

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

5.30pm 26 JANUARY 2017

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors West (Chair), Marsh (Deputy Chair), Allen, Atkinson, Barford, Barnett, Bennett, Bewick, Brown, Cattell, Chapman, Cobb, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Hyde, Inkipin-Leissner, Janio, Knight, Lewry, Littman, Mac Cafferty, Meadows, Mears, Miller, Mitchell, Moonan, Morgan, Morris, Nemeth, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Penn, Phillips, Robins, Russell-Moyle, Simson, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls and Yates.

PART ONE

59 DECLARATIONS OF INTEREST

- 59.1 Councillor Druitt declared a prejudicial interest in Item 67, Oral Questions from Councillors as he wished to ask a question in relation to Easylink, but was a volunteer member of the management committee for Community Transport. However, he had been granted dispensation by the Monitoring Officer to be able to put his question and any supplementary question.
- 59.2 Councillor Simson declared a personal but non-prejudicial interest in Item 65(a), Don't Cut the Youth Services petition, as she was a Trustee of the Youth Project. However, she had been granted dispensation by the Monitoring Officer to speak and vote on the item.
- 59.3 Councillor Wealls declared a personal and non-pecuniary interest in Item 65(a), Don't Cut the Youth Services petition, as he was a Trustee of the Impact Initiative for the Youth Collective. However he had been granted dispensation by the Monitoring Officer to speak and vote on the item.
- 59.4 Councillor Russell-Moyle declared a prejudicial interest in Item 65(a), Don't Cut the Youth Services petition, as he was a Trustee of the Crew Club. However he had been granted dispensation by the Monitoring Officer to speak and vote on the item.
- 59.5 The Mayor declared a personal and prejudicial interest in Item 71, Adoption of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan as he was a member of the South Downs National Parks Authority. However he had been granted dispensation by the Monitoring Officer to speak and vote on the item.

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

60 MINUTES

60.1 The minutes of the last ordinary meeting held on the 15th December were approved and signed by the Mayor as a correct record of the proceedings; subject to the following amendments:

- (i) Paragraph 49.27 to include the words 'to do' at the end of the first sentence;
- (ii) The voting table on page 20 under paragraph 51.7 to show that Councillors Mears and Miller abstained; and
- (iii) Paragraph 49.35 the word 'through' to be replaced by 'thorough' in the first line.

61 MAYOR'S COMMUNICATIONS.

61.1 The Mayor stated that it was with great sadness that he had to share the news of the recent passing of Tehmtan Framroze, former councillor and Mayor of Brighton. He retired from the council in 2007 having served Coldean for many years and chaired the Housing Committee during his time as a councillor. The Mayor asked everyone present to stand for a minute's silence as a mark of respect.

61.2 The Mayor then noted that there was an exhibition at Jubilee Library to mark International Holocaust Memorial Day which he recommended to all Members. He also noted that an information session from Dementia Friends had been arranged for all councillors on the 2nd February, and again hoped a number of colleagues would be able to attend.

61.3 The Mayor stated that he wished to highlight the work of all councillors in their Wards and local communities and noted that Councillors Barnett, Janio and Lewry had recently raised over £3,200 to support community actions.

61.4 The Mayor stated that he had a number of charity events coming up and invited Members to join him; e.g. a walk through the downland estate which he hoped would become known as the 'Brighton & Hove Way,' a quiz night at Portslade Town Hall and cycle ride around the Biosphere in May.

61.5 Finally, the Mayor noted that he was wearing a special tie as a mark of celebration for the Brighton & Hove Sea Serpents Rugby Club, which was run for gay and bisexual men and had had their first win this week.

62 TO RECEIVE PETITIONS AND E-PETITIONS.

62.1 The Mayor noted that there were no petitions to be presented at the meeting.

63 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

63.1 The Mayor reported that one written question had been received from a member of the public and invited Mr. Furness to come forward and address the council.

- 63.2 Mr. Furness asked the following question; “I return once again, Councillor Mitchell, to the subject of elm trees, which are continuing to disappear from the streets of Hove at an alarming rate. Can you please explain why three magnificent specimens were last year felled in Blatchington, Sackville and Somerhill roads?”
- 63.3 Councillor Mitchell replied; “I have asked officers to check the records of elm trees removed in these roads last year. The only one that was removed last year was a large elm outside number 49 Sackville Road. This was felled after failing a safety inspection due to fungal decay. Elms were lost in high winds in Blatchington Road in 2013 and 2014, one each year. Two elms were lost on Somerhill Road in 2014 as a result of elm disease.”
- 63.4 Mr. Furness asked the following supplementary question; “I would like to ask Councillor Mitchell when she states fungal disease and elm disease the words ‘Dutch elm disease’ weren’t employed and I can see why because those three trees have been struggling to come back to life surrounded by forests of suckers which somebody - presumably from the council - is now spraying weed killer on. Now yourself Mister Mayor in your previous Administration were responsible for the UNESCO biosphere status of this city and congratulations to you for it. Do I have to go to the United Nations to report this issue as we well know elms are on a par with the blue whale?”
- 63.5 Councillor Mitchell replied; “Well Mr Furness I’ll leave that one with you. Personally I am not aware of any connection between elm trees and the blue whale but I am very pleased to be proved wrong in this regard.”
- 63.6 The Mayor thanked Mr. Furness attending the meeting and putting his questions and noted that concluded the item.

64 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

- 64.1 The Mayor noted that no deputations had been submitted for consideration at the present meeting.

65 PETITIONS FOR COUNCIL DEBATE

- 65.1 The Mayor sated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. He had been made aware of two such petitions and would therefore take each in turn. He also noted that there were two amendments from the Green and Conservative Groups to the recommendation contained in the covering report to the first petition which would be taken as part of the debate on that item.

(a) DON'T CUT THE YOUTH SERVICES FUNDING

- 65.2 The Mayor then invited Kate Barker and Raven as the lead petitioners to present the petition calling on the Council not to cut the youth services budgets.
- 65.3 Raven thanked the Mayor and stated that the petition had reached 2,042 signatures which demonstrated the strength of support for youth services in the city.
- 65.4 The Mayor thanked Raven and called on Councillor Chapman to respond to the petition.

- 65.5 Councillor Chapman thanked the petitioners and stated that the Council was facing significant cuts to budgets and that meant very difficult decisions had to be considered and taken. He noted that councils across the country had reduced their youth services and were planning further cuts to those services, in order to maintain other services. He stated that it was intended to continue to provide support services to young people and noted that a consultation process was currently underway which would inform the re-design of the service provision. The results of the consultation would be reported to all councillors prior to the Budget Council meeting in February, so that decisions could be made in regard to the provision of youth services and the transition to other providers. He also noted that a delegation of young people were due to attend No. 10 Downing Street and offered his support to the delegation.
- 65.6 Councillor Knight moved an amendment on behalf of the Green Group, calling for the petition to be referred to a Special meeting of the Children, Young People & Skills Committee, along with an update from officers on the consultation which could be considered and any recommendations then made to the Budget Policy, Resources & Growth Committee meeting on the 9th February.
- 65.7 Councillor Phillips formally seconded the amendment.
- 65.8 Councillor Wealls moved an amendment on behalf of the Conservative Group, calling for an urgent report to be brought to the Budget Policy Resources & Growth Committee meeting on the 9th February. He noted that the proposal to cut youth services budgets had been late in the day and that a number of young people had asked questions on this subject at the Policy, Resources & Growth Committee meeting on the 19th January. He believed that further information was required in order for the committee to determine whether the level of proposed savings could be made, hence the request for an urgent report to the committee meeting. He acknowledged that difficult decision had to be made, but felt that there appropriate level of information should be available to inform those decisions.
- 65.9 Councillor Brown formally seconded the amendment and stated that there was a risk of creating more costs in the long-term as there would be a need for greater intervention. She hoped that a further report would address the points highlighted in the amendment.
- 65.10 Councillor Phillips stated that it was unacceptable to treat young people in this manner and the council should be listening to them and supporting them. The consultation was very poor and was due to end after the Budget Policy, Resources & Growth Committee, which left little time for consideration and gave the Children, Young People & Skills Committee no input into the process.
- 65.11 Councillor Bewick noted that there was a need to make savings and that this was down to the level of cuts being made by central government to local government funding. There was a need for the council to balance all priorities across its services and the Children's Service faced a total of £5.6m savings to be achieved. He welcomed the attendance of the young people at today's meeting and their efforts to highlight the difficulties that they had to face and hoped that a way forward could be found.

65.12 Councillor Mac Cafferty stated that he believed the proposed cuts were short-sighted and harmful and would leave young people in a vulnerable position as they could not necessarily ask for help from their teachers, parents or carers. There was a need to support them and enable them to reach their potential.

65.13 In response to the debate Councillor Chapman stated that he was happy for an urgent report to be brought to the Policy, Resources & Growth Committee but could not support the Green amendment. He also wished to assure Members that any decision would not be taken lightly and that full consideration would be given to the proposed savings.

