

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 19 APRIL 2018

COUNCIL CHAMBER - BRIGHTON TOWN HALL

MINUTES

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

PART ONE

81 DECLARATIONS OF INTEREST

- 81.1 Councillor Nemeth declared a personal but not prejudicial interest in Item 94(4) Notice of Motion on Hove Library Planning Application, as his daughter attended the nursery that was associated with the planning application.
- 81.2 Councillor Platts declared personal and non-prejudicial interest in Item 94(3), Notice of Motion on Women Against State Pension Injustice (WASPI) Campaign as she ran a publicity company that had been involved with the campaign organisers;
- 81.3 Councillor Bell also declared a non-prejudicial interest in Item 94(3) as his partner was a co-signee to an amendment to the Bill concerning WASPI;
- 81.4 Councillors Janio and Druitt declared a personal and non-prejudicial interest in Item 96(6), Notice of Motion regarding Commercial Recycling for Small Businesses on the basis that Councillor Janio's partner was a small trader and Councillor Druitt ran a small business in the city;
- 81.5 No other declarations of interests in matters appearing on the agenda were made.

82 MINUTES

- 82.1 The minutes of (a) the Special meeting held on the 1st February, 2018, (b) the last Ordinary meeting held on the 1st February, 2018, and (c) the Budget meeting held on the 22nd February, 2018 were approved and signed by the Mayor as a correct record of the proceedings.

83 MAYOR'S COMMUNICATIONS.

- 83.1 The Mayor stated that she wished to give her congratulations to the winning team of council staff, which recently represented Brighton & Hove in the Local Authority Challenge. The team spent the day as the management team of a fictional local authority, encountering many of the tasks that a real corporate team would deal with. They had to work as a team, with neighbouring councils and with partner organisations to deliver a new strategy for the council. The Mayor then invited the staff who made up the team come up to accept their awards along with Councillor Morgan.
- 83.2 The Mayor stated that she would like to encourage all councillors to take part in the forthcoming 'Blue and White Day' on the 27th April to show support for Albion in the Community. People were encouraged to post photos or videos of themselves in blue and white on social media. Lots of businesses and schools from around the city would be taking part and posting images of themselves and it would be fantastic to have some of the councillors involved.

84 TO RECEIVE PETITIONS AND E-PETITIONS.

- 84.1 The Mayor invited the submission of petitions from councillors and members of the public. He reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.
- 84.2 Councillor Wealls presented a petition signed by 209 residents concerning Hove Library.
- 84.3 The Mayor noted that a further petition concerning parking in Vale Park had been notified but the petitioner was not present.

85 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

- 85.1 The Mayor reported that 7 written questions had been received from members of the public and invited Mr. Hawtree to come forward and address the council.
- 85.2 Mr. Hawtree thanked the Mayor and asked the following question; "Would Councillor Daniel please tell us why the cross-Party working group for Hove's Carnegie Library was not told that proposals for basement use would entail further loss of public space on the ground floor?"
- 85.3 Councillor Daniel replied; "The overall changes to Hove Library were on the agenda of the Members Cross Party Working Group for some time, including the one held in October 2017. There was a general discussion on this issue but, it is true that the detailed plans were not presented at this meeting as they were not ready at that point. There was however a general agreement from that Working Party that works should be progressed as quickly as possible in order not to lose the local nursery provision, who wanted to move in as soon as possible.

The alteration to create staff space became evident as plans developed, subsequently the detailed plans, which have now received planning consent, went out for a 28 day

public consultation. Normally its 21 but because it crossed the Christmas break officers added time to that consultation period and then those plans were taken to the next Hove Library Members Working Group on 12th March. Obviously papers were circulated to those Members a week before as I understand it and Members discussed these proposals and asked questions. I would also point out that we all receive these applications in our emails as a matter of course; however I do agree that it would have been ideal to flag this application to the Working Group in case they missed it in their general email inbox. The discussions at the last working party meeting did cover that the fact that there were some comments on the plans during that public consultation and particularly what was discussed was the loss of shelving space on the ground floor and this has been confirmed that there will be no loss of shelving space, it will be re-provided making use of walls that are not currently being used for shelving so I would like to reassure you on that point. As the applicant of course, if at this point in March the Working Group Members had raised concerns about this work on the ground floor we would be able to report it as it is our project and check in on those concerns. Just because a planning consent is given that actually does not mean we have to use it immediately. At this point though it seemed that Members were happy with the progress and the explanation around the shelving space and obviously now I understand that things appear to have changed and I will be meeting with the Working Group next week to re-visit this conversation and to evaluate the implications for the budget and plans of any delays that are caused. I hope that this is helpful.

- 85.4 Mr. Hawtree asked the following supplementary question; "As we have seen from the petition and the Notice of Motion months later they feel as though they have been traduced and as such will Councillor Daniel now assure us that steps towards disciplinary measures will be brought to bear upon the Head of Libraries who put in this application whose previous post here was Head of Security at the Pavilion.
- 85.5 Councillor Daniel replied; "I believe it is inappropriate for me to reply that as I would legally not be allowed to answer."
- 85.6 The Mayor thanked Mr. Hawtree for attending the meeting and his questions and invited Ms. Paynter to come forward and address the council
- 85.7 Ms. Paynter thanked the Mayor and asked the following question; "Can you explain, please, the motive and reasoning behind the Planning Department's unusual decision not to provide any neighbour consultee lettering whatsoever for either BH2017/03940 or BH2018/00469 - the 2 currently controversial planning applications intended to alter Hove's Grade 2 Listed Carnegie Library both physically and functionally?"
- 85.8 Councillor Cattell replied, "I would like to start by correcting your contention that the instances you cite are unusual. It is in fact a long established practice in Brighton & Hove Planning that adjoining neighbours are not consulted on listed building applications. This is not to say that those applications are not properly or publically advertised. They are correctly advertised in accordance with planning and listed building legislation. This involves site notices displayed on and near the site in some cases there will be more than one notice depending on the complexity and where the site is. There is also a press notice which goes in the local press which in our case is the Brighton & Hove Independent. If you look at the planning register on the council's website you can look at any application with listed building consent and just click on the

consultations tab you will see that there are no neighbour consultations. I actually looked back at about three years' worth the other day just to make sure. If however the works proposed on a listed building application involve an operation that also requires planning permission that is when the neighbour consultations are sent out.

Turning to the more recent application for this listed building consent, this is the (BH2018/00469) this has been submitted by Hove Village Day Nursery Limited. They are the prospective occupants of the basement, this proposal does actually require a planning application and now one has been submitted, the reference is (BH2018/01123) and it has been registered. The neighbour letters will be going out tomorrow. I checked with the case officer earlier today and I can confirm that neighbouring properties which will be potentially affected by the proposed works have been included. Once the application is showing as 'under consideration' on the planning website you will be able to see for yourself. Again if you just click on the button that says consultations and you can see who has been consulted. Finally you mention that proposed works under consideration will alter the function of the library. However, in planning terms the uses of the library and the uses of the nursery both fall under class D1 of the Planning Use Classes Order, therefore an application for change of use is not required in this case."

- 85.9 Ms. Paynter asked the following supplementary question; "Can you say please why the practice of providing neighbour consultation and consultee letters for listed applications was abolished and perhaps you could say when."
- 85.10 Councillor Cattel replied; "2004 is a long time ago I don't know when the procedure changed, but I can assure you that it is the case now, that we don't send out letters for any works for listed building consent. Look at the planning application for Kings House, there will be no neighbour letters. I honestly don't know why there wasn't a planning application to go with the one you quoted from 2004 but, I am sure, this will be resolved once the Head of Planning has recalled the file from Newhaven, where we keep the paper records. There was a time when we didn't actually put all the paperwork on the website, that only started fairly recently. In fact it has only been under this administration that all paperwork to do with all planning applications and other applications has actually gone on the site so I can answer some of the question but not all of it. I will defer to the Head of Planning when she comes back to you to make those explanations."
- 85.11 The Mayor thanked Ms. Paynter for attending the meeting and her questions, and invited Ms. Wilcock to come forward and address the council.
- 85.12 Ms. Wilcock thanked the Mayor and asked the following question; "What factors does the Council take into account when determining a planning application submission date for its own land or property?"
- 85.13 Councillor Cattell replied, "When considering when to submit a planning application for its own land or property the Council will consider the programme or timetable relating to the specific project for which planning permission is required. Projects would normally have a business case or project plan with the timing of submission of the planning application forming one of the milestones of the project plan."

In determining a planning application date? I'll be honest I don't know because there are a lot of factors that will be determining that, and sometimes if there is a project, then they will work back from the dates of which they expect the project to happen, everybody does that. I was a planning consultant and that is exactly what I used to advise my clients, you work back from a certain date. So I always make sure to add a little bit on, because you can never tell when a planning application will possibly end up at a planning committee. You can't say for sure whether an application will go to committee or whether it won't, there are so many different factors to determine. All major applications, that is applications with ten or more housing units or I think it is 10,000sq m of floor space (it is a long time since I have been in practise) that go to committee and most minor ones, they will come to committee if they hit certain criteria which is laid out in our Scheme of Delegation. When it comes to a business case the council will build in a bit of float to see when it is best to submit that application."

- 85.14 Ms. Wilcock asked the following supplementary question, "There is always a fear that potentially controversial planning applications will be tactically timed for important holiday periods, for example, the December through to the New Year. Thus, to reduce the likely involvement by the public. So, to what extent is this council committed to ensuring maximum democratic involvement when it comes to valued public buildings such as Hove's Carnegie Library?"
- 85.15 Councillor Cattell replied, "I think there is always this thrown at planning departments, that it was deliberately submitted in December, in August, just before Easter. There is never a right time to submit a planning application for somebody. As Councillor Daniel said in her responses earlier, every Member in this Chamber receives in their inboxes every week a weekly list of planning applications, so they can go through them and look at the application to see if anything actually affects their ward and then they can call them in within the 21 days but, in this particular incident, it was 28 days. The fact that we did get some responses in before the 28 days was up actually shows that it did work, and there was a site notice outside. I don't accept the implication that this was done to 'pull the wool over people's eyes' and I think when it is ready the application goes in, so I can assure you that we don't sit and plan and plot to make sure that people don't get there say."
- 85.16 The Mayor thanked Ms. Wilcock for attending the meeting and asking her questions and invited Mr. Edwards to come forward and address the council.
- 85.17 Mr. Edwards thanked the Mayor and asked the following question, "In 2015, the Surrenden and Fiveways Area was consulted on a controlled parking zone. With a 47% turnout, the area voted yes. Subsequently, two controlled zones have been designated over parts of the consulted area, at Fiveways and Balfour (where 55% voted against a scheme in the first consultation). On 20 March, ETS Chair told us we are 'at the back of the queue' for a new consultation because we voted against a scheme in 2015. But we didn't (50% of roads voted yes). Why can't the democratic rights of Surrenden Area residents be recognised with a parking consultation now?"
- 85.18 Councillor Mitchell replied, "Thank you for your Written Question regarding the previous consultation in the Surrenden area which took place in July and August 2015. 1,627 responses were received to this original consultation, giving a response rate of just over

47% from these responses 53% voted in support of an extension to the existing Residents Parking Scheme and 47% were against.

