payday Lenders as he was a member of the local credit union;
- 13.10 Councillor Lepper declared a personal but not prejudicial interest in Item 27(c) Notice of Motion regarding Payday Lenders as she was a member of the local credit union;
- 13.11 Councillor Morgan declared a personal but not prejudicial interest in Item 27(c) Notice of Motion regarding Payday Lenders as he was a member of the local credit union;
- 13.12 Councillor Wells declared a personal and prejudicial interest in Item 27(d) Notice of Motion regarding Taxi Licensing as his son was a local taxi driver and stated that he would therefore leave the meeting and take no part in the debate or decision thereon;
- 13.13 No other declarations of interests in matters appearing on the agenda were made.

14. MINUTES

- 14.1 The minutes of the Special Meeting held on the 9th May 2013 were approved and signed by the Mayor as correct record of the proceedings, subject to the word 'passed' in paragraph 3.9 being changed to read '**past**'.
- 14.2 The minutes of the last ordinary meeting held on the 9th May 2013 were approved and signed by the Mayor as a correct record of the proceedings.
- 14.3 The minutes of the Annual Meeting held on the 23rd May 2013 were approved and signed by the Mayor as a correct record of the proceedings.

15. MAYOR'S COMMUNICATIONS.

- 15.1 The Mayor welcomed everyone to the meeting and stated that as it was her first full council meeting to Chair, she thought it would be useful to say a few words about how she intend to chair these meetings. She would adopt a firm but fair approach. She would endeavour to ensure that all Members, irrespective of party affiliation, had a fair and equal opportunity to speak. She would, at the same time, be strict when it came to enforcement of time limits. She would expect a Member to stop speaking and sit down when their time was up and she would remind a speaker when they had 30 seconds left.
- 15.2 She also expected Members to respect proceedings and, unless there was an emergency or unavoidable reason Members should remain seated and not walk around in the background or have conversations whilst the meeting was proceeding.
- 15.3 She expected Members to use points of order properly and not use them as a general way of expressing disapproval or objection to what other Members were saying and drew attention to the description of what a point of order was in the papers on the agenda just before the minutes on page 1.

- 15.4 She hoped Members would understand and co-operate with these ways of working as they all had an interest in ensuring that Council meetings ran smoothly and in accordance with Standing Orders. She also asked that Members ensured their microphone was pointing almost directly up to ceiling and that they held any papers to side.
- 15.5 The Mayor stated that she intended to use the electronic voting system for the undertaking of voting on items and as it was the first time there may be a slight delay in enabling the devices at the point of voting. However, she hoped that it would prove to be more effective and informative for the members of the public present and those watching the web cast.
- 15.6 The Mayor informed the council that she had agreed to take a late report at the meeting, which was listed as item 26(A) in the Addendum, regarding the changes to the allocations of seats on committees as a result of the Hanover & Elm Grove By-election last Thursday, which altered the political make-up of the Council.
- 15.7 The Mayor drew Members' attention to the Addendum papers that had been circulated and noted that in respect of Item 24, Substitution on Audit & Standards Committee and Composition of Standards Panels there was a revised set of wording as there were some discrepancies in the extract and report. She also noted that a revised version of the Conservative Group's Notice of Motion, Item 27(f) Traveller Encampments, had been included where the word 'unlawful' has been replaced by 'unauthorised'.

16. TO RECEIVE PETITIONS AND E-PETITIONS.

- 16.1 The Mayor invited the submission of petitions from councillors and members of the public. She reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.
- 16.2 Miss Sihlan Oghan and Ms. Simson presented a petition signed by over 100 residents, concerning road safety in Davey Drive near to St. Joseph's School.
- 16.3 Councillor Mitchell presented a petition on behalf of Ms. Miller signed by 564 residents, concerning the need to enable Badgers Tennis Club to continue to exist.
- 16.4 Councillor Carden presented a petition signed by over 60 residents, concerning the proposed changes to Downs Park School.
- 16.5 Councillor Rufus presented a petition signed by 130 residents, concerning the need for a pedestrian crossing along Brentwood Street.
- 16.6 Councillor Duncan presented a petition signed by 112 residents, concerning the introduction of controlled parking in the Bakers Bottom area of Queen's Park ward and noted that around 7 residents had indicated their opposition to such an introduction.
- 16.7 The Mayor noted that there were no other petitions to be presented.

17. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

- 17.1 The Mayor reported that four written questions had been received from members of the public and invited Mr. Barraball to come forward and address the council.
- 17.2 Mr. Barraball asked the following question; “The people in City Clean put themselves at risk daily, they work long hours for basic pay, some of them have to take two jobs to make ends meet and I think there lies the put up risk because of these long hours and the hazardous circumstances that they face daily so I think their wages should be really considered not just for the three years that the negotiations are giving them but for the foreseeable future, that they can have a living wage on that one wage doing an arduous job.”
- 17.3 Councillor J. Kitcat replied; “In essence your question is about whether terms and conditions for staff should come to Full Council for ratification. Any committee of the Council is effectively the Council deciding in delegation; that was the agreed way in which the constitution of this Council was changed when we moved to the Committee system.

It is also worth noting that before embarking on the negotiation for pay and allowance modernisation, we did benchmark with a number of other councils around the country and it is highly unusual for such matters to come to Full Council and the correct approach is the Head of Paid Service, the Chief Executive, is the person responsible for the detailed returns and conditions but of course the job of Members of the Council is to set the policy. That policy was set at Policy and Resources Committee, Members were briefed and Leader’s Group were regularly briefed on the process for that negotiation and that is continuing and the consultation period will end in early August and this week Members of the GMB Union and City Clean are balloting the members on a revised offer which significantly reduces the detriment to them.”

- 17.4 The Mayor noted that there was no supplementary question and thanked Mr. Barraball for his question and invited Mr. Berry to come forward and address the council.
- 17.5 Mr. Berry asked the following question; “Coldean has recently been subjected to an increased pressure on parking in the neighbourhood due to the development of the University of Brighton’s Varley Halls Site and the Amex Stadium. Amex recognised the impact they were having on the local communities and have introduced a free parking permit system for all of the residents in Coldean. On completion of the scheme 350 sign posts were installed in Coldean which has had a negative visual impact.

My question to the council is why it was necessary to install so many signs, and could they have been installed in a more sympathetic way?”

- 17.6 Councillor Davey replied; “The Council worked with the Football Club to bring this scheme forward in response to residents concerns. The Council does consider the issue of additional street furniture, which we admit can cause street clutter, and has put down the absolute minimum possible but we do need to take into account the need to be able to enforce the match day parking scheme and signage has been installed at approximately 30 meter intervals as outlined by national guidance from the Department for Transport. Where possible, signs have been placed on existing street furniture such as lamp posts. The Council did investigate only having signs on the perimeter but this

was not feasible for the scheme with the amount of roads being installed here as otherwise repeated signs would still be required.”

- 17.7 Mr. Berry asked the following supplementary question; “I would like to propose that an officer comes to Coldean to have a look round. There are a couple of anomalies where there is a sign on a lamp post and 1 foot away from it is one of the statutory signs which seems a waste of money, so I hope someone could come and meet me and have a look around Coldean.”
- 17.8 Councillor Davey replied; “I’m sure that would be absolutely fine, officers will be monitoring it and if you were able to provide the specific details, the officers would be able to look at that for you.”
- 17.9 The Mayor thanked Mr. Berry for his questions and invited Mr. Chavasse to come forward and address the council.
- 17.10 Mr. Chavasse asked the following question; “TRO-12 / 12a-2013, Committee scheduled for 8th October, proposes eliminating ALL previously agreed Blue Badge Parking beside Brunswick Square’s 4 side gates and 1 by the adjacent dentists’ surgery, plus 2 Council added Brunswick Terrace bays. Leaving no provision – but without other Zone M changes. Would Council please ensure this proposal’s abandonment? It is highly unpopular, grossly discriminatory, hardship causing and arguably illegal. Heavyweight objections seem insufficient deterrent to stop ill founded attempts to tinker with the long justified, balanced status quo which enables ALL disabled badge holders to conveniently visit Brunswick residents or enjoy the public gardens.”
- 17.11 Councillor West replied; “As I think you have been very involved with the issue, you are aware the Council is attempting to balance parking provision for residents, businesses and blue badge holders in the area where there is a high demand for parking. Further to complaints by local residents about disabled bays not being used, the Council surveyed the disabled bays and residents in the area to assess if they were still required. We’ve received no responses and therefore the removal of 7 disabled bays was proposed as part of a traffic order advertised in June of this year. During the traffic order consultation the Council received objections from residents about blue badge holders not being able to use local amenities and concerns were raised by Ward Councillors. This will be reported to the Environment, Transport and Sustainability Committee on the 8th October.

