

BRIGHTON & HOVE CITY COUNCIL MEETING

4.30PM 28 MARCH 2019

COUNCIL CHAMBER - BRIGHTON TOWN HALL

AGENDA

Council Meeting

Title:	Council
Date:	28 March 2019
Time:	4.30pm
Venue	Council Chamber - Brighton Town Hall
Members:	All Councillors You are summoned to attend a meeting of the BRIGHTON & HOVE CITY COUNCIL to transact the under-mentioned business.
	Prayers will be conducted in the Council Chamber at 4.20pm by Father Richard Tuset
Contact:	Mark Wall Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

	<p>Public Involvement The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.</p> <p>Please note that the Public Gallery is situated on the second floor of the Town Hall. We have made a number of adjustments to make the venue as accessible as reasonably possible.</p> <p>If you wish to attend a meeting but are unable to use stairs please contact the Democratic Services Team (Tel: 01273 291066) in advance of the meeting to discuss your access requirements. We can then work with you to enable your attendance and also to ensure your safe evacuation from the building, in the event of an emergency.</p>
	The Town Hall has facilities for disabled people including a lift and wheelchair accessible WCs. In the event of an emergency evacuation there is a special lift which can be used as part of a managed evacuation to assist disabled people. Please refer to the Access Notice in the agenda below.
	An infra-red hearing enhancement system is available within the council chamber to assist hard of hearing people. Headsets and neck loops are provided. If you require any further information or assistance, please contact the receptionist on arrival.

This Agenda and all accompanying reports are printed on recycled paper

AGENDA

83 DECLARATIONS OF INTEREST

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

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

If unsure, Members should seek advice from the Monitoring Officer or Democratic Services Officer preferably before the meeting.

84 MINUTES

13 - 52

To approve as a correct record the minutes of:

- (a) the last Ordinary Council meeting held on the 31st January 2019 (copy attached);
- (b) the Budget Council meeting held on the 28th February 2019 (copy to follow); and
- (c) the Extraordinary Council meeting held on the 5th March 2019 (copy to follow).

Contact Officer: Mark Wall

Tel: 01273 291006

Wards Affected All Wards

85 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

86 TO RECEIVE PETITIONS AND E-PETITIONS.

Petitions will be presented by Members and/or members of the public to the Mayor at the meeting.

87 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of 12noon on the 22nd March, 2019 will be circulated separately as part of an addendum at the meeting.

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88 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

A list of deputations received by the due date of 12noon on the 22nd March, 2019 will be circulated separately as part of an addendum at the meeting.

89 PETITIONS FOR COUNCIL DEBATE

53 - 60

Petitions to be debated at Council. Reports of the Monitoring Officer (copies attached):

- (1) Madeira Arches – Concorde. Lead petitioner Derek Wright.
- (2) Valley Gardens Phase 3. Lead petitioner James Noble.
- (3) Youth Strike Action for Climate Change. Lead petitioner YoutAction4ClimateChange.

Contact Officer: Mark Wall

Tel: 01273 291006

Wards Affected All Wards

90 CALL OVER FOR REPORTS OF COMMITTEES.

- (a) Call over (items 93 to 101) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.
- (c) Oral questions from Councillors on the Committee reports, which have not been reserved for discussion.

