

**BRIGHTON & HOVE CITY COUNCIL**

**COUNCIL**

**4.30pm 1 FEBRUARY 2018**

**COUNCIL CHAMBER - HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Marsh (Chair), Simson (Deputy Chair), Allen, Atkinson, Barford, Barnett, Bell, Bennett, 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, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Penn, Phillips, Robins, Sykes, Taylor, C Theobald, G Theobald, Wares, Wealls, West and Yates.

**PART ONE**

**61 DECLARATIONS OF INTEREST**

- 61.1 The following Councillors having applied for and been granted dispensation to speak and vote, declared a personal but not prejudicial interest in the Items 72(1) Notice of Motion on Mental Health Services, Item 72(4) Notice of Motion on Trade Union Relationships and Item 72(7) Notice of Motion on Bursaries for Nurses as listed below:
- (i) Councillor Atkinson, Items 72(1); 72(4) and 72(7) as he was a Mental Health Nurse and worked for an NHS Trust and was also a trade union representative. He would also not take part or vote on Item 72(1) because of his position as a union representative at the Trust;
  - (ii) Councillor Chapman, Item 72(4) as he was a trade union member and felt it appropriate to declare the interest although no dispensation was required;
  - (iii) Councillor Mitchell, Item 72(7) as she was employed by an NHS Health Trust; and
  - (iv) Councillor Bell, Item 72(7) as his partner was a nurse.
- 61.2 No other declarations of interests in matters appearing on the agenda were made.

**62 MINUTES**

- 62.1 The minutes of the last ordinary meeting held on the 14 December, 2017 were approved and signed by the Mayor as a correct record of the proceedings.

**63 MAYOR'S COMMUNICATIONS.**

- 63.1 The Mayor reported the sad news of the deaths of ex-Councillors Betty Walshe and Brian Pidgeon. She noted that Betty was the first (Labour) Mayor of our new unitary authority in 1997, and the year before that, 1996 the Chair of the Shadow Authority. Originally she was a Councillor for Hangleton and then for Goldsmid having moved from Queens Park. She was considered an ideal choice as the first Mayor, as she was felt to unite Brighton and Hove as they became a unitary authority in 1997.
- 63.2 The Mayor noted that Brian was first elected in 2002 for Patcham Ward and stood down in 2015. Brian had a great passion for the City and was made an Honorary Alderman in July 2015. He was also a keen supporter of Neighbourhood Watch and an active Ward Councillor.
- 63.3 The Mayor then asked for a minute's silence as a mark of respect.
- 63.4 The Mayor thanked the Council and then stated that she was going to call on the Leader of the Council, Councillor Warren Morgan to make a statement on the King Alfred.
- 63.5 The Leader thanked the Mayor and stated that he was pleased to announce the award of a £15m grant for the development of the King Alfred Leisure Centre, which would provide much needed regeneration to the area and an additional 550 new homes. He wished to thank the officers involved and the Members of the Project Board, and especially wished to highlight the work of Mark Jago, City Regeneration Programme Manager who had made a significant contribution to securing the £265m project. It was hoped that a planning application would be submitted by the end of the year.

**64 TO RECEIVE PETITIONS AND E-PETITIONS.**

- 64.1 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.
- 64.2 The Mayor invited Mr. Chapman to present his petition calling for a tree plaque to commemorate Albion Legend, Charlie Webb. The Mayor noted that Mr. Chapman was not in attendance and stated that he would be contacted to see if he wished for the petition to be referred to the Environment, Transport & Sustainability Committee for consideration.

**65 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.**

- 65.1 The Mayor reported that five written questions had been received from members of the public and invited Ms. Hugh-Jones to come forward and address the council.

65.2 Ms. Hugh-Jones thanked the Mayor and asked the following question; “Last month Amnesty published a report revealing that the Home Office uses immigration detention as a matter of routine, although detention causes serious harm to detainees and their families. Nowhere else in Europe locks people up without a time limit and we detain more people. One of the biggest detention centres, Brook House, is just half an hour from here at Gatwick. Many of our fellow residents live with the fear of the ‘dawn knock on the door’. As a City of Sanctuary will the Council endorse the ‘These Walls Must Fall’ campaign and demand an end to indefinite detention?”

65.3 Councillor Daniel replied; “Thank you for coming to highlight this important campaign to our council members. To sign up to this campaign we must agree with these three beliefs:

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

It is my belief that we should bring a motion before the Council to sign up to ‘These Walls Must Fall’ as other councils, notably Manchester but also echoing concerns of Councillors in Crawley, of the impact of the current way in which detention centres and that policy is implemented. For what it’s worth, in Manchester, the Labour Councillor who led this work was a former refugee who himself had been impacted by this very policy.

I would be proud to bring this motion forward to the next possible meeting of the Council and I will seek cross-party support from colleagues in this chamber in order to be able to do so.”

65.4 Ms. Hugh-Jones asked the following supplementary question; “Following the example of the City of Manchester will the Council declare that it believes that the UK’s immigration detention system is not fit for purpose and take all measures in its power to work with our MPs, the Local Government Association and other councils to reform the system and introduce alternatives to detention?”

65.5 Councillor Daniel replied; “I believe I agreed to do that in the first answer and that will come as a notice of motion should I get the support I require from other colleagues”.

65.6 The Mayor thanked Ms. Hugh-Jones for her questions and invited Mr. Hawtree to come forward and address the council.

- 65.7 Mr. Hawtree thanked the Mayor and asked the following question; "Could Councillor Daniel please tell us what steps have been taken to reinstate the mobile library, thank you?"
- 65.8 Councillor Daniel replied; "In my time as a Councillor there hasn't been a mobile library, and I had to do some research to find out what happened to this service. Imagine my surprise, when I found out that proposals to cut this service came through in the first year of the last administration, and that it was in fact cut by them. Even more surprising to me was that you actually served in that administration and were party to that decision being made. Described, and I'm sure most unfoundedly or mischievously, by the then MP for Hove Mike Weatherly as the 'Dr Beeching of libraries'.

It was in fact your colleague, at that time Geoffrey Bowden, who actually cut this service describing it as 'parked up like an unused aircraft carrier'. However as Larkin says 'man hands on misery to man' and as, the current administration, we are handed the pain of possibly unfortunate decisions of our predecessors and must deal with them. So I looked into the substantive reasons that the previous administration gave for the decision and it was the severe government cuts.