When the results were further analysed clear that a majority of residents in the Fiveways area were in favour of a scheme, with nearly 76% of respondents in favour and within the rest of the consulted area there was a distinct difference with only approximately 43% of respondents in favour of an extension to the Residents Parking Scheme and 57% against. Therefore, the October 2015 ETS Committee took these results into account and agreed to take forward a new resident parking scheme in the Fiveways area where there was obvious and very clear support.

The Balfour Road area campaigned for a further consultation with and it was agreed at the January 2017 Committee to take forward the Balfour Road Area Scheme following a consultation with a clear majority of 66% voted for inclusion in a parking scheme which began operation in October 2017. At the March 2018 meeting of the Environment, Transport & sustainability Committee I did not say “you were at the back of the queue”, what I did say was “that work on a resident’s parking scheme for the Surrenden area would begin this year with a report coming to the Committee proposing the area to be consulted.”

85.19 Mr. Edwards asked the following supplementary question, “It is clear from the work that we have done in the area that there is now a substantial majority support from the residents of the 26 streets and we have financially modelled the proposal and, we believe, that it would generate more than £300,000 of additional annual revenue and be delivered without affecting any of the existing programmes. So why won’t the council act to solve real road safety and parking problems in the Surrenden area now?”

85.20 Councillor Mitchell replied, “Within the parking scheme priority consultation timetable agreed by committee last October there were several areas who now have an assurance, having seen that agreement, that they are going to be consulted on having a parking scheme at the time set out in that consultation programme. In addition there are two areas that are going to have their existing parking schemes reviewed and that was part of an agreement given by the Committee when those areas were implemented last year. Several of the areas on the parking scheme timetable have never been consulted and they have never had the benefit of a prior consultation. Therefore the parking scheme that was consulted as part of the parking scheme consultation timetable that was democratically agreed will be adhered to.”

85.21 The Mayor thanked Mr. Edwards for attending the meeting and his questions and invited Mr. Furness to come forward and address the council.

85.22 Mr. Furness thanked the Mayor and asked the following question, “It has recently come to my attention, Councillor Mitchell, that any number of trees in Benfield Valley South, directly behind houses in Hangleton Road, have been brutally mutilated with a BLUNT chainsaw and the wood apparently stolen for fuel by an adjoining resident.

As the upkeep of these trees is the sole responsibility of this Council, can you please indicate how you, as Chair of Environment, plan to rectify this outrage and when?”

- 85.23 Councillor Mitchell replied, "There have been a number of instances of cutting Council trees in Benfield Velley south but, by and large, these are residents cutting back small amounts of boundary vegetation. When an officer visited the site last week it was apparent that in one place recent cutting had taken place well beyond the boundary of the houses backing onto the site. This particular case will be discussed with the Council's Legal Team to decide if it is in the public interest to pursue legal action for criminal damage and theft. In the meantime a letter drop has been actioned to all the properties backing onto the site warning them of the likely consequences of cutting the Council's trees down, this letter will also cover the issue of dumping waste on the Council's land which is also a problem that was noted during the site visit."
- 85.24 Mr. Furness asked the following supplementary question, "You say that a letter drop has been done, I know this to be so, on the other hand you say it is going to be investigated whether or not it is in the Council's interest to pursue a prosecution. We are thanks, to the Green administration, supposed to be a bias free council what have you got to say about that?"
- 85.25 Councillor Mitchell replied, "In cases like this we take advice from our Legal team and we will act upon that advice."
- 85.26 The Mayor thanked Mr. Furness for attending the meeting and his questions and invited Mr. Lowe to come forward and address the council.
- 85.27 Mr. Lowe thanked the Mayor and asked the following question, "How much funding has been set a-side to repair the footbridge at Hove station?"
- 85.28 Councillor Mitchell replied, "I can inform you that the Council has set aside £500k for repairs for Hove footbridge. This will cover detailed survey work and priority repairs. The Council will also be discussing further works with Network Rail and access from the track. Plus an analysis of the historic structural elements of the bridge."
- 85.29 Mr. Lowe asked the following supplementary question, "Will that money also include looking at possible layouts for the footbridge so it is accessible even though it is really old."
- 85.30 Councillor Mitchell replied, "First and foremost we have to get the survey done and then that will inform what further work is needed and whether further funding is needed but I do hope that given that the bridge is a historic structure I do hope that access will be good."
- 85.31 The Mayor thanked Mr. Lowe for attending the meeting and asking his questions and invited Mr. Strong to come forward and address the council.
- 85.32 Mr. Strong thanked the Mayor and asked the following question, "There is overwhelming evidence that cycling has huge physical and mental health benefits, as well as for air quality.

The city has had an excellent record of delivering cycling, with increased usage across the community (which has recently stalled). However, there remains no overall direction for development of cycling (or walking) as recommended by Government guidance.

In July 2017 full Council unanimously agreed a motion to develop “*a specific and ambitious cycling strategy*”. Despite further support at ETS and Council there has been no progress.

When work will start on a Cycling Strategy and Local Cycling & Walking Infrastructure Plan?”

85.33 Councillor Mitchell replied, “I think you will know from discussions at the Transport Partnership of which you are a regular attendee the primary work in this area during 2018/19 is going to be to scope and develop a Local Cycling & Walking Infrastructure Plan in line with the Government advice that you have referred to. This decision has been made by taking into account existing commitments and resources within the City Transport Division, and the need for the availability of an officer and the budget required to do this work.

The Infrastructure Plan will then help inform the development of a cycling strategy, as well as helping to seek the necessary funding which will be required to continue delivering improvements in all forms of sustainable, clean and healthy transport options across the city.

Although specific Government grants for cycling seem to be less available than they have been in past years, I am not aware that the delivery, or use, of cycling in the city has recently stalled and would be very surprised at that, given that our cycle counters show an almost 5% increase in trips since 2016, and we know that the unprecedented usage figures that have accompanied the Bike Share scheme since its launch last year, and the excellent work that has been done so far as part of the council’s Access Fund project. As an access Fund Board member you will be aware of this.”

85.34 Mr. Strong asked the following supplementary question, “Making it safer for and more convenient to cycle in Brighton isn’t just for cyclists as Chris Boardman and Andy Burnham’s cycling commission said it is about benefiting everybody walking and cycling and indeed motorists, so when will you agree to redress the historic balance over many years that the support, not just by this Council, but everyone for motorized transport has had on those with the quietest voices in transport particularly, disabled people, children, older people and indeed many women and there isn’t a moment too soon to start trying to redress this balance, so would you agree that expediting this and getting on with it very quickly is important.”

85.35 Councillor Mitchell replied, “I believe I have demonstrated that we are ‘getting on with it’ as you put it, this requires funding and resources and those are being actively sought.”

85.36 The Mayor thanked Mr. Strong for attending the meeting and asking his questions and noted that concluded the item.

86 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

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

- 86.2 Mr. Rolfe thanked the Mayor and stated that he was attending on behalf of the Kingscliffe Society and members of St James' Street LAT and sought the council's agreement to recognise the impact of the proposed PVP street party and to move it to Madeira Drive. He stated that the nature of the party had changed in recent years and meant that if you were a resident it was better to move out of the city for the weekend rather than endure the noise and impact on their lives. He referred to the decision of the previous Economic Development & Culture Committee in November 2014 which had agreed to look at the use of Madeira Drive for this party and again urged for this to be considered.
- 86.3 Councillor Robins thanked Mr. Rolfe for presenting the deputation and stated that the arrangements for the Pride event this year were well advanced and no proposal had been made to move the party and there would be other factors affecting the use of Madeira Drive.
- 86.4 The Mayor thanked Mr. Rolfe 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 Tourism, Development & Culture 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.
- 86.5 The Mayor then invited Mr. Stack as the spokesperson for the second deputation to come forward and address the council.
- 86.6 Mr. Stack thanked the Mayor and stated that he had presented a petition to the council three years ago concerning the need for more music venues within the city. He stated the deputation before the council today was intended as a thank you for taking his previous deputation seriously and acting on it and to outline the outcome of that with the publication of the Live Music Venue Partnership report. He also wanted revisit his concerns about the Visit Brighton website; which he felt still not fully reflect what was on offer in the city rather than outside attractions.
- 86.7 Councillor Robins thanked Mr. Stack for presenting the deputation and noted that he had previously presented a petition on the issue of music venues to the council a few years ago which had led to a policy panel review and report to committee. He was very happy to take on board the points raised by Mr Stack in his deputation and hoped that he would continue to work with the council to improve matters.
- 86.8 The Mayor thanked Mr. Stack 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 Tourism, Development & Culture Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of an y action to be taken or proposed in relation to the matter set out in the deputation.

87 PETITIONS FOR COUNCIL DEBATE

- 87.1 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. She had been made aware of two such petitions however, since the publication of the agenda the second petition relating to school places had been withdrawn. She also noted that there was an amendment to the covering report's recommendation for Item 87(i), Single-Use Plastics from the Green Group.
- 87.1 The Mayor then invited Mr. Radcliff and Ms. Haley-Mirnar to come forward and present the petition.
- 87.2 Ms. Mirnar stated that the use of single-use plastics had become a huge environmental issue with only around 20% being recycled and a large amount now entering the food chain. As a sea swimmer she and her friends were experiencing more and more plastics on the beach and in the sea after large events had taken place in the city. Whilst the clear-up rate after events was generally good, it created waste which was not being dealt with effectively.
- 87.3 Mr. Radcliff stated that the city council was a progressive organisation and had recently announced an attempt to reduce the use of plastic bottles in the marathon; however more was needed to be done and one option was to have a licensing policy to prevent use of single-use plastic at events. He noted that by 2050 current projections showed the weight of plastic in the oceans would be more than the actual fish that lived in them.
- 87.4 Councillor Robins thanked the petitioners for presenting the petition and noted that since the Notice of Motion was passed in November, officers had been looking at the options for addressing the use of single-use plastics, including where they could be removed or alternatives provided. An update report was taken to the Policy, Resources & Growth Committee (PR&G), in March and it was intended to encourage event organisers to get involved and to work with organisations to improve the situation and a further report was expected for the PR&G Committee in July.
- 87.5 Councillor Druitt moved the amendment on behalf of the Green Group which called for a report to the Tourism, Development & Culture Committee on the issue of introducing a condition to prevent event organisers and vendors from using single-use plastics as part of the permission to hold the event in question. He noted that city already had a bio-sphere and suggested that it should lead by example to protect this and its environment. He hoped that the Administration would take this forward.
- 87.6 Councillor Mac Cafferty formerly seconded the amendment.
- 87.7 Councillor Bell welcomed the petition and the amendment and stated that you only needed to look around the city to see the problem that existed. The matter needed to be taken seriously and noted that the Government had announced the intention to ban the use of plastic straws and stated that the council needed to follow the example and take action.
- 87.8 Councillor Robins noted the comments and stated that he was happy to accept the amendment as it outlined the actions that the council was already aiming to achieve. He

also noted that San Francisco was seen as leading the way on this matter, and yet having banned single-use plastics it had led to water being supplied in tetra packs which were in effect no better than plastic bottles. It showed that more was needed to be done and he hoped that a report could be brought to a future meeting.