91 WRITTEN QUESTIONS FROM COUNCILLORS.

61 - 64

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

Contact Officer: Mark Wall

Tel: 01273 291006

92 ORAL QUESTIONS FROM COUNCILLORS

65 - 66

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

Contact Officer: Mark Wall

Tel: 01273 291006

6.30 - 7.00PM REFRESHMENT BREAK

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

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REPORTS FOR DECISION

- 93 APPOINTMENT OF AN INDEPENDENT PERSON** **67 - 70**
- Report of the Monitoring Officer (copy attached).
- Contact Officer: Victoria Simpson Tel: 01273 294687*
- Wards Affected All Wards*
- 94 PAY POLICY STATEMENT 2019/20** **71 - 86**
- Extract from the proceedings of the Policy, Resources & Growth Committee meeting held on the 21st March, 2019 (copy to follow); together with a report of the Executive Director for Finance & Resources (copy attached).
- Contact Officer: Matt Naish Tel: 01273 295088*
- Wards Affected All Wards*
- 95 REVIEW OF THE CODE OF CONDUCT FOR EMPLOYEES** **87 - 116**
- Extract from the proceedings of the Audit & Standards Committee meeting held on the 12th March, 2019; together with a report of the Executive Lead Officer for Strategy, Governance & Law (copies attached).
- Contact Officer: Victoria Simpson Tel: 01273 294687*
- Wards Affected All Wards*
- 96 REVIEW OF PARTS OF THE CONSTITUTION INCLUDING THE CODE OF CONDUCT FOR MEMBERS AND RELATED ARRANGEMENTS** **117 - 152**
- Extract from the proceedings of the Audit & Standards Committee meeting held on the 12th March, 2019; together with a report of the Executive Lead Officer for Strategy, Governance & Law (copies attached).
- Contact Officer: Victoria Simpson Tel: 01273 294687*
- Wards Affected All Wards*

REPORTS REFERRED FOR INFORMATION

- 97 REPORT OF THE EAST SUSSEX FIRE AUTHORITY** **153 - 164**
- Reports of the East Sussex Fire Authority meetings held on the 18th December, 2018 and 14th February, 2019 (copies attached).
- Contact Officer: Abraham Ghebre-Ghiorghis Tel: 01273 291500*
- Wards Affected All Wards*

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98 VALLEY GARDENS PHASE 3 (ROYAL PAVILION TO SEAFRONT) RESULTS OF PUBLIC CONSULTATION AND APPROVAL OF FINAL PRELIMINARY DESIGN 165 - 274

Extract from the proceedings of the Special Environment, Transport & Sustainability Committee meeting held on the 7th February, 2019 together with a report of the Executive Director for Economy, Environment & Culture (copies attached).

Contact Officer: Oliver Spratley Tel: 01273 290390

Wards Affected Queen's Park; Regency; St Peter's & North Laine

99 PROCUREMENT OF AN ASSESSMENT SERVICE FOR ROUGH SLEEPERS 275 - 288

Extract from the Housing & New Homes Committee meeting held on the 13th March, 2019, together with a report of the Executive Director for Health & Adult Social Care (copies attached).

Contact Officer: Jenny Knight Tel: 01273 293081

Wards Affected All Wards

100 CONTRACT AWARD FOR THE PROVISION OF A "SAFE SPACE TO STAY" SERVICE FUNDED FROM THE MINISTRY OF HOUSING COMMUNITIES AND LOCAL GOVERNMENT 289 - 302

Extract from the proceedings of the Housing & New Homes Committee meeting held on the 13th March, 2019, together with a report of the Executive Director for Health & Adult Social Care (copies attached).

Wards Affected All Wards

101 HRA BORROWING CAP 303 - 316

Extract from the proceedings of the Housing & New Homes Committee meeting held on the 13th March, 2019, together with a report of the Executive Director Neighbourhoods, Communities & Housing (copies attached).

Contact Officer: Martin Reid Tel: 01273 293321

Wards Affected All Wards

102 CLOSE OF MEETING

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

Note:

1. *The Mayor will put the motion to the vote and if it is carried will then:-*
 - (a) *Call on the Member who had moved the item under discussion t their right of reply, before then putting the matter to the vote,*

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*into account the need to put any amendments that have been r
to the vote first;*

- (b) *Each remaining item on the agenda that has not been dealt w
then be taken in the order they appear on the agenda and put
vote without debate.*

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

- (c) *Following completion of the outstanding items, the Mayor wil
close the meeting.*

2. *If the motion moved by the Mayor is **not carried** the meeting will conti
the normal way, with each item being moved and debated and voted o*
3. *Any Member will still have the opportunity to move a closure motion s
they so wish. If such a motion is moved and seconded, then the
procedure as outlined above will be followed.*