I'm sorry to inform you Mr. Hawtree, but that 'the ghostly roll of drums' remorselessly beat the measure of government cuts and we have significantly less funding now than we did when you were in administration. Were austerity to be reversed, I am sure that this service would be one that our administration would consider reinstating and I know it's much missed by residents."

- 65.9 Mr. Hawtree asked the following supplementary question; "I'm very surprised that you haven't mentioned the point of that proposal was to keep visits to the housebound people who couldn't even get to a mobile library. The question that comes to mind, is why does your administration continue to inveigh against the closing of the mobile library, which was a proposal made by the Head of Libraries, but do not at all question the needless proposal made by the same officer to close the Carnegie Library?"
- 65.10 Councillor Daniel replied; "Politicians are responsible for policy decisions; they were in your time and they are in ours."
- 65.11 The Mayor thanked Mr. Hawtree for his questions and invited Mr. Harper to come forward and address the council.
- 65.12 Mr. Harper thanked the Mayor and asked the following question; "At the Environment, Sustainability and Transport Committee meeting on 27 June 2017 Chair Councillor Mitchell welcomed the draft of changes proposed to Francis Street. Councillor Pete West suggested an update report be produced after 12 months but the Chair added that measures would be kept under review.
- Over six months have now passed and no changes have taken place the street remains unsafe after failing a stage 3 Road Safety Audit in September 2016. Why are the residents and other road users still awaiting the much-needed changes?"
- 65.13 Councillor Mitchell replied; "I do recall the Committee report on this matter from last year and the additional attention that officers and the developer were able to give then

to considering and proposing the changes within the street in order to address a number of issues that had been raised by residents. I understand that dialogue and feasibility work has since continued and has included a further evening meeting with a Council officer, residents and Councillor Greenbaum. That discussion resulted in the need to consider the implications of further options including the introduction of double yellow lines.

The consideration of those options by officers and Ward Councillors which took place after the summer holiday period were agreed and then shared with the developer. Regrettably that process did then slow during a period of staff shortage in the Development and Transport Assessment Team which has affected officer's capacity to maintain that momentum. Officers are now in receipt of a final draft plan that needs to be checked and if satisfactory will then enable the works to be arranged and progress relatively quickly. I have therefore requested that officers work with the developer to prioritise finalising these works in the next few weeks and provide Ward Councillors with regular update reports on the plans and their progress which they will then be able to share with you and your neighbours. I know that your Councillors especially Councillor Greenbaum are very keen to ensure that this final package of works is completed in order to deliver the improvements that have been discussed and agreed with yourselves and others."

- 65.14 Mr. Harper asked the following supplementary question; "After failing the stage 3 safety audit in September 2016 are the delays to the much-needed changes opening the Council up to be legally culpable to a civil lawsuit if there is a serious accident?"
- 65.15 Councillor Mitchell replied; "I would not expect any of the proposed changes being put forward by Transport Officers to be opening the Council up to a legal challenge of that type."
- 65.16 The Mayor thanked Mr. Harper for his questions and invited Ms. Garrett Gotch to come forward and address the council.
- 65.17 Ms. Garrett Gotch thanked the Mayor and asked the following question; "Performance indicators such as cost, nightly usage and refusals have been requested as recently as the Housing Committee 17 January 2018 are not been provided yet. The Centre is one of a small part of services provided for those who are homeless and it's not yet known if it has been a successful or not. How can one welcome an initiative without looking at its achievements and why be self-congratulatory yet made no reference to other initiatives of the wider involvement of our community?"
- 65.18 Councillor Moonan replied; "The night shelter within the Brighton Centre has been operational since December 2017 and following agreement at the PR&G Committee on 20 January 2018 will now run until 11 March 2018. The allocated budget for this initiative is £135,000 but the final costings won't be clear until the Spring when the shelter has completed.

All 30 places are allocated after referral and risk assessment by St Mungo's and after negotiation with the client to ask if they would like to take up the space. Therefore under this definition there are no refusals. The shelter is not set up to take people straight off the street if they've not been through this referral and risk

assessment process as this wouldn't be safe for existing residents or staff. I hope I've interpreted your question in terms of refusals correctly there but if I haven't you can come back.

Nightly usage in January has been on average 24 people per night. The shortfall is due to a couple of reasons. Firstly, as was outlined in the PR&G paper the Brighton Centre was booked for a week in January and therefore we have to move the shelter to one of our local churches and that did cause a certain amount of disruption and confusion with the clients although a lot of work was done to support them in that move. Also some of the clients who have a space in the shelter choose not to attend every night and this is unpredictable and is in common with lots of night shelters around the country but most these people do come back.

As detailed in the PR&G report a full evaluation of the impact and effectiveness of the shelter will be presented back to PR&G committee in the summer and this evaluation will also be used to make an informed decision on future plans for the service and we do have money allocated in the Budget for next year should it be agreed on 22 February 2018.

As an Administration we do acknowledge and welcome the many initiatives that operate across the city to support rough sleepers. We really value the contributions of organisations and volunteers many of them are in this room. We don't mean to be self-congratulatory this is a very serious issue we have a lot of rough sleepers within the city. You're right the winter night shelter is a small part of a complex wide picture of support provided by us as a statutory sector, the voluntary community sector and individual volunteers."

- 65.19 Ms. Garrett Gotch asked the following supplementary question; "When are you going to engage and acknowledge the wider community such as Sussex Homeless Support Night Bus?"
- 65.20 Councillor Moonan replied; "As I hoped I indicated I do acknowledge it. I was just chatting to some of the organisers of the night bus just half an hour ago asking them how it's going, it sounds like it's a really positive initiative. It's one of many initiatives across the city from a wide range of voluntary groups."
- 65.21 The Mayor thanked Ms. Garrett Gotch for her questions and invited Mr. Deans to come forward and address the council.
- 65.22 Mr. Deans thanked the Mayor and asked the following question on behalf of Mr. Thomas who was unable to attend the meeting; "I submitted a question to the last Housing Committee meeting and the Chair refused to hear the question on the grounds that it was more relevant to another Committee. Part 8.9 of the constitution gives the protocol for public questions at Committees and there is no provision for such refusal. A question may be rejected if it's on a matter of which the Committee has no responsibility there is nothing else on relevance. Public questions are to hold a Committee to account. Will members agreed to examine the validity of the Chair's action to prevent them from hearing such questions?"