87.9 The Mayor thanked Mr. Radcliff and Ms. Haley-Mirnar for attending the meeting and presenting the petition, and noted that the Green Group's amendment had been accepted. She therefore put the recommendations as amended to vote which were carried unanimously.

87.10 RESOLVED:

- (1) That the petition be noted and considered by the Tourism, Development & Culture Committee; and
- (2) That a report be brought to the Tourism, Development & Culture Committee exploring the proposals set out in the petition including:
 - the possibility of requiring event organisers and vendors to avoid Single Use Plastic as a condition of their event permission.

88 CALL OVER FOR REPORTS OF COMMITTEES.

(a) Callover

88.1 The Head of Democratic Services confirmed that none of the items, 91-93 had been reserved for discussion.

(b) Receipt and/or Approval of Reports

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

Item 91 – Pay Policy Statement 2018/19

Item 92 – Treasury Management Strategy Statement 2018/19 (Incorporating Annual Investment Strategy)

Item 93 – Violence, Vulnerability and Exploitation.

(c) Oral Questions from Members

88.3 The Mayor noted that there were no oral questions in relation to the items that had not been called.

89 WRITTEN QUESTIONS FROM COUNCILLORS.

89.1 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:

(1) Councillor West

89.1 Unsightly rubbish is piling up beside the city's arterial roads. Whilst not only threatening the nearby flora and fauna, this detritus also risks blowing into the national park and going into the drainage system. Given that some of the litter is large sheets of polythene that may get blown across the carriageway it also poses a worrying threat to road users.

In January 2017 Greens pushed the Council to write directly to the Secretary of State for Environment urging them to increase the additional funding required for Highways England to adequately conduct litter picking and detritus removal across all areas of our natural environment. This included our key arterial roads. The Government response ignored this request and unfortunately focused solely on fixed penalty fines for littering. It also did not address the discrepancy between the role of Highways England and of the local Council to maintain this land.

I am disappointed to learn recently that Highways England refused to give permission for the road closures. Greens are increasingly concerned that there appears to be little management of the relationship between the Labour Council and Highways England in order to deal with roadside litter. This urgently needs to be addressed. It would also be positive if signage was introduced, as it is in neighbouring West Sussex.

Can the Chair of Environment say what action is being taken to urgently address these issues?

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

89.2 Street cleansing is the responsibility of the Brighton and Hove City Council and this includes the verges of all our high speed dual carriageways. The A27 and A23 are cleaned twice yearly alongside the maintenance works that involve lane closures.

Although, it is the responsibility of Brighton and Hove City Council to organize the work, prior to that it has to be authorised and carried out in accordance with instruction from Highway England and its contractor.

We were proposing to schedule a clean-up in March /April of this year, however due to the prolonged resurfacing works on the A27, our permission was denied and we are currently awaiting for a new time slot to be agreed. We have been informed by the HE contractor that access will be provided in the forthcoming months, but to date this has not been confirmed.

Together with Lewes District Council Brighton and Hove City Council is organizing training relating to cleansing of the high speed roads whilst they are closed for maintenance. This will mean that for the future we will have staff who are trained so that they can undertake cleaning tasks at times when HE close either the A27 and A23. This will prevent us from needing to apply for separate permissions.

In the meantime our crews have undertaken litter picks of most of the slip roads leading to A27 as well as areas by lay buys. Once we will receive permission from HE we will

publicise the dates on the web site and our social media. Cllr West's own robust remarks in relation to Highways England are recorded in the minutes of the March meeting of the Environment, Transport & Sustainability Committee.

(2) Councillor Lewry

89.3 New Homes - Please can the Administration advise how many new homes have been started and completed since 2015 that were not already in the pipeline from the previous Administration? Can they also advise how much has been spent in providing these homes and what the rents are for each of them? Can the Administration also advise how many are in construction now and will actually be completed by May 2019 and the associated costs with the proposed rents for each of them?

Reply from Councillor Meadows Chair of the Housing & New Homes Committee

89.4

| Scheme | Actual spend £'000 | Number of Units | Tenure Mix | Housing / Housing New Homes Committee approval date | Completion Date | Rents per week (excl Service charges) | HB Eligible Service Charges per week | Total charge to Tenant per week |
|---------------------------------|-----------------------|--------------------|---------------|---|--------------------|---|--|--|
| Brooke Mead | 12,041 | 45 | 1 Bed | 17-Jun-2015* | 15-Dec-17 | £121.80 | £31.10 | £152.90 |
| Kite Place | 14,338 | 10 | 1 Bed | 17-Jun-15 | 11-Apr-18 | £144.50 | £7.30 | £151.80 |
| | | 33 | 2 Bed | | | £183.60 | £7.30 | £190.90 |
| | | 14 | 3 Bed | | | £221.00 | £7.30 | £228.30 |
| Hobby Place | 6,983 | 7 | 1 Bed | 02-Mar-16 | May-18 | £146.90 | £6.12 | £153.02 |
| | | 16 | 2 Bed | | | £186.36 | £6.12 | £192.48 |
| | | 6 | 3 Bed | | | £224.16 | £6.12 | £230.28 |
| Lynchet Close & Salehurst Close | 2,116 | 6 | 2 Bed | 28-Jun-17 | 25-May-18 | £154.15 | £1.48 | £155.63 |
| | | | 4 Bed | | | £205.54 | £1.48 | £207.02 |

35,477 137

Schemes under construction to be completed by May 2019

| | | | | | | | | |
|----------------------|-------|----|-------|-----------|-----------|--|--|---------|
| Kensington Street ** | 3,681 | 11 | 1 Bed | 14-Jan-15 | 01-May-19 | | | £153.02 |
| | | 1 | 2 Bed | | | | | £192.48 |

** scheme approved prior to May 2015

* Original approval for scheme to be explored was in 2013

(3) Councillor Wares

89.5 Cityclean - Please can the Administration provide performance details for its initiatives to provide both commercial waste and green waste collections and compare those performances against the business plans used to establish these initiatives?

Can the Administration also provide details on progress for supplying the new recycling wheelie bins?

How many remain to be delivered and how many bins that have been delivered still have to be swapped for smaller and to a lesser extent, larger bins.

Can the Administration confirm when the roll-out programme will be complete taking account of residents actually having the right size bins they need?

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

89.6 As part of the City Environmental Management Modernisation Programme, working is being undertaken to review the commercial operations of Cityclean. This review includes an analysis of both the commercial waste and garden waste services to ensure they are supported by appropriate business plans and financial forecasts.

Following the end of the financial outturn we will be conducting a review of the income generated as well as the overall performance of each service and incorporating this into an update report being taken to Policy Resources & Growth Committee in July 2018.

It was always anticipated that the roll-out of the recycling wheelie bins was not a 'one size fits all' solution and as the programme reached the city centre areas, a mixed approach would be needed and so area audits are being undertaken. The most recent area audits carried out were for the Moulsecoomb and Bevendean, Hollingdean & Stanmer and Hanover and Elm Grove areas to ascertain whether streets are suitable for the new bins or are to stay with black boxes.

The audits identified 6,000 households as being appropriate to receive recycling wheelie bins. These residents have been written to week commencing 3rd April explaining the changes.

The number of bins remaining to be delivered will depend on the outcome of the audits being carried out. From the first phase of the roll-out there are 124 swaps to be completed during w/c 16th April. In the second phase, following the audits, residents will be able to request a swap taking into consideration constraints such as pavements widths.

The programme of audits and delivery of bins for suitable, central areas of the city will continue. This will include responding to feed-back from ward councillors, crews and residents in relation to both phases of the roll-out.

(4) Councillor Taylor

- 89.7 Hospital for Hove - Can the Administration outline the steps they intend to take via the Health and Wellbeing Board to provide a 'Hospital for Hove', that will include a Multidisciplinary Community Diagnostic Centre, a GP Hub and small A&E Unit, given that the demand for a school in Toads Hole Valley no longer exists?

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

- 89.8 Brighton and Hove Clinical Commissioning Group is responsible for the commissioning of local hospital and urgent care facilities and GP Practices, the latter in conjunction with NHS England under co-commissioning arrangements. As part of this role the CCG considers the local requirements for these facilities. The CCG is represented on the Health and Wellbeing Board and engages Board members in the development of NHS plans in relation to these service Areas. As councillors will be aware we are actively working to more closely integrate with the local health economy and will explore appropriate opportunities to maximise and enhance primary and community service provision where there is a demonstrable need across the city, including Hove.

(5) Councillor Simson

- 89.9 Mesh verges - Residents across the city are fed up with vehicles parking on grass verges because of the damage caused, the unsightly impression it gives and the cost to the public purse for repairs. However, residents would not be so concerned especially in neighbourhoods like Woodingdean and Hangleton & Knoll, where it is impossible for houses to have off road parking, if no damage was being caused.

So will the council look at a long-term solution and cost the provision of grasscrete or cheaper rubber grass-road blocks as a spend to save measure? This could be done on a rolling basis and would allow grass to grow through and be mowed in the usual way without having the ongoing annual damage caused by parked vehicles that is expensive to repair and causes so many complaints.

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

- 89.10 Thank you for your question regarding the use of Grasscrete on verges which are being damaged by parked vehicles. We are very much aware that certain areas of the city suffer ongoing vehicle damage to verges, which has been particularly bad this year due to the sustained wet weather.

Using Grasscrete is a costly solution and requires a lot of work to excavate a stable foundation on which it would sit. However, we do have a policy which allows the installation of posts to prohibit parking on grass verges in areas which are most affected.

In order to manage the limited resources available, posts are installed on a priority basis. But ultimately we do hope drivers park their vehicles in an appropriate place and do not choose to park in locations that causes damage to the highway. Officers would be happy to be contacted with the details of any particular locations which are causing most concern.

The City Council has for many years been lobbying central government for powers to ban pavement and verge parking in the city, in the same way it has been banned in London since 1974. The Department for Transport confirmed in April that the Minister has asked for evidence to be gathered over the summer about the effectiveness or not of the current regulatory framework in tackling this issue. We hope to work with the Department for Transport to find a regulatory solution that works to protect and save the city's pavements and verges from problem parking.

(6) Councillor Gibson

- 89.11 How much under the HRA borrowing cap was BHCC on 1st April 2015 and the 1st of April 2018?

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

- 89.12 As at 1/4/15, the HRA had total borrowing of £115.8m and was therefore £41.0m under the borrowing cap of £156.8m. As at 1st April 2018, the HRA had borrowed £126.3m (this is based on draft outturn figures for 2017/18 and so subject to change) and was therefore £30.5m under the borrowing cap of £156.8m. However, other commitments in the HRA capital programme for 2018/19 – 2020/21 show that the HRA will be very close to the cap in 2022/23 with headroom (available borrowing) of only £2.134m. (This forecast has yet to be updated for the 2017/8 outturn).