As a compromise we are considering retaining 2 existing bays amending the operating times of a further 3 bays and only removing 2 local bays and are currently liaising with Ward Councillors to seek their views. I understand this revised proposal has met with the approval of a meeting of the Friends of Brunswick Square and Terrace last Saturday and as I say the matter will go into Committee for a decision in October.”

- 17.12 Mr. Chavasse asked the following supplementary question; “I would ask you to have this matter looked into in more depth before the October 8th decision making process and to engage with the disability champion and the residents, because the problem is there are many visitors who use these bays, whose opinions are not taken into account when you have residents discussions. It so happens that I am a visitor.”

- 17.13 Councillor West replied; "Well I do know that both your Ward Councillors have taken a very keen interest. They have engaged with officers and officers have more than noted the point because they are looking at different arrangements as I explained. I have also spoken with the disability champion who is fully aware of your comments and the issues surrounding this and no doubt they will all be fed in and as we have 3 months there is ample time for further consideration I'm sure."
- 17.14 The Mayor thanked Mr. Chavasse for his questions and invited Ms. Paynter to come forward and address the council.
- 17.15 Ms. Paynter asked the following question; "What work is the council doing to facilitate, promote and make pedestrian use of our streets the equal of cycling and other measures to improve air quality by reducing vehicle usage?"
- 17.16 Councillor Davey replied; "The City Council's got a lot of history improving the pedestrian environment across the City and strongly encourages walking as a sustainable and healthy form of transport for everyday journeys. There are many recent initiatives including the introduction of the pedestrian way finding system in the City Centre, North Street, Clock Tower, East Street and improvements in Ship Street recently as well. Many new pedestrian crossing points have gone in using the new pedestrian crossing priority system and there's been several significant ones in your area including the Sackville Road one which I know has gone down very well and actually has also reduced traffic speeds there as well which is really welcome. I think there is also a big improvement at the junction between Clarendon and Goldstone.

There are also a lot of dropped curbs that go in. The Old Shoreham Road improvements include a significant improvement for pedestrians including new pedestrian crossings where residents have been campaigning for them for many years and improved footways and again reduce vehicle speed which make a significant contribution to a feeling of safety for pedestrians. Current initiatives include the 7 Dials Improvement Scheme which will considerably improve the pedestrian environment in the area which I think has been very challenging for pedestrians in the area for many years and we're also very hopeful that the old town public enquiry, which is taking place at the moment, will give a positive outcome so we can bring forward improvements in the old town.

We've got air quality; clearly there's still a very long way to go. We're pleased that air quality is now improving across much of the City. However we're not complacent and that is why we have asked officers to investigate the introduction of a low emissions zone and we're pleased that this proposal has gained cross party support and has also been supported by key partners such as Brighton & Hove Buses. So we look forward to a report on that coming back to Committee later this year and more work in improving air quality and for the pedestrian environment across the City over future years."

- 17.17 Ms. Paynter asked the following supplementary question; "Councillor I would like to thank you personally for the pedestrian crossing that you provided for Sackville Road in answer to our 2 petitions and I would like to congratulate the Administration on its pedestrian build outs program because it has made a huge difference, certainly in the areas of Hove, that I'm aware of.

You referred to Goldstone Villas and Clarendon Road build outs and I'd like to invite every Councillor to go to the savehove.wordpress.com website and look at what I've managed to put up this afternoon because of this question. When you are designing these build outs and putting in cycle racks, why is it that there isn't consideration for the opportunity especially when they are so huge, some of these build outs, to put in extra trees and some benches?"

17.18 Councillor Davey replied; "I fully agree and we need to seek every single opportunity and if you look at the work we've done at Lewes Road, there's a number of benches that have gone in there and the work at 7 Dials, that will include benches and 9 or 10 new trees depending how many we can fit in but I absolutely agree and one thing I'm really pleased about over the last couple of years is starting to win the argument that actually seats are part of transport."

17.19 The Mayor thanked Ms. Paynter for her questions and noted that concluded the item.

18. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

18.1 The Mayor reported that three deputations had been received from members of the public and invited Mr. Kapp as the spokesperson for the first deputation to come forward and address the council.

18.2 Mr. Kapp thanked the Mayor and stated that; "15 years ago I was a Councillor like you. For the last 13 years I've been a patient representative and a critical friend of the NHS campaigning like Julia Bailey. For the last 3 years I have been facilitating the 8 week Mindfulness Course which teaches people self help tools by which to manage their conditions. This course was featured last week on the Horizon program which showed that it can produce spectacular results in reducing intrusive negative thoughts as demonstrated by the presenter Doctor Michael Mosley.

There are 30,000 depressed people in the City who could benefit from this course. My proposal is to mass commission this course and mass provide it so that less people would need to go to A+E. Implementing it would meet some of the recommendations of the Francis report and the report published last Tuesday by Sir Bruce Keogh. It's only fair to say that the NHS already do commission this course so that they can check the box 'complies with nice guidelines' however so few facilitators are commissioned to provide it that the waiting time for the 160,000 people in Sussex is more than 20 years unless you are suicidal. This is tantamount to non provision and it risks commissioners being taken to judicial review without a legal to stand on.

I'm one of more than 25 facilitators in the City who provide this course for clients who pay the going rate of a few hundred pounds. The poor patients can't afford this sort money so do without and suffer the consequences. This is a cause of health inequalities. To reduce health inequalities for the last 5 years, I have been campaigning for commissioners in the NHS and the Council to reduce this excessive waiting time by opening up the market to facilitators in the 3rd sector like me.

To be ready to contract with the NHS and the Council, 3 years ago I created a company called SECTCo for short, this stands for Social Enterprise Complementary Therapy Company. SECTCo's slogan is: 'medication to meditation.' SECTCo's mission

statement is: 'Give a man a pill, and you mask his symptoms for a day. Teach him mindfulness, and he can heal his life.'

I sent hundreds of e mails, documents, to commissioners but no one would engage with me and all seemed to have decision paralysis. I know that the law changed only 4 months ago on the 1st of April. Since then, you Councillors have the responsibility for Public Health, so I am calling on you to play doctor to these commissioners and cure their decision paralysis. Please jointly set up with the NHS, a voucher system which would empower GP's to prescribe this mindfulness course as easily as they could prozac. This would enable patients to access the course from existing 3rd sector providers within a few weeks. This is not privatisation by the backdoor but simply reducing waiting times for effective treatment which Labour did when they were in power and which has all party support."

- 18.3 Councillor Jarrett replied, "Improving mental health and wellbeing has been a priority for the City Council and the Clinical Commissioning Group and there's considerable joint work in pursuing the same. The 2013 Mental Health Commissioning Prospectus was, as you know, a joint initiative between the Clinical Commissioning Group and the City Council. You will also know that there is now a Brighton and Hove Wellbeing Service which aims to improve access to psychological and support services for people with common mental health conditions such as anxiety and depression. This contract was awarded following a competitive tendering process and includes as part of the specification a range of evidence-based treatments including Mindfulness Cognitive Behavioural Therapy. General practitioners across the city are referring patients to this new service.

The city council and Clinical Commissioning Group will be retendering mental health promotion contracts next summer following approval of the Public Health Commissioning paper at P&R committee on 11th July 2013. The defined outcomes will reflect the mental wellbeing strategy that is being developed through the Health and Wellbeing Board and is likely to follow the Five Ways route: Connect, Be Active, Take Notice, Keep Learning, Give and the Public Health, NHS and Adult Social Care outcomes frameworks. Many other locally commissioned programmes across the City Council and Clinical Commissioning Group deliver on Five Ways. These include joint work of Public Health with the Sports Development Team, Be Active, considerable City Council and Clinical Commissioning Group community development and equalities work, Connect, Adult Learning Schools, Keep Learning, Volunteer training and coordination, Give, and a large arts and culture programme, Take Notice, including a proposal for specific arts and culture work for World Mental Health day this year.