65.14 The Mayor noted that the Green amendment to the petition report's recommendation was not supported and therefore put the amended recommendations to the vote which were lost by 11 votes to 41, with 1 abstention as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen		X		Marsh		X	
2	Atkinson		X		Meadows		X	
3	Barford		X		Mears		X	
4	Barnett		X		Miller		X	
5	Bell	Not Present			Mitchell		X	
6	Bennett		X		Moonan		X	
7	Bewick		X		Morgan		X	
8	Brown		X		Morris		X	
9	Cattell		X		Nemeth		X	
10	Chapman		X		Norman A		X	
11	Cobb		X		Norman K		X	
12	Daniel		X		O'Quinn		X	
13	Deane	✓			Page		✓	
14	Druitt	✓			Peltzer Dunn		X	
15	Gibson	✓			Penn		X	
16	Gilbey		X		Phillips		✓	
17	Greenbaum	✓			Robins		X	
18	Hamilton		X		Russell-Moyle			Ab
19	Hill		X		Simson		X	
20	Horan		X		Sykes		✓	
21	Hyde		X		Taylor		X	

22	Inkpin-Leissner		X		Theobald C		X	
23	Janio		X		Theobald G		X	
24	Knight	✓			Wares		X	
25	Lewry		X		Wealls		X	
26	Littman	✓			West		✓	
27	Mac Cafferty	✓			Yates		X	
					Total	11	41	1

65.15 The Mayor noted that the Conservative amendment to the report's recommendation had been accepted and therefore put the recommendations as amended to the vote which were carried unanimously as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen	✓			Marsh	✓		
2	Atkinson	✓			Meadows	✓		
3	Barford	✓			Mears	✓		
4	Barnett	✓			Miller	✓		
5	Bell	Not Present			Mitchell	✓		
6	Bennett	✓			Moonan	✓		
7	Bewick	✓			Morgan	✓		
8	Brown	✓			Morris	✓		
9	Cattell	✓			Nemeth	✓		
10	Chapman	✓			Norman A	✓		
11	Cobb	✓			Norman K	✓		
12	Daniel	✓			O'Quinn	✓		
13	Deane	✓			Page	✓		
14	Druitt	✓			Peltzer Dunn	✓		
15	Gibson	✓			Penn	✓		
16	Gilbey	✓			Phillips	✓		
17	Greenbaum	✓			Robins	✓		
18	Hamilton	✓			Russell-Moyle	✓		
19	Hill	✓			Simson	✓		

20	Horan	✓			Sykes	✓		
21	Hyde	✓			Taylor	✓		
22	Inkpin-Leissner	✓			Theobald C	✓		
23	Janio	✓			Theobald G	✓		
24	Knight	✓			Wares	✓		
25	Lewry	✓			Wealls	✓		
26	Littman	✓			West	✓		
27	Mac Cafferty	✓			Yates	✓		
					Total	53	0	0

65.16 The motion was **carried**.

65.17 **RESOLVED:**

- (1) That the petition be noted and referred to the Policy, Resources & Growth Committee for consideration at its meeting on the 9th February 2017; and
- (2) That a report be produced by officers and brought back to Policy, Resources & Growth Committee detailing –
 - (a) service descriptions and client reach which could be provided at a range of funding levels;
 - (b) descriptions and impact assessments of expenditure reductions which were considered as an alternative to the proposed cut; and
 - (c) an impact assessment of the funding reduction on the services themselves, and their clients and the increased pressures on other budgets and services should the proposed cut be implemented.

(b) ONE CHOICE IS NO CHOICE

65.18 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. He had been made aware of two such petitions and would therefore take each in turn.

65.19 The Mayor then invited Samantha Fearn as the lead petitioner to present the petition calling on the Council to ensure that children across the city were given at least two secondary schools in their catchment area so that all children had a choice.

65.20 Ms. Fearn thanked that Mayor and confirmed that the petition had 1,350 signatures and stated that the current situation was unfair and needed to be addressed to ensure that all children have a choice of secondary school. We are objecting to the unfairness of the current catchments and the working party's proposal to place the new University of

Brighton Secondary school into the central catchment from 2019. If Brighton and Hove City Council take forward these proposals they will not be honouring their responsibility to treat all children in the city equally. This seems obvious for at least three reasons:

Firstly and fundamentally, how can it be fair for some children to have a choice of three schools whilst others have no choice at all? How does refusing choice to one third of the city's children deliver the principles of equality that this council claims to support? Many people believe that MORE effort should be made for less advantaged areas of the city to address the imbalance in opportunities facing the city's children. We are only seeking the SAME treatment for all children. Either all of our children have a choice or none do. Anything else is an injustice. The Council commissioned a report published by the University of Brighton in 2016. Its top recommendation was: "Redrawing the current geographical catchment area boundaries to try and ensure that all parents and students have a genuine choice of at least two secondary schools." This recommendation could not have been clearer.

Secondly, let's recognise critical differences in the catchments: the one's with the most choice are home to greater wealth, less deprivation and can be said to shout the loudest. In comparison, the single school catchments including Coldean, Moulsecomb, Bevendean, Whitehawk and Woodingdean are more deprived and have a quieter voice. Normal working families can no longer afford to live in the central catchment. How do these plans promote social mobility and the truly comprehensive education system that the working party claimed as one of its goals?

Thirdly, children are different, schools are different. What suits one child might not suit the next? Some schools are able to offer more GCSE subject choices, some less. For many children in the city, school is their only route to better prospects and a better future. To reduce their options of schools and of subjects is to reduce their life chances altogether. To the working party we say - listen to the views of people across the city. We seek new catchment proposals that ensure a genuine choice for all children.

To the Councillors we ask - will you agree that these proposals are unfair and that the degree of choice and opportunity should be equal for every child in the city?

65.21 The Mayor thanked Ms. Fearn and called on Councillor Chapman to respond to the petition.

65.22 Councillor Chapman thanked the petitioner and stated that he had been invited to meet with parents last year during the review of the arrangements that the cross-party Working Group was undertaking. He also noted that 90% of the schools across the city were either good or out-standing which was a positive situation for all parents. He stated that the question of admission arrangements was a difficult one to resolve. The need for a new secondary school had been identified and the council was working with the University of Brighton to find a suitable location. There had been an extensive consultation exercise and the Working Group had not reached a consensus in terms of the arrangements for catchment areas. However, once a suitable location was found, it was intended to review the proposals for catchment areas and to consult further on possible arrangements so that a workable solution could be found.

- 65.23 Councillor Brown stated that the current situation whereby some children had a choice of 3 schools and others only 1 was not viable and the need to know where the new school would be located was becoming imperative. There was a need for the Working Group to meet and to be able to put forward proposals for the revised catchment areas that would ensure a choice of schools for all children. She noted that the new school was likely to have a city-wide catchment area for its first year; but that would need to be taken into account when determining the catchment areas for the other schools.
- 65.24 Councillor Phillips welcomed the petition and stated that the need for broader catchment areas was evident so that a greater mix of children in schools would be achieved which would enable them to fulfil their potential.
- 65.25 Councillor Page stated that he was grateful for the petition as it had focussed councillors' minds on the issue and the unfairness of the current situation. He believed that every child should have a choice of schools within their catchment area and hoped that this could now be achieved.
- 65.26 Councillor Chapman noted the comments and stated that he hoped a meeting of the cross-party Working Group could be held shortly so that a way forward could be discussed and agreed.
- 65.27 The Mayor noted it was recommended to refer the petition to the next meeting of the Children, Young People & Skills Committee and therefore put the recommendation to the vote which were carried unanimously.
- 65.28 **RESOLVED:** That the petition be noted and referred to the Children, Young People & Skills Committee for consideration at its meeting on the 6th March 2017.

66 WRITTEN QUESTIONS FROM COUNCILLORS.

- 66.1 The Mayor reminded Council that written questions from Members and the replies from the appropriate Councillor were taken as read by reference to the list included in the addendum which had been circulated as detailed below:

(a) Councillor Phillips

- 66.2 "At the meeting of Full Council on the 20th October, the Green Group's amendment to the Fast-Track Cities Notice of Motion was passed. Please could Councillor Yates update me on progress since that meeting, especially around putting a plan in place to achieve this work and launching an investigation into the impact of the 20% cut in HIV support services?"

Reply from Councillor Yates, Chair of the Health & Wellbeing Board

- 66.3 "Following the approval of the amended notice of motion at Full Council on the 20th October 2016 the actions were agreed by the Health and Wellbeing Board at its meeting of 22nd November 2016.

Fast-Track Cities

Officers have contacted the International Association of Providers of AIDS Care (IAPAC) regarding formalising Brighton & Hove City Council sign-up to the Paris Declaration on ending the HIV epidemic and we are awaiting advice on the next steps to becoming a Fast Track City.

The mobilisation of this work will include the development of an action plan in partnership with local and international partners. The action plan will be informed by analysis of local data which will be supported by our IAPAC technical partners. The action plan will be shared with the Health and Wellbeing Board in due course.

