

**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30pm 14 DECEMBER 2017****COUNCIL CHAMBER - HOVE TOWN HALL****MINUTES**

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

**PART ONE****44 DECLARATIONS OF INTEREST**

44.1 The following councillors declared a personal but not prejudicial interest in Item 49(b) Deputation on Benfield Primary School and Item 50 (i) and (ii) Petitions for debate as they were school governors:

- (i) Councillor Marsh, Bevendean & Coombe Road Primary
- (ii) Councillor Atkinson, PACA
- (iii) Councillor Cattell, Downs Junior
- (iv) Councillor Hill, Hertford Federation
- (v) Councillor Meadows, Coombe Road Primary
- (vi) Councillor Moonan, West Hove Infants
- (vii) Councillor Robins, Brackenbury
- (viii) Councillor O'Quinn, The Connected Hub
- (ix) Councillor Taylor, Balfour
- (x) Councillor Hyde, St. Margaret's
- (xi) Councillor Miller, Longhill High
- (xii) Councillor A. Norman, Westdene Primary
- (xiii) Councillor Simson, Our Lady of Lourdes
- (xiv) Councillor G. Theobald, Patcham High
- (xv) Councillor Wealls, St. Andrews

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

**45 MINUTES**

- 45.1 The minutes of the last ordinary meeting held on the 2<sup>nd</sup> November, 2017 were approved and signed by the Mayor as a correct record of the proceedings.

**46 MAYOR'S COMMUNICATIONS.**

- 46.1 The Mayor noted that today marked 6-months' since the Grenfell disaster, and stated that she wished to take a moment for all those present as a Council to reflect on that and to say that our thoughts remain with all those affected by that tragic event.
- 46.2 The Mayor thanked the Council and stated that school travel officers working in the Transport Projects team had won the 'Excellence in Walking' award at the National Sustainable Travel Awards 2017. She noted that the winners were announced at the Modeshift National Annual Convention in November. These awards recognised and rewarded Modeshift Members for schemes, projects or other activities that supported and encouraged active and sustainable travel. The winning projects highlighted best practice, showed innovation and were inspirational.

The 'Excellence in Walking' award was won by the team for their 'Walking Week for Early Years' scheme. The campaign encourages families and staff to walk, scoot, and cycle to their nurseries and early years settings. If families needed to drive, they were encouraged to park away from the setting and walk at least the last 5 minutes.

The scheme first took place across the city in October 2015. It has now become 'Walking and Wheeling Week' and ran twice a year in May and October, alongside 'Walk to School' week. The school travel officers support the early year's settings with the campaign by providing resources and a pack of ideas on how they can participate. About 50 settings take part each May and October. This simple and cost-effective campaign reaches out to around 5000 families across the city twice a year, and allows settings to participate in their own imaginative ways, such as having travel themed healthy snacks, and having a 'bling your wellies' day where children decorate their wellies and walk to nursery in their decorated wellies!

- 46.3 The Mayor then stated that she had been made aware of some changes to the agenda:
- 46.3.1 Firstly, Councillor Penn was unable to be at today's meeting because of illness and had therefore asked that her Notice Motion, Item 59 (2) on Mental Health be deferred to the next meeting, which she had agreed to.
- 46.3.2 Secondly, Councillor Knight had informed her that she no longer needed to ask an oral question, listed as Item 54(2) in the agenda.
- 46.3.3 The Mayor stated that there was an error in the printing of Item 59(7), Brighton and Hove and Brexit, where the wrong supporting information had been transposed from Item 59(2). She noted that a revised version of the Notice of Motion had been included in the addendum papers on page 33.

46.4 Finally, the Mayor thanked everyone who had joined her at the Mayor's Christmas reception at the Royal Pavilion on Tuesday evening and noted that in keeping with the Christmas spirit, members of the Democratic Services team as part of their volunteering joined Councillors Ann and Ken Norman on the Martlet's Santa Bus last Friday and raised a total of £737 pounds.

#### **47 TO RECEIVE PETITIONS AND E-PETITIONS.**

47.1 The Mayor invited the submission of petitions from councillors and members of the public. She reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.

47.2 The Mayor then invited Mr. Chad Ryan to present his petition.

47.3 Mr. Ryan presented a petition signed by 214 residents, calling for a pedestrian crossing to be installed in Tongdean Lane.

47.4 The Mayor thanked Mr. Ryan for attending the council meeting and presenting his petition and stated that it would be referred to the Environment, Transport & Sustainability Committee for consideration at its meeting on the 23<sup>rd</sup> January, 2018.

47.5 The Mayor then invited Ms. Hynds to come forward and to present her petition.

47.6 Ms. Hynds thanked the Mayor and stated that the petition which was signed by 1,095 people called on the council to review its affordable housing policy and ensure that affordable homes were available for residents of the city.

47.7 The Mayor thanked Ms. Hynds for attending the council meeting and presenting her petition and noted that it would be referred to the Tourism, Development & Culture Committee meeting for consideration at its meeting on the 11<sup>th</sup> January, 2018.

47.8 The Mayor then invited Ms. Blott to come forward and present her petition.

47.9 Ms. Blott thanked the Mayor and stated that the petition had been signed by 439 people and concerned the need for a crossing in order to enable children and others to cross safely.

47.10 The Mayor thanked Ms. Blott for attending the council meeting and presenting her petition and noted that it would be referred to the Environment, Transport & Sustainability Committee for consideration at its meeting on the 23<sup>rd</sup> January, 2018.

47.11 The Mayor noted that no other petitions were due to be presented.

#### **48 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.**

48.1 The Mayor reported that 3 written questions had been received from members of the public and invited Mr. Hawtree to come forward and address the council.

- 48.2 Mr. Hawtree asked the following question; "Would Councillor Robins please tell us how much the British and Irish Modern Music Institute pays per year to rent a room which was a cherished public part of the Hove Carnegie Library's Reference section, and how many years this contract lasts?"
- 48.3 Councillor Robins replied; "The British and Irish Music Institution pays £10,000 pounds per year to use the room at Hove Library and the contract is renewed on an annual basis."
- 48.4 Mr. Hawtree asked the following supplementary question; "Can you assure the British and Irish modern music Institute and indeed residents that in the event of a majority Labour Council it will not go ahead with closing down Hove's Carnegie Library or moving it?"
- 48.5 Councillor Robins replied; "We had planned to relocate Hove Library in Hove Museum you campaigned against this, the opposition party supported your campaign and the Library stayed where it is and that's fair enough, that's democracy. We still have to fill the funding gap, the income from these arrangements provide essential contributions to enable Hove Library to remain in the, much cherished, Carnegie building despite a small reduction public space the same full range of library services remain available to the public and, in fact, it would be increased with the provision of a café facility, which the public have said that they would welcome. Whilst neighbouring East Sussex council are planning the possible closure of seven branch libraries and the ending of the mobile library which is a quarter of all their libraries. A spokesperson for that Council which is, let's not forget, a Conservative Council said 'due to significant cuts from Central Government we were left with no choice'. This administration, a Labour administration in Brighton and Hove and Portslade, has not closed a single branch, in fact, we've extended opening hours of our libraries through the 'libraries extra'. Although I can't speak for the mobile library because someone else got there before us!"
- 48.6 The Mayor thanked Mr. Hawtree for his questions and invited Ms. Paynter to come forward and address the council.
- 48.7 Ms. Paynter asked the following question, "Is it appropriate for Council officers to have sole authority to entirely replace expert Parks and Gardens staff with pay back teams carrying out their community service in caring for precious landscaping on Council owned land apart from lawn mowing?"
- 48.8 Councillor Morgan replied, "City Parks work in close partnership with Community payback in facilitating works so that those given community sentences or community service can serve their hours. Payback teams undertake work activities that Parks and Gardens staff do not have capacity to do including painting railings, clearing scrub and weeding and therefore provide supplementary labour and do not replace expert Parks and Gardens staff. Expert parks and garden staff are not being replaced and, will be there overseeing of all activities."
- 48.9 Ms. Paynter asked the following supplementary question; "I am quite concerned that, with budgetary restrictions, Parks and Gardens people is going to be asked to do less and less and less and that what they are being asked to do is being done with rather

poor grace. On the estate where I live Parks and Gardens staff lopped off the entire canopy of a young plane tree this autumn, in September, along with clearing all the brush and bushes, leaving all the ivy, leaving all the bindweed and they just said, when I said, "why have you taken the top off that tree" they just said "it's a weed". I said "the Council planted it, it's a plane tree" and all they've done is leave a six foot tall spike in the in the lawn which is what's left of the trunk, an awful lot of what they pruned back, a so-called 'hard prune', is going to die over the winter period. So I am asking you, how happy do you think the Parks and Gardens people are and how safe are their jobs and are they really doing a job that is properly expert anymore?"

48.10 Councillor Morgan replied, "We recognise that the government have reduced funding that they provide to us for Parks and gardens. We have recently just voted additional funding into that service."