65.23 Councillor Meadows replied; “The way that the Council's Constitution is framed means that there is some overlap in the terms of reference of committees. The subject matter of your question ‘supported housing’ related to an issue where the policy lead and budget was held by another Committee, the Health and Wellbeing Board. Although the Housing Committee has responsibility for housing generally it is important that that issues or questions are dealt with by the most appropriate Committee or Board. Under the Council's Standing orders the power of the Chair to reject or not to take a question is not limited to situations where the Committee has no responsibility it also includes under paragraph 9.22 of Council procedure rules situations where the Chair having consulted with the Monitoring Officer considers the question to be inappropriate for any reason.

That particular Housing Committee was one where the Committee received a number of questions and as I said the subject matter of the question seemed to fall more naturally within the remit of another Committee; the Health and Wellbeing Board. It was therefore in my opinion entirely appropriate for myself to decide the way that I did. I think it's important that if you ask a question you receive a detailed response to that question and that is why I redirected it. The Council is committed to encouraging public participation in our democratic decision making processes and I am pleased to say that we get far more questions, deputations and petitions than most other comparable authorities however it is also important that the agenda is manageable and that issues are dealt with by the most appropriate Committee in the Council.”

65.24 Mr. Deans asked the following supplementary question; “I hope the Council have noticed that there has been an increase in public interest and involvement in the Committee meetings. This is mainly due to a number of issues in the city that are reaching crisis point, homelessness being one of them. I’d like to ask for assurance that the Council and the Councillors welcome the public interests in finding out more about what goes on within the Council and find answers directly rather than from second hand newspapers.”

65.25 Councillor Meadows replied; “Absolutely, we do encourage participation. However when questions are asked when you've taken a lot of time, trouble and effort not just to ask the question and submit it but sometimes to come to committee to ask that question publicly. I believe that it is really important that you get an adequate and proper response and a detailed response to that question and therefore sometimes, in the effort to be helpful, we direct them to the most appropriate Committee.”

65.26 The Mayor thanked Mr. Deans for his questions and noted that concluded the item.

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

66.1 The Mayor reported that one deputation had been received from a member of the public and invited Ms. Ashton as the spokesperson for the deputation to come forward and address the council.

66.2 Ms. Ashton thanked the Mayor and stated that, “I have outlined everything in my deputation concerning the cancellation of Brighton and Hove night buses and it's clear that I, my 9 year old son and the 10,000 plus people who signed the petition so far

feel quite strongly about this for our vibrant progressive city. May I have your response please?”

- 66.3 Councillor Mitchell replied, “I think any reduction to the current level of bus service provision in the city is to be regretted. Some of the concerns that you have outlined in your deputation coming here today were raised directly with the bus company responsible for the night buses at the Brighton and Hove Bus Watch meeting two weeks ago that I attended where the bus company said that it would keep its decision under review. This is of course a matter for the bus company and it is right that your petition is being presented to them. However, I will be very pleased to receive your deputation at the next Environment, Transport & Sustainability Committee meeting in March.
- 66.4 The Mayor thanked Ms. Ashton 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.

## **67 PETITIONS FOR COUNCIL DEBATE**

- 67.1 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 one such petition which related to the provision of homeless shelters in the city. She also noted that there was an amendment to the covering report’s recommendation from the Green Group.
- 67.2 The Mayor also noted that there was a Notice of Motion, Item, 72(2) on the agenda which related to the same subject, and she was therefore minded to take the item at the same time and to have one debate on the issue.
- 67.3 The Mayor then invited Mr. Hadman as the lead petitioner to present the petition.
- 67.4 Mr. Hadman thanked the Mayor and confirmed that the petition had 5,511 signatures and noted that this was more than the previous petition he had brought to the council last April. He believed that there was a need to address the situation of homelessness and rough sleeping in the city and noted that the Council’s SWEP only operated in certain conditions and was not sufficient to resolve the matter. He questioned the lack of progress and noted there were a number of empty council properties that could be used as a night shelter. He also noted that the council had an objective to remove rough sleeping by 2020 and questioned how that target could be achieved. He suggested that the opening of the Brighton Centre as a temporary night shelter was not sufficient and more was needed to be done and hoped that this petition would result in action being taken.
- 67.5 Councillor Moonan thanked Mr. Hadman for the petition and stated that the opening of the Brighton Centre had been a cross-party initiative, which she believed was appropriate and was working well. She wished to thank the officers involved and all those who had volunteered to help make it operational. She also noted that councillors were looking to secure funding to enable a night shelter to be provided permanently

and that resources had been identified in the Budget which was due to be considered on the 22<sup>nd</sup> February. She stated that SWEP took into account certain factors and it was difficult to predict the severity of the weather when planning ahead for the year. She stated that the Administration had prioritised the issue of rough sleeping and the Rough Sleeping Strategy was in place and beginning to take effect; to date 1,300 people had been helped to get off the streets; although it was recognised that numbers may increase.

- 67.6 Councillor Gibson moved an amendment on behalf of the Green Group requesting that a report be brought to the Policy, Resources & Growth Committee to identify resources to help prevent homelessness. He stated that rough sleeping was a huge concern in the city and had to be prioritised and action taken. The situation was getting worse with 174 rough sleepers currently in the city. He welcomed the petition and the additional resources that had been identified in the budget; as well as the work being undertaken by voluntary organisations to help address the situation. He also believed that more needed to be done to provide temporary accommodation and that the previous cuts to supported accommodation should be reconsidered. There was a need to provide shelter for 365 days a year and not just on a temporary basis.
- 67.7 Councillor Druitt formally seconded the amendment and reserved his right to speak later in the debate.
- 67.8 Councillor Moonan then proposed the joint Notice of Motion as listed in the agenda on behalf of the 3 Groups represented on the Council. She stated that the opening of the Brighton Centre as a temporary night shelter had made a positive contribution; providing up to 30 beds in a safe environment. She wished to thank the staff involved and volunteers who had enabled it to open and prove to be a success.
- 67.9 Councillor Mears formally seconded the joint motion and stated that she was happy to support the Green Group's amendment. She also wished to thank Mr. Hadman for his efforts to highlight the issue of homelessness and rough sleeping. In regard to the overall situation, she felt that there were too many strategies and not enough information being given to committee on how available funding was being utilised.
- 67.10 Councillor Gibson also seconded the joint motion and stated that he believed the joint working to date had been positive and had made an important start by using a council building. He also felt that the council should look to work more closely with local communities which had also taken the initiative to support rough sleepers. There was a need to expand Housing First and have shelters open 365 days a year.
- 67.11 Councillor Meadows stated that it was a difficult situation and needed to be addressed. She welcomed the actions taken by residents within the city and felt that these needed to be part of a wider strategy, given that thirty plus people were arriving in the city every week.
- 67.12 Councillor Simson stated that at the last Audit & Standards Committee she had asked for information on hidden homelessness and been informed that there was no data available. She was concerned that this issue was not being addressed and was in effect a time bomb that could impact at any moment and needed to be taken into consideration.

