

**WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions listed on pages 43 - 46 of the agenda have been received from Councillors and will be taken as read along with the written answers listed below.

**(1) Councillor Littman**

Further to my Oral Question to you at Full Council in November, and my Written Question to you at Full Council in December; I'm afraid I am still unclear.

In November you said you were: "pretty proud to have raised our recycling levels to the highest rate ever from the 24% under your administration to the 29.1% now" In December I pointed out that annual recycling rates were never as low as 24% under the Green administration, and that they were higher than 29.1% in 2008/9.

You responded by saying: "The figure of 24% relates to Q4 for the year 2014/15 (actual rate 24.14%)." And "The 29.1% rate is the highest ever compared to those achieved by the previous two political administrations on leaving office" In the first instance, you are comparing annual rates with quarterly rates, when it is clearly only valid to compare annual rates with annual rates. The only year in which the annual rate of recycling fell to 24.1% was your first year in charge of ETS; 2015/6.

In the second instance, you use 'ever' to mean, 'by comparison to two other instances', as opposed to its usual usage meaning. Do you acknowledge that in both cases your response could appear to be extremely misleading?

As noted, the rate of recycling which makes you feel 'pretty proud' is slightly lower than that achieved ten years ago. In the interim; the Green administration introduced initiatives capable of significantly boosting rates. Across the country, authorities which collect garden waste, have a second wheelie bin, and collect communal recycling, as we now do, thanks to the Green administration, are among the highest scorers. However, under the current administration, even given all these inherited advantages, Brighton and Hove still languishes near the bottom of the league. Can you explain why this is?

Further, on the question of garden waste recycling, how successful has it been? What percentage of the 29.1% you cited, is represented by the garden waste collection which our administration passed on to yours?

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

The previous response was correct and its context explained. The Labour Administration is working to increase the rate of recycling still further having inherited declining rates and declining customer satisfaction.

In July 2015, following the local elections in May that year, the Labour Administration presented a report to the Policy and Resources Committee proposing the introduction of a new garden waste service. This was followed in October 2015 by a report to the Environment, Transport and Sustainability Committee seeking approval of the business case and the implementation of the new service.

The garden waste collection service is proving popular and currently has 7,000 customers. Of the current 29.1% recycling rate, 1.1% is represented by the garden waste collection scheme.

**(2) Councillor K. Norman**

There are currently a number of public highways mostly in residential areas within Brighton and Hove where vehicle hire companies use those highways to park numerous vehicles, mostly cars and vans, that seriously affect the lives of many residents.

Can the Council provide information regarding the legality or otherwise of this process regarding the operation of a business and/or storage of vehicles in pursuit of a business on the public highway?

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

Commercial vehicles including vehicles belonging to hire companies are allowed to be parked on the public highway. As with any other vehicle, as long as they are legally parked, taxed and have the relevant insurance they can use the public highway. The council does not have any legal powers to prevent this type of vehicle parking. Both Trading Standards and the Police have looked into the legality of this practice and they too have found that no legislation is being breached.

When instances of this type of parking are reported the only course of action would be for the council to contact the company responsible, explain the residents' concerns and appeal to their better nature.

**(3) Councillor Mac Cafferty**

Further to the unanimously supported Green Group motion on Single Use Plastics at November's Full Council, can the Chair of the Policy Resources & Growth Committee please outline a full written timetable for the rollout of the actions the City Council intends to take including key decisions, committees and proposed budgets?

**Reply from Councillor Morgan – Leader of the Council**

Officers are currently consulting and investigating with all relevant teams and services in the council to develop a plan comprising short, medium and long term actions for reducing single use plastics (SUPs) and eliminating them where possible. This includes:

- An immediate piece of work with Procurement to review and identify in which contracts SUPs are most significant, and influence changes across our existing service provision as well as in future tendering processes;
- Working with the Outdoor Events team to identify the top 10 events to work with for running a plastic free trial;
- Support is also being provided by the Communications team for facilitating staff awareness and sharing of best practice.

There is also work underway through a partnership project under the Biosphere programme between BHCC Public Health, Sustainability Teams and Southern Water for targeting 20 large businesses/organisations/venues in the city to sign up to a water project for encouraging greater provision of tap water and elimination of plastic bottles.

The events work is a part of this Biosphere project. Officers are also closely liaising with the City's Plastic Free Pledge Campaign to get their support and expertise in the efforts the council are taking on this work. This is an opportunity to build upon and widen council support on litter reduction and plastic free initiatives happening across the city, nationally and internationally.