(7) Councillor Gibson

- 89.13 What was the net borrowing taken up between 1st April 2015 and 1st April 2018 when expressed as a percentage of the maximum borrowing available to the HRA on the 1st of April 2015?

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

- 89.14 The net borrowing undertaken between 1st April 2015 and 2018 is £10.5m. As at 1st April 2015, the HRA had £41m of borrowing headroom. Therefore, the net borrowing of £10.5m represents 25.6% of the borrowing available. However, a large proportion of this borrowing headroom is already committed for the HRA three year capital programme, including spend on the New Homes for Neighbourhoods programme, buy backs, hidden homes works and works to council dwellings. Current planned capital spend in the HRA mean a further net borrowing of £28.4m in the next 5 years to 2022/23 where the forecast level of borrowing headroom is £2.134m.

(8) Councillor Gibson

- 89.15 Financial modelling of new council homes - Having provided the figures for the estimated surplus/deficit over the 60 year financial modelling period for:

- Aldwick Mews
- Brook Mead
- Darwell Court
- Flint Close
- Hobby Place
 - Kite Place
 - Pierre Close
 - Preston Rd
- Robert Lodge (N)
- Robert Lodge (S)
- Lynchet Close
- Kensington St

And used assumptions to calculate these answers for each scheme (above).

For each scheme model, please can you indicate what the assumptions used were in the calculations on each of the above schemes for the following elements of the model:

- 1) Initial Management costs per property (+ inflation assumption for future years)
- 2) Initial Major repair costs per property (with inflation assumption for future years)
- 3) Initial rent and assumptions about future rent increases over the 60 year model
- 4) Initial Maintenance costs per property (+ inflation assumption for future years)
- 5) Service charge costs and inflationary assumptions on these costs over the period of the model

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

89.16 See the updated table below which has added rows for the management, maintenance and service charge information (in grey). As for inflation, the model strips out inflation as it is all discounted to a net present value – the value as at today. This effectively means that we are assuming inflation will be the same for costs and income. The rationale for this is that inflationary changes to rents are affected by Government policy and are not easily predictable in the longer term and similarly, build cost inflation and maintenance cost inflation over the years, is very difficult to predict. Therefore the model assumes they will inflate by the same amount over the 60 years.

Comparison of scheme viability using 40 year modelling and current 60 year cash flow modelling

Response to Cllr Gibson question for Council on
19th April 2018

The rows coloured grey below are new rows added to answer the latest questions on service charges, management and maintenance costs.

| | Preston Road | Aldwick Mews | Flint Close | Pierre Close | Robert Lodge (N) | Robert Lodge (S) |
|-------------------------------|--------------|--------------|-------------|--------------|------------------|------------------|
| Total Budget approved (£'000) | 445 | 1,220 | 1,041 | 1,002 | 911 | 1,461 |

| | | | | | | |
|--|---------------------|----------------------|-----------------|-----------------|----------------------------------|-----------------|
| Number of units | 2 | 5 | 4 | 4 | 6 | 9 |
| Build cost per unit (£'000) | 223 | 244 | 260 | 251 | 152 | 162 |
| Management costs | 1,072 | 1,078 | 1,078 | 1,078 | 1,078 | 1,078 |
| maintenance costs | 912 | 914 | 914 | 914 | 914 | 914 |
| Major repairs costs | 700 | 700 | 700 | 700 | 700 | 700 |
| Tenure mix | 2 x 3 Bed Bungalows | 1 x 2 Bed, 4 x 3 Bed | 4 x 3 Bed house | 4 x 3 Bed house | 4 x 1 Bed Flats, 2 x 2 Bed Flats | 9 x 1 Bed Flats |
| Rent p/w (excluding s/c) | | | | | | |
| 1 Bed | | | | | 151.50 | 151.50 |
| 2 Bed | | 184.00 | | | 191.00 | |
| 3 Bed | 228.00 | 224.00 | 211.50 | 224.00 | | |
| 4 Bed | | | | | | |
| Service charge per week | 0 | 0 | 0 | 0 | 0 | 0 |
| Subsidy / (Surplus) reported previously (£'000) | 38 | 128 | 174 | 83 | 107 | 329 |
| Subsidy / (Surplus) using new modelling (£'000) | 54 | 64 | 114 | 39 | (12) | 162 |
| Payback period (years) | 60+ | 60+ | 60+ | 60+ | 54.1 | 60+ |
| Discount Rate (Equivalent to interest Rate at point of approval) | 4.20% | 5.00% | 5.00% | 5.00% | 5.00% | 5.00% |
| Financial Services 13/04/18 | | | | | | |

Comparison of scheme viability using 40 year modelling and current 60 year cash flow modelling

Response to Cllr Gibson question for Council on 19th April 2018

The rows coloured grey below are new rows added to answer the latest questions on service charges, management and maintenance costs.

| | Darwell Court | Kensington Street | Kite Place | Brooke Mead | Hobby Place | Lynchet Close |
|-------------------------------|---------------|-------------------|------------|-------------|-------------|---------------|
| Total Budget approved (£'000) | 1,119 | 1,832 | 14,100 | 12,000 | 7,077 | 2,532 |

| | | | | | | |
|--|--|--|---------------------------------------|------------------|-------------------------------------|-----------------------------------|
| Number of units | 5 | 12 | 58 | 45 | 29 | 8 |
| Build cost per unit (£'000) | 224 | 153 | 243 | 267 | 244 | 317 |
| Management costs | 1,000 | 1,078 | 1,071 | 1,070 | 303 | 290 |
| maintenance costs | 912 | 914 | 911 | 891 | 921 | 887 |
| Major repairs costs | 773 | 773 | 770 | 773 | 697 | 648 |
| Tenure mix | 2 x 1 Bed Flat, 2 x 2 Bed Flat, 1 x 3 Bed Flat | 9 x 1 Bed Flat, 2 x 2 Bed flat 1 x 2 Bed House | 15 x 1 bed, 31 x 2 bed and 12 x 3 bed | 45 x 1 Bed Flats | 7 x 1 bed, 16 x 2 bed and 6 x 3 bed | 2 x 2 Bed Flats, 6 x 4 Bed Houses |
| Rent p/w (excluding s/c) | | | | | | |
| 1 Bed | 151.50 | 143.00 | 146.00 | 140.55 | 146.00 | |
| 2 Bed | 191.00 | 186.30 | 185.46 | | 185.46 | 175.87 |
| 3 Bed | 228.00 | | 223.26 | | 223.26 | |
| 4 Bed | | | | | | 234.84 |
| Service charge per week | 0 | 0 | 7.02 | 12.47 | 7.02 | 1.04 |
| Subsidy / (Surplus) reported previously (£'000) | 286 | 570 | 1,020 | 2,125 | 512 | (203) |
| Subsidy / (Surplus) using new modelling (£'000) | 66 | 332 | 1,768 | 2,888 | 379 | (391) |
| Payback period (years) | 60+ | 60+ | 60+ | 60+ | 60+ | 60+ |
| Discount Rate (Equivalent to interest Rate at point of approval) | 4.25% | 4.25% | 4.18% | 4.07% | 4.19% | 2.85% |

Financial
Services

13/04/18

(9) Councillor Gibson

89.17 Where schemes are part funded by borrowing, the modelling makes different assumptions for the rate of interest payable on the borrowing to reflect market expectations. For each the schemes actually undertaken, please can you indicate for that scheme what the assumed rate of borrowing was and what the actual rate was when the borrowing was undertaken?

Reply from Councillor Meadows – Chair of the Housing & New Homes Committee

89.18 The table above in relation to question 8 includes the assumed rates of borrowing that were included in the modelling of each scheme. At the time of viability modelling the interest rate assumptions used are based on prevailing market conditions and our external Treasury Management advisors best estimate of interest rates for the timing and type of borrowing required. This may be based on a forecast of the interest rate in a year's time, say, when the likely need to borrow may arise. Over the last few years there has been an expectation in the money markets that interest rates would rise and initially they were expected to rise sharply. However, rates have stayed low and are only just beginning to increase.

Actual borrowing does not take place on a scheme by scheme basis but is reviewed periodically to ensure the total capital programme is fully funded making use of any capital receipts, reserves and revenue contributions first. So, for example, if there were unexpected underspends in the revenue budget, it may reduce the level of borrowing required as more of the programme could be funded by revenue contributions. Therefore it is difficult to give the exact rate for each scheme as the borrowing is undertaken in relation to the whole programme. However, the table below shows when borrowing was undertaken during the lifetime of these schemes and the actual rates of interest.

A table showing all of the borrowing taken on since 2015 is as follows:

| Loan Number | Loan Value | Interest Rate | Start date | Maturity Date | |
|-------------------------|------------------|---------------|-------------------|-------------------|---------------|
| 505117 | 5,000,000 | 2.47 | 20/06/2016 | 31/03/2064 | |
| 505274 | 3,000,000 | 2.09 | 09/08/2016 | 31/03/2065 | |
| 505280 | 2,000,000 | 2.09 | 10/08/2016 | 31/03/2063 | |
| 507150 | 4,000,000 | 2.99 | 27/03/2018 | 27/03/2067 | |
| Internal from GF | 3,292,500 | 0.83 | 31/03/2017 | 31/03/2018 | repaid |
| Internal from GF | 2,932,500 | 1.47 | 31/03/2018 | 31/03/2019 | |

(10) Councillor Gibson

89.19 Given the rise in rough sleeping in the city of 128% since the rough sleeping strategy was launched in 2015 compared with a 33% increase in the rest of the country, do you believe there are any changes that can be made to improve our performance compared to the national average? And what might these changes be?

Reply from Councillor Moonan – Lead Member for Rough Sleeping

89.20 The Rough Sleeping Strategy was launched in summer 2016. Since the launch, the Rough Sleeping Estimate figures have risen by 24% (2016; 144 - 2017; 178). The year before the strategy was launched there was a much larger increase, which was one of the reasons why the Labour administration prioritised rough sleeping and together with key partners, developed the city wide strategy.

Over 50% of rough sleepers in Brighton and Hove come here from other areas, which has contributed to such a high increase. In fact, if the percentage increase was

calculated for local people alone, the 2017 increase would be below the national average. This demonstrates that the strategy is starting to have an impact on rough sleepers numbers from Brighton and Hove.

The city continues to work on reducing the actual numbers and the need for people to rough sleep on our streets. Housing has expanded its homeless prevention work and the council is exploring new ways to accommodate rough sleepers and move them off the streets quickly. This includes expanding 'housing led' services for people with complex needs; launching the city's first Social Investment Bond to support rough sleepers to access a range of services; targeted reconnection work to support people to move to areas they have connections and applying for grant funding to boost our resources as opportunities arise. Whilst we continually strive to improve upon our existing performance, this must be placed in the context of the national picture of increased homelessness and locally the challenges of a supply of affordable accommodation.

The city wide Rough Sleeping Strategy is implemented through a Partnership Board, which includes all the relevant statutory and non-statutory agencies and organisations. At this Board new ideas and development are continually explored to ensure the city is at the forefront of best practice with regard to rough sleeping.