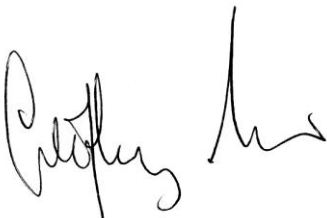
*Once all the remaining items have been dealt with the Mayor will clo
meeting.*

FOR INFORMATION

Listed below are responses from Government Departments and other Bodies
which have been written to by the Chief Executive following the approval of
Notices of Motions at previous council meetings:

- (1) Letter received from Elizabeth Truss MP in response to End of Austerity motion
approved at the Council meeting on the 13.12.18
- (2) Letter received from Kit Malthouse MP, Secretary of State for Housing in response to
HRA Housing Gap motion approved at the Council meeting on the 13.12.18.

Date of Publication - Wednesday, 20 March 2019



Hove Town Hall
Norton Road
Hove
BN3 3BQ

PUBLIC INVOLVEMENT

Provision is made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

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

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

Electronic agendas can also be accessed through our meetings app available through www.moderngov.co.uk

We can provide meeting papers in alternate formats (including large print, Braille, audio tape/disc, or in different languages. Please contact us to discuss your needs.

WEBCASTING NOTICE

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

You should be aware that the Council is a Data Controller under the Data Protection Act 1998. Data collected during this web cast will be retained in accordance with the Council's published policy (Guidance for Employees' on the BHCC website).

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

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

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

ACCESS NOTICE

The public gallery to the council chamber – which is on the second floor – is limited in size but does have 3 spaces designated for wheelchair users. There is a lift to the second floor and an automatic door and ramped access to the public gallery. There is a wheelchair accessible WC close by. The seated spaces available in the gallery can be used by disabled people who are not wheelchair users, but able to use bench style seating.

The Town Hall has a specially designed lift that can be used in the event of an emergency evacuation. The size of the refuge areas (in the fire protected areas where people unable to use the stairs will wait to be assisted from the building via the lift), will accommodate 2 wheelchair users and several standing users.

If the public gallery is full, Committee Room 1 on the ground floor can be used. This is an inclusive space with video conferencing facilities and AV links to the council chamber, automatic doors, level access, its own step-free fire escape, and nearby WC facilities including wheelchair accessible provision. From this room you can watch the meeting and

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take part in proceedings, for example if you have submitted a public question.

Please inform staff on Reception if you have any access requirements so that they can either direct you to the public gallery, or to the video-conferencing room as appropriate.

We apologise for any inconvenience caused

FIRE / EMERGENCY EVACUATION PROCEDURE

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

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and

Do not re-enter the building until told that it is safe to do so.