Impact of funding reduction in HIV prevention and social care contract

Prior to the procurement process an exercise was undertaken with the provider of HIV prevention and social care services to identify areas of work that could be stopped or reduced in order to achieve savings targets with the minimum impact on service users. Several areas with a robust rationale for changing, reducing or ending were identified. These included changing the way outreach is delivered to focus more on on-line working, reducing capacity in less productive areas of community engagement and ending the use of sub-contracted nurses in community HIV and STI testing. This allowed the value of the contract being offered for tender to be reduced by 20%.

Following an open procurement process the contract for HIV prevention and social care has been awarded to the current providers of the services – The Terrence Higgins Trust.

The new contract commences on 1st April 2017. Any impact of the reduction in the contract value will be assessed through contract performance monitoring and service user consultation as well as assessment of unmet need that is identified through HIV and sexually transmitted infection data and changes in the demand for other services.”

(b) Councillor G. Theobald

- 66.4 “Will the Chair of Environment, Transport & Sustainability Committee outline the frequency in which the city’s parking machines are emptied, how many recorded instances of these machines being blocked or full were reported in 2016 and how long it took to subsequently unblock them?”

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

- 66.5 “High income Pay and Display machines in the city centre are emptied every other day whereas low income machines are emptied weekly.

There were 30 reports of machines being full in 2016 and 9 reports of machines being blocked. They are recorded as having been emptied and resolved on average within 48 hours.”

(c) Councillor G. Theobald

- 66.6 “Whilst I note the Unions financial support for his Party and consequentially the reluctance of his Party nationally to criticise the Unions, what efforts has the Leader of the Council made to the RMT and ASLEF Trade Unions to convey the effect of their strikes on the residents and businesses of our City and bring pressure to bear to end the

dispute in light of the fact that they are striking when not one of their members is losing their job or losing any salary?"

Reply from Councillor Morgan, Leader of the Council

- 66.7 "It is disappointing that Cllr Theobald seems to be siding with many of his Party's MPs in making this rail dispute an exercise on union-busting, with the city's businesses, commuters and tourists as collateral damage. I'm sure my views carry as much weight with the rail unions as Councillor Theobald's do with Secretary of State for Transport Chris Grayling.

What Brighton and Hove wants are positive solutions to this dispute, not party political blaming and name-calling. Here is mine:

A new body comprised of representatives from Brighton and Hove, East and West Sussex County Councils and businesses, operating within the framework of the new Transport for the South East sub-national transport body, acting in a statutory role approved by the Department for Transport. Based on the model approved in Yorkshire, it would give passengers a democratic representative in the process of appointing a new train operator for the routes currently run by Southern GTR as a concession rather than a franchise on behalf of the DoT, on service delivery and standards of operation, and link with Transport for London on services to and from both the capital and Gatwick Airport, ensuring a robust and responsive rail network. It would also work with Network Rail and the LEP on the improvement of rail line infrastructure to London sufficient to meet the current and future needs of our city region economy. A real and democratic say in our regional rail network."

(d) Councillor Nemeth

- 66.8 "How many members of staff have resigned from their posts in the Planning Department (a) between May 2015 and now; and (b) a similar period preceding May 2015; and how does (a) compare in percentage terms with other comparable teams (i.e. administrative) within the Council?"

Reply from Councillor Cattell, Chair of the Planning Committee

- 66.9 "From May 2015 to December 2016 - 13 staff left the Planning Service (excluding Admin and Building Control staff) which represents 25%. This relatively high proportion of turnover was largely due to a restructure of the service implemented in June 2016 which focused on removing a layer of management (four posts removed) and merging Planning with City Regeneration. Taking this into account it would give a turnover of 19%.

For the preceding period from October 2013 to April 2015 - 7 staff from the Planning Service left.

With regards to comparable teams – this has been taken as comparable professional services in the same department. Covering the period April 2015 to March 2016 – the turnover is:

Transport = 12%
 Planning & Building Control = 20%
 Housing = 16%
 City Infrastructure = 13%
 City Regeneration = 17%

This rate is comparable, but at the higher end, of rates experienced by other services largely for the reasons set out above.”

(e) Councillor Janio

66.10 “Will the Administration please identify and quantify all the funding streams and programmes, including those of partner agencies that are available to help street sleepers and the wider street community (as distinct from the overall homelessness budget) in the city?”

Reply from Councillor Moonan, Deputy Chair of the Neighbourhoods, Communities & Equalities Committee

66.11 “It is important to consider that the Council may not be aware of every charity funding stream in the city – for example, church groups may fundraise to support services etc.

Specific money allocated to rough sleeping may well not represent the total amount of resource/ service going on rough sleeping as some could be subsumed in mainstream budgets.

Council Commissioned

£422,000.00 is for street outreach services, day centre services provided by First Base and St Mungo’s. The 422k also includes 40K for the SWEP service. These are all provided exclusively to rough sleepers.

£3.8 million includes the young people’s housing advice service which works with rough sleepers and a variety of accommodation and support services accessible to locally connected rough sleepers and single homeless people. This includes externally commissioned hostels and supported accommodation for single homeless people, rough sleepers, young people and those with mental health needs. As well as supported accommodation this also includes support services such as work and learning, and floating support to settle people in independent tenancies and prevent eviction.

The £3.8m is accommodation and associated support, it is not specifically for rough sleepers. Accommodation is accessible for rough sleepers, those with a housing duty in B&B, those referred from prison or discharged from hospital.

Public Health provides approximately £200k (+/- 10%) in Equinox, through Pavilion, to provide substance misuse services for homeless people

BHCC awarded just over £352k for the last quarter of this financial year and the following two years.

Aim of the funding was to target interventions to help new rough sleepers

- Reduce the flow of new rough sleepers
- Provide a safe place to stay
- Help new rough sleepers from the streets to independence

Sussex Police fund a Street Community Team which currently consists of:

1 X Police Sergeant, 2 X Police Constables and 2 X Police Community Support Officers.

The aim of this provision is have bespoke intervention and engagement with persistent offenders and offer support to those most vulnerable. This requires a detailed multi-agency approach. The police aims are primarily to protect the vulnerable, reduce offending and ASB, reduce demand on services and maintain trust and confidence of communities in the city.”

(f) Councillor Mac Cafferty

66.12 “In December the Local Government Ombudsman found the London Borough of Southwark had failed for years to monitor whether developers were providing promised social housing in accordance with Section 106 Agreements. In essence this has meant that the London Borough of Southwark has no procedure to ensure that social rented housing approved by the Council’s planning committee is actually being delivered. Can the Labour Administration assure us with adequate evidence that this will not be the case in Brighton and Hove? In order that Brighton and Hove avoids such an outcome, can the administration outline (a) how they will properly check compliance with housing provision conditions under Section 106 Agreements and (b) explain what auditing they are conducting throughout the city to check compliance with Section 106 Agreements after completion of developments?”

Reply from Councillor Cattell, Chair of the Planning Committee

66.13 “The Planning Service has a dedicated Section 106 officer who monitors compliance in accordance with s106 developer obligations. In terms of affordable housing - this is to ensure direct provision or transfer to Registered Providers before occupation of a development. There is also close working between the Planning and Housing services and regular meetings held between Registered Providers and the city council through the Brighton & Hove Housing Partnership.

The Housing Service also maintains a Development Schedule which monitors new affordable units in the city. A further safeguard is monitoring by the Homes Community Agency (HCA) which aims to ensure delivery of funded schemes. In addition, the Housing Service requires monitoring forms from Registered Providers to ensure letting and sales accord with agreed priorities (a local connection and in demonstrable housing need).

In terms of commuted payments towards affordable housing, now secured from developments of 5 to 14 dwellings, these are also monitored by the Section 106 Officer. The payments are required on commencement of development and go towards the

agreed priorities set out the Developer Contributions Technical Guidance – which was agreed at ED& C Committee in June 2016.”

(g) Councillor Mac Cafferty

66.14 “According to FOI request 7141: *Council Tax Recovery* In the last year Brighton and Hove City Council officers organised an eye-watering 5,567 “enforcement agent visits.” Can the Labour Administration outline (1) the costs to the council of using this quantity of bailiff visits, (2) what this vast number of bailiffs were needed for and (3) why of this quantity of visits, 22 families had their belongings taken?”

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

66.15 “First of all to clarify for Cllr Mac Cafferty that the FOI7141 request was not specific to Council Tax but a question relating to all enforcement agency activity by the Council. Therefore the figure he quotes is inclusive of Enforcement Agent visits to recover Business Rate and Car Parking debt as well as Council Tax. In 2014/2015 under the previous administration the number of visits was 5,296 which is comparable with the last year.

1. There is effectively no net cost to the Council in administering Enforcement Agent visits. The value of the income consequently collected is well in excess of the cost of running an Enforcement Team. If costs were higher than the income collected, we would not run the service.
2. Council services and particularly the Business Rates and Council Tax teams, have a service model that is designed to collect debt / taxation at the earliest point with the minimum cost and effort for the customer. A great deal of work has taken place in recent years to improve collection while reducing the number of customers summonsed or subject to debt enforcement and in improving support for those with hardship and / or vulnerability. It is only after a succession of reminders, court actions and a filtering process for vulnerability, that the service considers enforcement action. Enforcement Agents are trained to identify vulnerability and are tasked with obtaining suitable and reasonable arrangements to recover debt when other routes have failed. In the context of 140,000 households and business premises in the city and in excess of 200,000 tax bills to collect each year, the number of visits, as a necessary element of effective collection, is proportionate.
3. The actual FOI request refers to the removal of debtors’ goods and all 22 incidences relate to vehicles being removed and sold to offset council tax / parking debts; none relate to removing families’ belonging from inside their homes. The Council makes every effort to settle debt amicably before this stage.”