- 67.13 Councillor Druitt stated that he wished to pay tribute to Mr. Hadman who should be an inspiration to everyone. There was a huge amount of voluntary support in the city and this needed to be harnessed and the council should work with those volunteers to improve what was on offer to help those on the streets. The Green Group amendment took account of the fact that homelessness was a year round situation and that needed to be recognised.
- 67.14 Councillor Bell noted that funding to assist with homelessness was available and hoped that all parties could work together to ensure it was used effectively.
- 67.15 Councillor Penn stated that there was a housing crisis in the city and more work was needed to address the impact of Welfare Reforms and rent levels in the city of homelessness was going to be addressed.
- 67.16 Councillor Wealls stated that there was a need to improve how the council responded to cases, he was aware of an instance where rough sleeping had been reported but it took several days before anyone attempted to go to speak to the people, who had moved on by that time. He felt that more work was needed to ensure those agencies commissioned to support rough sleeping were taking action and using resources effectively.
- 67.17 Councillor Moonan welcomed the comments and stated that whilst the Green Group amendment could be accepted, it had un-costed ideas and needed to account for the overall budgetary position of the council. It would have helped if the proposals could have been discussed as part of the budgetary process; however she hoped that this important matter could be addressed on a cross-party basis and for difficult decisions to be taken collectively.
- 67.18 The Mayor thanked Mr. Hadman for attending the meeting and presenting his petition; and noted that the Green Group's amendment had been accepted. She therefore put the recommendations as amended to the vote which were carried.
- 67.19 **RESOLVED:**
- (1) That the petition is noted and referred to the Policy, Resources & Growth Committee for consideration at its meeting on the 29<sup>th</sup> March 2018; and
  - (2) That a report addressing the issues in this petition be submitted to Policy, Resources & Growth Committee which identifies resources that can be made available through the budget-setting process to prevent homelessness through:
    - 365 day provision of accommodation for rough sleepers with appropriate support services to enable rough sleepers to make a permanent transition away from rough sleeping
    - Reversing the cut in the supply of supported accommodation for rough sleepers made in the summer of 2015

- Expanding the supply of properties for use by Housing First and other move-on accommodation by buying and/or leasing suitable properties
- Working more in partnership with community volunteers to support and expand community initiatives to prevent rough sleeping so that we can meet the Council's goal of 'No second night out'

67.20 The Mayor then put the following Notice of Motion to the vote:

This Council:

1. Recognises the positive contribution of the Brighton Centre Winter Night Shelter in providing rough sleepers with both a welcoming, safe and warm environment, and assistance with a variety of health, housing and other issues, over the cold winter months.
2. Congratulates volunteers and staff for their work on the project above and beyond the call of duty.
3. Resolves to work together on a cross-party basis to tackle budgetary and logistical issues so that projects such as these, that reduce rough sleeping, can continue in future years.

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

## **68 CALL OVER FOR REPORTS OF COMMITTEES.**

### **(a) Callover**

68.1 The following items on the agenda were reserved for discussion:

- Item 71 - Neighbourhoods and Communities Portfolio – Proposed Field Officers Role Business Case.
- Item 72 - (A) Neighbourhoods, Communities and Housing – Leadership Structure – Exempt Categories 1, 2 & 3.

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

68.2 The Head of Democratic Services confirmed that Items 71 and 72(A) had been reserved for discussion. In view of Item 72(A) being called, he also sought agreement from the Council that in order to consider the item, it agreed to move into closed session as the item was confidential and would need to be taken in Part 2.

68.3 **RESOLVED:** That the press and public be excluded from the meeting during consideration of Item 72(A).

### **(c) Oral Questions from Members**

68.4 The Mayor noted that there were no oral questions.

**69 WRITTEN QUESTIONS FROM COUNCILLORS.**

69.1 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 Littman**

69.2 “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**

69.3 “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**

69.4 “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**

69.5 “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**

69.6 “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**

69.7 “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**

69.8 "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**

69.9 "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.

<b>PFI Contract</b>	<b>PFI Credits received (annually) (£m)</b>	<b>Start Date</b>	<b>End Date</b>	<b>Total Unitary Payments from start to 2016/17 (£m)</b>	<b>2017/18 Unitary Payment (£m)</b>	<b>Years left on contract</b>	<b>Estimated Payments remaining post 2017/18 (£m)</b>

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**

69.10 “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**

69.11 “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**

- 69.12 “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**

- 69.13 “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**

- 69.14 “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**

- 69.15 “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 is 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**

- 69.16 “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**

- 69.17 “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**

69.18 ““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**

69.19 “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**

69.20 “**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)

**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**

69.21 **“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**

69.22 **“(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

- a) 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?
- 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**

69.23            "a) i)            Helgor Trading    322  
                   ii) Baron Homes    293

- a) 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.

- 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.

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**

69.24 "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**

- 69.25 “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**

- 69.26 “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**

- 69.27 “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 area for 25 mins no further HC vehicles waited in area. Observed 2 Buses block road to traffic whilst no HC in Surrey Street. 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

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

**70 ORAL QUESTIONS FROM COUNCILLORS**

70.1 The Mayor noted that 11 oral questions had been received and that 30 minutes were set aside for the duration of the item. She then invited Councillor Mac Cafferty to put his question to Councillor Mitchell.

**(1) Councillor Mac Cafferty – City Clean**

70.2 Councillor Mac Cafferty asked the following question “Yet again I’m having to bring another question about tagging and graffiti to full council because of the inaction of the Labour administration on the issue. Many residents have suggested many things to me about how we move forward on this issue from alarms on scaffolding right through to tougher fines which might actually work to stop taggers and graffiti so called artists. So why is it that Brighton & Hove don't respond to the DEFRA review of fixed penalty notices for environmental offences in April 2017 which said very clearly of the majority of the authorities that responded, that was 87%, agreed that fixed penalties for graffiti should be increased?”

70.3 Councillor Mitchell replied, “The policy in relation to graffiti and tagging removal has not changed since your administration. The Council does not remove graffiti or tagging from private property. The costs would be absolutely enormous and then you have to take into consideration all of the insurance implications that would also have to be applied. We do remove offensive graffiti as quickly as possible.

In relation to extending the enforcement for tagging, of course the perpetrators would have to be caught and that is a provision for the police. It is the police's duty to catch those perpetrators and to attach any punishments to that where necessary.”