**BRIGHTON & HOVE CITY COUNCIL
PROCEDURAL RULES AIDE MEMOIRE**

Point of Order	<p>A Member claiming to speak on a point of order or in personal explanation shall be entitled to be heard forthwith. The point of order shall relate only to an alleged breach of a specified statutory provision or a specified Procedure Rule, and the way in which the Member raising it considers that it has been broken.</p> <p>Personal explanation shall be confined to some material part of the speech by him/her which may appear from the current debate to have been misunderstood.</p>	15.10
	<p>The ruling of the person presiding on a point of order or on the admissibility of a personal explanation shall not be open to discussion except on a motion of which due notice has been given.</p>	15.11
Extensions of Speaking Times	<p>Any extension of time for speeches consented to by the Council shall be limited to 5 minutes. Where necessary the Mayor will call for a show of hands to ensure there is a majority in favour of the extension.</p>	16.4
End of meeting Closure Motion	<p>Without prejudice to 17.2 below, when a period of four hours excluding adjournments has elapsed since the commencement of a meeting of the Council, the Mayor shall move, without comment, that the meeting ends and that business be concluded in accordance with Procedure Rule 17.5.</p> <p>Should the closure motion be carried, the Mayor will put any unfinished business to the vote without discussion.</p> <p>Any Member moving a report or a Notice of Motion may withdraw the report or Notice of Motion.</p>	17.1
	<p>If the motion under 17.1 or 17.2 is passed then immediately after the vote (in the case of a motion under 17.1) or when the time specified in the motion arrives (in the case of a motion under 17.2):</p> <ul style="list-style-type: none"> (a) no further points of order shall be raised except by the Mayor; (b) the Mayor shall then interrupt the discussion of the question then before the meeting; (c) unless the mover of the motion then under discussion seeks leave to withdraw that motion, the Mayor shall allow him/her to reply to the debate for not more than three minutes; (d) unless the motion then under discussion is withdrawn, the Mayor shall put, without further discussion, all the questions necessary to dispose of that motion; (e) the Mayor shall put, without discussion, all the questions necessary to complete consideration of any reports which remain on the agenda for the meeting, unless the relevant Cabinet Member or Committee Chair (or a person on his/her behalf) indicates a wish to the contrary; (f) the Mayor shall call each Member who has given notice of a motion to be moved at the meeting to move (unless previously withdrawn) without comment, shall permit any motions so moved to be seconded without comment, and shall forthwith put any motions to the vote; (g) finally, the Mayor shall close the meeting. 	17.5
	<p>At a time when a period of not less than four hours excluding adjournments has elapsed since the commencement of the meeting of the Council a Member of the Council may move, without comment, that the meeting shall end at a time to be specified in the motion.</p>	17.2
	<p>Subject to the Mayor's discretion to refuse a Member's closure motion under PR17.2 (Mayor may refuse to accept the motion if a similar motion has been</p>	17.3

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	rejected earlier in the same meeting), any Member has the right to move a closure motion under Council Procedure Rule 17.2	
Quorum	¼ of whole number of Councillors (14).	6.1
Interpretation of Procedural Rules	The ruling of the Mayor or person presiding at the meeting as to the construction or application of any of these Procedure Rules shall not be challenged at any meeting.	1.4
Cameras / Recording	Without prejudice to any power of exclusion to suppress or prevent disorderly conduct or the power to deal with other misbehaviour or interference with proceedings at a meetings, any person shall be permitted to film, video or photograph the proceedings at Council meetings except for that part of the meeting where the public are excluded pursuant to a resolution passed in accordance with Section 100A(2) or (4) of the Local Government Act 1972 (as amended).	29.1
Councillor Written Questions	Written questions can be submitted in accordance with the set deadlines and will be taken as read along with the answer given in the addendum papers which are circulated at the meeting.	9.3 9.5
Councillor Oral Questions	A period of not more than 30 minutes shall be allowed for oral questions from Members. Oral questions are limited to general policy matters and only the Member asking the question may ask one supplementary question. Members will be restricted to one oral question per meeting.	9.7 9.14
Timing of speeches	Councillor moving proceedings or Motion 5 minutes. A Member moving an amendment is not moving a motion and therefore has 3 minutes as do all other speakers.	16.4
Right to Reply	3 minutes to mover of proceedings or Motion at the end of the debate prior to the vote. The mover of an amendment shall have no right of reply to the debate on the amendment.	16.6
Amendment of proceedings or Motions	More than one amendment may be moved and discussed at any one time and will be dealt with at the discretion of the Mayor or Chair. If an amendment is not carried, other amendments may be moved to the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion to which any further amendment may be moved.	15.5
Notices of Motion	Councillor moving Notice of Motion has right to reply at close of debate. If amendment moved, mover of original Motion also has right to reply at close of debate on amendment. Councillor moving an amendment has no right of reply.	16.6
Seconding Motions or Amendments	When seconding a motion or amendment, a Member may reserve his/her speech until a later period of the debate by declaring his/her intention to do so.	15.3
Rescinding decision within 6 months	Not permitted unless recommended by a Committee or Sub-Committee or Notice given by ¼ of whole number of Council Members, i.e. a quorum (14).	13.7
Question be now put	Straight majority vote.	13.1 (f)