

**WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions listed on pages 73 - 76 of the agenda have been received from Councillors and will be taken as read along with the written answers listed below:

**(a) Councillor Druitt**

“Can Councillor Hamilton explain how the government's £300m business rates discretionary fund will be split between local councils, how local businesses will be able to access the Council's discretionary scheme and what provision can the Council make to ensure the small businesses who face unaffordable increases [from the 1st](#) April are supported while the council's discretionary scheme is being set up.”

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

The council was planning to review the discretionary rate relief policy in 2017/18 in any event, but now that the government has announced a much broader discretionary scheme for councils to administer (not just limited to charities and not-for-profit organisations) we will therefore perform an even more extensive exercise to define discretionary support packages.

The key elements of the government's announcement are designed to support businesses following the 2017 Revaluation of all non-domestic properties:

- A £300 million discretionary fund, to be split among Local Authorities and administered locally.
- A £1,000 discount for pubs with a rateable value below £100,000.
- Ratepayers losing all or part of their Small Business Rate Relief as a result of the revaluation will have their bill increase limited to no more than £50 per month or £600 per year.

The Government is currently consulting on technical aspects of the new discretionary scheme, including how the £300 million will be split between authorities. Brighton & Hove will respond to this consultation. Once the government finalises these details, the council will be designing its scheme. This will include how businesses can apply and what criteria will be considered.

This £50 per month cap was announced too late to be incorporated into this year's annual bills, but businesses have been contacting our Business Rates team and temporary arrangements are being put in place. The business rates section of the council website carries further details for local businesses to access. [www.brighton-hove.gov.uk/businessrates](http://www.brighton-hove.gov.uk/businessrates)”

**(b) Councillor Druitt**

“Since Deliveroo has started predominantly using motorcycles rather than pedal cycles it has become both a nuisance and a danger to residents in the city, especially the city centre. I have had reports from many residents, fed up with delivery motorbikes going the wrong way along one way streets, using pavements and cycle paths, and weaving between bollards designed to stop traffic. What enforcement options does the council have, how often are these used, and can the Council invite Deliveroo's Chief Executive to Brighton & Hove to agree concrete actions to address the problem?”

**Reply from Councillor O’Quinn – Chair of the Licensing Committee**

“Unfortunately, there are no Government requirements for Deliveroo delivery drivers to be licensed with the Council under any of the licensing regimes we enforce.

However, I have been made aware that local police are planning to start some enforcement activity of drivers who are breaching traffic rules by driving the wrong way down one way streets for example. I do not have any further information on the proposed activity at this stage. However, it may also be worthwhile for police and the relevant authorities to look at the number of L-plated motorcycles which are being used for Deliveroo.

I will therefore request that Chief Superintendent Lisa Bell contacts Deliveroo’s Chief Executive outlining the issues concerning motorcycles being used by Deliveroo so these issues can be taken forward.”

**(c) Councillor Mac Cafferty**

“Given the extent to which last summer was marked by anti-social behaviour in the city centre parks and squares -and in my ward, in Norfolk, Brunswick and Palmeira Squares- what plans does the Labour administration have to ensure anti-social behaviour is minimised?”

**Reply from Councillor Daniel – Chair of the Neighbourhoods, Communities & Equalities Committee**

“You will probably be aware that we are implementing PSPOs in 12 locations in the city which will address ASB in specific parks and open spaces where ASB has been previously reported. This will help to set the tone for the city. We will closely monitor the implementation of the PSPOs.

The Designated Public Places Order remains in force. This enables the police to remove alcohol from people who are drinking and being anti-social or arrest them if they don’t comply.

The Community Safety Team will work with residents affected by ASB. They will help co-ordinate responses from the police and other partner agencies and will bring perpetrators to justice where necessary. This includes contributing to a

regular priority areas meeting where agencies get together to co-ordinate action to reduce ASB.”

**(d) Councillor Mac Cafferty**

“Given that Hove’s historic seafront railings and shelters make an important contribution to the city’s visual identity, when will the Labour administration agree to have them painted?”

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

“The works to redecorate the railings and shelters in Hove has already been put out to tender. The returned tenders are being evaluated with a view to starting the works in the next few weeks depending upon the weather.”

**(e) Councillor Mac Cafferty**

“With summer almost upon us once again, how will the Labour administration be preventing littering on our seafront?”