Mindfulness courses are also delivered independently by several local voluntary organisations such as Mind and MindOut, and you will be aware that there are several local independent practitioners of mindfulness. The City Council and Clinical Commissioning Group will continue to work together on the mental health and wellbeing agenda, and promote mindfulness where there is evidence for its effectiveness. Mental wellbeing will remain a priority on the current Health and Wellbeing Strategy. I should emphasise that Health and Wellbeing Board is a Council committee. It cannot instruct the Clinical Commissioning Group to do anything nor would it wish to. We work in partnership."

- 18.4 The Mayor thanked Mr. Kapp for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Health & Wellbeing Board 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.
- 18.5 The Mayor then invited Mr. Barradell and Ms. Ahmadi as the spokespersons for the second deputation to come forward and address the council.
- 18.6 Ms. Ahmadi and Mr. Barradell thanked the Mayor and stated, "As students of Brighton University and residents of private sector Houses of Multiple Occupancy, we are subject to any rent changes of HMOs in the city. We are bringing this deputation to clarify with the council the possible effects of Additional HMO Licensing on the following five wards; Hanover and Elm Grove, Moulsecomb and Bevendean, St Peters and North Laine, Hollingdean & Stanmer and Queen's Park.

In the Student Housing Strategy maps of student distribution in the city, it is shown that these 5 wards are home to the majority of students studying at Brighton or Sussex Universities and living in the city. Moulsecomb and Bevendean are regarded as the most noticeable student areas in the city, along with Hanover and Elm Grove, which houses 4% of University students. St Peters and North Laine, Hollingdean and Stanmer and Queens Park wards also have high levels of student residence. Because of these high concentrations of students in the 5 wards affected by Additional HMO Licensing, it will greatly affect the student population of Brighton and Hove.

We appreciate that the decision to implement additional licensing onto smaller HMOs in the city was not a decision made lightly by the council, with an extensive consultation process preceding its implementation which included all relevant parties. Furthermore the student community recognises that such additional licensing can be justified. In the 5 wards affected there are between 1500 and 3000 small HMOs and 70% of the large HMOs in the city. Your own figures have shown that HMOs in these wards are subject to disproportionate complaints, interventions and substandard accommodation including lack of smoke detectors and gas/electricity certificates. The aim of the additional HMO licensing and standards is admirable and well-intentioned in its attempts to tackle these problems and is in the interest of many groupings in Brighton, as well as families and businesses and HMO residents like us.

However, as students, our main concern regarding the additional licensing scheme is the lack of consideration for the effect of the scheme on rents in the HMO sector. Although the average license fee amount for a property is £641 over 5 years, averaging at £2.46 per week, it is still not beyond the realms of possibility that landlords will use this fee as justification for raising rents on properties. In addition the majority of properties licensed under the new scheme, 1451 as of June this year, have been required to carry out maintenance and often improvement works as a condition to receiving their license. There is a real danger that these landlord costs, which for many houses will run into thousands of pounds, will be passed onto tenants. Furthermore, there is no restriction against landlords raising rents by an amount above the cost of work done, effectively profiting from the licensing programme at the expense of tenants.

Such possible and unintended consequences of the Additional Licensing Program for small HMOs would be regrettable and not in the interests of anyone in Brighton, especially for something which is intended to improve quality of life for HMO tenants and the communities of these 5 wards. To this end, can we request that the council monitor rents for HMOs in the 5 wards as part of its assessment of the scheme? And that if this monitoring finds evidence that average rents in these wards have increased as a result of additional licensing that this is considered in the 2 year review of the scheme with the potential for council action to combat it.”

- 18.7 Councillor Randall replied, “Brighton and Hove has about 30% of it’s housing in the private rented sector, it has the 6th highest number of HMOs of any local authority in Britain and of course we should at this point say that not all are lived in by students. This is a problem for all tenants in HMOs not all students. We felt it was necessary to have additional licensing to deal with the smaller houses that were moving into HMOs at some rapid pace. I think all of the Councillors in this room who represent those 5 wards and perhaps some of those in other wards have had complaints about the quality of standards and living in HMOs and as you rightly said, we’ve had 1525 applications for smaller HMO registration of which 1203 have been dealt with.

There is so far no evidence that this has put the rents up. I have to say rents are going up in this City in the private rented sector at an astonishing rate. I’m told by our Housing Department that already this year, they have gone up by 27% and the problem is every time a flat or a house changes hands, letting agents and landlords take the opportunity to put the rents up. I’m glad to see that the government is apparently looking at a report produced by Shelter recently which calls for rent controls in the private rented sector and 5 year tenancies which I certainly support. We’ve had it in the social housing sector we should have it in the private rented sector as well.

I did meet the president of Brighton Students’ Union last week and the previous resident plus 2 other representatives and we did talk about this whole issue. Their main concern was not so much about the issue of the registration of smaller HMOs but about the article for declaration that we have which restricts the number of HMOs in some areas and although you’ve not mentioned it I will touch on that briefly because that too is an important subject. There are streets in my ward which have been changed radically because of the increase in the number of HMOs. Small domestic house where conservatories built in the garden; the roof has turned into bedrooms and you end up with conservatories being a sitting room inside the house, only a kitchen and a bathroom plus all the rest are bedrooms in fact I had some advice from a resident recently who pointed out that on Gumtree a small house of this nature is being advertised as space for 7 people.

We will take away what you say about the rents. We will monitor them but we do feel that we have a responsibility to maintain standards in the private rented sector after all landlords are making a great deal out of their tenants they should in turn provide a good standard of service.”

- 18.8 The Mayor thanked Ms. Ahmadi and Mr. Barradell for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Housing 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.

- 18.9 The Mayor then invited Ms. Simson as the spokesperson for the third deputation to come forward and address the council.
- 18.10 Ms. Simson thanked the Mayor and stated, "I am here today to talk about the ongoing problem for pedestrians crossing Davey Drive in Hollingdean near to St Joseph's Catholic Primary School. Early today myself and my Road Safety Team from school presented a petition to the Council to extend the yellow zig-zag lines outside our school to allow a clearer view of oncoming traffic for pedestrians crossing. This was an issue that, following the question presented to Full Council last year, was suggested as an action for the future but has never been followed through. It is one of the first small steps in making our school and community a safer place for pedestrians.

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. It is also situated next door to a sheltered housing scheme whose residents are always looking for a safe place to cross. The situation is worsened by the fact that there are bus stops both directly opposite and a short distance up the road. Parents are continually talking about near misses that happen all the time and one day there is going to be a serious accident with a child either seriously hurt or killed.

The school and local community have been campaigning for years and have contacted the Council on many occasions to ask for a safe crossing place to be situated on Davey Drive outside the school. A petition was presented to Council in August 2009 from the school and local community asking for a safe crossing point on Davey Drive. Last year I presented a petition and question to Council asking for the same thing. Following our last attendance to the Full Council meeting in September 2012 and a meeting with the School Travel Team in October 2012, a fantastic new slope and steps were built outside the school entrance. This has created a brilliant crossing point for pedestrians and enables them to avoid walking down the grassy slope, as had been necessary prior to the steps. Unfortunately the steps are directly opposite the bus stop and as there are no other safe crossing measures in place, therefore the pedestrians have to cross a busy road with a very limited view of oncoming traffic.

The Road Safety Team of 6 children from St Joseph's School has recently met with Councillor Christina Summers and Community Development Worker Liz Lee. Having discussed the issues for pedestrians and been outside to review Davey Drive, the team came up with a dream vision of how they would like Davey Drive to be. The initial problem suggested by the children was the limited view when crossing from the bus stop, due to parked cars on the opposite side of Davey Drive. This is why we decided to start the petition to extend the yellow zig-zag lines. The bigger issue is getting safely across the road to the new steps, with the children suggesting getting a Crossing Patrol person to help them to cross.

We know there is a big issue with the way some of our parents park when dropping off and picking up their children. This has been an ongoing problem and something that the school is working hard to address. The school has held assemblies educating the children how to cross safely, held meetings with parents and regularly updates the

weekly newsletter with safe crossing information. Having met with several parents, and being one myself, I have to argue that until a safe crossing point is put in place this will continue to be an issue.