48.11 The Mayor thanked Ms. Paynter for her questions and invited Ms. Davis to come forward and address the council.

48.12 The Mayor noted that Ms. Davis was not present and therefore noted that a written response would be sent from Councillor Robins.

48.13 The Mayor noted that concluded the item.

#### **49 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

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

49.2 Mr. Dickson thanked the Mayor and stated that:

"I represent the Hove Park Tennis Alliance. We are group formed of all the tennis clubs and coaches that regularly use the public courts at Hove Park. We are extremely dismayed at the recent decision to relay the former dual purpose AstroTurf courts with a 3 G synthetic surface changing this into football only facility. The work is to be completely funded by 106 development money. We wish to protest against the decision itself and the process by which this decision was taken. We've been happily sharing these courts for nearly thirty years with football under floodlights in the winter and then hand it over to tennis in the summer when demand is high and footballers have the whole of the park to set up small sided games.

The process by which this decision has been reached gives us real cause for concern. This decision was represents a change of use of a public facility. Why has it not gone to the ETS Committee for approval? It surely cannot be a fair process where a council officer recommences wishes to two Ward Councillors and the Head of the ETS Committee leaving us the joint existing users with no consultation before the meeting and no representation during it. The main stumbling block Officers have cited as to why this facility can no longer be dual purpose is that 106 money can only be spent on improvements not on maintenance and their view is that a new 3G surface counts as an improvement but a new replacement multi sports surface does not. This is a question of interpretation, the briefest of searches on the internet shows that other

councils do consider a replacement surface to be an improvement. So a new multisport surface is eligible for 106 money. Council officers stated that football generates more income than tennis. This is entirely because collection fees for tennis has been sporadic and inconsistent. Club fees have been set unrealistically low. Top Cat Tennis Club has not been charged at all this year. Hove Park Tennis Club has been charged less and less in the last three years for exactly the same court time. In 2015 they paid £2500 in 2016 they paid £2100 and this year the charge is £1500. Officers have been given clear political steer that any 106 money needs to finance itself going forward. We intend to follow in Queens Park's footsteps take control of our own courts preventing them from being a drain on the Council budget. We are confident of collecting income to provide fantastic facilities at Hove Park. What a shame that our first task is to fight from losing them.

The alternative may well see new 3G pitch laid and then handed over to a private limited company, not only lost a tennis but also possibly not accessible to many existing football users. Why has no equality impact assessment be taken, the Council's own Equality and Inclusion Strategy states these 'must be used to inform decision-making, avoid discrimination and promote inclusion and where ever possible increase fairness in the city.' we have such a wonderful wonderfully diverse group of players at Hove Park with clubs amongst others including children, the over 65s, LGBT players and mental health groups.

Are Councillors also aware of recent health risks associated with 3 G pitches? The use of rubber tyre crumb has led to some European countries suspending the use of such surfaces. We were told the development money must be spent by April with work due to start in February. Why when the money has been available for some time has this decision be left so late leaving us very little time to prepare our objections. Is there a possible misconception that all tennis players have the abilities join private clubs? The ethos of the parks leagues formed some 80 years ago was to provide competitive and social tennis for those who could not afford to do so. This is a uniquely unlike anywhere else in the country that this city should be proud of. A thriving membership of over 650 players certainly think so.

The Hove Park Tennis Alliance believes there is no justification for changing the use of this public facility from shared football and tennis to exclusive use by football and we ask for this decision to be reversed. The 106 money can and should be used for a new improved multi-sport surface.”

- 49.3 Councillor Mitchell replied, “It has been known for some length of time that the current artificial grassed area has fallen into serious disrepair and on occasions has been unavailable for use. Senior officers have held discussions with the users of the area, with the Ward Councillors and with myself following which the decision was taken to procure a 3G surface utilising developer contributions money specifically available for that purpose. That money gets spent on a 3G pitch or it gets spent out of the Hove Park area. The Council's Playing Pitch Strategy has identified the need for high quality 3G football pitches in the city and the fact that hundreds of children play on this popular pitch already just restricted to the winter months means that we know that the demand is there for an all-weather pitch of the type that is being proposed. With its seven all-weather tennis courts Hove Park will continue to provide very good facilities for tennis.”

- 49.4 The Mayor thanked Mr. Dickson for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Environment, Transport & Sustainability Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 49.5 The Mayor then invited Mr. Theobald as the spokesperson for the second deputation to come forward and address the council.
- 49.6 Mr. Theobald thanked the Mayor and stated,

“I’m here to make a case for not reducing the PAN for Benfield Primary School to a single form entry. A lack of strategic planning with recent primaries in West Hove being expanded; one of which resisted being made bigger, as well as the opening of the Connaught who are welcoming their proposed reduction, has led to a surplus of primary school places in this area which has led to this proposal to reduce Benfield. It is not enough to say in hindsight we now have a surplus of primary places. This was known at the time as a governing body of Benfield School and as lead of the Portslade cluster across primary schools we were aware of the wider impact expanding schools in Hove and West Hove would have and these concerns have now been realised. The justification for the expansion of primary schools by council officers is wishing to give parents their first preference. Ironically the proposed reduction of Benfield Primary is at a time when as the first preference for parents it is exceeding a single form entry size and continuing to grow. This proposal will take away first choice preference for parents and this is important in the wider context of Portslade where we already have three single form entry primary schools. By making Benfield a single form entry the area will be served by four single form entry primaries with the only larger option being a church school able to set its own admission criteria when oversubscribed and not a choice for all families. Benfield School has progress data for all its pupils among the strongest in the city and in the top 25% nationally. This decision would not only take away Benfield as a first choice for many parents it takes away the choice of a larger school option too.

So is this about finances; Benfield School has worked incredibly hard and diligently on its financial planning in these challenging times both in terms of funding and fluctuating numbers. Our balanced budget year on year do not come easy they come through an exemplary leadership team making strategic decisions, effective management and prudent planning at a time when the Council is supporting schools in financial difficulty it is wrong to contemplate reducing one that is demonstrating financial excellence.

The leadership doesn't stop at financial planning. The school has been on a journey from special measures and a change in leadership and governance five years ago to pushing for outstanding now. That journey wasn't just inward it has looked outward and this is important because Benfield uses its experience, its rapid change and improvement and has reached out shared, collaborated and educated other schools across the city. The culmination of this approach was the prestigious awarding of Benfield Primary School as a teaching school this year. If any of you wonder the real relevance of this already in what seems a relatively short period of time the teaching School Alliance with Benfield leading as a two form entry Primary has eighteen schools

across the city involved. Benfield is now leading in the development of our future teachers, our future education leaders and has its foundation as a successful two form primary school. This really isn't as simple as just losing a class, it changes everything for the school; it will change their structure, reduce their effectiveness in leading the Teaching School Alliance, reduce choice available to parents, all while operating on a balanced budget.

The evidence for this is available in the data, in the budgets, from feedback from other schools across the city, from parents preparing a huge petition of over 1,400 signatures to national leaders of governance telling you this is wrong. Your constituents do not want this, teaching staff and leaders do not want this, the Governors do not want this, the community do not want this. We ask that you leave the school as it is; managing its financial finances, providing excellence in education and now leading in the development of our future teachers across the city.”

- 49.7 Councillor Chapman replied, “I can assure you that, now the public consultation has concluded, your views and the views of all respondents are being taken into consideration. The Council had put forward proposals for a city-wide solution to a specific issue of surplus places in primary schools. The cross-party Working Group is currently looking at all the points raised and this will be reported back to the Children, Young People & Skills Committee in early January. It is the Council's aim to ensure that all schools remain open to serve their communities and to future proof the city for pupil rises. We need to find a solution that works across the city.”
- 49.8 The Mayor thanked Mr. Theobald 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 Children, Young People & Skills 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.
- 49.9 The Mayor noted that this concluded the item.

## **50 PETITIONS FOR COUNCIL DEBATE**

- 50.1 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 which related to the same issue and would therefore take each in turn, and noted that details of the second petition had been included in the addendum papers. She also noted that there was an amendment to the covering report's recommendation relating to the second petition from the Green Group.
- 50.2 The Mayor then invited Mr. Kevin O'Sullivan as the lead petitioner to present the first petition calling on the Council to abandon the proposals to change existing catchment areas until the Education & Skills Funding Agency had confirmed the site and the opening date for the proposed Brighton & Hove Academy.
- 50.3 Mr. O'Sullivan thanked that Mayor and confirmed that the petition had 1,456 signatures in the West Hove area who objected to the proposed changes to catchment areas. He noted that Varndean, Dorothy Stringer and Blatchington Mill schools had offered to



accommodate more pupils during the next two years and therefore questioned the need to review the catchment areas. Should the proposed changes be taken forward, it was felt that they would have a detrimental affect by removing choice of schools, affect friendship groups, and result in extended travelling for a number of pupils and increased costs for parents. He noted that the council was obliged to follow the school admission code which stated that actions had to be fair, clear and objective. He believed that the current proposals were some way from being fair, clear and objective. It was hoped that the council would reconsider the matter and noted that parents were considering the option of funding a judicial review to ensure the best outcome for their children.