(h) Councillor Mac Cafferty

66.16 “Across the entire Council workforce, how many staff in which departments are currently engaged in a redundancy consultation process?”

Reply from Councillor Morgan, Leader of the Council

66.17 “Currently, approximately 309 staff are (or have recently been) engaged in consultation exercises which could result in around 39 redundancies. These are taking place in Civil Contingencies, Childcare Workforce Development, Transport, Facilities & Building Services, ICT, Policy Partnership & Scrutiny and Finance. Further consultation exercises will start in the near future affecting approximately 123 staff which could result in around 45 redundancies. These will be taking place in Communities and Equalities, Youth Service, Disability Services Management, Early Help Services, Economic Development and Bereavement Services.

Further consultation processes relating to the potential TUPE transfer of staff will also take place in the coming months in Learning Disability Accommodation Services, Hostels and the Music Service. These will impact approximately 91 staff.

In addition to the above some budget proposals may require formal consultation with staff later in the year as detailed proposals emerge.”

(i) Councillor Mac Cafferty

66.18 “Building on the work between 2011-2015 can the Administration outline if they have applied for any of the government grant for energy efficiency of public sector buildings and if so what projects will they apply it to?”

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

66.19 “The prevalent external funding source for local authority energy efficiency work would be the government funded Salix Finance loan scheme. However, the council does not have any current applications underway through Salix and have not been involved in the scheme since 2012 as our experience was that the scheme was restrictive in terms of project scope and administratively complex. Salix loan applications are still open to schools who can apply for the fund directly with Salix. These have been advertised to schools by the Energy & Water Team who have organised a workshop and guidance to encourage uptake together with an offer to support any applications but no school has taken up the offer to date.

Since 2015 we have been concentrating our efforts to improve the energy efficiency of Hove Town Hall during the refurbishment works. This project has included the installation of energy efficiency lighting with light and movement sensors; new efficient gas boilers and the removal of oil fired burners; a building management system to allow control of heating and cooling equipment; as well as an extension to the solar panel array.

We also continue to make various improvements to the energy efficiency of other corporate buildings and schools through our annual planned maintenance programmes. These include replacement energy efficient boilers, conversion of oil to gas burners and taking opportunities to improve insulation during relevant projects such as re-roofing programmes.

Property & Design are making good use of the Automated Meter Reading equipment which was rolled out from 2014 to key gas and electricity meters and have successfully used this information to help schools and other public buildings make changes to their heating settings to save money on their bills across the heating season.

The council has been successful in securing the funding for heat networks feasibility studies which have the potential to benefit the energy efficiency of council owned stock and in particular, Housing. Sites include Hove Station, Shoreham Harbour and Eastern Road.

Going forward, the council is in the very early stages of developing an energy plan. This includes exploring potential approaches for community energy generation on school buildings and looking at other options to deliver energy efficiencies, renewables and decentralised energy across the corporate asset portfolio. This project is on-going.”

(j) Councillor Knight

66.20 “The number of UASC we have taken in has risen to 38 and is set to rise. Whilst this is good and welcome news, there is already an overspend on the current budget (mainly resulting from using agency, rather than in-house foster carers). Given this overspend, how does the council propose to manage the financial demand, whilst offering the full support services these young people need and deserve?”

Reply from Councillor Chapman, Deputy Chair of the Children, Young People & Skills Committee

66.21 “The total number of unaccompanied asylum seekers coming to the city is not fixed and has moved up and down in recent months. The Home Office have stated their expectation that no upper tier Authority should have more than 0.07% of the total child population who are unaccompanied asylum seeking children. Their calculation assumes a total child population for the city of 50,951 and therefore a maximum number of unaccompanied asylum seeking children of 36. This therefore means that although our number may go slightly above this figure it is not expected to go significantly above it. The city has been fantastic at welcoming these children and young people and I hope and expect that this welcome will continue in the future.

The Home Office does provide some additional funding to the Council, but although this covers accommodation costs we do not believe that it covers all costs. We have made our concern about this known to the Home Office and through the LGA continue to lobby for additional funding. As you point out this does provide some pressures on the council’s budget – together with a range of other pressures. In response we have been looking to manage the wider demand on the social care system and I’m pleased that the number of children in care across the city has reduced in the last 18 months. In addition we have been working on our placement costs. Recently we have been successful in increasing the number of in house foster carers who support children in care with an estimated saving of about £350,000. We continue to provide good quality support for all of our children in care, including those who are unaccompanied asylum seeking children.”

67 ORAL QUESTIONS FROM COUNCILLORS

67.1 The Mayor noted that 11 oral questions had been received and that 30 minutes were set aside for the duration of the item.

(a) Changing Places

67.2 The Mayor then invited Councillor K. Norman to put his question to Councillor Mitchell.

67.3 Councillor K. Norman asked the following question, "In my time as cabinet member for adult social care and health I was fortunate to be able to officially open the changing places toilets at the colonnade on Madeira Drive. At the time I was keen to see many other such facilities or two or three even across the city. Subsequently we've had one other installed at the Level but currently that appears to be where we stand now.

My question is with £11 million spent on the redevelopment of this building and a changing place toilet costing around £20,000 - £25,000 why was a publicly available changing place toilet not included in Hove Town Hall?"

67.4 Councillor Mitchell replied, "Changing places toilets are an essential facility for people with profound and multiple learning disabilities as well as people with other physical disabilities such as spinal injuries, muscular dystrophy and multiple sclerosis who often need extra equipment and space to allow them to use the toilets safely and comfortably. These needs are indeed met as Councillor Norman has eluded by changing places toilets and Brighton & Hove does currently offer two changing places facilities, situated at the Level and the Colonnade, Madeira Drive. There is also a further facility at the Amex Stadium. There are just 914 changing places toilets within the UK. The cost of a changing places toilet is approximately £12,000-£15,000 with the challenge for most local authorities being the space that is required to install the facility. Whilst changing places is the recommended and preferred option there is now an alternative which can be installed with less space required with a minimum of just 3m by 2.5m required and this is called space to change.

The public toilet contract is going through a tender process. The specification also includes a potential refurbishment programme with investment proposals from the winning contractor. We have stated in the specification our wish to increase the amount of changing places toilets available or the alternative of space to change where the size of the building allows and I will certainly make sure that Councillor Norman's suggestion is taken up through this tender process."

67.5 Councillor K. Norman asked the following supplementary question, "I'm aware of the other types of toilet facilities that are becoming available but they are not as sophisticated as a changing place toilet. I do understand that there are one or possibly two at the Amex Stadium but it is rather out in the sticks so to speak and so I believe it is very short sighted that when we redeveloped this building we did not include one. There are three changing places toilets in Brighton and I think we need to provide at least one in Hove and possibly one in Portslade as well."

67.6 The Mayor noted that there was no actual supplementary question asked and therefore Councillor Mitchell did not need to respond.

(b) Youth Budget

- 67.7 Councillor Phillips asked the following question, “The administration is keen to stress that young people will not lose out because statutory provision of youth services will remain. How does this chime with the 2012 government statutory guidance for local authorities on services and activities for young people which states ‘that it is therefore a local authority’s duty to secure so far as reasonably practicable equality of access to all young people to the positive, preventative and early help they need to improve their wellbeing; this includes youth work and other services.’ So how does the council plan to preserve the necessary statutory guidance around the community and voluntary sector youth work?”
- 67.8 Councillor Chapman replied, “We will of course continue providing the statutory services and more. Some of the services that we will be providing are; the extended adolescent service, the youth offending service, ‘Are You OK’, the Youth Employability Service, Adolescent pods, Extra Time, helping to support YMCA Downslink and the Brighton & Hove Music and Arts.”
- 67.9 Councillor Phillips asked the following supplementary question, “So basically there will be a tiny shred of youth work left with a few schemes. I think this council has a moral duty to provide something particularly on council estates. What is the administration’s position on the comment of the Children, Young People and Skills committee’s previous chair Councillor Bewick who, in response to young people’s concerns, said ‘cuts may be short sighted’ suggesting the plan in place to ensure costs of caring for young people will increase costs to the council over time and does this not suggest that the budget proposal cannot be conceded robust and therefore legal under the Local Government act 2003?”
- 67.10 Councillor Chapman replied, “As I said earlier there are no easy decisions left and the central government grant has decreased dramatically and we are having to make some incredibly tough decisions and this is one of those decisions we don’t want to make but we are put in a very awkward position and I would like to say that the report that we’ve all just agreed to will help answer some of these questions and queries.”