We are continually advising parents to park away from the school and walk down to cross Davey Drive outside the school at the point of the new steps, as advised by Councillor Ian Davey and the 'Park Safe, Walk Safe' materials suggested following last year's question to full council. However with no safe crossing point, parents are reluctant to do this. If there was a safe place to cross, we could ask parents to drop their children up by The Crossway and not park up at all, especially the children in KS2. However, at present we cannot guarantee the safety of these children when crossing and are therefore reluctant to advise this. Would you drop your child off to school knowing that they had to cross a busy road independently, negotiating cars and buses without a clear view of oncoming traffic?

According to the follow up report from Councillor Ian Davey after our question to Council last year, the Transport Planning Team had carried out an assessment at this point in Davey Drive by The Crossway in September 2011 between 8am and 9am. It apparently showed that this location did not meet the nationally recognised criteria based on the number of pedestrian and vehicle movements over a given period to justify a crossing. I would argue that there is now a need to re-assess this as since 2011 the school has gained more pupils, many of which travel from outside the local area. Also following the question presented to Full Council last year a response was received from the Chair of the Transport Committee stating that "officers have carried out site visits which indicate an average speed of 20.4 mph. Due to the low speed and good safety record we do not warrant a signalised crossing."

Whilst I accept this may be the average speed over a longer period it doesn't mitigate the fact that at the beginning and end of the school day when many families are crossing the road, vehicles are travelling at much faster speeds, fast enough to maim or kill a child. I would therefore urge you to look at this situation again and give the children at St Josephs School what they have been asking for, a safe crossing."

- 18.11 Councillor Davey replied, "Much work has been going between the road safety team and the school and I'm really pleased that that stuff will be bring some positive response. Regarding the zig-zags, zig-zag markers cannot be increased on one side only they have to be increased on both sides with an equal number of markings and this requires an alteration to a traffic regulation order as any increase in the length would impact on the existing disabled parking bay that would have to be relocated to the detriment of the local user unless the whole school 'keep clear' markings were to be moved at great expense; something that the road safety team do not consider is justifiable given the history of this road.

A number of actions have been taken. Double yellow lines with loading restrictions were put on the corner of The Crossway and Davey Drive which would allow instant enforcement from the Civil Enforcement Officers. You mention the school crossing patrol assessment which didn't meet the criteria laid there by the Department of Transport and RoSPA. A speed check was carried on the 12th November between 2:30pm and 3:30pm, the average speed was 20mph and there were 90 vehicles during that time so that was during a busy school leaving time. The Travel Team said sent

some information on walk to school week and the information about the walking zone maps. Work will continue, we understand there is a new head taking place coming in to post soon, I think a meeting has been setup with that new head and discussions that could be a forum that continues these discussions and we will try and get a further response when this comes to Environment Transport and Sustainability Committee in October.”

- 18.12 The thanked Ms. Simson for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Environment, Transport & Sustainability 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. The Mayor noted that there were no other deputations and that concluded the item.

19. WRITTEN QUESTIONS FROM COUNCILLORS.

- 19.1 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) Footpaths in Portslade – Councillor Hamilton

- 19.2 “There are many footpaths in Portslade, providing safe traffic free access to many parts. The path at the rear of High Close in Portslade was impassable, with brambles and nettles on both sides of the path meeting in the middle. It appears there is no programme for footpath clearance. Please could consideration be given to an annual maintenance programme?”

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

- 19.3 “Many of the cities footpaths including the High close path referred to by Councillor Hamilton are on an annual cut. This cut has recently taken place in Portslade and most of the paths are now clear. By cutting in June and July paths tend to stay clear for the rest of the summer and through the winter although, as Councillor Hamilton has raised, the vegetation can get long prior to the cut. If we are aware of paths being impassable prior to the scheduled cut additional cuts can be made.”

(b) Agency Staff Costs – Councillor G. Theobald

- 19.4 “How much money was spent on agency staff between the start of the recent unofficial strike and subsequent work to rule by City Clean staff on 8th May, and the start of the official strike on 14th June?”

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

- 19.5 “The total spend on agency staff in Cityclean covering all services was £92,527.60. On average, over a 28 day period, the amount spent would be £52k to cover for normal absenteeism across all Cityclean services. Over the course of the unofficial industrial action, additional agency staff were deployed to collect refuse from households to try to minimise disruption to residents as far as possible.”

(c) Customer Charter for Planning – Councillor Hyde

- 19.6 “Many councils operate corporate ‘customer charters’ which, amongst other things, specify how quickly telephone calls should be answered by staff. Does Brighton & Hove City Council have such a charter with a target time for staff to answer telephone calls and, if so, how does the Planning Department perform against that target?”

Reply from Councillor Mac Cafferty, Chair of the Planning Committee.

- 19.7 “The Planning team uses the City Council's Customer Promise which states
- we will be easy to reach
 - we will be clear and treat you with respect
 - we will listen and get things done

The Customer Promise is a flexible statement that can be applied to customer services across different types of access channel and teams.

Services are expected to develop and adopt their own standards as part of their service planning that are specific and relevant to them. In response to our city's demographics we are seeing the number of incoming telephone calls going down as online services and self serve options increase.

The Planning service offers immediate guidance and advice on a daily basis through two enquiry lines and a face to face drop in service. This recognises that contact takes place in many ways.

Development Control, general enquiries on 292222 (which includes access to a free planning advice

Heritage enquiries on 292271 which includes free advice on conservation and heritage issues

Planning staff deal with upward of 50,000 calls a year and meet more than a 1,500 people a year through our drop in service and prior appointment.

Calls are also managed by individual officers to their direct extension numbers and email accounts. Voicemail is used to assist officers with managing call volumes.

Cllr Hyde will be aware that the cross party Planning Committee Member Working Group (2 Labour/2 Conservative/2 Green) has agreed at the request of the Development Control Service to work with them on establishing what appropriate service standards should be set. Setting these standards will also take into consideration the volume of customer contact taking place through emails as well as by telephone. For instance we

know some of our customers will have preferred ways of making contact and we need to ensure we have standards for all of these.”

(d) Permanent Traveller Site at Horsdean – Councillor G. Theobald

- 19.8 “In the light of (a) the recent statement in the House of Commons by Local Government Minister, Brandon Lewis, about the unsuitability of Green Belt land for traveller sites and (b) the concerns that have been raised by experts about possible contamination of the drinking water aquifer, will the Administration now be shelving its plans for a new permanent traveller site at Horsdean?”

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

- 19.9 “The recent ministerial statement was about Green Belt land, not national parks. The NPPF does look to restrict development in areas such as national parks, but these designations are not a blanket ban. There are of course a number of communities living in towns and traveller sites within the national park (including the transit site already at Horsdean). The site selection process we have undertaken found Horsdean to be the most appropriate location in the city for the permanent Traveller site when compared against a whole range of criteria. BHCC has worked with landscape advisors who have a great deal of experience of working in the South Downs National Park to advise on how the scheme can be landscaped to both minimise its own impact and in fact improve on the existing impact of the transit site.

We are presently exploring the options to eliminate the potential for ground water contamination and will have this ready prior to the planning application being submitted to the National Park Authority - we are working with our hydrology experts and the Environment Agency on designing a solution.

There is an identified need for permanent Traveller pitches in the City, which the proposed Horsdean Permanent Traveller Site seeks to address. The absence of that provision currently contributes to the pressures we see with unauthorized encampments on sensitive sites in the city. Opposing the permanent site proposal will only prolong those impacts.”

20. ORAL QUESTIONS FROM COUNCILLORS

- 20.1 The Mayor noted that notification of 8 oral questions from Members had been received and that 30 minutes was set aside for the duration of the item. She then invited Councillor C. Theobald to put her question to Councillor Littman.

(a) Advertising & Sponsorship – Councillor C. Theobald

- 20.2 “Given the Policy & Resources Committee agreed a new advertising and sponsorship contract in November last year, will Councillor Littman please tell me why the Council are still turning down significant sums of money from local companies to sponsor sites such as the Patcham Welcome Sign and the Floral Clock in Palmeira Square. Sites which have both been sponsored in recent past?”