- 50.4 The Mayor then invited Mr. Ollie Tait as the lead petitioner to present the second petition which also called on the Council to abandon the proposals to change existing catchment areas until the Education & Skills Funding Agency had confirmed the site and the opening date for the proposed Brighton & Hove Academy.
- 50.5 Mr. Tait thanked the Mayor and confirmed that the petition had 1,368 signatures from the Elm Grove area, who believed that the proposed changes were counter to the council's aims for pupils transferring to secondary school and should not be implemented until a decision had been made on the new Academy. The outcome of the proposed change would see pupils having to travel over 6 miles and a travel time over seventy-five minutes which would impact of studies and friendship groups. There was also the potential impact to the nature of the area with an increase in the number of HMOs given the neighbouring universities and families being put off from moving into the area, thereby affecting the pupil numbers at the local primary schools. Whilst the secondary schools have offered to increase their intake, the cross-party Working Group has questioned the numbers but he would suggest that the Working Group's own figures could also be questioned. It was recognised that previous decisions had not helped and consequences were being faced, however it was felt that until the proposed new school opened, maintaining the existing arrangements was the least worst option. He noted that parents were preparing for the matter to be taken to judicial review and that they has already been advised that the proposals did not meet the school admissions code and it was hoped that the council would reconsider the matter and listen to the views of those affected.
- 50.6 The Mayor thanked Mr. O'Sullivan and Mr. Tait for attending the meeting and presenting their petitions and called on Councillor Chapman to respond to the petitions.
- 50.7 Councillor Chapman thanked the petitioners for their presentations and stated that both petitions and the points raised, as well as the strength of feeling in relation to the issue would be taken into consideration by the Children, Young People & Skills Committee. He noted that there had been similar concerns raised by members of the public at previous meetings of the committee and that the cross-party Working Group had been looking at the in-balance of secondary school places across the city. He expected the cross-party Working Group to report to the next meeting of the CYP&S Committee in January and that a decision would then be reached.
- 50.8 Councillor Phillips moved the amendment to the covering report's recommendation in relation to the second petition, 'Keep Our Community Together' on behalf of the Green Group. She stated that there was a need for more action to be taken to address the difficulties encountered by parents in securing a preferred school place for their children

and for a full report to come to the committee in January. The amendment sought to ensure that necessary information on options for secondary places, population assessments and equalities impact assessments was provided so that an informed decision could be taken and parents given clarity and certainty over their children's futures.

- 50.9 Councillor Gibson formally seconded the amendment and reserved his right to speak later in the debate.
- 50.10 Councillor Peltzer-Dunn welcomed the two petitions and presentations made by the petitioners and noted that the Chair of the Committee had given his undertaking to take all the information that comes forward into consideration when the matter came to committee.
- 50.11 Councillor Daniel stated that she fully supported the parents and noted that the Working Group had a difficult job in trying to enable greater certainty about school places and this had been added to with the recent offer from certain schools to expand their numbers. She felt that all councillors needed to know what the implications and impact of any expansions would mean e.g. regarding sibling links and financially for individual schools etc. She asked that the Working Group would continue to engage with Ward councillors on the issue.
- 50.12 Councillor Nemeth stated that he believed the proposed changes to catchment areas were ill-conceived and noted that parents had expressed an intention to seek a judicial review of the process. He stated that as things stood there was a likelihood of children having to pass empty school buildings at their local school having been directed to an alternative school. He acknowledged that the schools offering to take more pupils could have made their position known earlier but now that there was capacity it should be taken up and any court action avoided.
- 50.13 Councillor Gibson stated that there was a need to support the parents of all those affected and to resolve the matter favourably. It was important to engage with the schools at an early stage as this may then have prevented pupils from being directed to other schools when spaces were clearly available and would have not led to the upset and distress that has been caused for parents as clearly shown by the strength of response to the proposals to date.
- 50.14 Councillor Brown stated that as a member of the Working Group she wanted to thank the parents for putting forward their concerns which were being taken into consideration by the Working Group. It was a very difficult situation for everyone concerned and there was no easy solution to the matter. With more information coming forward there was a need to give further consideration to the potential solution and to make recommendations to the Committee and full Council in January.
- 50.15 Councillor Page stated that parental choice was an important factor and that needed to be accounted for in any proposals that were made; as well as the need to prevent detachment from peers and to maintain communities which were important to their local schools. He noted that previously a number of parents had not been given any of their 3 preferred choices of schools and this needed to be avoided in the future. An offer had

been made by some schools and this should be taken up to ensure that pupils could attend schools of their choice.

50.16 Councillor Chapman thanked everyone for their contributions and stated that he wished to reassure councillors and parents that all the views and information provided would be taken into consideration for the report to the Committee in January. He also stated that he did not feel that the Green Group's amendment added anything to the process as the actions would be part of the overall formulation of the report and therefore could not accept it.

50.17 The Mayor noted it was recommended to refer the first petition to the next meeting of the Children, Young People & Skills Committee and therefore put the recommendation to the vote which was carried unanimously.

50.18 **RESOLVED:** That the petition be noted and referred to the Children, Young People & Skills Committee for consideration at its meeting on the 15<sup>th</sup> January 2018.

50.19 The Mayor then noted that an amendment to the recommendation referring the second petition to the next meeting of the Children, Young People and Skills Committee had been moved. She also noted that a request for a recorded vote had been made and was supported by a sufficient number of councillors and therefore put it to the vote as detailed below:

		For	Against	Abstain		For	Against	Abstain
1	<b>Allen</b>		x		<b>Marsh</b>		x	
2	<b>Atkinson</b>		x		<b>Meadows</b>		x	
3	<b>Barfod</b>		x		<b>Mears</b>		x	
4	<b>Barnett</b>	✓			<b>Miller</b>		x	
5	<b>Bell</b>		x		<b>Mitchell</b>		x	
6	<b>Bennett</b>		x		<b>Moonan</b>		x	
7	<b>Bewick</b>		x		<b>Morgan</b>		x	
8	<b>Brown</b>		x		<b>Morris</b>		x	
9	<b>Cattell</b>		x		<b>Nemeth</b>	✓		
10	<b>Chapman</b>		x		<b>Norman A</b>		x	
11	<b>Cobb</b>		x		<b>Norman K</b>		x	
12	<b>Daniel</b>	✓			<b>O'Quinn</b>		x	
13	<b>Deane</b>	✓			<b>Page</b>	✓		
14	<b>Druitt</b>	✓			<b>Peltzer Dunn</b>	✓		
15	<b>Gibson</b>	✓			<b>Penn</b>	Not present		

16	<b>Gilbey</b>		x		<b>Phillips</b>	✓		
17	<b>Greenbaum</b>	✓			<b>Robins</b>		x	
18	<b>Hamilton</b>		x		<b>Russell-Moyle</b>		x	
19	<b>Hill</b>		x		<b>Simson</b>		x	
20	<b>Horan</b>		x		<b>Sykes</b>	✓		
21	<b>Hyde</b>		x		<b>Taylor</b>		x	
22	<b>Inkpin-Leissner</b>		x		<b>Theobald C</b>		x	
23	<b>Janio</b>	✓			<b>Theobald G</b>		x	
24	<b>Knight</b>	✓			<b>Wares</b>		x	
25	<b>Lewry</b>	✓			<b>Wealls</b>		x	
26	<b>Littman</b>	✓			<b>West</b>	✓		
27	<b>Mac Cafferty</b>	✓			<b>Yates</b>		x	
					<b>Total</b>	<b>17</b>	<b>36</b>	<b>0</b>

50.20 The Mayor confirmed that the amendment had been lost by 17 votes to 36 and therefore put the recommendation as listed in the covering report to the vote which was carried unanimously.

50.21 **RESOLVED:** That the petition be noted and referred to the Children, Young People & Skills Committee for consideration at its meeting on the 15<sup>th</sup> January 2018.

## 51 TO RECEIVE NOMINATIONS FOR THE DEPUTY MAYOR-ELECT FOR THE 2018/19 MUNICIPAL YEAR

51.1 The Mayor sought nominations for the Deputy Mayor-elect for the municipal year 2018/18; and called on Councillor Mac Cafferty.

51.2 Councillor Mac Cafferty nominated Councillor Alex Phillips to be the Deputy Mayor-elect for 2018/19.

51.3 Councillor Littman formally seconded the nomination.

51.4 The Mayor noted that there were no other nominations and therefore put the motion that Councillor Phillips be the Deputy Mayor-elect for 2018/19 to the vote which was carried unanimously.