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

“City Clean has been running a hugely popular and successful ‘crime not to care’ campaign as we get the message out that littering is not an acceptable choice.

We have already had one beach clean-up day as part of this campaign and officers are working on a number of exciting promotions for the summer months too. I do believe that innovative and creative campaigns are a great way of getting key messages across to our residents and we also engage with VisitBrighton and the Business Improvement District to help get the message out to visitors and businesses too.

We are currently recruiting 20 additional beach cleaning staff and additional litter bins will be provided along the seafront in readiness for the summer months. For those who chose not to play by the rules we have, of course, a robust Enforcement Service who will and do provide fixed penalty notices for those committing crimes against our environment. I’m sure all Members will welcome the fact that Brighton & Hove City Council was named as the leading council in the country for tackling such crimes.”

**(f) Councillor Wealls**

“To ask the Chair of the Neighbourhoods, Communities & Equalities Committee to work with officers to complete the attached spreadsheet for each meeting of the NCE Committee listed stating how many papers (not petitions/presentations

etc.), were presented FOR DECISION and how many FOR NOTING at this committee and how many of the papers presented were considered at other council committees?"

**Reply from Councillor Daniel – Chair of the Neighbourhoods, Communities & Equalities Committee**

“The NCE Committee has been in place for almost 2 years and developed strong working relations with community, voluntary and resident groups, which has enabled constructive engagement across a range of key issues for the city. It has taken significant steps forward, of which being the first committee to have signers present, and full interaction with representatives from the deaf community, is one example.

Now that the Executive Director for Neighbourhoods, Communities & Housing is in place, it is expected that its extensive work programme can be further developed, to the benefit of residents and many of the administration’s and the council’s priority work areas.

Comparing the information requested by Councillor Wealls with the other policy committees below it is clear that the committee has taken decisions and proved to be an effective use of both Members and officers time.”

Committee	Total number of reports considered	Decisions			Items considered by other committees (Not including PR&G)
ETS	78	68	87.2%	of all reports were for decisions	0
PRG	174	148	85.1%	of all reports were for decisions	0
HNH	81	55	67.9%	of all reports were for decisions	7
NCE	45	28	62.2%	of all reports were for decisions	5
CYPS	68	37	54.4%	of all reports were for decisions	2
EDC	50	34	68.0%	of all reports were for decisions	2

Neighbourhoods, Communities & Equalities Committee (not inc. special meetings)					
	Total number of papers	Papers where decision required	Papers for noting	Ratio decisions/noting	Items considered by other committees (Not including PR&G)
20 July 2015	6	4	2	2	1
05 October 2015	4	2	2	1	1
23 November 2015	4	2	2	1	

25 January 2016	3	1	2	0.5	1
14 March 2016	3	3	0		1
11 July 2016	7	6	1	6	1
10 October 2016	6	2	4	0.5	
28 November 2016	4	3	1	3	
23 January 2017	2	1	1	1	
13 March 2017	6	4	2	2	
<b>Total</b>	45	28	17	1.6	5
<b>Average</b>	4.5	2.8	1.7		

**(g) Councillor G. Theobald**

“Councillor Cattell will no doubt be aware that Southwark has become the second London Borough, after Wandsworth, to remove permitted development rights from all their pubs thereby providing formal protection from demolition or redevelopment as mini-supermarkets, estate agents, homes or shops. Given the previous commitment by this Labour Administration to look into the possibility of bringing in a similar measure in Brighton & Hove, will Councillor Cattell please tell me how this work is proceeding and whether a report will be brought before the Economic Development & Culture Committee in the near future?”

**Reply from Councillor Cattell – Chair of the Planning Committee**

“Circumstances have now changed in relation to planning rules that allow loss of pubs without permission. On 24 March the Communities secretary Sajid Javid tabled an amendment to the Neighbourhood Planning Bill that removes the permitted development rights that allow change of use of pubs to other uses like shops. This change is likely to come into effect in the next few months. As a consequence an Article 4 Direction will not be required.

In the meantime Public Houses that are of community value should continue be nominated as Assets of Community Value to give them protection while the permitted development right is still in place. Advice on how to nominate pubs as Assets of Community Value is on the city council’s website.”

**(h) Councillor C. Theobald**

“Will Councillor Mitchell please tell me how often the Norton Road Car Park gets cleaned under the terms of the current contract and how often is its state of cleanliness monitored?”