(11) Councillor Nemeth

89.21 Beach huts - Why was no urgent public statement made by the City Council following break-ins to 34 beach huts at the end of March, and prior to 33 break-ins the following week, in order to alert owners to security and safety concerns?

Reply from Councillor Robins – Chair of the Tourism, Development & Culture Committee

89.22 The owners of the beach huts that were affected in both instances were contacted directly and the Police notified due to the criminal damage that occurred. The Police have been requested to consider additional patrols and the issue will be raised at the Police Tactical Tasking Group to see if any support can be provided by partners. The first incident was dealt directly with the affected beach hut owners and the Police rather than promote this act of vandalism.

(12) Councillor Mac Cafferty

89.23 Pool Valley - Anyone arriving in the city via National Express coaches does not have a warm welcome. Pool Valley has sadly become run down and is unwelcoming. A decade after the plans to upgrade the National Express bus depot for the city were put on ice, what work will the administration commit to improve Pool Valley with National Express and other partners?

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

89.24 I fully recognise the significant role that Pool Valley plays as an interchange in the city's transport system for residents and visitors alike in terms of being a well-used arrival and

departure point for coach journeys. However, I am aware of its current condition and that previous administrations have sought to maintain and enhance it.

Works at Pool Valley Coach Station were one of the headline schemes included in the council's second 5-year Local Transport Plan [known as LTP2], which was published in 2006.

The aims of the Pool Valley Coach Station Enhancement Scheme were focused on personal safety, road safety and the urban realm to improve the character of the area for the passengers using it. The overall plan was based around enabling National Express, the coach operator, to construct a new, purpose-built ticket office.

The urban realm works were planned to include improved paving and entry and exit treatments, and new street furniture such as benches, bollards, cycle racks and bins, as well as lighting.

Most of the urban realm works were completed in 2009, but the construction of the National Express ticket office was delayed.

The council did eventually receive and consider a planning application for National Express's single-storey building to provide ticket purchase facilities, sheltered waiting area and customer toilets. Planning permission was granted in June 2012, but it is understood that these facilities were not built owing to other financial priorities at that time for the company, and there has been no recent indication that that situation has changed.

Since then, senior council officers have written to National Express about this matter in order to seek to work with them to progress it, and therefore help address some of the problems that you and other people have raised with us in recent years. Regrettably, those approaches have not resulted in any change in National Express's position.

Therefore, the council did install a passenger shelter in 2014 in order to provide some cover and comfort for coach passengers in the short term, and it has also continued to try to secure funding through the planning process for improvements at the coach station, when possible.

Issues with the coach station were identified in the council's current and fourth Local Transport Plan [LTP4], which was approved in March 2015, and refers to the development of a coach strategy which will include the Pool Valley Coach Station.

The council subsequently agreed a number of further priorities in 2015, which included the development of a Transport Interchange Strategy, including provision for coaches and their drivers and passengers.

Until very recently, it has not been possible to identify and allocate sufficient officer time to start that, and some other workstreams, owing to staff vacancies and reduced budgets. However, I am pleased to say that with some new appointments to key posts in the City Transport Division it will now be possible to make progress against that commitment.

Once that Interchange Strategy is developed, with the input and assistance of various partners and stakeholders such as National Express, its content and conclusions will no doubt be considered by the ET&S Committee in due course.

I certainly expect the strategy to provide a clearer indication of the future options for the city's coach station and its passengers, especially as that investment could also help to support the council's wider vision and strategy for the seafront.

As the current access to Pool Valley, and the main arrival and departure routes for coaches are linked with the Valley Gardens Phase 3 area, I also expect that scheme to take into account the current location of the coach station, and possibly provide an opportunity to improve it.

(13) Councillor Mac Cafferty

89.25 Bins on Wilbury Road - Currently there are 3 communal waste and recycling bins and 8 commercial bins, in a 10 metre stretch of pavement and road at the foot of Wilbury Road. This is too often smelly and messy. The bins are poorly sited and a crowded pavement mean neighbours, businesses and pedestrians are suffering. Every day residents and visitors have to negotiate their way around the bins, any overspill and a BT phone box. As several businesses use their premises nearby for client meetings, the smell and mess are embarrassing. Although we flagged this concern to Cityclean for an investigation, 2 years after being first flagged the issue is still as persistent.

Can Councillor Mitchell please have the situation investigated and acted upon? Ideally this would involve combined action to locate some of the bins elsewhere and/ or collection frequency raised.

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

89.26 The Cityclean enforcement and operational teams always aim to respond promptly to complaints to commercial bins that have been placed on the public highway, such as those referred to in Willbury Road.

The city council does have the power to remove bins but we aim to provide business with options for appropriate alternative sites to place their bins.

Given the repeat nature of this complaint, Officers will be arranging to meet with the individual businesses concerned to explore alternative locations for their waste bins.

(14) Councillor Mac Cafferty

89.27 York Road collisions data - Further to residents' concerns about safety, please can road collisions data for the junction of York Road, York Avenue and Lansdowne Road be tabulated for the last 3 years, detailing date, severity (fatal, serious or slight severity) and vehicle type?

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

89.28 The most recently published three-year records for the junction of Lansdowne Road with York Road and York Avenue, those being January 2015 to December 2017, show that there have been five (5) road traffic injury accidents. The details of these are as follows:

- 24th April 2015, a slight injury occurred resulting from a collision between a taxi/private hire car and a pedal cyclist;
- 29th July 2017, a slight injury occurred resulting from a collision between a car and a taxi/private hire car;
- 18th September 2017, a slight injury occurred resulting from a collision between a taxi/private hire car and a car;
- 2nd October 2017, a serious injury occurred resulting from a collision between a taxi/private hire car and a powered two-wheeled vehicle (a moped or motorcycle); and
- 7th December 2017, a slight injury occurred resulting from a collision between a car and a pedal cycle.

(15) Councillor Mac Cafferty

89.29 Dangerous driving around Norfolk Square - The hit and run collision on 28th March at the junction of Borough Street and Western Road and the car crashing at the junction of Norfolk Square and Western Road on 9th February are the latest expression of dangerous driving in this area. This is often experienced in the one way streets being used as rat runs with vehicles often travelling at dangerous speeds. Please can road collisions data for Borough Street, Temple Street, Norfolk Road and Norfolk Square be tabulated for the last 3 years, detailing date, severity (fatal, serious or slight severity) and vehicle type?

And, what work, if any, has been undertaken with the Police and Crime Commissioner and Sussex Police to ensure safety for all road users in this area is prioritised?

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

89.30 The most recently published three-year records for Norfolk Square, those being January 2015 to December 2017, show that there have been six (6) road traffic injury accidents. The details of these are as follows: -

18th June 2015, a slight injury occurred resulting from a collision between a taxi/private hire car and a pedal cycle;

11th September 2015, a slight injury occurred resulting from a collision between a car and a pedestrian;

10th April 2016, a fatal injury occurred resulting from a confrontation between two adult males resulting on one male landing under a heavy goods vehicle;

23rd April 2016, a serious injury occurred resulting from a collision between a car and a pedestrian;

25th November 2016, a slight injury occurred resulting from a collision between a car and police car on an emergency call; and

20th November 2017, a slight injury occurred resulting from a collision between a pedal cycle and a car door opening into the cyclist's way.

Officers advise me that the level of such accidents is decreasing within Brighton and Hove and is decreasing faster than both the National average and in areas with other transport characteristics, which is to be welcomed. This has been partly achieved by focussing the Council's resources on those locations with the worst problems via the Council's High Risk programme which tackles those streets, roads and junctions with the highest risks and this focus will continue.

(16) Councillor Mac Cafferty

89.31 Floral Clock - Brunswick in Bloom will be soon with us once again (early July), can the Floral Clock mechanism be repaired in time for this?

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

89.32 Officers have commissioned a survey of the floral clock. Once this survey is received officers will tender for the repairs if there is sufficient funding to do so.

90 ORAL QUESTIONS FROM COUNCILLORS

90.1 The Mayor noted that 15 oral questions had been received and that 30 minutes was set aside for the duration of the item. She then invited Councillor Janio to put his question to Councillor Mitchell.

(1) Councillor Janio

90.1 Councillor Janio asked the following question, "Can Councillor Mitchell confirm that the Transport solution for Valley Gardens will prevent private vehicles 'Rat Running' on the Western half of the scheme by the use of a 'Bus-Gate'?"

90.2 Councillor Mitchell replied, "I can confirm to you that the introduction of Bus-Gates and their associated traffic regulation orders in conjunction with advance signing and lining have been designed to prevent private vehicles attempting illegal 'rat running'. These measures will also be enforceable by CCTV."

90.3 Councillor Janio asked the following supplementary question, "Can Councillor Mitchell explain how any private vehicle travelling north on the Old Steine will be prevented from entering the bus-gate, as the original designs did not include the means to do this?"

90.4 Councillor Mitchell replied, "The original designs have been altered taking account of further comments received and the designs will now incorporate this facility."

(2) Councillor Mac Cafferty

90.5 Councillor Mac Cafferty asked the following question, "Given your pro record of failing to oppose the budget cuts inherent to sustainable transformation plans and other attempts to privatise the NHS how can the residents of this city trust that you will oppose privatisation of the NHS in practice?"

90.6 Councillor Yates replied, "I will keep pushing for health & social care integration because it is the right thing to do for residents of this city. The right thing to do for people on other benches is to ensure that there is adequate funding so that we can deliver the best possible levels of public health, and the best possible lives and outcomes for the residents of this city."

90.7 Councillor Mac Cafferty asked the following supplementary question, "In January this year in the new model of Care Reports to the Clinical Commissioning Group Board reported that there were plans to establish 'Accountable Care Systems' are you telling us that as Chair of the Health & Wellbeing Board you don't know that these discussions are happening?"

90.8 We have seen the future of the NHS already in places like Nottingham chunks are being broken off and sold to private providers. This Labour Council will be equally implicated in the silent dismantling of the NHS if you do not speak out, you described yourself just now as an optimist, I put it to you that you are either naive or ill equipped, or indeed both to oppose the dismantling of our precious NHS given your woeful track record opposing it so far."

90.9 Councillor Yates replied, "The most important thing is to have a deeper understanding about accountable care organisations systems and multi-provider community partnerships, they have the potential to be incredibly positive ways of getting people to work together.

We believe that the public sector is best when there is greater co-operation. trying to find the best way possible because, until we have the next General Election, I cannot guarantee a decent level of funding for public services in this city other than straight out of the pockets of local residents. The difficult decisions we are having to take over Council Tax and additional funding and we have made sure this goes into Adult Social Care services."

(3) Councillor Barnett

90.10 Councillor Janio asked the following question on behalf of Councillor Barnett, "Many residents in my ward have expressed concern about the number of dogs and the packs that dog walkers are taking out in parks and green spaces. They are concerned for the welfare of dogs, children and elderly people when these dogs get boisterous or out of control, they often see dog walkers leave dog mess, usually because they cannot keep an eye on all the dogs under their control and they leave the parks without clearing up.