51.5 The motion was agreed.

## 52 CALL OVER FOR REPORTS OF COMMITTEES.

### (a) Call over

52.1 The Head of Democratic Services confirmed that Item 56 had been reserved for discussion:

Item 56 - Council Tax Reduction Review

**(b) Receipt and/or Approval of Reports**

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

Item 55 - Treasury Management Policy Statement 2017/18 (Including Annual Investment Strategy 2017/18) – Mid Year Review

Item 57 - Review of Members' Allowances

Item 58 - Greater Brighton Economic Board – Admission of New Member to the Board

**(c) Oral Questions from Members**

52.3 The Mayor noted that there were no oral questions arising on the items that had not been called.

**53 WRITTEN QUESTIONS FROM COUNCILLORS.**

53.1 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 C. Theobald**

53.2 "I have repeatedly drawn to the attention of the Administration the disgusting condition of the Princes Place toilets adjacent to the Royal Pavilion Gardens. I asked an oral question at the Council Meeting on July 20<sup>th</sup> asking when the toilets would be put in a clean and tidy condition fit for residents and visitors to use. Councillor Mitchell stated to Members that she had, that day, instructed the Assistant Director for City Clean to, "...pay particular attention to those Pavilion Garden toilets."

Councillor Mitchell claims she received assurances on this matter, and yet more than 4 months have now passed and they are still in a disgraceful condition. So I ask yet again, will Councillor Mitchell, as a matter of urgency, have these toilets put in a decent state so that the general public can safely use them?"

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

53.3 "The new winter operating was implemented from the 1<sup>st</sup> October 2017, and soon after, a number of complaints were received in respect of Royal Pavilion Gardens. On investigation it was discovered that cleaning was not being carried out to the

prescribed frequency or as it should have been by the respective toilet attendants – In addition some vandalism had also taken place at this site.

The staffing issues have now been addressed by Healthmatic and officers have independently carried out site visits and monitoring. Officers and Healthmatic representative met with Ward Councillors (08/12/17) and to improve the standard of cleaning the introduction of additional visits at the site is now taking place.

There will now be a further 3 hours per day allocated to these toilets for cleaning purposes however financial resourcing does not allow for a full time attendant on site

It is noted that there are ongoing antisocial behaviour activities at this toilet although the attendants will make every effort to deal and intervene they cannot be expected to deal with any confrontational situations which may put them at risk.”

## **(2) Councillor Littman**

53.4 “Thank you for having answered my oral question regarding recycling at the last meeting of Full Council. I have a number of supplementary questions resulting from your response.

In your response; you said: “I am pretty proud to have raised our recycling levels to the highest rate ever from the 24% under your administration to the 29.1% now”

According to the publicly available figures for CityClean performance (<http://www.brighton-hove.gov.uk/content/environment/recycling-rubbish-and-street-cleaning/cityclean-performance>); the rate under the Greens ranged between 25.2% to 28.8%. Could you please explain which year you were referring to?

Similarly, according to the same publicly available figures; the rate in 2008/9 was 29.5%. Can you please explain how 29.1% is ‘the highest ever’?

As I said in my question; ‘Recycling rates in the city have been below 30% every year for the last 11 years, a time period covered by administrations of all three colours.’ 29.1% is nothing to be proud of. Following the successful introduction of Green initiatives; including communal recycling, and green waste collection, can you outline your plans to raise recycling rates past those of 2008/9 and towards the 50%+ achieved by many other Local Authorities?

Finally, my supplementary question asked what work was on-going regarding collaboration with other Local Authorities, which recycle a greater range of plastics than we do. This element of the question was not answered. Given the clear support both from Councillors of all Parties, and the general public, for the safe removal of plastics from our environment; please can you tell me what you are doing about collecting plastics which we ourselves cannot recycle, for recycling by any of those Local Authorities which can?”

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

53.5 “The figure of 24% relates to Q4 for the year 2014/15 (actual rate 24.14%).

The 29.1% rate is the highest ever compared to those achieved by the previous two political administrations on leaving office and there are plans to increase this further. The introduction of wheelie bins for recycling will assist in continuing to raise the recycling rate as shown in the last quarter performance results. Officers continue to work on a number of recycling initiatives including wheelie bin recycling, increased garden waste collections and our new WEEE recycling project funded by Defra Tech Takeback.

Officers are also working closely with other officers on Neighbourhood Action Plans which will help deliver education messages to the community and in addition are working jointly with BHEE to deliver recycling education into schools. Officers will continue to look at other opportunities and work with partner organisations to raise the recycling rate.

Most UK councils now offer householders some form of plastics recycling as part of their waste collection systems and this is generating increasing annual tonnages. There are many benefits to be gained by the responsible recycling of plastics;

- Provides a sustainable source of raw materials to industry
- Greatly reduces the environmental impact of plastic-rich products
- Minimises the amount of plastic being sent to the UK’s diminishing landfill sites
- Avoids the consumption of the Earth’s oil stocks
- Consumes less energy than producing new, virgin polymers

However, even though nearly all types of plastics can be recycled, the extent to which they are recycled depends upon technical, economic and logistic factors.

At present Brighton and Hove City Council only recycle plastic bottles (soft drinks, water, milk and detergent bottles). which are made of a certain type of plastic;

- PET clear bottle
- PET coloured bottles
- HDPE clear bottles
- HDPE coloured bottles
- PVC clear bottles (symbol “3” on bottle, used in the home)
- PVC coloured bottles (symbol “3” on bottle, blue tint, used in the home)
- PP clear bottles
- PP coloured bottles

There is a market for this product which provides an income and it provides the optimum recovery route in that it can be turned into a product that can be recycled again and again.

Unfortunately at present the Hollingdean MRF is not designed to take plastic pots, tubs and trays as it lacks the equipment needed to detect and separate these types of

plastics. BHCC & ESCC have asked Veolia to assess the feasibility of retrofitting the facility.

The main challenge from an operational perspective is the limited space inside the hall to accommodate the sorting equipment and storage space needed for an additional material stream. It is questionable whether the existing Hollingdean site is large enough to accommodate additional sorting of pots, tubs and trays.

The biggest barrier is the lack of a sustainable end market for the volume of material likely to be generated collection. Feedback from ESCC and our contractor indicates a lack of demand from manufacturing and industry for these materials. There is also fierce competition from virgin plastics due to the low price of oil and recent developments in China to restrict the import of recycling are also impacting on the market

Although, Cityclean will actively continue to look at future solutions with ESCC and Veolia.”

### (3) Councillor Sykes

- 53.6 “Please can Cllr Mitchell provide quarterly figures for B&H domestic waste (not recycling) arising (kg per household) over the past five years?”

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

- 53.7 See table below – Information obtained from Waste Data Flow

Year	Quarter	NI191 HH waste not sent for recycling, reuse or composting – numerator	NI191 denominator: Number of households	NI191 Residual Household Waste per Household (Kg)
2011/12	Q2	26,407.27	125,460	150.73
2011/12	Q3	24,327.28	125,460	141.92
2011/12	Q4	23,780.58	126,060	136.10
2012/13	Q1	26,285.51	126,060	149.91
2012/13	Q2	26,935.16	126,060	154.26
2012/13	Q3	25,083.78	126,060	147.79
2012/13	Q4	23,744.15	126,430	140.21
2013/14	Q1	24,954.82	126,430	146.23
2013/14	Q2	26,664.24	126,430	156.23
2013/14	Q3	25,138.87	126,430	148.41
2013/14	Q4	25,398.71	127,080	147.94
2014/15	Q1	19,845.67	127,080	156.17
2014/15	Q2	19,606.31	127,080	154.28
2014/15	Q3	19,918.88	127,080	156.74
2014/15	Q4	18,704.92	127,080	147.19
2015/16	Q1	20,189.98	127,850	157.92



2015/16	Q2	20,366.74	127,850	159.30
2015/16	Q3	19,642.53	127,850	153.64
2015/16	Q4	19,189.01	127,850	150.09
2016/17	Q1	20,110.99	128,540	156.46
2016/17	Q2	20,301.56	128,540	157.94
2016/17	Q3	18,531.90	128,540	144.17
2016/17	Q4	18,420.07	128,540	143.30
2017/18	Q1	19,511.84	128,540	151.80

#### (4) Councillor Gibson

53.8 “a) Hanover and Elm Grove CPZ

Please can you provide as of the 1<sup>st</sup> of December:

- 1) The total number of permits issued for zones V and zone S?
  - 2) The numbers of annual and of 3 month permits issued for each of zones V and S?
  - 3) The total permit income paid to the council from permit fees for zones V and S up until 1<sup>st</sup> of December?
  - 4) The total capital expenditure incurred on markings, signage and other works needed for implementation of the CPZ in zones V and S?
  - 5) The total capital expenditure from other budgets headings spent at the same time as the CPZ (ie cycle racks)
- b) If community groups and local residents are able to fundraise the money needed for a covered cycle storage facility (at no cost to the council) and have identified a suitable location, can you confirm that, in the interests of supporting cycling with all the associated health benefits, the council will give the necessary permission to enable the facility to be installed? (subject to any consultation + planning that may be needed).”