- 70.4 Councillor Mac Cafferty asked the following supplementary question, “When is Councillor Mitchel going to finally accept that her Labour administration has cut CityClean too hard and too fast?”
- 70.5 Councillor Mitchell replied, “City Environmental Services have been under significant pressure having made huge savings. CityClean’s value for money has improved with costs per household going down and improved benchmarking against other authorities but this has not come without challenge to staff and the service.

A modernisation programme has started in order to settle and provide a sustainable future for the service in the face of continuing reductions to council budgets, increases in customer demand and an expanding service offer to residents. The modernisation programme follows a full review of the service with the objective of further improving them and access to them by residents by taking a whole system approach that is also being applied to the several projects currently underway or being planned.”

## **(2) Councillor Hyde – Housing Stock Maintenance**

- 70.6 Councillor Hyde asked the following question, “Just prior to Christmas I decided to take a different bus home to Rottingdean rather than the coast road so that I could see all the Christmas trees in people's homes and thoroughly enjoyable it was to. The bus took me through the Craven Vale estate and I was disturbed to see the appalling condition of the flats in Craven Vale, known as Queensway. Especially taking into account they are in East Brighton Ward, which is the Ward of the Leader of the Council Councillor Warren Morgan and the Deputy Leader of the Council Councillor Gill Mitchell. My question is why have these homes been permitted to deteriorate to such a deplorable state of disrepair and why have they not been maintained on the planned maintenance rolling programme?”
- 70.7 Councillor Meadows replied, “With regards to the house maintenance programme, that is driven essentially by the Housing Asset Management Strategy, which tenants and Councillors look at and agree at the Housing & New homes Committee and that was agreed in 2016. So if you have a particular issue around part of that management structure I’m sure your colleague Councillor Mears will be happy to take that to the Housing & New Homes Committee.”
- 70.8 Councillor Hyde asked the following supplementary question, “Is Councillor Meadows embarrassed that her administration has failed with the maintenance of council homes in which residents of Brighton and Hove have to live?”
- 70.9 Councillor Meadows replied, “I am happy that our tenants have got a decent homes standard that was set by the Conservatives actually back when they were around. The flats have new roofs, new central heating, new windows, new doors, programmes decided and agreed with tenants. If you have an issue with that I’m sure Councillor Mears will be happy to speak to a few tenants to see if they have any issues with the way their homes are being managed.”

**(3) Councillor Page – Changes to Bus Timetables**

70.10 “Councillor Page asked the following question “With the January bus changes there are less buses now and we had a deputation about night buses and then it's not just the deputation its Bus Watch as well and the 10,000 people whose petition has perhaps been steered to the bus company not here, I don't know, but 10,000 petitioners who feel that the night buses had been cut too far, Buswatch certainly feels that way.

My question to Councillor Mitchell is; does she feel as a Councillor that we can have some influence on the bus company even if as she says it's a matter for them as they're a private company?”

70.11 Councillor Mitchell replied, “We certainly as a Council can have influence on the bus companies and of course we do work closely with all bus operators via the Quality Bus Partnership and indeed the very valuable Buswatch meetings that you have just mentioned and I do say again that any reduction in the current level of bus services in the city is indeed a matter for regret. This was discussed at the Buswatch meeting and further than that I'm afraid this is a matter for the bus company, who as I understand made this decision on commercial grounds. They have said that they will keep that decision under review.”

70.12 Councillor Page asked the following supplementary question “So do I take it that as a Ward Councillor, in East Brighton, Councillor Mitchell has done nothing really about the cuts to the night Bus Service which is now not going to East Brighton at all; the N1 and indeed the 21A which has gone down to once an hour to North Whitehawk when it was half hourly. Has she nothing on these things as a Ward Councillor?”

70.13 Councillor Mitchell replied, “As I said in my previous answer I have been meeting and discussing with bus company officials the reasons for these changes to their timetables and I have put forward the views and the concerns on behalf of my constituents. The night bus number 7 will still run through East Brighton Ward. The last bus that is part of the regular network will go to Whitehawk at 1am. I do appreciate that it will inconvenience some people who wished to take a bus later than that. In relation to the number 21 I am currently discussing that very issue. I understand that regrettable cut to service and the bus does still run but in some parts of its route it's frequency has been reduced. That was in order to maintain the viability of the whole of the 21 service.”

**(4) Councillor Bell – Leaseholder Engagement**

70.14 Councillor Bell asked the following question, “How is the engagement with leaseholders conducted?”

70.15 Councillor Meadows replied, “I'm happy to explain how leaseholders are recognised and how our consultations are dealt with. Leaseholders receive six monthly service charge update newsletters and there is a leaseholders advice line, handbook, website page, formal works consultation and lots of other means, including a well-publicised leaseholder dispute procedure which I detailed in some length at a previous meeting so I won't do that again.

On a more collective level leaseholders can seek the Council's recognition for tenants associations they form under section 29 of the Landlord and Tenant Act 1985. We've set up and recognised the Leaseholders Action Group which has an Annual General Meeting along with quarterly meetings attended by officers. Last year we initiated a Councillor's Working Group for leaseholders organising a workshop with Councillors, leaseholders and officers to take forward improvements in communication, customer service and involvement with major works projects in a committee report setting out key aspects of the Council's relationship with leaseholders. In addition to this, this later Labour administration has put extra resources into the budget for extra staff to enable leaseholder consultation to be more meaningful as we feel that is so important and we hope that we will get support from other parties on that."

- 70.16 Councillor Bell asked the following supplementary question, "In my own ward I requested a list of planned maintenance works in leasehold properties on all sides of engagements and I have been told that it is not available for me to have a copy and both myself and Councillor Simson would obviously like to bring that when we go to our tenants and residents' meeting. I also have a situation where there are certain leaseholders who cannot afford the payments and the monies which they have been told that they have got to pay for works which are carried out on their properties. I would like to know how we engage with these people, who find themselves leaseholders, and obviously put themselves at great risk to buy their homes when they are in a situation where they cannot pay the amount of money that being charged for works. What is the Council and the administration doing to aid these people because it is causing a lot of stress and a lot of concern for them?"
- 70.17 Councillor Meadows replied, "There is a list of planned maintenance or blocks with leaseholders within those blocks that you're looking for and we can get that to you. When you talk about leaseholders being unable to pay, you're right it is a very big expense for many resident leaseholders in the city and that is why we have around eight different payment types of which officers can sit with those residents leaseholders to work through which would be the best one for them. Obviously when you buy your own property you need to be able to maintain that property and leaseholders unfortunately may not always understand the expenses that may be due on the entire block and that they have but we have eight different ways to support them with that.