This work is helping to inform an initial report that will include a more detailed timeline of actions and any quick wins we can identify which will be brought to members at PRG in March 2018. This will then be followed up with a more comprehensive report at PRG in July 2018.

#### **(4) Councillor Mac Cafferty**

In the wake of the damning National Audit Office report into Private Finance Initiative (PFI) deals can the Labour administration lead on Finance please outline:

- each outstanding PFI deal;
- the monetary value of the original deal;
- how much payment is outstanding;
- the date when each was signed;
- how many years are left in each deal;
- what the City Council's auditors say about each of the deals in terms of value for money; and
- what work, if any, has been done to reduce the monetary value of each deal and achieve greater value for money for the council taxpayer."

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

"The table below contains the key information requested. Please note the second column is an estimate for 2017/18 and the final column actual payments to date.

PFI Contract	PFI Credits received (annually) (£m)	Start Date	End Date	Total Unitary Payments from start to 2016/17 (£m)	2017/18 Unitary Payment (£m)	Years left on contract	Estimated Payments remaining post 2017/18 (£m)
Joint Waste PFI Scheme	(1.498)	01/04/2003	31/03/2033	124.579	12.441	15	£223.202m
Jubilee Library	(1.505)	30/11/2004	29/11/2029	27.429	2.519	12	£34.498m
Schools PFI	(2.390)	01/04/2003	31/03/2028	44.667	3.173	10	£30.255m
<b>Total</b>	<b>(5.393)</b>			196.675	<b>18.133</b>		£287.955m

PFI credits are given from central government to the authority.

Unitary Payments represent the total amount paid to the PFI contractors (£196.675m) up to 31 March 2017. The council has received PFI grants (credits) of approx. £80m toward the funding of these payments. The remaining balance is funded by Council Tax and Business Rates.

In terms of independent validation, the annual audit conclusion from EY is that the council does have robust arrangements in place for securing VfM.

With regard to the specific contracts there is currently a review of all three being undertaken to look at options for improving the value of the contracts. Due to the availability of PFI Credits (Grant) and the terms of PFI contracts, refinancing with council funding (which would necessarily involve borrowing) is not normally a viable option. However, other elements of the contracts, including insurance cover, income and activity assumptions, performance penalties, and the specification of services, can be considered and as such are periodically reviewed.

#### **(5) Councillor Mac Cafferty**

The Chair of the House of Commons Health Select Committee, Dr Sarah Wollaston MP, has written to the Secretary of Health and Social Care asking him to

*“delay the introduction of the new contract for Accountable Care Organisations until after the Health Committee has taken the opportunity to hear evidence on the issues around the introduction of accountable care models to the NHS.”*

Can the Chair of the Health and Wellbeing Board please outline what, if any, discussions he has had with the Clinical Commissioning Group and other NHS partners in the city and region about Accountable Care Organisations in Brighton and Hove?

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

“I can confirm that no discussion has taken place between myself, as Chair of the Health and Wellbeing Board, the CCG or any other NHS organisation with respect to an Accountable Care Organisation in Brighton and Hove.”

**(6) Councillor Mac Cafferty**

Hove Lawns are in a terrible state following a summer where they were overused from events and effective remediation work wasn't carried out before the onset of winter. Can the Chair of the Tourism Development & Culture Committee outline when urgent remediation works will be carried out?

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

Hove Lawns are a well-used recreational area with a range of uses including events.

In order to consider the elected member concerns a site visit will be arranged including officers from the Cityparks and Events Teams.

This will enable the areas of concern for the elected member to be identified and consideration given to whether such areas have been caused by events together with any reinstatement works required.

**(7) Councillor Mac Cafferty**

Further to the collapse of Carillion and several London councils taking provided services in-house again, can the administration's finance lead outline any contracted and sub-contracted work that was performed by Carillion and what provision the City Council has made to ensure any work or services are not disrupted?

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

The council has reviewed its exposure to Carillion. There are no direct contracts, and a single contract between Carillion and *your Energy Partnership*, of which Brighton & Hove is a member. However no payments have been made since 2013, and there is no further work planned.

As it stands, the council is not aware of services that will be disrupted, and market intelligence is monitored by the Procurement team on an ongoing basis to mitigate this risk.

**(8) Councillor Mac Cafferty**

Morgan Sindall took over a £160m contract on 5 January as the council's principal contractor from Westridge Construction, given that Morgan Sindall has a number of project and joint ventures with Carillion can the administration

identify if any of the contract involves Carillion and if an assessment has been done by the administration of any impact from the collapse of Carillion?”