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

53.9 “The latest total number of resident permit figures as of 1<sup>st</sup> December 2017 were the following;

Area V (Full scheme) – 2384 permits (2488 limit)  
Area S (Light touch scheme) – 1791 permits issued (2288 limit)

The rest of the data requested is a significant piece of work and involves data being collected from a number of teams in the Transport Department in liaison with finance colleagues. Therefore, we will ensure you get a written response from the department by early in the New Year.”

#### (5) Councillor Gibson

53.10 “a) Payments for emergency and temporary accommodation

For 2016/17, please can you provide the total annual cost payable for emergency and temporary accommodation to:

- i) Helgor Trading
- ii) Baron Homes

Along with the number of households that were housed by each provider

b) Financial modelling of new council homes

Please can you provide the figures for the estimated surplus/deficit over the 60 year financial modelling period (currently used-indicating for each scheme whether the most current assumptions have been made or those used previously) 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"

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

53.11 (a) "We have a procurement framework under which contracts for emergency and temporary accommodation are awarded. The contracts awarded to the providers where information is requested took effect from April 2015. The total cost of housing homeless residents in a city with our shortage of housing is at the moment still very significant, and has been for many years.

Overall we are:

- Aiming through the Homelessness Trailblazer prevention project to reduce our use of temporary accommodation by April 2019
- Looking at all options we can to provide more affordable housing to residents, so also reducing the need for temporary and emergency accommodation
- Working with CVS on financial inclusion work and Credit Union support to help residents stay in their homes
- Bringing forward new options for providing emergency and temporary accommodation. We have recently agreed to convert Oxford Street housing office to temporary accommodation, and Stonehurst Court to temporary accommodation, and any other opportunities are also actively being explored.

In terms of what was paid to specific providers, the total annual gross cost payable for emergency and temporary accommodation for 2016/7 for Baron Homes was £3,189,085 and for Helgor Trading was £932,772. However, this is not the net cost to

the council, as tenants are eligible for housing benefit, as they would be if their accommodation was provided in another way, meaning that the net cost to the council is considerably lower.

We are looking into the second part of this request taking into account legal and commercial considerations.

(b) These schemes were all considered and approved by the Housing & New Homes Committee taking into account the long term implications for the ring-fenced Housing Revenue Account including consideration of appropriate scheme costs and rent levels. A number of the schemes are now occupied by tenants with costs and rental streams being as anticipated.

Remodeling the financial impact of new build schemes over 60 years is a significant piece of work and officers will therefore provide a written response to this question as soon as practicably possible.”

### **(6) Councillor Taylor**

- 53.12 “In my previous oral question I asked the Administration what it planned to do should we have a similar situation for 2018/19 admissions in the Dorothy Stringer Varndean catchment to which I did not receive a satisfactory response.

Since then the two schools concerned have written to the Council expressing an interest in expansion of their PAN on a temporary basis but last year were not asked by the Council to accommodate additional numbers.

Therefore can Councillor Chapman please indicate how many pupils are expected to not be offered one of their catchment schools and if this is the case can he confirm that the Administration will work with the two schools to limit the impact on local residents?”

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

- 53.13 “The Cross Party School Organisation Working Group will be meeting on 20 December to consider the recommendations to the Children Young People & Skills committee following the public consultation. Within the 907 responses received was a joint response from the governing bodies of Varndean and Dorothy Stringer schools and their suggestion will be considered alongside those of all other respondents. Officers have since met with the Chairs of Governors and Headteachers of both schools to discuss their response further and I wait to hear more about this at the meeting on the 20<sup>th</sup> December. Having attended the majority of public meetings I am also aware of the concerns of residents about the impact any decisions taken will have on local residents regarding admissions in 2019.

The council determined its admission arrangements for 2018 in January 2017 and parents were advised in the information booklet that there is no guarantee of a place at a catchment area school. Every pupil who requires a place will be offered one within the city. The closing date for applications was 31 October and late applications, with good reason, will be accepted up until 22 January 2018. We will not hear from city

schools who are their own admission authority about who will receive places until 20 December and from neighbouring authorities until late January 2018. Therefore it is not possible to indicate how many pupils are expected to not to be offered one of their catchment schools at this time and what actions would be appropriate as a result.”

### **(7) Councillor Wares**

#### 53.14 No.56 Subsidised Bus Route

“Councillor Mitchell advised at full Council on the 2<sup>nd</sup> November, that officers had had meetings with The Big Lemon bus company about 50% reduction in the No.56 bus route link around Patcham and Hollingbury and that officers would be in touch with us to reassure residents. Some six weeks later we have still not had any communication, the link remains reduced by 50% and the life line this service provides remains severed. Please could Councillor Mitchell advise what precisely has taken place, what the discussions have been, what is proposed and when the service will be reinstated to the levels it was before?”

#### **Reply from Councillor Mitchell, Chair of the Environment, transport & Sustainability Committee**

53.15 “Thank you for your question. An information document is being prepared. This will be circulated to all councillors and other stakeholders and gives details of changes to bus services from 14 January 2018. The changes to service 56 result from feedback received by the council and The Big Lemon bus company since the new bus service contracts started on 17 September. The information document will say the following:

Following requests from passengers, the service 56 timetable has been revised to improve the service to Patcham. Generally buses will run every 75 minutes. This will allow more time for buses to complete their journeys and provide a reliable service.

Buses will leave Knoll Estate for Patcham at 7.10am, 8.30am, 9.30am, 10.45am, 12.00, 1.15pm, 2.30pm, 3.45pm, 5pm and 6.15pm. The 6.15pm journey will terminate at Hollingbury ASDA (there is not currently a journey at this time).

Buses will leave Patcham at 8.02am, 9.35am, 10.45am, 12.00, 1.15pm, 2.30pm, 3.45pm, 5pm and 6.15pm. All journeys will leave from Old London Road Co-op, with the exception of the 8.02am, which will start from Ladies Mile Road Shops (as has always been the case with this journey). The 6.15pm journey terminates at Old Steine.

An additional, later journey will leave Hollingbury ASDA at 7.09pm, terminating at Old Steine.

The changes will also be publicised in new editions of individual route leaflets and in the new edition of ‘Bus Times’, which will be available early in January. All bus stop timetables will also be updated in advance of the 14 January service change.”

### **(8) Councillor Wares**

#### 53.16 Street Tree Planting

“Subsequent to the revelation at ETS Committee on 28<sup>th</sup> November that officers are implanting street tree planting in the East of the City and working West, we have subsequently learnt that Councillor Mitchell agreed it will be carried out in zones over a four-year period. It appears this was a unilateral decision by Councillor Mitchell that had no consultation at Ward or Committee level, has no future funding plan and affects everybody in the City. Further, it appears that officers have been delegated authority to decide what the zones are and what will happen in them. Please could Councillor Mitchell advise how, when and why this key strategic decision was taken and in detail, precisely what the four year plan is?”

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

53.17 “For budgetary and operational reasons the city has been divided into four zones for street tree planting in order to get maximum value from the considerably reduced budget available. There has been no additional maintenance budget for these additional trees, only a budget for planting. This will mean increased pressure on the maintenance budget as the trees mature.

Planting of new trees are high maintenance in the first year, have to be watered more frequently and monitored closely, therefore the zones make it more efficient and cost effective to give this more intensive maintenance to trees in fairly close proximity than if the trees were spread across the city.

Zone 1 encompasses Hove focussing on the streets off New Church Road/Portland Road and working West to East:

- There are 152 trees ordered
- 5 are replacement trees for Patcham Peace Garden (Watering by Volunteers/Park Staff)
- 14 are to go into parks (Watering by Park Staff)
- 115 are to be planted into streets (Watering by City Parks)
- 9 of which are Memorial Trees
- 17 are for Cemeteries (Watering by Cemetery Staff).”

**(9) Councillor Drutt**

53.18 Trees

“In the council year 2016-17 how many trees were felled by the council and what species were they, how many were diseased, what reasons are given for any that were not diseased, and how many trees were planted a) from the council's own budgets, and b) from the Tree Fund? Can the council indicate how this compares with the previous year and can the council outline the role of trees and bushes in the council's air quality strategy.”

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

53.19 “With reference to the number of trees felled, what species they were and the reasons given, this information is not available currently but will be provided.

There were 19 trees planted via donations/memorial. To the best of our knowledge no trees were planted from the council's own budget 2016-17 because tree planting was cut from the budget. No trees were planted from the Tree Fund. In the previous year 201 trees were planted in total, of which 35 were donation/memorial and 18 were from the Hove Civic Society.

With reference to the role of trees and bushes in the council's air quality strategy, this information is not available currently but will be provided in the forthcoming Air Quality Strategy report."

**(10) Councillor Drutt**

53.20 Homelessness

"Does the council still aim to eliminate the need for rough-sleeping in the city by 2020, how likely is it that this will be achieved and when can we expect to see the numbers of people forced to sleep on the streets start coming down?"