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

“Peake Cleaning visit the car park daily and empty bins, litter pick and sweep the floors. Additionally, an annual inspection of the car park is carried out by a structural engineer.”

**(i) Councillor C. Theobald**

“Will the Chair of the Planning Committee please confirm whether or not it is the Council’s policy not to publish the addresses of supporters of, and objectors to, planning applications and, if so, how can residents have confidence that these supporters and objectors are from the local area and who’s views are therefore valid?”

**Reply from Councillor Cattell – Chair of the Planning Committee**

“As part of a review of Planning Committee practices, in response to recommendations from the Planning Advisory Service Peer Review, the cross party Planning Members Working Group has agreed to change practices to improve effectiveness and efficiency of the committee. One of these changes has been to trial, for two months, a new approach to setting out representations made on committee reports. This is to set out the total number of representations received and provide a summary of the points raised and no longer list all respondents.

All comments received on planning applications, together with the addresses of respondents, remain publically available and can be viewed on our website.

Trialing this change was agreed by all councillors on the cross party Members Working Group. This approach is more consistent with many other Local Planning Authorities and it makes more efficient use of officer time. Objections can still be viewed online and the approach will be reviewed following Planning committee in April.”

**(j) Councillor Wealls**

“Following the Assistant Director of Property & Design’s helpful description to the recent Policy, Resources & Growth Committee of the criteria for assessing bids to the Council’s Asset Management Fund, would the Lead Member for Finance & Resources please further confirm (i) when, and by what process, these criteria were agreed; (ii) what the process is for determining the overall size of the Fund; and (iii) what Member oversight there is of (i), (ii) and of the Asset Management Fund as a whole?”

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

“The Asset Management Fund (AMF) 17/18 is a capital fund that forms part of the council’s capital strategy to support property improvements, property related Health & Safety requirements and access improvements under the Equality Act 2010.

The Capital Resources & Capital Investment Programme 2017/18 agreed at February 2017 Budget council approved the £1m capital resources allocation to support the AMF.

The criteria for the bids follow general asset management principles and good practice and were agreed by Policy & Resources Committee in 2001. The asset

management principles are further endorsed in the council's Corporate Property Strategy & Asset Management Plan (AMP).  
The bid and evaluation criteria are;

Bids:

- ***Bids should be clearly focused towards supporting the Council in meeting its strategic priorities.***
- There is no provision to meet on going revenue costs arising from any schemes. Departments should plan to meet any such costs from within their own budgets.
- Bids should also reflect any additional costs required to complete the individual projects eg design fees, planning fees etc.
- Where match funding is proposed, the source of this funding is to be declared

Evaluation:

- The strength of the justification for the need for improvement (including Health & Safety)
- Cross departmental and multi-Agency / partnership working including matched funding.
- The overall impact of the project on the public and the outcome if the improvement was not made
- The level of risk including the robustness of arrangements for managing the project.
- Corporate need and priorities
- Value for money

Re (ii) When it started in 2001 it was £0.5m and it increased in 2008 to £1m when the fund was amalgamated with the Disability Discrimination Act Fund to allow a more streamlined approach to investment requirements for the council's building stock.

Re (iii) It had member oversight when there was an administration Asset Member Group in 2008 – 20011 and it has been discussed over the years as part of the 121 that I have with the Member for Property.

The size of the fund forms part of the Capital Strategy along with SIF and the ICT Fund. These corporate funds form part of the Council's Capital Investment Programme and are funded from capital receipts as part of the Council's asset disposal policy.

It is proposed that a cross party Asset Management Board be formed which will have oversight of the council's operational and non-operational property portfolio's. This resulted from a NOM to Council and PRG, it is currently in scope of the Policy Review Panel and a report is being brought back to May PRG with the recommendations of the Policy Review Panel to include the Asset Management Board TORs.

**(k) Councillor G. Theobald**

“Councillor Daniel will no doubt be aware of the concept of ‘Community Fridges’ which have been introduced in places such as Brixton and Frome to try and help make use of the scandalous amount of fresh food that is wasted in this country on a daily basis. I have been told by the Brighton & Hove Food Partnership that there is interest in setting up a Community Fridge in Brighton & Hove and so will Councillor Daniel please pledge this Council’s support to the project and provide any assistance they may need to get it up and running?”