(c) Street Sleepers

- 67.11 Councillor Janio asked the following question, “The answer to my written question tonight shows that the Labour Party are completely confused about how much they spend on street sleepers in the city. I’ve tried to work through the figures but it’s around £4million that they can spend on street sleepers in the city which is an amazing amount of money. Now given that this is a substantial sum and that last week I visited First Base to observe the ‘severe weather emergency planning operation’ where I was able to observe the excellent work that all the teams do down there. Can Councillor Moonan please confirm the main failing of the current arrangements is that the Labour administration has lost control of the London based St. Mungo’s contract that the Conservatives warned would not work and could she please outline any steps she has taken to rectify the situation?”
- 67.12 Councillor Moonan replied, “Sorry, I don’t recognise that we have lost control of the St. Mungo’s contract at all. That service is our street outreach service which is working very

effectively to go out and find and identify rough sleepers in the city and engage them in services.”

67.13 Councillor Janio asked the following supplementary question, “Community Works represent this city’s charities and volunteers across this city. It’s made a few interesting comments on the Labour administration’s budget proposals namely that ‘Brighton & Hove City Council’s strategy for working with the voluntary and community sector is unclear and furthermore we are concerned that there does not appear to be a clear council strategy around working with the community and voluntary sector and even more concentrated directorates, and teams within the directorates do not appear to be speaking to each other. I think that the destruction of the youth services that we’ve heard about tonight is another clear example of the mess the Labour Administration are in.

So can Councillor Moonan confirm tonight the steps that the Labour Party are going to take to get this budget back in place so that they do not permanently destroy the community and voluntary sector in the city?”

67.14 Councillor Moonan replied, “As this chamber knows we have rough sleeper strategy that we developed with our partners which is the most joined up piece of work that this administration, that this council has ever produced with all of our partners working together. It is going to deliver for rough sleepers but unfortunately the reason we have such a large a number in this city are because of the external pressures on people, the vulnerability of their tenancies, the years of austerity. So we have excellent services in this city and we are going to be doing our bit for rough sleepers and we will not rest until we have done everything that we can.”

(d) Community & Voluntary Sector

67.15 Councillor Sykes asked the following question, “We all recognise the very difficult budget context we’re in and I wonder what Councillor Daniel has done, as the chair of the Neighbourhoods, Communities and Equalities Committee, to facilitate discussion across different areas of the council to emphasise the contribution of the voluntary and community sector to budget saving ideas and approaches?”

67.16 Councillor Daniel replied, “I can give details to Councillor Sykes of the meetings I have held both internally and externally including the monthly surgeries that I have held since I’ve taken this post up with the voluntary sector including many phone calls and emails which I have records of. I don’t think I’ve ever been accused of not engaging enough with the voluntary sector before so I’m rather surprised to have that. I think what is at the heart of your question is what are we doing structurally to make sure things are joined up and perhaps referring to part of Councillor Janio’s speech just now. We are undertaking a cumulative impact assessment of the impacts of this budget on the voluntary sector. However, we must bear in mind that the sector itself, just like any sector, is diverse. This has been discussed at the internal leadership meetings as the budget has developed. Nationally since the beginning of public sector savings larger charities have been more resilient. Those with diverse funding streams are able to weather budget choices better. Smaller groups without staff likewise are rarely under threat and many continue to spring up such as the new dementia café in the Patcham area. Who it has been really tough for are those organisations in between and there is

no doubt that it will continue to be tough. We have worked to increase giving through the 'Making Change Count' campaign. We have looked to increase money for charities through textile recycling. I have supported the growth of the new organisation the 'Racial Harassment Forum'. We have protected the funding for domestic violence. I have had meetings over the last few weeks with business in the city determined to help us with our cuts challenge to rough sleeping trying to do their part. I would say Councillor that I have done everything in my power and used every bit of time that I've got to pull together around managing the budget impacts on the voluntary sector."

67.17 Councillor Sykes asked the following supplementary question, "I don't doubt Councillor Daniel's dedication to voluntary sector and her efforts to support the voluntary sector. My question was about what Councillor Daniel has done across the council and council areas to emphasise the contribution of the voluntary and community sector to budget saving approaches and I don't really think got a response to that.

My supplementary is that it is apparent that a combination of the proposed youth service cuts and the proposed third sector investment programme cut has taken elements of the voluntary and community sector by surprise. The extent to which some organisations may lose not just one but two funding streams and that may put some of those organisations that provide services in our city at risk and I would ask Councillor Daniel is this the case, what happened and could things have been managed better?"

67.18 Councillor Daniel replied, "I spent many hours in meetings both with the voluntary sector and across different departments in this council looking at cumulative impact, identifying which organisations are at risk because the council provides their main funding rather than a part of it. We have detailed lists and we are working to support them. Community Works which we have also commissioned through the prospectus funding that's just been announced will also support those organisations and that is not just in terms of youth but across the entire budget we are looking at that but especially in terms of youth we have done an incredible amount of work across this council and I personally have taken a lot of responsibility for making sure those meetings happen."

(e) School Cadet Force

67.19 Councillor Miller asked the following question, "Will the Deputy Chair of Children, Young People and Skills committee please outline what the local education authority are doing to assist schools in the city to create combined cadet forces after the government released £15 million LIBOR fine funding for additional 500 of these schools to be set up and ongoing costs to be provided by the department of defence and if not why not as currently only one school in the city has one?"

67.20 Councillor Chapman replied, "What I would have to do is get back to Councillor Miller as I do not have that information to hand and I will provide a written response."

67.21 Councillor Miller asked the following supplementary question, "We've heard a lot about youth services being cut and I think the Labour Administration are lacking innovation and looking outside as to what is available to provide those youth services from central government in other ways and so would Councillor Chapman please endeavour to think more creatively about how to do that in the future?"

67.22 Councillor Chapman replied, "I would like to think that I do think quite creatively but I will take that away and I'm prepared to meet Councillor Miller to discuss this matter further."

(f) Social Care Precept

67.23 Councillor Page asked the following question, "As many of you will be aware the government has said that councils can have a 3% social care precept added to any council tax rise in the coming year but you'll lose it in a couple of years' time. There seems to be cross party disapproval and clamour almost that the government is not addressing the crisis in funding in social care as well as in the health service so would Councillor Hamilton agree with the leader of Waltham Forest Council who said 'The social care precept is not enough to care for the short fall that this government has created over past decade it still leaves a huge gap and has pushed away the responsibility from central government onto councils' "

67.24 Councillor Hamilton replied, "I think it is fair to say that a lot of us have been disappointed in the reduction in adult social care. Let's just recognise the fact that the government is not giving us any more money for it, it's just saying that we can put your council tax up by 3% rather than 2%. Now I've just been looking at the figures on this and if you do 5%, 5% and 2% as opposed to 4%, 4% and 4% which is what the possibility is over a three year period you would actually get more with the former than the latter but never the less it is going to be not sufficient to meet our needs. If we have the 3% increase in the social care precept this year that brings in about £3.6million in next year's budget we have had to build in £6.6million for adult social care to meet the pressures in the next municipal year. So honestly I quite agree with what you are saying Councillor Page, I think government has not reacted well enough to the situation we are in. All over the country we've got a serious short fall, adult social care when we first looked at the four year budget was meant to carry a certain load of the saving it's just not been possible to carry that load of the savings because when they try to make a saving in one area they get more expenditure in another area."

67.25 Councillor Page asked the following supplementary question, "I'm interested in Councillor Hamilton's calculation by increasing the council tax by 5% this year will mean more income at the end of the three years; so we seemed to be resigned to 5%. Does Councillor Hamilton recall that the previous administration proposed 3.5% and his party were very disapproving and voted against it? What is the difference between 5% this year and 3.5% two years ago?"

67.26 Councillor Hamilton replied, "Honestly I can't really remember the details of that. I know that we did not vote for an increase at that particular time and subsequently we hadn't done so as we didn't think the referendum was going to make it through. I don't think there is any point now in going back over history. We are in a situation now where we can legally set a 5% budget and I think we are in a situation now where financially things are a lot more serious and obviously we've got to raise the maximum that we can and it's up to my colleagues on the adult social care side to see what they going to do about this but as far as I am concerned it is the right thing now to go forward with the maximum increase we can get with a view to providing the best services we can with the money that we can possibly get our hands on."

(g) Planning Development Staff

67.27 Councillor Nemeth asked the following question, “My question relates to the written response on page nine of the addendum today in which it is stated that 25% of planning staff have resigned since May 2015 which is the highest of all similar teams in the council and double that of the preceding period. Can I please have some explanation of the events of May 2015 and the following months which have led to some of our brightest, best and most experienced officers leaving to work for surrounding local authorities?”

67.28 Councillor Cattell replied, “Actually if you read the response it actually says that its actually 19% not 25% because if you read the answer it does actually talk about some posts which were removed due to restructuring which began under the previous administration. I’m not in the office every day; I’m not part of the planning team so I don’t know what events led to staff leaving. I’m wondering if it was perhaps because of those people had actually reached the top of their grades and they went off to well paid jobs in other authorities. Well paid jobs in local authorities in the South East in planning do not come up very often. You either have to travel up to London, take on temporary or agency work or move into the private sector. I know from my experience working as a planner that you are always keeping your eye out for jobs and if a whole load of jobs come up at once like they did at Horsham, Mid-Sussex and Lewes I’m not surprised that those people left. Fortunately most of those posts have now been filled, we’ve also had the opportunity to bring up our younger staff who came in at the bottom who have now been promoted and have got more experience. I’m actually excited that we have the opportunity to train our staff and to make sure we keep them and we can also bring in staff at the bottom end.”