With leaseholders who are landlords it is a slightly different issue as I'm pretty sure those landlords are not charging affordable rents in any sense of the word so I'm sure that the way that they can increase their mortgage or find other ways of finding that money is possible."

#### **(5) Councillor West - Litter**

- 70.18 "Councillor West asked the following question, "Over the past three years the Labour party has been in charge of the Council of the City and the litter in our streets and open spaces have been getting steadily worse and worse in some areas and East Brighton is a prime example the unkempt appearance which adds to a feeling of reducing safety. As a visitor and tourist destination we must all be very

concerned about the appearance of the city. Is Councillor Mitchell content with the drifts of debris that swirl about people's feet under Labour?"

70.19 Councillor Mitchell replied, "I hardly recognise my own ward from the picture being painted. I live and work in East Brighton and I do not walk through piles of swirling litter, I can assure you. People that speak to me actually say they feel that the city is looking cleaner and better cared for since Labour has been taking a more proactive approach to cleaning it up. We operate to all of the good requirements within the Environmental Protection Act and, in addition, as you know we continue to run our education campaigns that have significantly increased our engagement with the public and local businesses. For information we are now contacting all of the groups and businesses that we work with regularly in relation to starting the Great British spring clean from 2-4 March 2018 and I look forward to your participation in East Brighton."

70.20 Councillor West asked the following supplementary question, "When we've been speaking to people we certainly get different responses than Councillor Mitchell. When the Labour party campaigned so vigorously in 2015 they promised to get the basics right.

Would Councillor Mitchell agree with me that the voters were deceived by Labour on this? When it comes to litter now polluting our city Labour clearly haven't got the basics right. Will Councillor Mitchell agree the CityClean budget has been cut too far and pledge now to give CityClean increased funding?"

70.21 Councillor Mitchell replied, "No I will not agree with you on that point. When we came in as an administration in May 2015 we inherited severely declining customer satisfaction in relation to the way that you had run environmental services. In relation to managing on a tight budget I would refer you to the answer that I gave to your colleague Councillor Mac Cafferty. The management programme is now in place to support the service."

#### **(6) Councillor Wares – Sustainable Transport**

70.22 "Councillor Wares asked the following question, "When we are rightly so keen on having sustainable transport in the city wards such as Patcham, Hangleton and Knoll, and Portslade and others do not benefit from the bike share scheme or the car club as those living in central wards do. Why are these area always excluded as the forgotten suburbs; the arc of neglect?"

70.23 Councillor Mitchell replied, "I very much hope that in due course the bike share scheme can be extended further out to the outreaches of the city. I am meeting with the operators tomorrow and the Local Enterprise Partnership and I will take great pleasure in raising this issue on behalf of Councillor Wares."

70.24 Councillor Wares asked the following supplementary question, "I'm grateful actually for that answer Councillor Mitchell and as the saying goes 'build it and they will come'. If we truly want sustainable transport we need to start investing in these areas and providing these facilities which that will create the demand. Let's not be in a position to

blame our population for not participating and I'm grateful that you will speak with these organisations. Perhaps in those conversations we can commission officers to actually come up with some details of when we might see these facilities in these areas and when they will be available for our residents."

70.25 Councillor Mitchell replied, "I will be very pleased to feed back to Councillor Wares the results of my discussions."

**(7) Councillor Sykes – Our City Environment and Council Cuts**

70.26 Councillor Sykes asked the following question "I was very pleased recently to receive January's newsletter from Hove Civic Society and it reported a public meeting in October last year where Councillor Mitchell was in attendance and the state of our city environment was discussed. Councillor Mitchell was reported in the newsletter as stating that there would not be more cuts to the environmental budget. In the budget papers we've seen savings in environmental and budget of about £1/2 million of which at least £300,000 are actual cuts to services. Will Councillor Mitchell apologise to Hove Civic Society for misleading them?"

70.27 Councillor Mitchell replied, "My comments to the Hove Civic Society did indeed relate to the percentage of cuts that City Environmental Services have had to take over the previous two years. My comments were that we are not in a position to take much more and I do absolutely believe that to be the case. Therefore, in a forthcoming budget we are not taking the amount of cuts that we've taken in the past and I refer you to my previous response to Councillor Mac Cafferty regarding the management programme."

70.28 Councillor Sykes asked the following supplementary question, "I am not entirely satisfied with that response and I put it to Councillor Mitchell that when it comes to getting the basics right for the Labour Group these critical basics seem to be saying one thing and doing the opposite, taking credit where it's not necessarily merited, and avoiding blame and responsibility, three you're doing very well. Would Councillor Mitchell agree?"

70.29 Councillor Mitchell replied, "No."

**(8) Councillor C. Theobald – Horsdean Recreation Ground**

70.30 Councillor C. Theobald asked the following question, "Why it is taking the Council so long to process the paperwork to enable Horsdean Cricket and Football Clubs to take on the lease that will enable them to improve the clubhouse? It will also reduce the burden on the Council and will enable them to access outside money for improvements to benefit the wider community, especially the youth who want to play sport."

70.31 Councillor Mitchell replied, "The draft lease has been agreed on most points. One outstanding point in relation to some metal sheds behind the pavilion, which the cricket club has installed, and permissions are awaited in relation to those. Also before the lease can be signed the Council needs to receive the permission certificate from the fields in trust and this has been applied for."

- 70.32 Councillor C. Theobald asked the following supplementary question, "This has been going on for six years and I don't know why it has taken so long. I don't know if these clubs know what has been said by Councillor Mitchell, whether they know that these extra things need to happen so I think this matter needs to be closed with some urgency so work can start this summer."
- 70.33 Councillor Mitchell replied, "I do hope matter will be brought to a conclusion before this summer. If Councillor Theobald would like any more information she's very welcome to contact the relevant officers who I'm sure will provide her with it."

**(9) Councillor Gibson – HRA Capital Programme**

- 70.34 Councillor Gibson asked the following question, "We've had quite a bit of discussion about the one in 69 people who are homeless in the city and we've had quite a lot of talk about the borrowing cap being imposed and how unfair that is. This question relates to councils that do not use the borrowing cap that they've been allowed by government because there are two sides to it.