**Reply from Councillor Moonan, Lead Member for Rough Sleeping**

53.21 "Yes the Labour administration still aims to eliminate the needs for anyone to sleep rough by 2020. This was a manifesto pledge and we will do everything we can, at a local authority level, to ensure all rough sleepers are housed. BHCC continues to drive forward with its local Rough Sleeping Strategy and there are a range of services and projects supporting the delivery of this strategy. Recent achievements include the opening of a winter night shelter; the city's first women's only hostel service and strengthening of our procedures for working across all partner agencies. We are implementing the Trailblazer project which has prevented many people becoming homeless and we have an affordable house building programme through our New Homes and Joint Venture initiatives.

This target of course remains a challenge as a result of a number of factors. We have had to absorb very significant saving across the council. We have a national housing crisis and the impact of welfare reforms is increasing the risk of homelessness, meaning rough sleeping all over the country is at unprecedented levels."

**(11) Councillor Drutt**

53.22 Policy on feeding seagulls and pigeons

"Whilst I commend the motives behind people feeding seagulls and pigeons, in some areas of the city, especially in our green spaces, this is having a detrimental effect on other bird species. Can the lead member for Environment, Transport and Sustainability tell me if there are any plans for a council policy on the feeding of seagulls and pigeons and can the signage that is in place in Powis Sq be erected in other green spaces too?"

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

- 53.23 “We are planning to undertake an educational approach by displaying signs in certain problematic areas such as Pelham, Old Steine Memorial and Montpelier Crescent requesting that feeding does not take place.”

#### **54 ORAL QUESTIONS FROM COUNCILLORS**

- 54.1 The Mayor noted that 10 oral questions had been received, however she had been informed that Councillor Knight wished to withdraw her question listed as 54(2) in the agenda. She also noted that 30 minutes were set aside for the duration of the item.
- 54.2 The Mayor invited Councillor Janio to put his question to Councillor Moonan.

##### **(a) Street Sleepers Initiative**

- 54.3 Councillor Janio asked the following question, “With over £10 million being spent every year on prevention of homelessness and street sleeping in our city can Councillor Moonan finally confirm that strategies she has been using to solve the problem have failed?”
- 54.4 Councillor Moonan replied, “The strategy that we are working to with our partners, we are one of over ten partners who have signed up for the strategy, is working but it's a very challenging problem. We have a national housing crisis, we have an increasing level of vulnerability of people within the city, very vulnerable tenancies, we have welfare benefits that are impacting people which are making more and more people become homeless. We have actually prevented a significant number of people becoming homeless through our ‘trailblazer initiative’. We have just opened a community night shelter for the winter which will remove up to 30 people off the streets and I could go on at length over a number of initiatives. We successfully supported 1200 people last year off the streets. I think that's a measure of success but yes demand is incredibly high, but we will continue to work ceaselessly to address this problem.”
- 54.5 Councillor Janio asked the following supplementary question, “I think evidence is to the contrary, in no way can you say the policy is working. With even more money heading our way from the Conservative Government in the budget in the form of the new homelessness reduction task force, if the problem of street sleeping hasn't been solved by this time next year will she seriously consider her position as Lead Member for rough sleeping?”
- 54.6 Councillor Moonan replied, “I think it is testament to this Labour administration that we've appointed the first Lead Councillor for rough sleeping. It is something that we identified in our manifesto. As an administration we consider our position every day, we work ceaselessly as hard as we can to solve the problems of the city. I will continue to work as hard as I can to as I said earlier to address the problem and I invite Councillors across the chamber to support that work and work with me.”

##### **(b) A259**

- 54.7 Councillor Hyde asked the following question, “At a recent meeting of the Environment, Transport and Sustainability Committee it was agreed that the petition which had been

presented to Brighton and Hove Council requesting urgent improvements to the A259. It was agreed that Brighton and Hove Council in conjunction with Lewes District Council and East Sussex County Council would meet to discuss and find solutions to the monumental traffic congestion problems on the A259. Has Councillor Mitchell set a date for this essential meeting and if not why not or does she intend to kick the problem into the long grass?"

54.8 Councillor Mitchell replied, "Dates for this meeting are being circulated at the moment the lead authority is East Sussex County Council not myself but I would like to see the meeting set up as soon as possible. It is of course going to also include representatives from the South Downs National Park, both of the MPs, representative for both of the LEPs including the leaders of Lewes District Council, East Sussex County Council and Brighton & Hove City Council."

54.9 Councillor Hyde asked the following supplementary question, "I'm pleased to hear that you seem to know what's going on regarding this petition. Would you please confirm that Rottingdean Coastal Ward Councillors and local residents are consulted as they possess the local knowledge which is essential in finding a solution?"

54.10 Councillor Mitchell replied, "I can give you that full assurance."

### **(c) Cycling Infrastructure**

54.11 Councillor Phillips asked the following question, "Deaths from air pollution would be cut if England has walking and cycling targets. In Brighton & Hove there are hundreds deaths each year associated with poor air quality. Now the Council has deemed itself to have a cycling strategy what low level infrastructure structures, such as cycle parking, does it propose to increase especially in high traffic areas in the city centre such as outside Waitrose on Western Road and outside Hove Town Hall."

54.12 Councillor Mitchell replied, "Councillor Phillips is quite right and the administration are preparing a Walking and Cycling Strategy that will be coming forward to ETS Committee in due course. Unfortunately we were not successful when we bid for some national funding to enable this to take place but we are determined to still see this through. I'm afraid I didn't quite hear the reference to cycling facilities in the vicinity of Waitrose on Western Road but I'm happy to take that forward with Councillor Phillips if she'd like to drop me an email if that's more convenient for her."

54.13 Councillor Phillips asked the following supplementary question, "During our administration before with a grant of millions of pounds, which allowed us to improve Seven Dials, Old Shoreham Road. As well as this we also funded the bike share scheme, introduced 20 mph speed limits and on-street parking things that caused controversy, I could go on. The Labour administration has not done anything much since and has recently failed as Councillor Mitchell said in a bid for Government funding from the cycling walking infrastructure strategy. What plans do they have to secure outside funding as we did so that we can have proper cycle lanes and so that the City's cyclists can cycle safely?"

54.14 Councillor Mitchell replied, "I fully recognise initiatives and estimates that the previous administration made towards improving facilities for cyclists. This is being continued,



via our usual funding streams, by the Local Transport Plan and we will continue to bid for any external funding that is available in order to further this agenda.”

**(d) Dog Faeces**

- 54.15 Councillor Barnett asked the following question, “I have always tried to make sure my residents can enjoy public spaces without antisocial behaviour ruining it. Dog mess being left in our public spaces is getting worse and worse. Will Councillor Mitchell please use Public Spaces Protection Orders to help stop this horrible mess getting worse?”
- 54.16 Councillor Mitchell replied, “Actually you have asked the question of the wrong Councillor PSPOs now fall within the remit of my colleague, Councillor Daniel. All I can say is that there is no consideration at the moment of extending PSPOs but we will bear that in mind, thank you for your suggestion.”
- 54.17 Councillor Barnett asked the following supplementary question, “It’s important that our parks and open spaces remain safe, accessible and available to all our residents to enjoy. On 1 June 2007 Councillor Mitchell said dogs mess on pavements was getting worse and, since she has been in a position to do something about it, things have got worse. On 22 June 2016 Councillors Hill and Penn publicly expressed concerns over the numbers of dogs being walked together. Animal welfare and clearing up of dogs mess is bad when too many dogs are taken out by one person. What has happened since these Labour Councillors made these statements, what actions have these Labour Councillors taken to sort this problem? It has got worse, not better, so how will you get results for our residents.”
- 54.18 Councillor Mitchell replied, “We do continue to tackle the dog fouling across the city and to target the behaviour of some dog owners who do not take responsibility for their pets. This has been done with poster campaigns on streets and some residents have put posters up in their windows in their particular neighbourhoods where there is a problem. We also use pavement stencils. However enforcement for dog fouling is very difficult as the issuing of a fixed penalty notice is dependent on catching the offending owners in the act of leaving the fouling without clearing it up or to have witnesses available to identify those owners. We will continue to try to bear down on this problem and to continue to put into place our enforcement and education campaigns to warn people that this is not acceptable.”

**(e) Public Lavatories**

- 54.19 Councillor Deane asked the following question, “During our meeting outside of the Pavilion Gardens toilet facilities last week we were witness to a lot of anti-social behaviour; a street drinker had set up site outside the ladies lavatory, men were going in and out of the facility throughout that time, there were numerous dogs and a dog fight within two feet of where we were standing. So my question is: will Councillor Mitchell work with the relevant Lead Member to combat the ever worsening effects of anti-social behaviour in the centre of our city, bearing in mind that our public facilities are acting as a magnet to such behaviour?”