67.29 Councillor Nemeth asked the following supplementary question, “What assessment has been made in terms of morale of the huge pressure that is being placed on the younger planning staff that Councillor Cattell mentioned to massage the figures by forcing architects and applicants to agree time extensions?”

67.30 Councillor Cattell replied, “Sorry Councillor Nemeth, I don’t actually understand what you mean by massage the figures. I presume you’re talking about extensions of time which is actually used by every single local authority as you have been told on many occasions. As for morale; morale is not low, morale is very high. The staff have worked very hard, they have been praised for their hard work and I simply don’t recognise as ever the portrait that you paint of our planning service which I again will say is absolutely brilliant and I support all of the staff and their hard work. We’ve made lots of improvements in the planning service as you well know and I don’t think I have to go through them again as I’ve told you about them on many occasions.”

(h) Youth Service

67.31 Councillor Knight asked the following question “Please can the Deputy Chair of the Children Young People & Skills Committee assure us that we will have the results of the youth service consultation by midday on the 15 February giving us enough time to read them before budget council?”

67.32 Councillor Chapman replied, “Yes I can.”

67.33 Councillor Knight asked the following supplementary question, "Please can the Deputy Chair of the Children Young People & Skills Committee tell me why the youth service consultation ends after any chance of committee recommendations?"

67.34 Councillor Chapman replied, "We will have a dialogue with cross-party colleagues and of course this report will be available to all councillors before the budget council next month."

(i) Houses in Multiple Occupation

67.35 Councillor Hyde asked the following question, "Article 4 restricting numbers of HMOs in certain areas is not working, especially in Moulsecomb, Bevendean, Coldean, Coombe Road and the Lewes Road areas. We continue to receive numerous planning applications for family homes to become HMOs and existing HMOs which are 3 or 4 bedrooms to be increased to 6 or 7 bedrooms. At a planning committee 3 or 4 months ago I said to the chair 'it's your administration' which needs to change this and all of the committee members agreed; why has this not changed?"

67.36 Councillor Cattell replied, "Councillor Hyde you are a very experienced member of planning committee, you have chaired it, you are very familiar with the process of how local plans are developed and of the processes which they have to go through. Therefore I would have thought you would have realised with all the experience as a planning councillor that you cannot just go and change a policy which is an adopted local plan and which was only adopted last year. I know you were mayor at the time but you know that it's been adopted. We are actually looking at reviewing this. Any review has to go through the government and a full consultation process. We have already started looking at this."

67.37 Councillor Hyde asked the following supplementary question, "You say you are going to look at it but can you just confirm that you are looking at it and give me some sort of time line please?"

67.38 Councillor Cattell replied, "It is part of the city plan review and I will give you the exact dates of that in a written response."

(j) Migrant Workers Day

67.39 Councillor Littman asked the following question, "As Councillor Daniel will be aware British residents from migrant communities are planning a nationwide set of events on the 20 February which is the UN world day of justice to show how important migration is to the UK, including to Brighton & Hove and our local economy and to highlight how precarious the position of migrants now is in this country. Under these circumstances may I ask her how her Administration is going to support council staff who feel the need to define their rights by joining the protest and to encourage other local employers to follow suit?"

67.40 Councillor Daniel replied, "I really support the overall message of the day and the recommendation that I would like to see through, but it would obviously take agreement from all groups that we do celebrate our staff and maybe do some further work through a comms exercise and a meeting and what we do is showcased and highlighted to the

city our pride in our migrant workforce and in the migrant people within the city. Whilst we haven't had an increase in hate crime I do go to the Racial Harassment Forum and I the One Voice Partnership and community feedback is that there is a sense of fear and a sense of worry in migrant communities and individuals and I think it is really important that we show leadership and no matter what's happening internationally or nationally I would ensure residents that there is not one councillor in this chamber that they couldn't go to if they were worried or scared or felt the need for support to talk about any fears they have either at work or in this city. There is not one bigoted councillor in this room and you can go to all of us with absolute confidence."

67.41 Councillor Littman asked the following supplementary question, "I am very pleased to hear that we will be aiming to do something like that. The second half of my question wasn't answered which is what we can do to get other organisations to follow suit so I'd like to combine that with my supplementary question which is what will do going forward that those members of staff or of the wider community who have come from a wider background are defended and support of the increasing uncertainty and potentially toxic future should the UK chose to follow the path to Brexit?"

67.42 Councillor Daniel replied, "I think we've got a very important leadership role to play. Not only as an administration but this is something for all of. How we treat people, and what we will and won't tolerate is a leadership role that we have as Councillors, within our local communities and across the city as a whole. I think we lead by example I certainly do and I know many of you take a proactive approach. I wish that people from EU countries who are here at the moment did have the security of knowing that they wouldn't be asked to move and I wish that they already had that. I will continue to press for that and to support anyone who does. It is also worth remembering that we are the only people that many EU residents living in the city can vote for. Councillors are there only form of democracy that is accessible to them so it's especially relevant to them. Our duty as an employer we will be tackling through our equalities work which is on the agenda today."

(k) Easylink

67.43 Councillor Druitt asked the following question, "Easy Link is a service provided by Brighton & Hove community transport on behalf of the council. It provides 20,000 journeys a year to members of our community who otherwise could not get out an about very easily. All customers in the survey last year were over 55, 13% were over 90, 56% were between 80-90 and 82% of passengers daily activities are impacted by health or disability. Can the lead member for adult social care tell us what the long term equalities impact of removing funding from the Easy Link supported bus service and the likely financial implications on the social care budget in the years to come if the service if removed?"

67.44 Councillor Barford replied, "We know we do have a funding issue and this is one of the areas we can highlight as one of the difficult decisions we've had to make in this budget and we're certainly not saying it's not a valued service for the people who use it. It is a valued shopping service in particular. One of the things I know over the past few months and years is trying to redirect that more towards adult social care eligibility. The current contract does come to an end in June 2017 and it isn't directly linked to adult social care eligibility but I can reassure you that anybody that is eligible for adult social care needs

or feels that they may do if they haven't got the support already can actually access AccessPoint and speak to somebody and have an assessment there. We'll also be providing details of other options that are available to people in the city. Obviously this service came before there were free bus passes and also the requirement to have accessible transport for vehicles with over 22 seats. There's a lot that's been going on. There is also a transport subgroup that's happening at the moment and they are really looking at those issues. We're also involving the community and voluntary sector in that but we do recognise that it will be difficult for that change and we do need to make sure there is something in the city for them to be able to access. One of the other things which Councillor Daniel talked about earlier is the neighbourhoods approach that we are looking at and we know that from the survey a lot of people said they wanted to get their services more locally and some people were going out to Newhaven and to Shoreham to do their shopping so what we want to do is provide those services locally. So it might not be the shopping service in particular that they are looking for but it's that social interaction. A lot of the work around the city and City Wide Connected in particular have got all that detail and that's something that we'll be providing to local residents and clients that use that service."

67.45 Councillor Druitt asked the following supplementary question, "It raises a number of issues. The first thing I think is that it is important to recognise is that the budget for easy link was moved from the public transport into the social care budget and that was done by the council and that wasn't done by community transport and community transport were in agreement with that change but it's difficult now to then say a couple of years later that eligibility criteria means that the service can't be funded any more. I think however the real issue which wasn't really answered fully is around the financial implications on the social care budget. We heard with the youth services question how actually taking funding away from that service just stacks up problems in the future and this is exactly the same thing that we are hearing now. What are the implications for the budget for social care if this service is taken away and if their service has even been asked?"

67.46 Councillor Barford replied, "There is more detail in the equalities impact assessment and it does cover the travel aspect of that. So whether it is sitting in adult social care or transport it would still come under the same scrutiny around the budget area. In terms of individuals and the financial impact on the adult social care budget in the future we want to continue to be able to support the people who need it and so therefore that's something we want to do now and we want to be able to provide them with options post June. It's not something that we're building up for later we want to be able to deal with it but we think we can do it in a different way by working more collaboratively with organisations across the city and that is something the transport subgroup is looking at presently."

68 CALL OVER FOR REPORTS OF COMMITTEES.

(a) Callover

68.1 The Head of Democratic Services confirmed that the following items on the agenda had been reserved for discussion:

Item 69 - Decision to Opt in to the National Scheme for Auditor Appointments;

- Item 71 - Adoption of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Site Plan;
- Item 72 - Appointment of Chair and Deputy Chair of the Children, Young People & Skills Committee

(b) Receipt and/or Approval of Reports

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

- Item 70 - BHCC Equality & Inclusion Policy

(c) Oral Questions from Members

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

69 DECISION TO OPT IN TO THE NATIONAL SCHEME FOR AUDITOR APPOINTMENTS

- 69.1 Councillor A. Norman introduced the report which detailed the recommendation from the Audit & Standards Committee to opt-in to the National Scheme for Auditor appointments. She noted that with effect from the 2018/19 financial year public bodies were required to appoint their own external auditors hence the recommendation to adopt the appointment process. She also noted that the vast majority of local authorities had indicated an intention to join the national scheme.