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

“The new Strategic Partnership is with Morgan Sindall only, and it was agreed in August 2017 with commencement in October. It concerns the supply of construction and major repair works for our commercial portfolio. The council only has a liability on a project by project basis. The length of the contract is five years plus 2 years extension. Carillion were not previously involved.

Identifying company exposures to the Carillion collapse and other similar events is not straight forwards, as there is no immediate legal requirement to do so. In addition, such information may be commercially harmful to companies making disclosures. However the Procurement team are proactively concerned in obtaining market intelligence where possible. The Orbis Partnership arrangement supports this aim, given its wider reach.

At this stage there are no concerns to report.”

**(9) Councillor Mac Cafferty**

“Laing O’Rourke was appointed as the lead contractor for the redevelopment of the hospital in December 2015. Given that Laing O’Rourke has filed its accounts late with Companies House raising concerns about its financial health what work is the administration doing to ensure the 3Ts is unaffected?”

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

“The answer is similar to the previous one.

Identifying company exposures to the Carillion collapse and other similar events is not straight forwards, as there is no immediate legal requirement to do so. In addition, such information may be commercially harmful to companies making disclosures. However the Procurement team are proactively concerned in obtaining market intelligence where possible. The Orbis Partnership arrangement supports this aim, given its wider reach. In the case of Laing O’Rourke, the council’s work with health partners would heighten this intelligence.

At this stage there are no concerns to report.”

**(10) Councillor Gibson**

**a) Hanover and Elm Grove CPZ**

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

- 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 January?
- 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)

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**

**(a) Hanover and Elm Grove CPZ**

The latest information we have available is as of the 1<sup>st</sup> December 2017:

- 1) The total number of permits issued for zones V and zone S?

Area V (Full scheme) – 2384 permits (2488 limit)

Area S (Light touch scheme) – 1791 permits issued (2288 limit)

- 2) The numbers of annual and of 3 month permits issued for each of zones V and S?

	Zone V	Zone S
Blue Badge	52	70
3 Month	337	0
6 Month	0	388
1 Year	1995	1333

- 3) The total permit income paid to the council from permit fees for zones V and S up until 1st of December?

Total = £317,087 (Includes business permit, resident permit income and visitor permits)

- 4) The total capital expenditure incurred on markings, signage and other works needed for implementation of the CPZ in zones V and S?

Total = £435,450

- 5) £26,370 from the Local Transport Plan's Capital Programme

- (b)** Whilst we actively pursue opportunities for cycle facilities within new Controlled Parking Schemes including on and off carriageway pedal cycle parking spaces, the Council would be willing to work with local residents on the potential for covered cycle parking within CPZ's.

## **(11) Councillor Gibson**

- a) Numbers accommodated in emergency and temporary accommodation

For 2016/17, please can you provide the number of households that were housed by each provide by:

- i) Helgor Trading
  - ii) Baron Homes
- b) How much under the HRA borrowing cap was BHCC on 1<sup>st</sup> April 2016 and the 1<sup>st</sup> of April 2017?
- c) 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**

- a) i) Helgor Trading 322  
ii) Baron Homes 293
- b) As at 1/4/2016 the HRA total borrowing was £112.825m which is £44.014m below the borrowing cap of £156.839m.
- As at 1/4/2017, the HRA total borrowing was £123.117m, £33.722m below the borrowing cap.
- c) 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.



Re-modelling 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.

**(12) Councillor Deane**

Yet more months have slipped by since Surrey Street residents were assured that a solution was in hand to their daily and nightly suffering from taxis ranking outside their homes. However, nothing seems to have happened and the deplorable situation remains the same. Could Cllr Mitchell please provide an update on where things currently stand, and things have developed since the last update?

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

As has been reported previously, the wider station infrastructure project by Govia Thameslink Railway (GTR) to help alleviate the problems associated with taxis waiting in Surrey Street have been delayed.

However, council officers now understand that GTR's plans have been advanced and the company may be in a position to share them. Officers are contacting GTR with the intention of setting up a meeting to hear about this progress, their plans and timescales to which you will be invited.

**(13) Councillor Deane**

Further to the report brought to Licensing Committee consistently stating 'no queuing', can the Chair of the Licensing Committee please provide an update on whether there has been any further monitoring of taxis in Surrey Street to coincide with busy periods such as the arrival of trains from London, and what action has been taken as a result? Can the Chair of Licensing Committee also confirm whether such monitoring can be carried out on a regular basis?