- 54.20 Councillor Mitchell replied, "Thank you for referring to the answer to the written question which stated that three additional hours of cleaning are now being carried out at that particular location. I just wish that we were dealing with quite simply the matter of cleaning public toilets but we're not. As you quite rightly point out we are dealing with anti-social behaviour. Behaviour that is extremely difficult and challenging to deal with and we will be working with all of the other agencies to try to get some action in relation to this and it can't be just an issue of moving this behaviour from area to area place to place. It is very difficult to tackle but I will definitely be working with the Lead Member, Councillor Emma Daniel, on this particular issue."
- 54.21 Councillor Deane asked the following supplementary question, "My supplementary question relates to a trilogy of mini documentaries by the BBC, available on YouTube, called 'Women and Rough Sleeping in Brighton' and in that documentary it is very apparent that these particular lavatories and, I imagine, facilities throughout the city are something of a lifeline to the ever increasing number of homeless women in our city to wash and keep healthy and hygienic. I would ask that therefore this is treated sympathetically by the attendants when they are working in the lavatory."
- 54.22 Councillor Mitchell replied, "We will certainly have those discussions with Healthmatic. I believe that the staff, employed by Healthmatic, are trained to deal with this type of issue but we will check that this has been dealt with sympathetically."

**(f) Elected Representation of Rough Sleepers**

- 54.23 Councillor Miller asked the following question, "Does Councillor Moonan agree with me that clarity is needed potentially with a clear Council policy on elected representation of rough sleepers on the Council? Namely those rough sleepers who have a local connection are not found to be in priority need should have the right to or charity on their behalf contact a local Councillor to question, challenge or ask for more information on officer's decisions on their assessments and the help the local authority are putting in place for them. Currently it's not clear; as rough sleepers are of no fixed abode and as such do not have a local councillor."
- 54.24 Councillor Moonan replied, "If a homeless person wants to contact a councillor, or wants a councillor to represent them, then they are free to choose any of the 54 Brighton & Hove members. If they have been a city resident they may prefer to contact a councillor representing the ward in which they may have lived, but there is no obligation to do so. They may want to contact a member who is well placed to deal with their queries e.g. the Chair of the Housing Committee if their query was housing related but it's entirely up to them. People do not need a local connection to contact a councillor and request their help, although obviously they would need a local connection to access some of our specific services. I'd also draw your attention to all the work that we did earlier on this year in terms of voter registration for rough sleepers. We were successful in ensuring that 129 rough sleepers registered to vote and were able to exercise that democratic right. The information is communicated but potentially could be clearer, and that is something that we can certainly put into all of our information that we pass out to rough sleepers, so they know who and how they can contact, local connection or not."

54.25 Councillor Miller thanked Councillor Moonan for her answer and asked that the information could be passed to local charities and included in the training for ward councillors in the future.

54.26 Councillor Moonan agreed.

**(g) Emergency Accommodation Provision for Homeless People**

54.27 Councillor Gibson asked the following question, "Given that last year around £17 million of public money was used for the provision of temporary and emergency accommodation from the private sector and, given that if this accommodation were owned by the council this money would have come back to us. Can the Chair of Housing agree to support proposals for the council to use cheap borrowing, currently available, to buy these buildings bringing them into public ownership and therefore recycle large amounts of public money for the benefit of homeless people living in temporary accommodation instead of most of these funds, as currently happens, going to private landlords?"

54.28 Councillor Meadows replied, I am not quite sure where £17 million came from but yes as you know Councillor Gibson with your written question where you would have received some information and your Notice of Motion later on where you already know as part of a cross party working group we are already looking at purchasing and acquiring and refurbishing any kind of option to achieve and acquire our own accommodation for our homeless population.

54.29 Councillor Gibson stated that he did not have a supplementary question but would just draw Councillor Meadows's attention to where £17 million comes from that is in the paperwork as the answer to a written question I asked at a previous Full Council Meeting.

54.30 Councillor Meadows noted the comment.

**(h) Health & Safety**

54.31 Councillor Mears asked the following question, "As it is a statutory requirement the Housing Department to keep up-to-date records on asbestos and Legionella, can the Chair of Housing confirm this is the case and that the Housing Department's records are up to date?"

54.32 Councillor Meadows replied, "I can confirm that our legionella health and safety records are completely up-to-date and at the moment Housing have given reasonable assurance of Legionella compliance. As far as I am aware our other health and safety records are also up to date as they are usually done at the same time. I thought you'd be talking about legionella as it is something which comes up at Committee a lot. I can tell you that overall we have thirty high-rise blocks that are subject to current 6 monthly inspection regimes relating to either cold water storage tanks or cold water booster sets or both, and they are inspected on a regular basis and we have a 6 monthly regime set up on our twenty eight high rise council owned blocks which have communal old water storage tanks."

- 54.33 Councillor Mears asked the following supplementary question, "Contractors have an obligation to keep records on asbestos for many years can the Chair of Housing confirm the Housing Department is not relying on contractors to update their records and can she ensure, as promised, in the previous Housing Committee a full report will come to the Housing Committee, although this was promised for the end of the year."
- 54.34 Councillor Meadows replied, "Yes I can confirm that we will have an annual Health and Safety report to Housing & New Homes Committee where you will be able to look at the detailed information."

**(i) Multiple Allowances for Elected Office**

- 54.35 Councillor Page asked the following question, "Does the administration agree with me that trust in politicians is a challenging objective for us all and we must try and uphold the highest standards of conduct and that that is not helped by elected people claiming travel allowances to another place when they get a thirty six thousand pounds a year housing allowance as well."
- 54.36 Councillor Morgan replied, "I am pleased to say that the figures in the recent City Tracker survey showed that trust and satisfaction in this administration has gone up since the previous administration. If the Councillor has any concerns about issues involving parliaments to take it up with the relevant authorities."
- 54.37 Councillor Page asked the following supplementary question, "Why has it taken so long for the residents of East Brighton to have the opportunity to be represented by somebody who hasn't got another very demanding elected job?"
- 54.38 Councillor Morgan replied, "It's entirely up to Members of this Council when they choose to step down should they take up another role. I would direct Councillor Page to his colleague Sian Berry who sits both on the London Assembly and Camden Bough Council and has for some time. I would also direct him to Green Party Members of Lewes District Council who also serve on the Town Council, so it perfectly possible to do two jobs and to do them both well, which may be beyond him and his colleagues but will certainly not be beyond Labour."

**55 TREASURY MANAGEMENT POLICY STATEMENT 2017/18 (INCLUDING ANNUAL INVESTMENT STRATEGY 2017/18) - MID YEAR REVIEW**

**55.1 RESOLVED:**

- (1) That the amended Annual Investment Strategy 2017/18 as set out in appendix 3 to the report be approved; and
- (2) That the amended Minimum Revenue Provision (MRP) Policy 2017/18 as set out in appendix 4 to the report be approved.

**56 COUNCIL TAX REDUCTION REVIEW**

- 56.1 Councillor Hamilton introduced the report which detailed the Council Tax Reduction scheme and the need for it to be reviewed and agreed. He noted that it was not

intended to change the scheme but there would be additional costs to maintain it that would have to be met. However, he recommended the scheme for approval.

56.2 Councillor Sykes stated that the Green Group had registered their disappointment at the Policy, Resources & Growth Committee meeting not to consult on the scheme and suggested that a different decision would have been taken with more information being available. He hoped that for the future consideration would be given to consultation process that could be used and provide some input into how the scheme should operate.

56.3 Councillor Hamilton noted the comments and stated that there was a need to review the scheme annually and to take it into consideration as part of the budget process. He therefore recommended it to the council for approval.

56.4 **RESOLVED:** That the Council Tax Reduction Scheme (CTR) be approved.

## **57 REVIEW OF MEMBERS' ALLOWANCES**

57.1 **RESOLVED:**

- (1) That the report of the Independent Remuneration Panel be noted; and
- (2) That no changes are made to the approved Scheme which was agreed in 2014 and came into effect from May 2015 as it is felt it should remain for the full-term of the Council i.e. until May 2019.

## **58 GREATER BRIGHTON ECONOMIC BOARD – ADMISSION OF NEW MEMBER TO THE BOARD**

58.1 **RESOLVED:**

- (1) That Crawley Borough Council joins the GBEJC and that Gatwick Airport Ltd join the GBBP thereby becoming members of the GBEB;
- (2) That it be noted that these changes to the membership are dependent on all the local authorities represented on the Board agreeing that the new members be appointed; and the Board taking a formal decision that the new members are appointed;
- (3) That it be agreed to amend the Board's Heads of Terms and to instruct the Monitoring Officer to amend the Council's constitution to reflect these amendments once they have been formally approved by all the constituent authorities and the Greater Brighton Economic Board.

## **59 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION:**

59.1 The Mayor noted that the motion listed as Item 59 (2) had been withdrawn due to Councillor Penn being unable to attend the meeting and that a revised version of Item 59 (7) had been circulated with the agenda.