The problem is particularly bad in Goldstone Park but I know that across the city residents are concerned. Please can you tell us what you are doing to tackle this growing menace?"

- 90.11 Councillor Mitchell replied, "A very pertinent point has been raised here. It is my understanding that there are nearly 200 dog walking companies now in the city and it is a largely unregulated industry. Dog control orders do make it an offence not to clean up after dogs and our Animal Welfare Team introduced a voluntary code for commercial dog walking companies to sign up to. We were the first local authority team to do this. The Scheme requires the companies to comply with Health & Safety Law, Best Industry Practice and the Animal Welfare Act. It also requires the companies to be fully insured. City Clean have placed warning posters in areas that have been heavily soiled, reminding dog walkers of their duty to clean up. Ideally what we want is for local authorities to be able to license these companies, but the Government's position is that only the Royal Parks should be able to do this."
- 90.12 Councillor Janio asked the following supplementary question, "Can you give assurances that enforcement officers will actually use the powers that they have and, will you send through the figures of the numbers in the last couple of years where action has actually been taken?"
- 90.13 Councillor Mitchell replied, "I will get that information for you Councillor Janio."

(4) Councillor Page

- 90.14 Councillor Page asked the following question, "I am particularly concerned about the dangerously low number of family doctors or GPs we have in the city. This first came to public attention a year ago when our health colleagues CCG themselves said, that there is about 1 full time equivalent family doctor to nearly 2400 people, which is almost twice as many patients per doctor as the rest of Sussex has and it is well above the national average. So, as the Chair of the strategic Health & Wellbeing Board (HWB) which brings together the CCG and Council representatives, can you tell us, in the last year what actions have been taken about this problem. Health Watch have raised it again recently?"
- 90.15 Councillor Yates replied, "This is something that the Health & Wellbeing Board have referred to the Health, Overview & Scrutiny Committee (HOSC) back in the Autumn of 2015, as a result of the issues that we had initially when we first started seeing emerging issues around practises closing, and it is of great concern to the Health & Wellbeing Board and there have been a number of items and reports to the H&WB, information sent round to H&WB Members about what is going on, but this is an issue that we specifically referred to HOSC because we wanted some detailed work undertaken and we wanted a detailed review to make sure that CCG was aware and acting on this issue.

Part of this problem is a National problem, we have some local issues that are associated with this, the cost of housing, issues around the city, the number of our GPs that are getting close to, or choosing to retire from their practises at the moment and the difficulty recruiting. This is a national issue that a 20% reduction was applied to doctor's training places back in 2010/2011. The fundamental outcomes have been that we have

seen less and less people moving into the medical profession and unfortunately as a result of the pressures that are appearing in Primary Care these careers seem to become a lower and lower area of choice. However the final sign off the CCG have found an additional £100k that they are going to make available for practises to help with recruitment and retention. They are also now developing a more detailed base line assessment of each individual practises to help develop a link between work force capacity, skill mix and workload.”

90.16 Councillor Page asked the following supplementary question, “I asked what actions he had taken, the problem is still there and he doesn’t appear to be able to take action that really makes any difference to the health of residents of this city?”

90.17 Councillor Yates replied, “I think it is very important to recognise that all members of the H&WBB play their part through integrating and working collaboratively, establishing commissioning arrangements, supporting CCG’s decision to apply for and, subsequently, receive co-commissioning responsibilities with NHS England of primary care commissioning, and discussing how the budgets work together. If Cllr Page wants to send a written question I can provide a detailed comprehensive list of what has been going on.”

(5) Councillor Bell

90.18 Councillor Bell asked the following question, “We receive different money revenue streams from the Government and we receive for Public Health in the total of its administration £103,325,000 additional money, I am wondering why we don’t know about this and where it is being spent?”

90.19 Councillor Hamilton replied, “It may be necessary for me to send a written answer as this is much more in Councillor Yate’s domain than mine. Since the year 2010 there has been a drastic reduction in lots of other expenditure. If we look at the situation with Adult & Social Care this is clearly a related issue, how much extra money have the Government given for that, a little bit. Lots of the grants we get come from other people, local enterprise partnership, Heritage Lottery Fund for example. If we take Capital grants specifically to this Council, in the last year of the Labour Government 2010/11 we got £54 million direct capital grants. In the current year we got £12.65m, although you have given us indication of where you are saying there has been a lot of extra money put, we all know that, if you take the capital and revenue together the reduction of funding to this authority is absolutely massive. We are £80 million a year worse off in revenue support work than we were in 2010 and that is not making allowance for inflation.

I will go to the appropriate officer and get a detailed response and send Councillor Bell the figures.”

90.20 Councillor Bell asked the following supplementary question, “The difference between the general revenue overall is only about £50 million. The interesting point is, the difference between the revenue and the capital, if you take the capital money received by this council since 2010 £238,352,000 and in 2015 is £125,717,000 so in total since 2010 this council has received £341,678,000 and since 2015 £229,042,000. I would like a response on how this has been divvied up?”

90.21 Councillor Hamilton replied, "The last year of the Labour Government 2010 it was £54million if you brought that figure forward over eight years, with inflation as well, I am sure you would have got a figure far in excess of the figure we have been given by Councillor Bell. I work by figures that are given to me by the officers so if you are saying this is wrong then you can obviously peruse that separately. But the revenue grant received by this Council in 2010/11 was £189,638,000. In 2017/18 it was £105,871,000 so that feels to me that reduction of £84 million revenue grant since that time which is exactly the figure that I gave."

(6) Councillor Phillips

90.22 Councillor Phillips asked the following question, "What, if anything, has Councillor Yates done about the relentless 20% cuts plus more in-year to Public Health, for example to HIV prevention and Family Health Partnership for young teenage mothers, which will lead to more infections and serious conditions?"

90.23 Councillor Yates replied, "Public Health Funding is not additional money it is a pot of money given to us as a ring fenced fund, in order for us to undertake the public health duties that we took over in 2014/15 or 2013/14 when the Public Health Department was transferred across and its responsibilities from Primary Health Care Trust and came to us as a Local Authority. The 20% in year cut so, £25million to delivery valuable services, delivering over £11 of value for every £1 invested in public health in preventing people becoming ill and having negative health impacts and there was a decision to pull some of that money back after we had planned on how we were going to deliver positive health outcomes for individuals in the city. So there are challenges in public health funding as well as the £84million of cuts that we have had to make from the revenue support grants. Those cuts are falling on public health as well as other areas. I am proud of the work that our professional staff in public health have done working in collaboration very closely with the providers of sexual health, drug and alcohol support services., the providers of a range of public health services across the city to identify ways to still try to deliver the outcomes of those services despite the cuts. We are having to manage services and deliver positive outcomes to people despite the range of cuts that have been undertaken. In terms of sexual health services we have the 20th highest rates of new sexually transmitted infections in England, but in some sexually transmitted infections we are seeing positive results including a screening programme that is running which can help prevent long term reproductive health issues for individuals in the city is delivering positive results.

But regionally and nationally sexual health services are going to be re-commissioned soon and there is going to be a funding reduction applied to that recommissioning."

90.24 Councillor Phillips asked the following supplementary question, "It would be beneficial if Councillors could focus on the question itself. As a result of cuts, there is a one half day clinic per week which will be closed and there may also be a reduction to the opening hours of other clinics yet to be identified. Has Cllr Yates ever highlighted the damage being done or just simply managed the decline of services?"

90.25 Councillor Yates replied, "When we had the Chief Executive of Public Health England come down in January we highlighted the negative effect that cuts in public sector funding and especially in the public health grant was having in our ability to deliver the

best possible outcomes for individuals in the city and that is absolutely what we need to do. We need to make sure that we deliver the best outcomes and I will focus on outcomes again. If we look at the rate of genital herpes reduced by 12.3%, the rate of genital warts by 0.4% rates of gonorrhoea have fallen since 2014 with a reduction in a single year of 27% and we are managing to see a reduction and a control of the re-infection rates. As one of the issues we have with individuals who suffer with gonorrhoea is that there is quite often re-infection and we have to deal with that. The biggest challenge we all need to focus on is how do we get our sexual health services as a partnership to work better together and we already in discussions working alongside the current providers of those services because the most important thing that we have done is to give them fair warning and forewarning of what the decisions are that we are likely to have to take in the future. That is what the four year budget programme did when it highlighted when re-commissions were coming up how the cuts were going to fall and it was re-forecast as a result of the Tory additional in year cuts again it gave even further detail of how that was going to happen and some of the benefits of doing that is that we have been able to say it made sense this year when we extended the contract for the integrated sexual health service, it was a 3 year contract with the option to extend for 2 years and we extended it for 2 years to give those services fair warning that some of the changes that they are going to have to make can actually be delivered and that a range of those organisations are going to be working together and some of the things that they are planning on doing in order to meet that challenge and still deliver the positive outcomes are around re-pricing the sexual health tariffs to actually demonstrate and take the approach that is in line with the approaches that London and other authorities have had to take. Introduction of self-sampling so that people can actually sample in a cheaper and more efficient way and to deliver some back office efficiencies. Not a cut to front line service but a cut to inefficiency that is driven through the delivery model that was introduced 3 years ago and allowing them to take a decision that Brighton & Sussex University Hospitals Trust and Sussex Community Foundation Trust have agreed to dissolve the partnership that existed and to transfer through TUPE and using the TUPE regulations the Sussex Community Foundation Trust staff to transfer over to B&SUH's Trust."

(7) Councillor Wares

- 90.26 Councillor Wares asked the following question, "With recent committees and reports on PSPOs why did the Labour Administration keep quiet on the existence of the County Borough of Brighton 1954 and Borough of Hove 1990 Byelaws and the benefits they would bring?"
- 90.27 Councillor Daniel replied, "The report was about PSPOs not byelaws."
- 90.28 Councillor Wares asked the following supplementary question, "If you are aware of these byelaws, and knowing they are more powerful in protecting every open space and park in the city, by virtue of offences such as antisocial behaviour, camping and unauthorised encampments being a criminal offence, why is the Labour administration not using them? Especially where such places are not protected by PSPOs and Section 61a Powers are not available?"
- 90.29 Councillor Daniel replied, "We have 3 options open to us:

- PSPOs which are limited to certain pieces of land.
- Section 61 and 62 are the Criminal Justice and Public Order Act 1994, and
- A set of laws which are Byelaws.

The more modern laws have been worked through in partnership and, also take account of other laws that came in subsequent to byelaws. You can implement byelaws but you still have the same resource implications, and issues that you have implementing any of the other powers that we have. We need to identify an offender, get witness statements, and need the police to assist and be available if there is a confrontation. In relation to unlawful encampments, the need to ensure all appropriate checks are undertaken, which means welfare checks, which incorporates the Human Rights Legislation and our requirements as a local authority. We had a very good opportunity just some weeks ago where this could have been raised in committee, could have been raised in chairs and been incorporated in that report. I always welcome opposition contributing to the Agenda.”

(8) Councillor Littman

90.30 Councillor Littman asked the following question, “Are you at all concerned that cuts in funding to City Clean have been allowed to the point where they can no longer keep the city clean?”