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

“It was agreed at November 2012 Policy and Resources Committee to delegate authority to award a corporate contract for management of existing and new potential large format advertising hoardings. The contract doesn’t cover smaller potential advertising and sponsorship areas such as roundabouts, seasonal displays, buildings wraps, toilets, dog bins, litter bins, it would be possible to look at these on their individual merits depending on value for money. So any potential income would have to be off set against the resource and time required to manage the site including initial set up, installation, maintenance, sales and marketing and administration.”

- 20.3 Councillor Theobald asked the following supplementary question, “Councillor Littman mentioned roundabouts but what about flower beds? Does this corporate sponsorship cover flower beds?”
- 20.4 Councillor Littman replied, “No it doesn’t, those fall into the same category. As an example, we were approached by an organisation who wanted to sponsor one of the roundabouts, that was looked at but because it would have to be managed in house it was considered that the income wouldn’t be matched by the expenditure so it was turned down. I don’t know if this applies to the specific examples that you raised but we’ll look into it.”

(b) Lewes Road Traffic Scheme – Councillor Marsh

- 20.5 “This question comes from my residents in Bevendean who have expressed grave concerns with the traffic management that now exists when you want to exit the avenue on to the Lewes Road whether it is southbound or northbound. They ask, “is there a way of looking more at the assistance of lanes and so on to make this safer?”

They are concerned that in order to exit out of the avenue safely you have to, first of all, cross the bus and cycle lane in order to get any kind of view of what traffic is coming and that in itself is dangerous even though the bus lane at the moment is not strictly operative and then once perceiving southbound across the Lewes road you are faced with an incredible mishmash of lines, there is a very wide bus and a very wide cycle lane and a very narrow lane for other vehicles which veers off to the left and the lane markings become increasingly confusing and in view of my residents and myself, when I was testing this out, rather dangerous. Now that we’re moving to completion of this particular sector of the Lewes Road Traffic Scheme could these road marking and signage be looked at again please? Previously I have asked if there could be more robust traffic management at the exit from the avenue to the Lewes Road because we did predict there would be difficulties and there seem to be?”

Reply from Councillor Davey, Lead Member for Transport

- 20.6 Councillor Davey replied, “As you know, work is progressing well and we anticipate the scheme will be finished well ahead of schedule in a few weeks time and I think then we will be able to make a proper assessment because clearly it is still a bit of a construction site, a lot of markings still need to go in but any scheme, once it goes in, will be subject

to a safety audit and that will take place. If you have specific concerns I'm sure you know the route to raise with Robin and Robin will look at them in detail and give you an expert informed technical response."

- 20.7 Councillor Marsh asked the following supplementary question, "You are now looking at the Lewes Road Gyratory which was shelved at the earlier part of the scheme and I have seen that there is a possible proposal to remove the bus stop outside Sainsbury's when the gyratory is reconfigured. I really would like to have reassurance from you that this bus stop will remain because it's location immediately outside Sainsbury's is very important for all residents in all parts of my ward where there is no other supermarket outlet. Please reassure me this bus stop will not be moved."
- 20.8 Councillor Davey replied, "The Vogue Gyratory element of the Lewes Road Scheme was put to one side because it is clearly probably one of the most challenging junctions and I think people have come up with some blue sky ideas as to what could possibly be done and this suggestion didn't come from the Council, it came from the Local Bus Users Forum and it was something that was looked at. I couldn't say absolutely categorically that that bus stop will never be removed but it's certainly not our intention at this moment in time and should it ever come to that point I'm sure there will be a full and comprehensive consultation."

(c) Protest Marches in Brighton and Hove – Councillor Summers

- 20.9 "At the last Full Council in May an amended notice of motion regarding protests in the City was passed asking the Chief Executive to write to both the Police and Crime Commissioner for Sussex and the City's Chief Superintendent requesting that a wide ranging review be carried out with the Council and other key partners in to how negative impact on the City could be minimised including for example re routing marches away from the centre and sea front areas.

In light of the detailed responses received buy all Councillors I'd like to ask Councillor Wakefield as the spokesperson of Community Safety, if she intends to represent the Council on all future planning meetings for protests and marches to ensure that the City isn't again subjected to the kind of impact suffered during and after the EDL march this last April?"

Reply from Councillor Wakefield, Lead Member for Community Safety

- 20.10 Councillor Wakefield replied, "There's a fundamental right for people to hold legitimate peaceful protests that they not make others particularly minority groups and vulnerable communities feel threatened or intimidated. The Councillors Community and Safety Partnership recognised the importance of sustaining action to reassure local people and communities of their safety at all times and particularly all those times when there are protests which take place in the City.

As far as my own time commitment goes at being at Planning Committees if this is being discussed, I think a case where it's more likely to be discussed will be the Community Safety Forum which I'm on and if time permits I'm very happy to be at Council meetings where protests will be discussed."

20.11 Councillor Summers asked the following supplementary question, “At the meeting with the Police and other key agencies of the City looking at the planning for EDL this last year, under the name of Operation Wheeler I know that the then Deputy Leader of the Council attended all those meetings and presumably agreed the arrangements for that including the routing along the seafront. My concern is that if Councillor Wakefield would be our representative on that and she hasn’t actually said that she would do which is a real shame, that we would have the reassurance that first of all that she would sit on that planning environment and make sure that the details will be agreed by the Council but also that if she does that she then doesn’t, as the previous Deputy Leader did, go again and undermine all of that organisation by going to counter protests against it and even signing a notice of motion to review the planning process which she was very much part of.

Can we have reassurance that Councillor Wakefield will do a better job than was done previously especially for the EDL march?”

20.12 Councillor Wakefield replied, “I don’t like to speak ill of people who have been in a position that I’m in, before so I think that my fellow colleagues have done amazing work considering the position they were put in. As far as going to counter demonstrations, if fascists come to our City I shall be on counter demonstrations.”

(d) King’s Church of England Free School – Councillor Wealls

20.13 “Following revelations from Lord Nash that the administration were considering not just 1 but 2 schools on the BHASVIC field site, please can Councillor Shanks update Council where we are now with respect to negotiations for an alternative for King’s School in the City?”

Reply from Councillor Shanks, Chair of the Children & Young People Committee

20.14 “The King’s School will not be going on the BHASVIC fields, what we’ve done so far since then, we’ve had a meeting with the Educational Funding Agency and they are meeting with the King’s School. They’re looking at sites as soon as I know that they’ve got an agreement you will be one of the first people to know. It was a very positive meeting, we suggested various things, they suggested various things but at the end of the day it’s up to King’s School to decide where they would prefer to go.

At the moment as you know they are opening at Portslade on the PACA Sixth Form site this September and they’ve got about 100 children going to that school, we wish them well and we hope we’ll be able to find a more permanent site as soon as possible.”

20.15 Councillor Wealls asked the following supplementary question, “Will Councillor Shanks join on welcoming this new school to the City and also recognising the fact that we are forecast to run out of secondary school places in 2017-2018. That’s only 3 years from now. Can you update us on what the administration’s plans are to encourage and locate another new secondary school in the City within this time frame?”

20.16 Councillor Shanks replied, “We welcome the King’s School; they’ve been approved by the DFE. We do, as you say, have issues about secondary school places but also at the moment we also have a lot of capacity, both in some of our maintained schools but in 2

Academies so there is not a crisis about school places either in primary or in secondary now.

We have suggested that the Toad Hole Valley will provide a site for a secondary school. As you know sites for secondary schools in the City, as in common with many Cities across the country, it's very difficult to find a site for a secondary school.

If we did find new secondary school provision, there's also a studio school that the City College are promoting. There certainly won't be another Dorothy Stringer on that sort of scale and size because we just don't have the land in the City. So I think we would be looking for smaller provision maybe on several different sites apart from Toad Hole Valley where we have already indicated that we would plan to build a school."

(e) Wild Park – Councillor Meadows

- 20.17 "Now that there is a large wide and a safe cycle lane along the Lewes Road, will the Council stop the cyclists from using the path that fronts Wild Park between Homefarm Road through to Coldean Lane?"

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

- 20.18 "I must say I was expecting to get a question from Councillor Meadows about the Travel encampment currently on Wild Park as that's been a very popular interest. All I can say on this particular issue which is a matter of considerable detail is that I will get back to her in writing."
- 20.19 Councillor Meadows asked the following supplementary question, "Many of my residents have been complaining about this issue of cyclists using the path for some years now especially those in electric wheel chairs so will you take away the signage that allows cyclists to use this pedestrian walkway or are my residents correct in believing that this Green Administration believe that cyclist consideration rate higher than pedestrian consideration?"
- 20.20 Councillor West replied, "I will consider the matter properly and will respond to the Councillor in writing."