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

We acknowledge that Surrey St/Station is a difficult issue regarding traffic management and there are times when it is congested.

Taxi licensing and police officers have been monitoring Surrey St during their enforcement operations. Attached is a log (18.08-20.01.2018) of their findings and complaints received regarding Surrey St. In September 2017 we wrote to all Hackney Carriage Drivers warning drivers about illegal ranking and conduct and officers and police reported an improvement in the area.

Recently, the amount of enforcement activities have temporarily reduced due to two members of the taxi licensing team leaving but we are in the process of recruiting and hope to have a position filled in the next few weeks. As yet the officers have not targeted specific train arrivals but monitoring periods have been up to 30 minutes at a time so would have included times when trains arrived at Brighton station.

For information, our parking enforcement contractor (NFL) operator a 24hr answer machine service (tel. 0345 603 5469 option 2) and carry out enforcement work between 07.00Hrs and 00.00Hrs. A full team works from 07.00Hrs – 20.00Hrs and then a mobile patrol unit operators between 20.00Hrs – 00.00Hrs. They are contracted to attend within an hour of any call but if the complaint is about a city centre rank then CEOs (Civil Enforcement Officers) would be expected to attend well within that time.

We will continue to monitor the area as part of our enforcement work but the effectiveness of enforcement is short-term and limited to when officers can attend and powers available. It is acknowledged that a more long term solution is needed looking at the operation and location of the station “rank” and the road layout.

#### Surrey Street taxis monitoring 18.08.2017 to 20.01.18

Day	Date	Time	Note	Photo
Friday	18.08.2017	16.43	No Queuing	Yes
Saturday	06.09.2017	14.02	No Queuing	Yes
Saturday	09.09.2017	02.27	Taxis in bus stop after station closed. No Queuing in Surrey Street	Yes x 2
Saturday	09.09.2017	21.41	No Queuing	Yes
Wednesday	13.09.2017	20.45	No Queuing	No
Wednesday	13.09.2017	20.07	No Queuing	No
Wednesday	13.09.2017	22.34	No Queuing	No
Friday	15.09.2017	16.15	No Queuing	No
Friday	22.09.2017	16.15	Queueing behind bus	Yes
Friday	22.09.2017	22.41	4 x HC pullover traffic able to pass	No
Friday	22.09.2017	23.58	No Queuing	No
Saturday	23.09.2017	02.09	Taxis in bus stop after station closed. No Queuing in Surrey Street	Yes x 2
Saturday	23.09.2017	21.15	No Queuing	No
Saturday (police)	18.11.2017	21.30	Clear	No
Sunday (police)	19.11.2017	21.30	Clear	No

Location	Date	Time	Observation / Action
Saturday	13.01.2018	17.57hrs	4 HC waiting in Surrey Street. Asked to drive around area until able to enter station. Observed

			<p>area for 25 mins no further HC vehicles waited in area. Observed 2 Buses block road to traffic whilst no HC in Surrey Street.</p> <p>Mike Spoke to resident who had been in contact with Cllr. Dean and talked through the problems that the change to Surrey Street has caused by making it one way street etc. Resident was happy that we out and that we were monitoring the situation she is going to be in contact with councillor to raise suggestions</p>
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Saturday	20.01.2018	13.55	Road Clear
	Monitoring	14.01	Queuing traffic caused by traffic lights
	13.55 to	14.03	Queuing traffic caused by traffic lights
	14.25	14.15	2 HC's advised to keep driving round until there is space in the station
		14.17	Road blocked by Police Van parking at top of road and bus at bus stop. Cleared 14.20. Police Van remained causing obstruction

#### Surrey Street Service Requests (Complaints)

Date	Subject	Investigating Team
30.10.2012	AQ Advice	Environmental Protection
26.06.2015	Noise from Taxis from 9pm to 3/4am Drivers talking to each other, radio playing	Environmental Protection
24.09.2015	Councillor complaint – Environmental issues regarding Taxis	Taxis Licensing
26.02.2016	Concerns regarding pollution caused by taxis	Environmental Protection
29.07.2016	Taxis and AQ monitoring for Cllrs.	Environmental Protection
09.08.2016	Taxis and pollution around station	Environmental Protection
20.10.2016	Councillor Complaint re 58 Surrey Street	Environmental Protection
14.03.2017	ETS committee 14.03.17 Surrey Street AQ	Environmental Protection