90.31 Councillor Mitchell replied, “I deeply abhor all of the cuts that have been made to all council’s by this Tory Government, not least to basic services that everybody relies on and, where we have a situation where adverse weather can prevent such challenges to a service. However last year we did put in additional resources, which mean that we now have additional loaders and drivers and more recently we have put in a team of staff to support the City Clean modernisation programme. The objectives of the modernisation programme are to implement processes to allow our customers to contact the service in a better way, more quickly and effectively. To establish clear lines of accountability supported by effective performance management to create a culture that will benefit customers and officers and support new ways of working. To provide assurance that the service is meeting its health and safety requirements and identify opportunities to deliver savings in a way that will generate income ‘Spend to Save’ opportunities. The current project, being undertaken by this small team, to give an idea of the work that is currently going on:

- A roll out of communal bins
- The roll out of wheelie bins and there is more detail of that in your addendum papers in response to Cllr Wares questions,
- A round restructure
- Our garden waste scheme is proving more and more popular and this will necessitate some changes to that
- Commercial Services work is underway to review the commercial operations within City Clean
- Public Conveniences – a report is coming to the Policy, Resources & Growth Committee in July seeking authorisation for the use of capital funding already agreed toward public toilet refurbishments
- Dedicated support is also being provided in relation to procurement and HR

It is anticipated that this programme will work through for the forthcoming year and this will support and modernise the service.”

90.32 Councillor Littman asked the following supplementary question, “As Councillors, we all owe a massive debt of gratitude to the staff of City Clean for their tireless and diligent work. We find ourselves in a situation where our email inboxes are full of complaints about uncollected refuse and recycling, our streets are full of overflowing rubbish bags put next to communal bins which haven’t been emptied. One local vicar in my ward is quoted in the Brighton & Hove Independent as saying most Sundays for me begin in the early morning clearing up the rubbish that has overflowed onto the pavement over the w-e so that people can simply be able to walk along the pavement. Can I ask how Councillor Mitchell can claim that she is getting the basics right?”

90.33 Councillor Mitchell replied, “I think my previous response actually demonstrated that we are concentrating on the basics and combined with good enforcement we know that this service will improve.”

(9) Councillor C. Theobald

90.34 Councillor C. Theobald asked the following question, “The worst part of the A27 for litter seems to be from Hollingbury to Hove, especially on the south side. The Government last April announced that it would change the law so one no longer has to prove the individual responsibility but it can be the vehicle owner and also to increase fines for littering. Is there a way of preventing the litter being discarded on the highway by the use of cameras for example? I feel there must be a way of doing something about this rubbish and I believe a lot of it possibly comes from the back of lorries, especially the large pieces of plastic we keep seeing. What is needed is prevention. Please can the Council look into this?”

90.35 Councillor Mitchell replied, “The Government’s Litter Strategy did allow for Councils to fine people and indeed passengers in cars as well as drivers where it was proved necessary in court that litter had been thrown from a vehicle on to the verges alongside major roads. Unfortunately what the Government didn’t do was to provide the necessary funding to allow for this evidence to be gathered in terms of the cameras that would be needed. What we are looking at is some signage that could be placed alongside these roads to remind people it is an offence to litter. The written response to Cllr West’s question highlights that we are still waiting to hear on Highways England to give us permission to clear these verges on both the A27 and the A23.”

90.36 Councillor C. Theobald asked the following supplementary question, “I wonder if anyone has actually been fined by Brighton & Hove City Council? I look forward to an improvement as it must cost a lot of money each time it is cleared up. A few cameras and fining people could help the situation.”

90.37 Councillor Mitchell replied, “I thank Councillor Theobald for her comments and I look forward the situation being in a better way, but we would need the resources to do it.”

(10) Councillor Gibson

- 90.38 Councillor Gibson asked the following question, “Will Cllr Meadows commit to ensuring and if necessary bringing forward expenditure so that the legacy of her four years won’t be that we didn’t use the resources that the Government had made available to us in order to tackle what is a very serious housing crisis in the City?”
- 90.39 Councillor Meadows replied, “You are quite right the officers are predicting that it is going to take us five years to reach the HRA borrowing cap however, if there were Green and Conservative Group support at Housing Committee when we have new developments coming through I am certain we could spend the money a lot faster, but we need your support to do that.”
- 90.40 Councillor Gibson asked the following supplementary question, “Will Councillor Meadows quote now publicly that we will use the available resources we have in the next year?”
- 90.41 Councillor Meadows replied, “We spent £12m on Brookmead, £14m on Kite Place, almost £7m on Hobby Place, if we have only spent £3.5m per year over the last 3 years my calculation is that is only £10.5m as you can tell from my previous response we have spent far more than that. I will state again that I am very keen to build more social housing in the city, we are all aware of the housing situation in our city but I need your support to do that.”

(11) Councillor G. Theobald

- 90.42 Councillor G. Theobald asked the following question, “When visitors arrive at Brighton Station and the walk down Queens Road to the seafront they will be greeted with graffiti everywhere and street furniture covered in stickers. However, since I raised the dreadful state of the city centre with the Chief Executive on 22 February and, by tabling this question, I am pleased to say that some of the long standing graffiti has very recently gone, although there is still a considerable amount in our streets all around us.

Councils place great stock on being responsible for place setting with parks. If you agree with me that a clean and tidy city encourages visitors to come here businesses can prosper and residents be satisfied, can you kindly advise me what steps you and your colleagues in administration are taking to take the lead in cleaning up our city?”

- 90.43 Councillor Mitchell replied, “I agree with you that graffiti is a scourge that blights towns and cities. This council works very closely with the police but, getting the required evidence to fine or prosecute is always difficult. The council removes all graffiti from public property, works with utility companies in relation to cleaning street furniture. Supports local community clean up campaigns, runs graffiti removal days with local businesses. I have instructed officers to prepare a city wide graffiti strategy but strategies are only as good as the finance that supports them, and in this case, the relevant powers will lay with planning enforcement, but for those of you who attended workshops is extremely under pressure. The draft Strategy will come to ET&S Committee in due course. We have also been running and are still running high profile anti-litter campaigns including on the beach. We have also been running ‘Tidy Up Team’ campaigns in our local parks and I hope that you might be able to join in one of those in your ward. In relation to Place Setting, we have put funding in the budget to enhance the visitor welcome and sense of identity for the city, plans are under way for public art and

the public realm linked to events. This activity is to be carried out in conjunction with local organisations and communities. On a wider note, of course we are working with our partners on the Economic Strategy and the Visitor Strategy, all aimed at boosting this city and promoting its unique identity.”

90.44 Councillor G. Theobald asked the following supplementary question, “Why can’t the Komedia say to promoters if your event is fly-posted around the city we will no longer have you appearing at the Komedia?”

90.45 Councillor Mitchell replied, “It is a good suggestion and I think all promoters need to adopt that type of strategy. Our officers do work with organisations such as Komedia to remind them about this and their responsibilities. We will continue to do that maybe we will be able to learn through the production of the strategy from other towns and cities that might be more successful at this than we are.”

(12) Councillor Mears

90.46 Councillor Mears asked the following question, “Can the Chair of Housing reassure Council that all front doors in blocks are compliant with Fire Safety Regulations including fire risk assessments?”

90.47 Councillor Meadows replied, “I believe you are referring to Masterdor. We have been in contact with both the manufacturer and the Ministry of Housing, Communities and Local Government for further information and we are tracking developments of the testing commissioned by government that are being undertaken. As soon as results are known we will review these and if necessary plan and take appropriate action related to the councils stock and consider what information needs to be shared with other landlords / duty holders in the city.

As you know though we are moving forward very clearly with our sprinkler system ahead of any other developments that the government may be bringing forward and we have done a lot of work on our own stock.”

90.48 Councillor Mears asked the following supplementary question, “Can the Chair of Housing confirm that the fire risk programme is up to date for tenants and leaseholders as per the council’s policy. Yearly in high rise in an exact 12 month cycle and three yearly are for others, as stated on page 5 of the Fire Safety Policy?”

90.49 Councillor Meadows replied, “Following the Grenfell Tower tragedy all of our blocks in the city were re-inspected with East Sussex Fire and Rescue Service (ESFRS) to ensure that no high rise council blocks contain the aluminium composite material (ACM) of the type found at Grenfell and as an enhancement to our existing annual fire risk assessments, all Council high rise blocks received an additional precautionary joint fire safety check by council surveyors and ESFRS. Information on cladding, insulation, and fire safety checks that has been published online and in order to provide extra re-assurance to yourself and to tenants and leaseholders we also commissioned an independent survey to double check (seven) blocks with a rain screen cladding, confirming that the materials used were not an ACM material type panel. The Council have always reassured their tenants and tenants tell us that they feel exceedingly reassured by the fire safety assessments being carried out on their blocks and we are

continuing to work in partnership with ESFRS in collating responses to government guidance, requests for information and keeping post Grenfell inductions under review.”

(13) Councillor Nemeth

90.50 Councillor Nemeth asked the following question, “Given that the administrations proposed rise in annual charges for beach hut owners has now been cancelled entirely due to notice letters not being sent on time will the accompanying sales tax of 10% now be cancelled for the same reason and through the fact that it has been ruled unlawful through the beach hut contract not actually containing provision for a sales tax?”

90.51 Councillor Robins replied, “A review is being undertaken on the procedure of implementing the revised transfer fees and the report will be brought to the Tourism, Development & Culture Committee for Members to consider the issue.”

90.52 Councillor Nemeth asked the following supplementary question, “Bearing in mind the stress and anxiety that has been caused by this whole exercise, made worse by a staggering 67 beach huts being broken into in the past two weeks, might now be a good time for the administration to reassure beach hut owners that a more co-operative approach will emerge going forward.”

90.53 Councillor Robins replied, “We will be writing to beach hut owners and I am sure you would want me to inform you before we inform them.”

(14) Councillor Miller

90.54 Councillor Miller asked the following question, “Would Councillor Robins confirm that Brighton & Hove have indeed invited Channel 4 to relocate 300 of their 900 staff to a base in Brighton along with 12 other cities nationwide and the resulting growth in high paid jobs and retention of business rates in the office they will occupy for our city, its residents and the city council?”

90.55 Councillor Robins replied, “Channel 4 is expected to invite pitches from cities across the UK to host its second headquarters next week. It will be keeping one in the capital and has agreed to move hundreds of staff out of London to create enhanced regional presence in three new ‘creative hubs’ in the nations and the regions with the locations for the new hubs being confirmed by September. The plan includes a commitment to spend half of Channel 4’s £700m annual programme budget on shows made by TV production companies based outside London by 2023. It is estimated that its plans to create 3000 new jobs in the creative industries outside London. A dozen cities and regions across the UK have been lobbying to provide new homes for Channel 4, including Manchester, Liverpool, Sheffield, Leeds, Norwich, Nottingham and Glasgow. Several of these have strong arguments and have already benefited from the BBC’s move to decentralise. Publicly owned, but largely funded by advertising revenues, Channel 4 has not been keen to move out of the capital, which is the home of the majority of the advertising companies. Its advertising operation will remain in London and the move will focus on production. It will be looking for a regional base which can provide access to a skilled workforce, with good national connections and the potential for a significant infrastructure and production facilities. Brighton & Hove does not have a well-established television and film centre and its proximity to the capital and the cost

and availability of premises in the city suggest it would be unlikely to bid successfully against the cities who have already declared their interest. However, Brighton does of course have a well-developed creative sector, it continues to be a popular filming location, and the local digital and media sector is well-placed to build on developing interest in convergent media, so there could be opportunities locally to take advantage of the current national debate concerning the need to increase regional production regardless of the outcome of the relocation process. Officers will keep a watching eye on developments.”