**(5) Better Support for Care Leavers**

59.2 The joint Notice of Motion as listed in the agenda was proposed by Councillor Bewick on behalf of the Labour & Co-operative and Conservative Groups and seconded by Councillor Brown.

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

“This council resolves:

To request the Policy, Resources & Growth Committee to instruct the Chief Executive to undertake a rapid review of statutory and non-statutory support available to care leavers in the City, and bring back a report to the relevant committee(s) as soon as possible, with options of how the Council could provide additional support to care leavers up to the age of 30 who are resident in the City.”

59.4 The Mayor confirmed that the motion had been **carried unanimously**.

**(6) Mental Health Services**

59.5 The Mayor noted that the item had been withdrawn.

**(7) Remove Freedom of the City from Aung San Suu Kyi.**

59.6 The Mayor noted that there was no provision in the constitution to address the removal of such an honour and therefore it was necessary to refer to the legislation for conferring the freedom of city, which required a special meeting to be held and for the motion to be carried by two-thirds of the votes cast. As such if the motion was passed, she was minded to call a Special meeting to be held on the 1<sup>st</sup> February 2018 prior to the next Ordinary Council meeting scheduled for that day.

59.7 The joint Notice of Motion as listed in the agenda was proposed by Councillor Morgan on behalf of the Labour & Co-operative and Green Groups and seconded by Councillor West.

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

“This council resolves, in the light of continuing lack of protection of the human rights of the Rohingya people in Myanmar, many of whom are now refugees in Bangladesh, to hold a Special Council meeting to consider the removal at the earliest opportunity of the Freedom of the City granted to Aung San Suu Kyi in 2011.”

59.9 The Mayor confirmed that the motion had been **carried unanimously**.

**(8) Taxi and Private Hire Vehicle (PHV) Licensing.**

59.10 The joint Notice of Motion as listed in the agenda was proposed by Councillor O’Quinn on behalf of the Labour & Co-operative and Green Groups and seconded by Councillor Deane.

59.11 Councillor Hyde moved an amendment on behalf of the Conservative Group, which was seconded by Councillor Wares.

59.12 The Mayor noted that the Conservative Group amendment had been accepted by Councillor O'Quinn and put it to the vote which was carried unanimously.

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

“This council resolves to:

- i) Inform the LGA of our support for their call for a “Taxi and Private Hire Vehicle Licensing Reform Bill” to replace outdated deregulation legislation, in order to modernise the licensing system for taxis and PHVs, to the benefit of both passengers and the trade itself.
- ii) Request the Chief Executive to write to the Secretary of State for Transport, requesting the introduction of a “Taxi and Private Hire Vehicle Licensing Reform Bill” in order to legislate that:
  - All taxi and private hire journeys should either start or end in the area for which the vehicle, driver and operator are licensed.
  - Councils can take appropriate enforcement action against any driver operating in their area, irrespective of where they are licensed.
  - National minimum standards mirroring Brighton and Hove City Council’s Blue Book to be introduced for taxi and PHVs, to align licensing and safety standards across the country, while retaining local flexibility for councils.
  - A National Register of revocations and refusals for individuals making applications in different areas is introduced.
  - A National Intended Use Policy is introduced.
  - A proper definition of “Plying for Hire” is provided.
  - Detailed clarification of what is a “Booking App” and a “Hailing App” is provided.”

59.14 The Mayor confirmed that the motion had been **carried unanimously**.

**(5) Able and Willing.**

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

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

“This council resolves:

- (1) That the Policy, Resources & Growth Committee be requested to call for a report on how best to promote, sustain and increase procurement from, Able and Willing.
- (2) To request that the Procurement Advisory Board provide advice and guidance on how the Council can designate Able and Willing as the preferred supplier where they can provide the goods and/or services the Council needs.”

59.17 The Mayor confirmed that the motion had been **carried unanimously**.

**(6) Post Christmas Support for Businesses in Brighton and Hove.**

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

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

“This Council resolves to:

- (1) Request Officers to investigate the viability of introducing free parking at Norton Road, London Road, Regency Square, High Street and Trafalgar Street car parks during periods in February when parking capacity is most underused; and
- (2) Request that a report on financial impact be brought to PR&G on 25<sup>th</sup> January 2018.”

59.20 The Mayor confirmed that the motion had been **lost by 20 votes to 31**.

**(7) Brighton and Hove Brexit.**

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

59.22 The Mayor noted that the matter raised by the motion was one which split views across the council and therefore asked that a recorded vote be held on the following motion as detailed below:

“This Council notes the mounting evidence of damage that ‘Brexit’ would cause to the national economy and trans-European relationships, and the mismanagement of Brexit by the Government. Council also notes with concern the potential impact of Brexit both on our local economy and on established mutually beneficial partnerships and links with European cities such the Eurocities network. The Council requests:

- That the Chief Executive write to the President of the Eurocities Network, Mayor of Ghent Daniel Termont, expressing our desire to continue working with sister cities at this time of uncertainty for the UK, and exploring the status of Brighton and Hove’s membership of Eurocities following any ‘Brexit’;
- That the Chief Executive writes to Sajid David, Secretary of State for Communities and Local Government, expressing this Council’s and this city’s strong desire for a referendum on the final terms of a Brexit deal, including the option to maintain full EU membership;
- That the Chief Executive writes to Hilary Benn MP, chair of the Brexit Select Committee, requesting that he share the full Brexit Impact Assessment Studies with particular relevance to the economy of our city.



		For	Against	Abstain			For	Against	Abstain
1	<b>Allen</b>		x			<b>Marsh</b>	✓		
2	<b>Atkinson</b>		x			<b>Meadows</b>		x	
3	<b>Barfod</b>	✓				<b>Mears</b>		x	
4	<b>Barnett</b>		x			<b>Miller</b>		x	
5	<b>Bell</b>		x			<b>Mitchell</b>	✓		
6	<b>Bennett</b>		x			<b>Moonan</b>	✓		
7	<b>Bewick</b>		x			<b>Morgan</b>	✓		
8	<b>Brown</b>		x			<b>Morris</b>	✓		
9	<b>Cattell</b>	✓				<b>Nemeth</b>		x	
10	<b>Chapman</b>	✓				<b>Norman A</b>		x	
11	<b>Cobb</b>		x			<b>Norman K</b>		x	
12	<b>Daniel</b>	✓				<b>O'Quinn</b>		x	
13	<b>Deane</b>	✓				<b>Page</b>	✓		
14	<b>Druitt</b>	Not present				<b>Peltzer Dunn</b>		x	
15	<b>Gibson</b>	✓				<b>Penn</b>	Not present		
16	<b>Gilbey</b>	✓				<b>Phillips</b>	Not present		
17	<b>Greenbaum</b>	✓				<b>Robins</b>	✓		
18	<b>Hamilton</b>	✓				<b>Russell-Moyle</b>	✓		
19	<b>Hill</b>	✓				<b>Simson</b>		x	
20	<b>Horan</b>	✓				<b>Sykes</b>	✓		
21	<b>Hyde</b>		x			<b>Taylor</b>		x	
22	<b>Inkpin-Leissner</b>	✓				<b>Theobald C</b>		x	
23	<b>Janio</b>		x			<b>Theobald G</b>		x	
24	<b>Knight</b>	✓				<b>Wares</b>		x	
25	<b>Lewry</b>		x			<b>Wealls</b>		x	
26	<b>Littman</b>	✓				<b>West</b>	✓		
27	<b>Mac Cafferty</b>	✓				<b>Yates</b>	✓		
						<b>Total</b>	<b>26</b>	<b>25</b>	<b>0</b>

59.23 The Mayor confirmed that the motion had been **carried by 26 votes to 25.**

**(8) Council Owned Short-term Homelessness Accommodation.**

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

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

59.26 The Mayor noted that the amendment had not been accepted by Councillor Gibson and therefore put the Labour & Co-operative Group amendment to vote, which was carried by 41 votes to 9.

59.27 The Mayor the put the following substantive motion as amended to the vote:

“This Council resolves:

1. To request that a report be brought to Housing & New Homes Committee on the business case modelling for a “spend to save” purchase of emergency/temporary accommodation by the council and that this modeling:
  - (i) Estimates revenue savings on current expenditure of private provision;
  - (ii) Estimates the capital appreciation *and rental income* that would flow to the council through ownership of Emergency accommodation;
  - (iii) Explores the potential to offer greater support to residents of emergency accommodation from any savings achieved;
  - (iv) Should take into account and continue to build on the work already in progress on the feasibility of temporary housing options, in addition to the existing HRA purchasing policy;
2. That after consideration and approval of the report by the Housing & New Homes Committee any recommendations be referred to the Policy, Resources & Growth committee, such as recommendations on policy changes and delegated powers.

59.28 The Mayor confirmed that the motion had been **carried unanimously.**

**60 CLOSE OF MEETING**

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

The meeting concluded at 9.10pm

Signed

Chair

Dated this

day of

2018