(f) Staff-Led Mutuals – Councillor Cox

- 20.21 "On the 9th May at the last Full Council meeting, the whole Council formally welcomed staff led mutuals and other forms of co-operative service delivery in the public sector. What progress has been made on the evaluation of staff led mutual's and when are we likely to see one operating within this Council?"

Reply from Councillor J. Kitcat, Leader of the Council

- 20.22 "The Overview and Scrutiny Committee has accepted 2 requests to look at this matter. Firstly a specific request which I believe will be considered in September on the matter of staff led mutual or some other alternative format for part of Adult Social Care and then using the learning from that, it is asked that there is a wider Scrutiny Panel looking

across the Council and how those models could be used. Furthermore there has been, in the Budget report that was agreed at Policy and Resources Committee last week, an agreement that a wider lens and an open mind should be brought to all aspects of service redesign as we meet the challenge that your Government is raining down on us.”

20.23 Councillor Cox asked the following supplementary question “I repeat again our offer to Councillor Kitcat, the Green Administration and in view of the by-election and the changes to Committees, the Labour Group, please do talk to Council Staff and encourage and support to take forward to take this forward in whatever way works best for the staff and everyone who uses the services. This is an open and genuine offer from the Conservative Group to work with you on staff led mutual’s, we will support you in discussions with staff, unions, management and customers to devise a model that works best in Brighton and Hove. There is nothing to lose.”

20.24 Councillor Kitcat replied, “As I said when we discussed this notice of motion, it’s rather a backwards approach; Councillor Cox is focused on the tool rather on the outcome. So I’d rather keep an open mind about the best way to provide the best public services for the residents and visitors to this City rather than getting overly focused on one thing that he may have read about on the Conservative home blog for example.”

(g) Traveller Waste Contract – Councillor Barnett

20.25 “During the recent City Clean strike the only group of people who continued to get their rubbish collected were Travellers on unauthorised encampments. Given that they don’t pay Council Tax and make no financial contribution to the waste collection do you think that is fair? My residents believe they’re getting preferential treatment.”

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

20.26 “The point about why do we provision unauthorised encampments with bins for people to use and whether that was giving preferential treatment; the simple matter is that if we provide them with bins it reduces the amount of mess in the area that they are in and it means that we end up spending less money clearing up afterwards.

So if the Councillor would prefer that we didn’t do that and in fact actually incur larger charges and costs therefore to her Council Tax payers then maybe that’s something we should consider but at the moment this is the approach we have taken, we have a very good contractor and we’ve recently re-procured that contract which had originally run since 2006 so there has been an uplift in cost but it is actually good value for money to operate in that way.

I would add at this point that refuse collection from the Transit Site is something where we have actually been able to reduce the cost by taking the matter in house but we found that the contract for unauthorised encampments with provision of bins on a seasonal basis; that contract works extremely well for us.”

20.27 Councillor Barnett asked the following supplementary question, “The large group of Travellers who are currently making their way around the City via various sensitive

parks and open spaces have now been evicted 3 times to anti-social behaviour offences. My understanding is they all have permanent homes elsewhere in the UK or Ireland so could you please tell me Councillor West why they are allowed to stay in the City and continue to cause further disruptions to our local communities?"

- 20.28 Councillor West replied, "I'm sure as the Councillor is fully aware that Travellers are recognized in law as nomadic and they are legally entitled to travel. Obviously as a Council, where it is our land that unauthorised encampments form, we have to take a view on the community impact that that may be having and whether there is any anti social behaviour as do the Police. In the last week there have been a number of encampments involving one particular large group that have been moved around the city, I think it's a regrettable situation we find ourselves in. It's no good for anyone but on the occasions that they formed in different places, there was anti social behaviour, there was community tension such that the police were prepared to use their powers under the Criminal Justice Act to evict.

That particular group is now on Wild Park and the Police were of the view that it's not at a threshold where they're prepared to use their powers and we have taken the cause to the court and we have a hearing on Wednesday and if we are successful then an eviction will take place. The real point here is the need for proper provision in the City, we have a transit site which is unfortunately been closed for some time due to the need for repairs and improvement but that will be open very soon and of course we are planning to develop a permanent site which I know that the Conservative Group oppose and until we have more provision; that we actually meet the need that we're expected to meet in planning terms, to provide properly for the Travellers living both in the area and visiting as they have done for very many years. Until we do that then we will continue to have problems with unauthorised encampments, the costs and the problems they cause not only for the settled communities but also for the Travellers themselves.

So I hope that the Conservative Group will actually act responsibly and stop opposing our development and welcome the site that they sought the funding for from the Government."

(h) Armed Forces Day – Councillor Mears

- 20.29 "I attended Armed Forces Day on the 29th June at Jubilee Library Square, firstly I'd like to thank you for speaking at that event which I know was really appreciated. Unfortunately for residents and visitors alike passing by Jubilee Square, they could be forgiven in not realising the City was celebrating Armed Forces Day. I would like to thank the Royal British Legion and the Armed Forces present for all their effort on the day and to make it exactly what it was. I would ask the Leader of the Council, what steps this administration for next year's Centenary of the Great War (1914-1918)?"

Reply from Councillor J. Kitcat, Leader of the Council

- 20.30 "We did have Armed Forces Day this year and extensive efforts were made to invite a wide range of stakeholders unfortunately the timing of MOD training exercise meant that not as many as we would have hoped were able to attend but given the special significance of next year I'm hopeful that many more of those who will be invited to participate will be able to attend and there are a wide range of special events and

commemorations scheduled for next year and there is, this weekend, an open invitation for people to come forward with their memories and memorabilia to help us prepare for those celebrations so I do encourage everyone to take part in that.”

- 20.31 Councillor Mears asked the following supplementary question, “The Local Royal British Legion Chairman has contact with 84 Local British Legion branches and I know she was at that Armed Forces Day and would have been delighted to have been able to include more local Royal British Legion to the event, unfortunately because of the way it was presented, we only had 2 flag bearers which was unfortunate for the City baring in mind in Towns and Cities around the Country the effort that people made that people made to celebrate Armed Forces Day. Armed Forces Day was not about people’s views on wars and their beliefs; this was about supporting our Armed Forces men and women and celebrating through the City to recognise the efforts that they put in.

So I’m pleased to hear that the Leader of the Council will be looking at this and I would like to thank those that worked previously on this but baring in mind the Leader of the Council, nobody of the administration actually turned up for the event, I would like the Leader of the Council to again, perhaps next year, one of the administration could actually come to the Armed Forces Day and could the Leader of the Council confirm that?”

- 20.32 Councillor Kitcat replied, “For this year the Air Cadets were invited but unfortunately weren’t able to make it, Territorial Army were invited but unfortunately weren’t able to make it, we did do the flag raising, we had an Indian soldier’s exhibition, no Military Bands were available unfortunately, and the WRVS were not available and so on and so forth. So we made every effort and the British Legion are currently going through a major reorganisation I’m hopeful when that completes we will be able to improve our communications with them. We have a long lead in time for next year and I’m sure that members from all sides will, as the dates come forward, try and get them in their diaries. I’m sure Madam Mayor and all of us will be supporting as best we can.”

21. CALL OVER FOR REPORTS OF COMMITTEES.

(a) Callover

- 21.1 The following items on the agenda were reserved for discussion:

- Item 24 - Substitution on Audit & Standards Committee and Composition of Standards Panels
- Item 25 - Minimising the Risk of Evictions Caused by the Housing Benefit Social Rented Sector Size Criteria
- Item 26(A) - Review of Political Balance

(b) Receipt and/or Approval of Reports

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

- Item 22 - Annual Performance Update 2012/13
- Item 23 - Audit & Standards Committee Annual Report 2012/13

- Item 26 - Home Energy Efficiency Update: Procurement of Solar Photovoltaic Arrays for Housing Revenue Account Property

(c) Oral Questions from Members

- 21.3 The Mayor noted that there were no oral questions relating to items that had not been called.

22. ANNUAL PERFORMANCE UPDATE 2012/13

- 22.1 **RESOLVED:** That the report be noted.