90.56 Councillor Miller asked the following supplementary question, “I think that is a no, but in national press reports it has been suggested that Brighton & Hove has declared an interest in doing so. It is unfortunately to hear Cllr Robins down play the capacity of our city to provide these much necessary jobs in what is a booming creative economy in our city. In all the press reports, as you say, Brighton seems unlikely at the moment because of such atone to get such a relocation compared with other cities. Therefore what more will his administration and officers do to support Channel 4s relocation to our city for example identifying and appropriate office or spaces that they can film and will Cllr Robins ensure all necessary officer resource is allocated to the bid released a couple of days ago, not next week, to ensure Brighton & Hove becomes a front runner for Channel 4’s relocation.”

90.57 Councillor Robins replied, “Councillor Miller seems to be far more advanced in this than I am don’t think I played down Brighton, I said that it’s close proximity to London, and cost of relocating here may be a hazard and that is being realistic. I did also say that officers will be keeping a watchful eye on this and if it becomes feasible that we can come forward with it then we certainly will.”

(15) Councillor Peltzer Dunn

90.58 Councillor Peltzer Dunn asked the following question, “When was the B2066 in Hove last fully re-dressed?”

90.59 Councillor Mitchell replied, “The B2066 runs from Boundary/Station Road in Portslade to A259 at Roedean. I have made a guess that Cllr Peltzer Dunn is most interested in the New Church Road section. Some stretches of the road have been re-surfaced at different times, others have mastic asphalt coatings. The Tesco section and the Lansdowne Place to Montpelier Road sections were resurfaced a few years ago, the Palmeira Square area was completely re-built. Within this years’ maintenance budget there will be further works carried out of sections of the road following surveys by the Council’s highways and engineers. I will ask officers to contact you with dates as to when this work will be undertaken.”

90.60 Councillor Peltzer Dunn asked the following supplementary question, “I asked “when was the B2066 in Hove last ‘fully’ redressed”. I accept her assurance that they will be inspected and priorities obviously have to be met but at the moment Church Road Hove has areas where it is in a dangerous state and it endangers pedestrians, cyclists and motorists. I therefore ask her to for assurance that she will instruct officers to take appropriate action?”

90.61 Councillor Mitchell replied, “Of course I will.”

91 PAY POLICY STATEMENT 2018/19

91.1 **RESOLVED:** That the Pay Policy Statement 2018/19 as set out in appendix 1 to the report be adopted.

92 TREASURY MANAGEMENT STRATEGY STATEMENT 2018/19 (INCORPORATING ANNUAL INVESTMENT STRATEGY)**92.1 RESOLVED:**

- (1) That the TMSS and Treasury Management Practices, which remain as approved by Policy, Resources & Growth Committee on the 23rd March, 2017 be approved;
- (2) That the Annual Investment Strategy 2018/19 as set out in appendix 2 to the report be approved; and
- (3) That the Borrowing Strategy as set out in appendix 3 to the report be approved.

93 VIOLENCE, VULNERABILITY AND EXPLOITATION

93.1 **RESOLVED:** That the Council's Community Safety Strategy be updated to incorporate the Violence, Vulnerability and Exploitation Strategy as detailed in appendix 1 to the report.

94 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION:**(1) These Walls Must Fall**

94.1 The joint Notice of Motion as listed in the agenda was proposed by Councillor Councillors Daniel on behalf of the Labour & Co-operative, Conservative and Green Groups and seconded by Councillors Wealls and Littman.

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

This council resolves to support the These Walls Must Fall declaration, noting:

- That the practice of indefinite detention for immigration purposes is an unacceptable breach of basic human rights. It is an affront to some of our most important shared values, robbing people of the right to liberty, justice and dignity.
- That the harm and injustice of the detention system, its direct impact on individuals and on our society, cannot be addressed by improvements to conditions or minor reforms to the way the system is operated.
- That indefinite detention is a serious civil rights issue that must not be ignored. We have a responsibility to act, and we will work to expose this injustice and bring an end to the practice of indefinite detention.

This council also requests the Chief Executive writes to the Home Secretary asking that the Government examines immigration systems outside of the United Kingdom where indefinite detention is prohibited, in order to develop robust alternatives.

94.3 The Mayor confirmed that the motion had been carried unanimously.

(2) Unite Construction Charter

94.4 The Notice of Motion as listed in the agenda was proposed by Councillor Platts who stated that she believed everyone went into politics to make a positive difference for people they represent. She was grateful to the Unite Union which was seeking to protect the construction industry and she hoped that Members would support the notice of motion calling for a report to the Policy, Resources & Growth Committee. She noted that a number of local authorities had signed up to the Charter and stated that health & safety in the workplace should be an open process and shouldn't rely on whistle blowers to raise awareness. The Charter gave an opportunity to protect construction workers in the city and should be fully supported.

94.5 The Mayor congratulated Councillor Platts on behalf of the Council on her maiden speech.

94.6 Councillor Cattell seconded the motion.

94.7 Councillor Mears moved an amendment on behalf of the Conservative Group which was seconded by Councillor Bell.

94.8 The Mayor noted that the Conservative Group's amendment had not been accepted by Councillor Platts and put it to the vote which was lost by 16 votes to 33.

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

This council resolves to support the Unite the Union Construction Charter and request that a report come to the Policy, Resources & Growth Committee regarding signing up to the Charter, recognising that:

- As a Local Authority we are responsible for the procurement of construction projects.
- It is therefore appropriate that as a responsible client we sign up to this Charter, and commit to working with the appropriate trade unions, in order to achieve the highest standards in respect of; direct employment status, Health & Safety, standard of work, apprenticeship training and the implementation of appropriate nationally agreed terms and conditions of employment.
- As more local authorities support the Charter this may lead to policy change at a national level leading to improved minimum standards in local authority procurement of construction projects.

94.10 The Mayor confirmed that the motion had been carried by 33 votes to 16.

(3) Women Against State Pension Injustice (WASP) Campaign.

94.11 The joint Notice of Motion as listed in the agenda was proposed by Councillor Meadows on behalf of the Labour & Co-operative, Conservative and Green Groups and seconded by Councillors Bell and Littman.

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

The Council resolves to ask the Chief Executive to write to the Secretary of State for Work and Pensions and the Minister for Women and Equalities, calling upon the Government to:

- Make fair transitional state pension arrangements for all women born on or after 6th April 1950, who have unfairly borne the burden of the increase to the State Pension Age (SPA), with lack of appropriate notification, so not enabling them to make alternative arrangements.
- Recognise that women born in the 1950s affected by these pension changes are likely to suffer particular financial hardship, due to the obstacles to them re-entering the workplace, including age discrimination, and due to the fact that many will also have taken on caring responsibilities for relatives and grandchildren.

94.13 The Mayor confirmed that the motion had been carried unanimously.

(4) Hove Library Planning Application.

94.14 The Notice of Motion as listed in the agenda was proposed by Councillor Nemeth on behalf of the Conservative Group and seconded by Councillor Wealls.

94.15 Councillor Daniel moved an amendment on behalf of the Labour & Co-operative Group which was seconded by Councillor Cattell.

94.16 The Mayor noted that the Labour & Co-operative Group's amendment had not been accepted by Councillor Nemeth and put it to the vote which was lost by 20 votes to 27.

94.17 The Mayor then called on the Monitoring Officer to clarify the position prior to putting the substantive motion to the vote.

94.18 The Monitoring Officer confirmed that should the motion be carried it would result in officers being asked to consult with the cross-party working group which would be fully informed of the situation prior to a decision being taken on the matter by officers.

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

This Council resolves to:

1. Immediately call a halt to the proposed works to Hove Library following criticism from residents, campaigners, conservation societies and the Conservation Advisory Group (CAG) about the way in which the planning process was handled, until the

go-ahead is given by the Cross-Party Hove Library Working Group (which was not consulted on the proposal); and

2. Requests the Chair of the Tourism, Development & Culture Committee to call for an officer report on the way in which application BH2017/03940 for works to the Library was advertised during the Christmas period and granted planning permission without either resident, councillor or CAG scrutiny, that includes specific proposals on both consultation period and councillor intervention to ensure that such an event does not happen again.

94.20 The Mayor confirmed that the motion had been carried by 27 votes to 0, with 20 abstentions.

(5) Women in Government and Politics.

94.21 The Notice of Motion as listed in the agenda was proposed by Councillor Greenbaum on behalf of the Green Group and seconded by Councillor Mac Cafferty.

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

This Council resolves to:

- 1) Request the Chair of the Policy, Resources & Growth Committee to call for a report detailing the options for how Brighton & Hove City Council can implement the relevant recommendations for Local Authorities (where not already in place) listed in the Fawcett Society/LGiU report: *'Does Local Government Work for Women?'* (1)
- 2) Request the Chief Executive write to the Secretary of State for Communities and Local Government, supporting the introduction of a statutory maternity, paternity, adoption and parental leave policy for Councillors;
- 3) Request the Chair of the Policy, Resources & Growth Committee, to call for a report detailing options for how the council can implement its own formal maternity, paternity, adoption and parental leave policy for Councillors;
- 4) Request the Chief Executive writes to the Secretary of State for Communities and Local Government calling for guidance to be issued to local remuneration panels to promote the Fawcett model for a comprehensive dependent carers' allowance scheme, so that all childcare and adult dependent care costs are covered,
- 5) Request that as part of its next review of the Members Allowances Scheme, the Independent Remuneration Panel consider options to update the Scheme, changing the hourly child and dependent care allowance to the Brighton Living Wage (£8.75); and longer term, to seek to more accurately reflect the true cost of Ofsted registered childcare and adult care (2)
- 6) Request that Audit & Standards Committee consider adding Sexual Harassment and Sex Discrimination policies to the Code of Conduct.

94.23 The Mayor confirmed that the motion had been carried by 31 votes to 16.

(6) Commercial Recycling for Small Businesses.

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

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

This Council notes that It is often not commercially viable for many small businesses and sole traders to use commercial waste recycling services.

This council resolves to:

Request the Chair of Environment, Transport & Sustainability to call for a report to be provided to the next Environment, Transport & Sustainability Committee on a process of how Cityclean could provide an affordable and suitable commercial recycling service for small businesses and sole traders who operate from home or produce very small quantities of recyclable waste.

94.26 The Mayor confirmed that the motion had been carried by 27 votes to 19.

95 CLOSE OF MEETING

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

The meeting concluded at 9.25pm

Signed

Chair

Dated this

day of

2018