So it is a city with a desperate need for affordable housing, given that in April 2017 our HRA borrowing stood at £123 million and yet the borrowing cap is a £157 million so we were a massive £34 million underneath the borrowing cap. I completely support calls to lift the borrowing cap but we've got to use it in the first place. I believe that we should be using it and I think some of your Labour colleagues believed that we should be using this unused borrowing that is available to meet the desperate housing need that we have all spoken about in the city. My question is very simple, will you be supporting Green calls to use more available borrowing in the HRA capital budget for next year?"

- 70.35 Councillor Meadows replied, "The HRA capital investment programme which the borrowing cap relates to has an increased budget for fire safety and other health and safety projects, a continued investment in energy reduction and efficiency, funding for the buyback policy to buy back those homes lost under the Right to Buy. All these programmes plus our housing and new build projects all those projects in the pipeline will take us up to that borrowing cap. This is why we are so insistent that our officers and the Council and other councils around the country are lobbying the government because we want that cap raised. We want to build more properties. Taking money out from the borrowing cap and expecting to make houses that quickly is unrealistic, capacity needs to be built and there needs a policy behind it to enable those officers to work appropriately. That money will be spent in full and we will not have any spare which is why we are lobbying so hard."
- 70.36 Councillor Gibson asked the following supplementary question, "According to the projections that I have seen by the time of the next elections it is anticipated that we will still be about £7-8 million under the borrowing cap. So we're not really trying hard enough and that in my view is optimistic. I agree that there is an issue about capacity but we can use resources to increase the capacity, we need to be acting now. Do you agree that it would be a tragedy if we are not allowed to increase our borrowing cap simply because we have failed to spend the cap that we've been allowed already?"
- 70.37 Councillor Meadows replied, "We will reach the borrowing cap, we will not be underspending; however, if I had greater support across the Chamber from the other

two parties when making decisions on building more affordable housing for the city we won't be spending money in a far greater commitment. I find it unusual to think that the government would take back any underspends in our Housing Revenue account capital spend. It will never happen."

**(10) Councillor Mears – Able & Willing**

- 70.38 "Councillor Mears asked the following question, "Following on from their contract with the city set out in the 2015 Labour manifesto, can the Leader of the Council or his spokesperson confirm that this Administration has actively procured work from Able and Willing?"
- 70.39 Councillor Chapman replied, "The Administration has supported Able and Willing and will continue to do so. We will review all the responses to the recent consultation at the next Children, Young People & Skills Committee and look at the right way forward for Able and Willing and how we can best support it."
- 70.40 Councillor Mears asked the following supplementary question, "Private businesses procure from Able and Willing and inform me they are really happy with the quality of the products that they procure. Can the Leader of the Council or the spokesperson reassure the Council that the welfare of staff at Able and Willing will be protected by this Administration and they are not just used to bolster Print & Design. Previous Administrations have taken their role of protecting Able and Willing very seriously. Will this Administration give the same reassurance to the Council meeting today?"
- 70.41 Councillor Chapman replied, "Yes and yes."

**(11) Councillor Deane – Facilities in Library Buildings**

- 70.42 Councillor Deane asked the following question, "I noticed that in Jubilee Library the row of 4 or 5 of hand basins and hand-dryers have been replaced as three integrated hole in the wall affairs. Given that hand basins generally last pretty much forever, can you please tell me why this was considered necessary?"
- 70.43 Councillor Daniel replied, "I can't tell you that and I will reply to you in writing and copy in the other Councillors in the chambers so everyone has the same response. I'm sorry I wasn't aware of it."
- 70.44 Councillor Deane asked the following supplementary question, "Could you honestly say that in a time of cost-cutting when libraries themselves are under threat with increasingly empty shelves is it money well spent and could you please provide the cost of these replacements in this library and any others across the city?"
- 70.45 Councillor Daniel replied, "Without the facts in front of me I can't possible comment on whether that was a good or bad use of money."

**Note:**

- 70.46 The Mayor then adjourned the meeting at 6.20pm for a refreshment break.

70.47 The Mayor reconvened the meeting at 7.00pm.

**71 NEIGHBOURHOODS AND COMMUNITIES PORTFOLIO - PROPOSED FIELD OFFICER ROLE BUSINESS CASE**

71.1 Councillor West stated that he had asked for the report to be referred to the Council to ensure that all Members were aware of the proposals and identifiable risks to delivery. He was concerned that there were risks associated with IT and public expectations which meant that it was a flawed scheme. The risks listed in the risk log had not been fully addressed or mitigated against and no risk assessment in relation to the use of tablet devices. He did not believe that the filed officer role had been fully explained and noted that the trade unions had reservations.

71.2 Councillor A. Norman stated that she supported the idea of field officers and noted that all Members had lists of issues that occurred in their neighbourhoods along with concerns of residents which could be dealt with by the field officers. The report had been discussed fully at committee and she felt that the scheme needed to be supported and trailed.

71.3 Councillor Daniel noted the comments and stated that she disagreed with Councillor West and welcomed the cross-party support for the filed officers. She believed it would provide a service for local communities and enable matters to be addressed and support Members with issues that were raised in their wards. The new service would be operating seven days a week and she hoped would build community relations across the city. She therefore commended the report to the council.

71.4 The Mayor noted that the report had been referred for information and therefore moved that it be noted.

71.5 **RESOLVED:** That the report be noted.

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

**(1) Mental Health Service**

72.1 The Notice of Motion as listed in the agenda was proposed by Councillor Penn on behalf of the Labour & Co-operative Group and seconded by Allen.

72.2 Councillor Taylor moved an amendment on behalf of the Conservative Group which was seconded by Councillor Brown.

72.3 The Mayor noted that the Conservative amendment had been accepted by Councillor Penn and put it to the vote which was carried unanimously.

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

This council requests the Chief Executive to write to the respective Leaders of all Parliamentary Political Parties requesting that a working group is established to

challenge Mental Health service delivery through the NHS and work together to improve the situation that would include:-

- Ensuring services are fully funded and fit for purpose, so that parity of esteem can be achieved, and that people can be treated locally wherever possible so that they can be supported by their families, carers and voluntary services.
- Ending the fragmentation of services and ensure there are clear pathways to treatment and counselling regardless of level of need.
- Ensuring that everyone experiencing a mental health crisis is given prompt and appropriate treatment.
- Guaranteeing everyone detained under S136 of the Mental Health Act is taken to an appropriate and best place for the individual.

That this Council also recognises that Government funding on mental health services for the CCGs has increased by £573 million and that the Government pilot scheme grant in 2015 to Brighton and Hove City Council to improve mental health in children in schools has had positive results in diverting referrals away from CAHMS.