- 69.2 Councillor Robins stated that he fully supported the recommendations contained in the report and extract from the committee meeting.

- 69.3 Councillor A. Norman stated that she wished to thank the committee members for their work and hoped that the council would support the recommendation.

- 69.4 The Mayor noted that the recommendations of the Audit & Standards Committee had been moved and put them to the vote, which was agreed.

69.5 RESOLVED:

- (1) That the Council opt-in to the national scheme and adopt PSAA as the appointing person for the Council including in the prescribed acceptance form a request for a collaborative auditor appointment with Surry County Council and East Sussex County Council; and
- (2) That the process of acceptance of the invitation be delegated to the Executive Director for Finance & Resources as the Council's S151 Officer.

Note:

- 69.6 The Mayor then adjourned the meeting for a refreshment break at 7.20pm.

69.7 The Mayor reconvened the meeting at 8.00pm.

70 BHCC EQUALITY & INCLUSION POLICY

70.1 **RESOLVED:** That the new Equality & Inclusion Policy Statement and Strategy as recommended by the Neighbourhoods, Communities & Equalities Committee be approved.

71 ADOPTION OF THE EAST SUSSEX, SOUTH DOWNS AND BRIGHTON & HOVE WASTE AND MINERALS SITES PLAN

71.1 Councillor Mitchell introduced the report which detailed the outcome of the public examination of the East Sussex, South Downs and Brighton & Hove Waste & Minerals Sites Plan (WMSP) and sought approval for the formal adoption of the Plan. She noted that it had a number of ambitious targets and that the plan had been unanimously agreed by both Policy Resources and the Council in 2015. A small number of amendments had then been put to the Government Inspector which had been accepted. She noted that both East Sussex County Council and the South Downs National Park Authority had approved the Plan and stated that she could not accept the Conservative amendment that had been circulated and would result in a need to start the whole process over again.

71.2 Councillor Janio formally moved an amendment on behalf of the Conservative Group to the recommendations of the Policy, Resources & Growth Committee as detailed in the extract from the meeting. He stated that there was a need to secure the future of Hangleton Bottom and ensure it could not be developed, hence the need to remove it from the Plan.

71.3 Councillor Lewry formally seconded the amendment.

71.4 The Mayor then called on the Monitoring Officer to clarify the situation.

71.5 The Monitoring Officer stated that the adoption of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Site Plan was regulated by the Countryside & Planning Act 2004, Section 3. This meant that a plan could not be approved that was not in line with the recommendations of the examining Inspector. If the proposal to remove Hangleton Bottom from the Plan was carried, it would not comply with the legal requirements and would result in the council giving an intention to return to square one and start the process again. He stated that minor non-material changes were permitted but this would be a significant change. The Plan was also jointly owned by East Sussex County Council and the South Downs National Park Authority and any alterations would need to be agreed by all 3 bodies, which was unlikely at this stage.

71.6 Councillor Atkinson noted that Hangleton Bottom was in North Portslade Ward and had been the subject of interest for a bio-fuel plant. There had been meetings with residents last year to outline the ideas for the plant, however they were only ideas and no formal planning application had been made to date. If anything was to come forward it was likely to take some time and could result in a Public Inquiry. He noted Councillor Janio's

concerns for the site and was sure that these would be taken into account but could not see the need for the proposed amendment.

- 71.7 Councillor Mac Cafferty stated that he would fully expect local ward councillors to raise questions but the future of the site, but could not support the amendment. There was a need to have an adopted plan in place and without one; there could be serious consequences for the city. He therefore hoped that the Plan could be approved.
- 71.8 Councillor Mitchell stated that she wished to echo the comments of Councillor Mac Cafferty. There was a need to have a Plan in place and therefore hoped that the recommendations could be supported.
- 71.9 The Mayor noted that the Conservative amendment had not been accepted and put it to the vote, which was lost by 18 votes to 34 as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen		X		Marsh		X	
2	Atkinson		X		Meadows		X	
3	Barford		X		Mears	✓		
4	Barnett	✓			Miller	✓		
5	Bell	Not Present			Mitchell		X	
6	Bennett	✓			Moonan		X	
7	Bewick		X		Morgan		X	
8	Brown	✓			Morris		X	
9	Cattell		X		Nemeth	✓		
10	Chapman		X		Norman A	✓		
11	Cobb	✓			Norman K	✓		
12	Daniel		X		O'Quinn		X	
13	Deane		X		Page		X	
14	Druitt		X		Peltzer Dunn	Not present		
15	Gibson		X		Penn		X	
16	Gilbey		X		Phillips		X	
17	Greenbaum		X		Robins		X	
18	Hamilton		X		Russell-Moyle		X	
19	Hill		X		Simson	✓		
20	Horan		X		Sykes		X	

21	Hyde	✓			Taylor	✓		
22	Inkpin-Leissner		X		Theobald C	✓		
23	Janio	✓			Theobald G	✓		
24	Knight		X		Wares	✓		
25	Lewry	✓			Wealls	✓		
26	Littman		X		West		X	
27	Mac Cafferty		X		Yates		X	
					Total	18	34	0

71.10 The Mayor then put the recommendations of the Policy, Resources & Growth Committee as moved to the vote, which were carried by 34 votes to 18 as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen	✓			Marsh	✓		
2	Atkinson	✓			Meadows	✓		
3	Barford	✓			Mears		X	
4	Barnett		X		Miller		X	
5	Bell	Not Present			Mitchell	✓		
6	Bennett		X		Moonan	✓		
7	Bewick	✓			Morgan	✓		
8	Brown		X		Morris	✓		
9	Cattell	✓			Nemeth		X	
10	Chapman	✓			Norman A		X	
11	Cobb		X		Norman K		X	
12	Daniel	✓			O'Quinn	✓		
13	Deane	✓			Page	✓		
14	Druitt	✓			Peltzer Dunn	Not present		
15	Gibson	✓			Penn	✓		
16	Gilbey	✓			Phillips	✓		
17	Greenbaum	✓			Robins	✓		

18	Hamilton	✓			Russell-Moyle	✓		
19	Hill	✓			Simson		X	
20	Horan	✓			Sykes	✓		
21	Hyde		X		Taylor		X	
22	Inkpin-Leissner	✓			Theobald C		X	
23	Janio		X		Theobald G		X	
24	Knight	✓			Wares		X	
25	Lewry		X		Wealls		X	
26	Littman	✓			West	✓		
27	Mac Cafferty	✓			Yates	✓		
					Total	34	18	

71.11 RESOLVED:

- (1) That the responses to the consultation on main modifications to the WMSP and contents of the Inspector's report with his conclusion that the WMSP is legally compliant and 'sound' be noted; and
- (2) That the WMSP, incorporating the Main Modifications and minor modifications, as part of the Development Plan for the City be adopted, subject to the Head of City Planning agreeing any further minor non-material changes to the text of the Waste and Minerals Plan with East Sussex County Council and the South Downs National Park Authority.

72 APPOINTMENT OF CHAIR & DEPUTY CHAIR TO THE CHILDREN, YOUNG PEOPLE & SKILLS COMMITTEE

- 72.1 The Mayor noted there was a need to appoint to the vacant role of Chair of the Children, Young People & Skills Committee and called on Councillor Morgan to move the appointment.
- 72.2 Councillor Morgan formally moved that Councillor Chapman be appointed as the Chair of the Children, Young People & Skills Committee and that Councillor Penn be appointed as the Deputy Chair of the Committee.
- 72.3 Councillor Mitchell formally seconded the nominations.
- 72.4 The Mayor noted that no other nominations had been made and put the proposals to the vote which were carried.

72.5 **RESOLVED:** That Councillors Chapman and Penn be appointed as the Chair and Deputy Chair of the Children, Young People & Skills Committee respectively for the remainder of the municipal year.

73 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION:

(a) Making Vacant Buildings Available for Use as Homeless Shelters

73.1 The Notice of Motion as listed in the agenda was proposed by Councillor Druitt on behalf of the Green Group and seconded by Councillor Gibson.

73.2 Councillor Meadows moved an amendment on behalf of the Labour & Co-operative Group, which was seconded by Councillor Moonan.