23. AUDIT & STANDARDS COMMITTEE ANNUAL REPORT 2012/13

- 23.1 **RESOLVED:** That the report be noted.

24. SUBSTITUTION ON AUDIT & STANDARDS COMMITTEE AND COMPOSITION OF STANDARDS PANELS

- 24.1 Councillor Hamilton introduced the report and noted that a revised set of recommendations had been circulated as part of the addendum papers. He stated that he was concerned to ensure that council understood the difference between the Independent Member on the Committee and the two independent persons who were co-opted members of the committee. He also noted that proposed change to allow substitutes on the main committee should the need arise but that this would not be the case for any panels that were required.

- 24.2 Councillor A. Norman supported the comments made by Councillor Hamilton and welcomed the ability to have substitutes on the main committee which undertook a number of important functions in regard to corporate governance matters.

- 24.3 The Mayor noted that the recommendations had been moved along with the amendments and put them to the vote.

24.4 RESOLVED:

- (1) That to give effect to the proposals in paragraphs 3.5 -3.6 of the report;
 - (i) the following words be inserted at the start of Council Procedure Rule 18.14, "Subject to Rules 18.15 to 18.19 below,"; and
 - (ii) Rule 18.19 be amended to read, "Substitution on Standards Panel, Once a Standards Panel has been appointed in accordance with the approved procedure for investigating allegations of a breach of the members' Code of Conduct, no substitution to that Panel shall be allowed."
- (2) That the report as amended be noted.

25. MINIMISING THE RISK OF EVICTIONS CAUSED BY THE HOUSING BENEFIT SOCIAL RENTED SECTOR SIZE CRITERIA

- 25.1 Councillor Randall introduced the report and noted that it had been referred for information to the Council from the Housing Committee. He stated that the number of people affected by the changes were considerable and that the council was doing all it could to assist them, although the number of arrears had increased because of the number of properties classified as being under-occupied. He also noted that 22 transfers had been completed and that new schemes were coming forward which it was hoped would enable residents to move into smaller properties within their local community and thereby encourage a greater number of transfers.
- 25.2 Councillor Farrow queried whether the Secretary of State had approved the use of funding from the HRA budget as put forward at the Budget Council meeting, as he had hoped for confirmation. He believed that as much support as possible should be offered to tenants and that all Members should be kept informed of how they were being affected by the changes and therefore welcomed the inclusion of the report on the agenda.
- 25.3 Councillor Wilson stated that she believed the changes were unfair and had led to people being pressurised into seeking smaller properties which were not available and noted that nationally 86,000 tenants were chasing 33,000 available one-bedroom properties. She therefore sought reassurance that evictions would be avoided.
- 25.4 Councillor Cox stated that there was a need to note that the introduction of the welfare changes meant a reduction in the level of subsidy that was being provided and not a new form of taxation.
- 25.5 Councillor Peltzer Dunn stated that the council had a duty to help tenants where possible and therefore should endeavour to do so within the remits of the changes to the welfare benefits.
- 25.6 Councillor Mears noted that in 2008 the then Labour Government had introduced similar changes for the private rented sector and that these were not opposed. She believed that the tenants in the city should be supported by the council and suggested that rather than the issue becoming a 'political football' consideration should be given to how those affected could be supported.
- 25.7 Councillor Littman stated that he had written to the Overview & Scrutiny Committee, in view of feedback following the nature of letters that had been issued to residents who owed the council money asking if a review could be undertaken to look at how these could be improved and this had been supported by Councillor Mitchell as Chair of the Committee.
- 25.8 Councillor Randall noted the comments and stated that the Housing Committee had agreed to every means possible being explored to support tenants in difficulties other than eviction as a means to recovering rent due. He also noted that a number of tenants in rent arrears were not claiming housing benefit and therefore it could be assumed they were working and yet in difficulty. He assured the council that as Chair of the Housing Committee he would continue to work with officers and tenants to support them.

25.9 The Mayor noted that the report had been referred for information and moved that it be noted.

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

25.11 The Mayor then adjourned the meeting for a refreshment break at 6.35pm.

25.12 The Mayor reconvened the meeting at 7.20pm.

26. HOME ENERGY EFFICIENCY UPDATE: PROCUREMENT OF SOLAR PHOTOVOLTAIC ARRAYS FOR HOUSING REVENUE ACCOUNT PROPERTY

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

26.A REVIEW OF POLITICAL BALANCE

26.2 Councillor J. Kitcat introduced the report and noted that it was a legal requirement to review the allocations of seats across the committees following a change to the political make-up of the council. He wished to welcome Councillor Daniel as the newly elected Member for Hanover & Elm Grove Ward; and noted that the Council remained in a position of no overall control and hoped that the development of cross-party working and collaboration would continue so that the interests of the City could be put first and party politics second.

26.3 Councillor Morgan thanked the Leader for his comments and stated that he was delighted to welcome Councillor Daniel to the council. He also stated that the position of the Green Group as a minority administration remained and whilst there was an onus for the parties to work constructively together, there would be no formal pacts or deals with the Labour & Co-operative Group.

26.4 Councillor G. Theobald welcomed Councillor Daniel to the chamber and stated that he had supported the need for the late report as it reflected the change in the political make-up of the council and the need to make the committees proportionate. He had previously argued that the Policy & Resources Committee should not have been in the control of the Administration and so welcomed the change and would await the outcome that would inevitably follow.

26.5 Councillor Fitch welcomed the report and noted the change in the political make-up of the council.

26.6 Councillor Kitcat noted the comments and stated that the council faced a number of serious challenges in the next few years and hoped that councillors could work collaboratively for the benefit of and in the interests of the city.

26.7 The Mayor noted that the report had been moved and put the recommendations to the vote.

26.8 **RESOLVED:**

- (1) That the allocation of seats as detailed in the report and in Appendix 1 to the report be approved;
- (2) That the revised memberships of the Policy & Resources, Environment, Transport & Sustainability Committees and Overview and Scrutiny Committee be agreed as follows:
 - (a) Policy & Resources Committee on the basis of: 4 Green, 3 Conservative and 3 Labour & Co-operative Members;
 - (b) Environment, Transport & Sustainability Committee on the basis of: 4 Green, 3 Conservative and 3 Labour & Co-operative Members.
 - (c) Overview & Scrutiny Committee: on the basis of 4 Green, 4 Conservative and 2 Labour & Co-operative Members.
- (3) That the retention of the current arrangements regarding the Personnel Appeals Panel, the Urgency sub-Committees and the seats allocated to the Independent Member as alternative arrangements in accordance with regulation 20 of the Local Authorities (Committees and Political Groups) Regulations 1990 be agreed.

27. NOTICES OF MOTION.

(a) 2018 Gay Games

27.1 The Notice of Motion as detailed in the agenda was proposed by Councillor Randall on behalf of the Green Group and seconded by Councillor Powell.

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

“This council congratulates Sport London, a network of LGBT Sports Clubs in the Capital, which has successfully campaigned for London to be included in the final short list of three cities to host the 2018 Gay Games. It is the first time the UK has put its hat in the ring for the Gay Games, and the bid is built on the excellent job done by London in hosting the 2012 Olympics and Paralympic Games.

The Gay Games started in San Francisco in 1982 and is held every four years. One of the world’s largest sporting and cultural events, it lasts seven days and covers up to 36 sports and cultural activities. It attracts around 10,000 participants from more than 70 nations. Paris and Limerick are the other two cities on the short list. A decision is expected towards the end of the year.

This council shares the founding principles of the Gay Games, which are inclusion, participation and personal best. It believes Brighton and Hove can only benefit from the games coming to London, particularly through participants and spectators making the short trip to enjoy our city with its strong and vibrant LGBT community. There is also the possibility that one of the national teams might use the city as its base.

It therefore requests the Chief Executive to write to Sport London expressing the council’s formal support for the bid.”

27.3 The motion was **carried**.

(b) Teacher's Pay

27.4 The Notice of Motion as detailed in the agenda was proposed by Councillor Randall on behalf of the Green Group and seconded by Councillor Wakefield.

27.5 The Mayor then put the following motion to the vote.

“This Council calls on the Government to abandon plans to introduce performance-related pay for teachers. We ask that the national pay structure and inflation-linked pay for teachers is reinstated, as there is little evidence to prove that teachers will work more productively or that children will learn better under these new proposals.