**Reply from Councillor Daniel – Chair of the Neighbourhoods, Communities & Equalities Committee**

“I am also pleased to inform council that the food partnership with a variety of partners was successful in the council’s recent communities and third sector commission. The partnership of BHFP, Real Junk Food Project, FareShare, Food Matters, Sussex Gleaning Network, Food Waste Collective, members of the Emergency Food Providers Network, organisations providing shared meal, homelessness projects, pay as you feel cafes, and food banks will be involved in delivering activity to achieve three outcome:

1. Intercepting and redistributing food waste will be better connected with each other, with projects supporting vulnerable people with food provision and with organisations offering advice (debt, housing, benefits etc).
2. Better communication with residents about the issues of food waste and food poverty and what can be done to address these issues
3. The knowledge and experience of people working on interception and distribution and those supporting vulnerable people with food provision will be used to inform policy and improve practices in mainstream organisations.

They will be receiving three years funding 2017 - 2020.

The council is a key partner in the delivery of the city’s food poverty action plan with approx. half the actions being taken forward by the council. The last NICE committee received an update as part of its governance role on the progress of the food poverty action plan. We were pleased to hear how much is being taken forward and achieved already half way through the term of the plan.

I think we are all in agreement that community fridges like food banks are not the long term solution to food poverty however they do help alleviate the symptoms.

There is considerable council resource going into and working with the Food Partnership already which will continue, and will support the community fridge project. The Food Partnership has strong working relationship with both public health and the communities team in the council and will raise any barriers or issues that the council can help remove.

From a food hygiene point of view providing the traceability of the food, temp continuity of the chill chain and date codes are managed we haven’t got a

problem with the idea. Plenty of similar organisations such as the Real Junk Food Project already working in the city.”

**(I) Councillor Druitt**

The Council's website currently says "Councillors agreed at that meeting [Budget Council 2016] to give the [Play] service a one-off payment of £75,000 for this financial year to support the transition and to explore alternative funding options.

As we all know the Play service closed last December with no transition in place. I have been working with one of the Playbus team members to try and revive the service but what has become clear is that the money was spent last year not on transitioning but on normal service delivery. I would like to know why this money was not spent on transitioning the service to an independent service, what the council can now do to rectify this with respect to the Playbus, and what the council can do to make sure this misdirection of financial resources does not happen again.

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

- “1. The future of the Play Service was considered in the Autumn 2014 which led to a proposal that the council’s General Fund will no longer fund the majority of the service but alternative funding was secured from the Housing Revenue Account (HRA) and Public Health that enabled the service to continue in 14/15 but with a changed remit linked to this funding.
2. From December 2015 extensive work was undertaken to secure alternative funding. Meetings also took place with GMB, Unison and Brighton & Buses to consider ways to attract funding.
3. As part of budget setting for 2016/17 the budget for the Mobile Play Project was agreed to be removed by Budget Council, however it was agreed that the mobile play provision budget be given a one off payment of £75k for the 16-17 financial year to continue the project and give more time to explore alternative funding options to create a long-term and sustainable Mobile Play Project.
4. The Mobile Play Project Supervisor was given additional hours to look at alternative funding options and worked full-time from March 2016. This has resulted in:
  - planned workshops with American Express staff to generate interest and funding opportunities
  - a supporter of the Dome pledging £5k for the work the project does in Lewes prison • an organisation called Outdoor Play and Learning (Opal) identified by the project supervisor working with him to deliver the franchised programme in Brighton primary schools. At the moment

one school signed up and he will be trained by OPaL, once trained he will be then franchised to deliver and that will generate income.

5. Management support was given to the Play Service, including monthly supervision to the Play Supervisor, from the BHCC Service Manager, Youth & Communities.
6. The project supervisor has been supported to successfully apply and then start a course with the School for Social Entrepreneurs (SSE) to skill up being able to set up a Community Interest Company. Travel, subsistence and a contribution to course fees was paid for by BHCC.
7. The CIC (Play Tiger) was set up with the initial project plan written by the Mobile Play Project Supervisor and overseen by the BHCC Service Manager, Youth & Communities.
8. Over the past 6 months extensive support has been provided by the Assistant Director and legal services to support the transition and to assist in the play worker establishing his CIC. Support has been given to transfer assets, including the Play Bus and play equipment, to the new CIC. Maximum flexibility has been provided to the individual to meet as many requests as are legally possible to give the CIC the best start.”