73.3 The Mayor noted that the Labour & Co-operative amendment had not been accepted and put it to the vote, which was lost by 22 votes to 29 against as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen	✓			Marsh	Not present		
2	Atkinson	✓			Meadows	✓		
3	Barford	✓			Mears		X	
4	Barnett		X		Miller		X	
5	Bell	Not present			Mitchell	✓		
6	Bennett		X		Moonan	✓		
7	Bewick	✓			Morgan	✓		
8	Brown		X		Morris	✓		
9	Cattell	✓			Nemeth		X	
10	Chapman	✓			Norman A		X	
11	Cobb		X		Norman K		X	
12	Daniel	✓			O'Quinn	✓		
13	Deane		X		Page		X	
14	Druitt		X		Peltzer Dunn	Not present		
15	Gibson		X		Penn	✓		
16	Gilbey	✓			Phillips		X	
17	Greenbaum		X		Robins	✓		
18	Hamilton	✓			Russell-Moyle	✓		

19	Hill	✓			Simson		X	
20	Horan	✓			Sykes		X	
21	Hyde		X		Taylor		X	
22	Inkpin-Leissner	✓			Theobald C		X	
23	Janio		X		Theobald G		X	
24	Knight		X		Wares		X	
25	Lewry		X		Wealls		X	
26	Littman		X		West		X	
27	Mac Cafferty		X		Yates	✓		
					Total	22	29	0

73.4 The Mayor then put the following motion as listed in the agenda to the vote:

“That the Council requests the Policy, Resources & Growth Committee to commission and give consideration to an urgent report that would enable the city council to:

1. Make policy that allows for all vacant City Council buildings to be made freely available for use as temporary homeless shelters, to be run by community charity and voluntary organisations that are able and willing to do so;
2. Publicises the availability of vacant City Council buildings to the voluntary and community sector, and calls for expressions of interest from the community to operate these spaces;
3. Make preparations for this at the earliest possible time, given the onset of winter, and offers clear guidance frameworks and assistance to all interested groups, particularly with navigating any regulatory requirements; and
4. Sets Terms of Reference for use of the spaces, Conditions of use and clearly details the arrangements for reclaiming possession of the relevant premises when circumstances require it.”

73.5 The Mayor confirmed that the motion as listed had been carried by 51 votes to 0 votes as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen	✓			Marsh	Not present		
2	Atkinson	✓			Meadows	✓		
3	Barford	✓			Mears	✓		
4	Barnett	✓			Miller	✓		
5	Bell	Not present			Mitchell	✓		

6	Bennett	✓			Moonan	✓		
7	Bewick	✓			Morgan	✓		
8	Brown	✓			Morris	✓		
9	Cattell	✓			Nemeth	✓		
10	Chapman	✓			Norman A	✓		
11	Cobb	✓			Norman K	✓		
12	Daniel	✓			O'Quinn	✓		
13	Deane	✓			Page	✓		
14	Druitt	✓			Peltzer Dunn	Not present		
15	Gibson	✓			Penn	✓		
16	Gilbey	✓			Phillips	✓		
17	Greenbaum	✓			Robins	✓		
18	Hamilton	✓			Russell-Moyle	✓		
19	Hill	✓			Simson	✓		
20	Horan	✓			Sykes	✓		
21	Hyde	✓			Taylor	✓		
22	Inkpin-Leissner	✓			Theobald C	✓		
23	Janio	✓			Theobald G	✓		
24	Knight	✓			Wares	✓		
25	Lewry	✓			Wealls	✓		
26	Littman	✓			West	✓		
27	Mac Cafferty	✓			Yates	✓		
					Total	51	0	0

73.6 The motion was **carried**.

(b) Our Services Our Say

73.7 The Notice of Motion as listed in the agenda was proposed by Councillor Littman on behalf of the Green Group and seconded by Councillor Sykes.

73.8 The Mayor then put the following motion as listed to the vote:

“This Council requests that the Leader of the Council:

1. Write to the We Own It campaign to express our support for their 'Our Services, Our Say' campaign;
2. Write a statement, to be made available through both the Council's and the We Own It websites; explaining what the Council is doing in practical terms to support and protect the principles of transparency, accountability, and people before profit; and
3. Write to the Cabinet Office to propose that the FOI regime be extended to cover contracts with private providers, including the scope for an FOI provision to be included in standard contract terms."

73.9 The Mayor confirmed that the motion had been lost by 11 votes to 18 with 22 abstentions as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	Allen			Ab	Marsh	Not present		
2	Atkinson			Ab	Meadows			Ab
3	Barford			Ab	Mears		X	
4	Barnett		X		Miller		X	
5	Bell	Not present			Mitchell			Ab
6	Bennett		X		Moonan			Ab
7	Bewick			Ab	Morgan			Ab
8	Brown		X		Morris			Ab
9	Cattell			Ab	Nemeth		X	
10	Chapman			Ab	Norman A		X	
11	Cobb		X		Norman K		X	
12	Daniel			Ab	O'Quinn			Ab
13	Deane	✓			Page	✓		
14	Druitt	✓			Peltzer Dunn	Not present		
15	Gibson	✓			Penn			Ab
16	Gilbey			Ab	Phillips	✓		
17	Greenbaum	✓			Robins			Ab
18	Hamilton			Ab	Russell-Moyle			Ab
19	Hill			Ab	Simson		X	
20	Horan			Ab	Sykes	✓		
21	Hyde		X		Taylor		X	

22	Inkpin-Leissner			Ab		Theobald C		X	
23	Janio		X			Theobald G		X	
24	Knight	✓				Wares		X	
25	Lewry		X			Wealls		X	
26	Littman	✓				West		✓	
27	Mac Cafferty	✓				Yates			Ab
						Total	11	18	22

73.10 The motion was **lost**.

(c) Roadside Litter

73.11 The Notice of Motion as listed in the agenda was proposed by Councillor G. Theobald on behalf of the Conservative Group and seconded by Councillor Janio.

73.12 Councillor Littman moved an amendment on behalf of the Green Group, which was seconded by Councillor Mac Cafferty.

73.13 The Mayor noted that the Green amendment had not been accepted and put it to the vote which was carried by 31 votes to 18 as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen	✓				Marsh	Not present	
Atkinson	✓				Meadows	✓	
Barford	✓				Mears		X
Barnett		X			Miller		X
Bell	Not present				Mitchell	✓	
Bennett		X			Moonan	✓	
Bewick	✓				Morgan	✓	
Brown		X			Morris	✓	
Cattell	✓				Nemeth		X
Chapman	✓				Norman A		X
Cobb		X			Norman K		X
Daniel	✓				O'Quinn	Not present	
Deane	✓				Page	✓	

Druitt	✓				Peltzer Dunn	Not present		
Gibson	✓				Penn	✓		
Gilbey	✓				Phillips	✓		
Greenbaum	✓				Robins	✓		
Hamilton	✓				Russell-Moyle	✓		
Hill	✓				Simson		X	
Horan	✓				Sykes	✓		
Hyde		X			Taylor		X	
Inkpin-Leissner	✓				Theobald C		X	
Janio		X			Theobald G		X	
Knight	✓				Wares		X	
Lewry		X			Wealls		X	
Littman	✓				West	✓		
Mac Cafferty	✓				Yates	✓		
					Total	31	18	0

73.14 The Mayor the put the following motion as amended to the vote:

“This Council recognises that elements of the Government’s recently leaked new Litter Strategy, in particular the plan to give councils the power to issue fixed penalty notices to drivers who allow litter to be thrown from their cars onto the roadside, may alleviate the current roadside litter problem.

However, this Council recognises that the proposals fail to provide the additional funding required for local Councils and Highways England to adequately conduct litter picking and detritus removal across all areas of our natural environment.

Given the appalling state of the verges and environment on some of Brighton & Hove’s natural spaces, including our beaches and key arterial roads, this Council:

- (i) Calls on the Chief Executive to write to the Secretary of State for the Environment urging her to introduce such funding and the measures in the new Strategy as a matter of urgency and to allocate additional resources to enable them to be effectively implemented;
- (ii) Requests that the Chair of the Environment, Transport & Sustainability Committee meets with the Council’s enforcement contractor at the earliest opportunity to discuss how the new powers could be introduced in Brighton & Hove.”

73.15 The Mayor confirmed that the motion as amended had been carried by 31 votes to 18 as detailed below:

	For	Against	Abstain		For	Against	Abstain
Allen	✓			Marsh	Not present		
Atkinson	✓			Meadows	✓		
Barford	✓			Mears		X	
Barnett		X		Miller		X	
Bell	Not present			Mitchell	✓		
Bennett		X		Moonan	✓		
Bewick	✓			Morgan	✓		
Brown		X		Morris	✓		
Cattell	✓			Nemeth		X	
Chapman	✓			Norman A		X	
Cobb		X		Norman K		X	
Daniel	✓			O'Quinn	✓		
Deane	✓			Page	✓		
Druitt	✓			Peltzer Dunn	Not present		
Gibson	✓			Penn	✓		
Gilbey	✓			Phillips	✓		
Greenbaum	✓			Robins	✓		
Hamilton	✓			Russell-Moyle	✓		
Hill	✓			Simson		X	
Horan	✓			Sykes	✓		
Hyde		X		Taylor		X	
Inkpin-Leissner	✓			Theobald C		X	
Janio		X		Theobald G		X	
Knight	✓			Wares		X	
Lewry		X		Wealls		X	
Littman	✓			West	✓	X	
Mac Cafferty	✓			Yates	✓		
				Total	31	18	0

73.16 The motion was **carried**.

74 CLOSE OF MEETING

The meeting concluded at 9.55pm

Signed

Chair

Dated this

day of

2017