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

### **(2) Brighton Centre Winter Night Shelter**

72.6 The Mayor noted that the item had been taken in conjunction with Item 67 on the agenda and had been carried.

### **(3) Scrap the Fee**

72.7 The Notice of Motion as listed in the agenda was proposed by Councillor Hill on behalf of the Labour & Co-operative Group and seconded by Cattell.

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

This council resolves to support the Scrap the Fee campaign by:

- Calling on the Secretary of State for Health to scrap the unfair and unjust fee which GPs are currently permitted to charge for letters needed for legal aid applications in cases of domestic violence, by for example bringing this service under the NHS contract;
- Calling on Brighton and Hove CCG to request local GPs as a voluntary measure not to charge fees for letters needed for legal aid applications in cases of domestic violence.

72.9 Mayor confirmed that the motion had been carried unanimously.

### **(4) Resetting the Council's Relationship with the Trade Unions**

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

72.11 Councillor Hamilton moved an amendment on behalf of the Labour & Co-operative Group which was seconded by Councillor Mitchell.

72.12 The Mayor noted that the Labour amendment had not been accepted by Councillor Janio and put it to the vote which was carried by 29 votes to 19.

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

This Council calls on the Chief Executive to:

- 1 Continue to demonstrate through current work on the People Plan that the most valuable resource of this Council is its workforce;
- 2 Note the extremely negative impact of austerity on all public sector workers including council staff, with knock-on impact to many people including workplace representatives, and which should be addressed by sufficient funding for public services;
- 3 Note that the LGA Peer Review indicated that the Council's relationship with the Trades Unions is dysfunctional;
- 4 Note that the LGA Peer Review called for external facilitation to be brought in to enable a 're-set' to take place;
- 5 Note the concern of the trades unions expressed during the recent consultation process for The Royal Pavilion and Museums Trust Arrangements;
- 6 Note positive steps taken towards an improved relationship through the written Trades Union Recognition Agreement;
- 7 In agreement with the trade unions, confirm other appropriate steps that might be explored with the aim of having the best possible working relationship despite the impact of austerity.

72.14 The Mayor confirmed that the motion had been carried by 29 votes to 19.

#### **(5) Women's Suffrage**

72.15 The Notice of Motion as listed in the agenda was proposed by Councillor Hyde on behalf of the Conservative Group and seconded by Simson.

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

This Council resolves to:

Call on the Chief Executive to bring a report to the next Policy, Resources & Growth Committee with details of all the events planned in the City to celebrate the centenary of Women's Suffrage.

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

#### **(6) County Lines**

72.18 The joint Notice of Motion as listed in the agenda was proposed by Councillor Daniel on behalf of the Labour & Co-operative Group and the Conservative Group and seconded by Miller.

72.19 The Mayor then put the following motion to the vote.

This council resolves to ask the Chief Executive to write to the Home Secretary, the Secretary of State for Housing, Communities and Local Government and the Secretary

of State for Education, requesting that the government develops a national strategy to address the issue of County Lines, which would:

- provide clear and effective national support for work being put together at a local level
- facilitate working across local authority boundaries, for example the need to track perpetrators and children across boundaries,
- address the need for ongoing support for young people and families that are affected
- provide guidance on timeliness of interviewing young people who have been found after having been notified as missing
- recognise that effective action may result in more children entering care
- identify appropriate skills and resources for local authorities and local police forces and other relevant agencies to support a national strategy and deal with the impact of County Lines.

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

### **(7) Bursaries for Nurses**

72.21 The Notice of Motion as listed in the agenda was proposed by Councillor Deane on behalf of the Green Group and seconded by Page.

72.22 Councillor K. Norman moved an amendment on behalf of the Conservative Group which was seconded by Councillor Simson.

72.23 The Mayor noted that the Conservative amendment had not been accepted by Councillor Deane and put it to the vote which was carried by 38 votes to 11.

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

This Council notes the current shortage of NHS nurses, which has reached critical levels and as such may well have an impact on the quality of services Brighton and Hove residents will receive. This Council further notes grave concerns expressed by the Royal College of Nurses about challenges in recruiting new nurses and retaining existing levels both locally and nationally.

This Council therefore asks the Chief Executive to write to the Secretary of State requesting that bursaries for nursing degree courses be reinstated with immediate effect to help to avoid a worsening of this situation from 2020 onwards.

This Council also asks that the Chairs of Health and Wellbeing Board and HOSC request a report to be brought to these respective committees when necessary and as determined by the respective Chairs, detailing the progress on work done around improving retention of nurses.

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

### **(8) Clean Air Day**

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

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

This council notes that Nitrogen dioxide concentrations in Brighton and Hove continue to exceed EU and UK standards; with Public Health England estimating that exposure to 'fine particulate matter' contributes 5-6% to all causes of annual mortality in the city.

This Council resolves to:

1. Request that a report be brought to Environment, Transport & Sustainability Committee, exploring the potential to introduce an annual Cleaner Air Day from 2018, with the aim of raising awareness of the causes and effects of air pollution and thereby helping residents to understand how they can help clean up our air and protect themselves and their children.
2. That such a report assess the implementation of a Cleaner Air Day with consideration of:
  - suitable roads to be closed,
  - the most practicable date,
  - any economic and environmental costs and effects, both short and long term.

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

**Note: Closure Motion.**

72.29 The Mayor noted that the meeting had been in session for four hours and therefore in having regard to the constitution, she was required to move a closure motion under procedural rule 17 to terminate the meeting.

72.30 The Mayor then put the motion to close the meeting to the vote which was carried by 38 votes to 11.

72.31 The Mayor noted that having agreed to close the meeting, there was a need to move into closed session, in order to vote on the recommendations of the Appointments & Remuneration Panel meeting held on the 26<sup>th</sup> January 2018. She therefore asked Members to remain and for the council chamber and public gallery to be cleared of the press and public and any officers not directly required to remain.

**Part Two Summary**

**NEIGHBOURHOODS, COMMUNITIES & HOUSING - LEADERSHIP STRUCTURE - EXEMPT CATEGORIES 1, 2 & 3**

72.32 The Mayor put the recommendations of the Appointments & Remuneration Panel to the vote.

**72.33 RESOLVED:**

- (1) That the recommendations as detailed in the report be approved; and
- (2) That the information contained in the report and the decisions thereon remain exempt from disclosure to the press and public.

**73 CLOSE OF MEETING**

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

The meeting concluded at 9.20pm

Signed

Chair

Dated this

day of

2018