Secretary of State for Education, Michael Gove, believes that the new measures, allowing schools to set salary levels will give schools greater freedom over teachers' pay and help recruit the best staff.

We remain convinced that teaching is an effort shared by staff, school leadership, children, parents, governors and the community. The Secretary of State's measures undermine this practice by introducing a divisive element where teachers compete for pay increases at the expense of their colleagues. Further, potential new teachers will be put off from entering the profession, it will lead to decisions being made based on financial climate rather than performance, and it will generate more paperwork for schools

This Council believes the government should be looking for ways to encourage and enable more teachers and schools to share good practice instead of being in constant competition with each other.

We therefore call on the government to work with and consult with teachers rather than impose crude ideological schemes on them and ask the Chief Executive to refer the motion to the Secretary of State.”

27.6 The motion was **carried**.

(c) Payday Lenders

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

126.2 Councillor Randall moved an amendment to the notice of motion on behalf of the Green Group which was seconded by Councillor Buckley.

126.3 The Mayor noted that the amendment had been accepted by Councillor Wilson and put it to the vote which was **carried**.

126.4 The Mayor then put the following motion as amended to the vote:

“This council notes the increasing use of payday lenders charging interest rates of up to 5,800% by families in Brighton and Hove.

This council notes that 20,000 people called the National Debtline last year with problems arising from payday loans, with typical debts of £1,500 on average.

This council notes that the Office of Fair Trading has ordered the Competition Commission to investigate bad practices in the industry, worth £2.2billion in the UK, with 8.2 million loans taken out in 2011/12.

This council resolves:

- 1) To ask the Chief Executive to write to the Secretary of State for Business and the Chancellor of the Exchequer calling for a cap on loan rates imposed by payday lenders and other high interest lenders.
- 2) To ask the Overview & Scrutiny Committee to establish a Scrutiny Panel to explore options on limiting the number of payday loan shops in the city using examples of best practice in other authorities and reporting to the relevant committees.
- 3) That this authority continues to use every means available to promote the use of credit unions and other responsible lenders by residents.
- 4) To continue with its work of creating a Community Banking Partnership that will include local lending and advice agencies and the high street banks.

126.5 The motion was **carried**.

(d) Reform of Taxi and Private Hire Operation

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

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

“For the past year, at the request of the government, the Law Commission has been consulting on changes to legislation governing taxi and private hire vehicle operation. The government’s stated principals for the review are based on de-regulation and the imposition of national standards.

Following thousands of submissions from taxi drivers, private hire operators, unions, local licensing authorities, disability groups and other stakeholders as to the effect that such de-regulation would have, the Law Commission has published an interim statement proposing that for Hackney Carriages local authorities would retain their powers to regulate numbers and exercise some quality control.

However, concern remains as to the effect on the city's local Private Hire trade from the government's preference that only national standards will apply particularly in respect of;

- Removing border restrictions
- No requirement for a local 'knowledge' test
- No mandatory requirement for disability awareness training
- A 'light-touch' approach to accessibility issues
- The loss of any locally agreed price structure and consumer protection

Should these proposals be enacted, local companies and drivers will face fierce competition from larger companies, possibly from London, who could flood the city with cabs offering cut-price deals and drive the local trade out of the market. Such de-regulation of the Private Hire trade could then also affect the Hackney trade leading to a general loss of local identity and service standards.

Further concerns relating to public safety with respect to enforcement have not been dealt with by the Law Commission. They have not explained how a car licensed in one part of the country but working in another will be managed.

Our City with over 1000 licensed vehicles is already struggling to cope with enough rank spaces. Major concerns regarding the number of vehicles which might come to Brighton affecting the already high co2 emissions is also of great concern.

Furthermore concerns relate to the service provision for wheelchair users who call for Private Hire Services. Currently under local authority control this provision is met by the Council working with local stakeholders. If this control is removed in favour of national standards this provision could disappear.

Therefore this council,

- Welcomes the interim proposals from the Law Commission relating to Hackney Carriages that will allow this council to continue with its policy of managed growth and quality control.
- Expresses grave concern as to the potential effects of the de-regulation of the Private Hire trade with particular concern to Public Safety, a possible increase in Co2 levels, service provision to wheelchair users and further concerns that local operators and drivers could be driven out of the market.
- Requests that the Chief Executive conveys these specific concerns in relation to the local Private Hire trade as set out in this motion to the relevant government minister and to the Law Commission."

27.9 The motion was **carried**.

Note:

27.10 Councillor Wells having declared a pecuniary interest in the item, left the meeting and took no part in the discussion or decision thereon.

(e) **Stimulating New House Building in Brighton and Hove**

- 27.11 The Notice of Motion as detailed in the agenda was proposed by Councillor Peltzer Dunn on behalf of the Conservative Group and seconded by Councillor Mears.
- 27.12 Councillor Randall moved an amendment to the notice of motion on behalf of the Green Group which was seconded by Councillor Kennedy.
- 27.13 The Mayor noted that the amendment had not been accepted by Councillor Peltzer Dunn and put it to the vote which was **carried**.
- 27.14 The Mayor then put the following motion as amended to the vote:

“This Council welcomes progress with the regeneration of sites on council land and notes that an extra care scheme of 44 homes on the Brookmead site has been submitted for planning permission as the next stage of this work, which delivered 15 new council homes under the last administration.

This council recognizes it has been necessary to revisit the previous administration’s Estates Masterplan, which was optimistic in identifying land for a potential 800 new homes in the city. The revised figure is 500 homes, a substantial number, and a new house building programme of this scale would not only help to reduce the growing waiting list but would also benefit the local economy by creating local jobs and apprenticeships.

This Council notes the proactive and innovative approaches to financing new affordable housing being taken by other local authorities in recent years in response to the climate of reduced public funding. For example, The London Borough of Southwark, which has ambitious plans to build new council homes, Wealden District Council, directly funding new council housing; a growing number of councils – e.g. Thurrock and South Holland setting up stand alone housing companies; councils such as Hammersmith & Fulham who have made use of the value in their housing stock to lever in new funding; and councils such as Hastings and Warrington who have loaned money to Housing Associations to develop housing.

Furthermore, this Council notes:

- (a) The administration’s plans to continue to build new council homes and involve housing co-ops and self-build groups in the provision of new homes on the council’s own sites and on other sites across the city.
- (b) The Government’s Affordable Rent model, which significantly reduces the amount of public subsidy required for new affordable housing. If adopted in Brighton & Hove, this could potentially increase the amount of affordable housing built by five and a half times.
- (c) The Government’s Affordable Housing Guarantee Scheme, which will help to reduce borrowing costs thereby increasing the number of new affordable homes that can be built.

However, it expresses its deep concern on the question of affordability and believes that homes built under (b) and (c) will be beyond the pocket of many of those in the most critical housing need in the city.

Therefore, this council requests that a report be brought to the next Housing Committee to

- (a) Look at how best practice from other councils could be applied in Brighton and Hove; Explore every housing avenue available to deal with the city's housing crisis; and
- (b) Ask for a report to be brought to the next Housing Committee looking at all the options for speeding up the Estate Regeneration programme to provide more homes.

27.15 The motion was **carried**.

(f) Traveller Encampments on Sensitive Sites in Brighton and Hove

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

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

“On 25th October 2012, Full Council resolved to:

“Request 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 (Criminal Justice & Public Order Act 1994).”

This Council regrets that, as of 18th July 2013, the will of Full Council has not been carried out in respect of the above resolution and that unauthorised incursions on sensitive sites are still being tolerated by the Council and Police for significant periods of time, causing great disruption to local communities.

Furthermore, this Council believes that appropriate measures are not being taken by the Council and the Police to ensure that sensitive sites are adequately protected from break in, especially immediately after travellers are moved on from another site in the city.

Therefore, this Council resolves to request that the Chief Executive organise an urgent meeting between herself, the Chief Superintendent of Brighton & Hove and the Leaders of the 3 political groups on the Council to agree a robust action plan to ensure that, as the busy summer season unfolds, the city's parks, gardens and playing fields are properly protected from further unlawful encampments.”

27.18 The motion was **lost**.

28. CLOSE OF MEETING

28.1 The Mayor thanked everyone for attending and closed the meeting.

The meeting concluded at 9.25pm

Signed

Chair

Dated this

day of