BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 10 DECEMBER 2009

COUNCIL CHAMBER, BRIGHTON TOWN HALL

MINUTES

Present: Councillors Mrs Norman (Chairman), Peltzer Dunn (Deputy Chairman), Alford, Allen, Barnett, Bennett, Brown, Carden, Caulfield, Cobb, Davey, Davis, Drake, Duncan, Elgood, Fallon-Khan, Fryer, Hamilton, Harmer-Strange, Hawkes, Hyde, Janio, Kemble, Kennedy, Kitcat, Lepper, Marsh, McCaffery, Meadows, Mears, Mitchell, Morgan, K Norman, Older, Oxley, Phillips, Pidgeon, Randall, Rufus, Simpson, Simson, Smart, Smith, Steedman, Taylor, C Theobald, G Theobald, Turton, Wakefield-Jarrett, Watkins, Wells, West, Wrighton and Young

PART ONE

25. STATUTORY OR VOLUNTARY DISCLOSURE BY COUNCILLORS OF INTERESTS IN MATTERS APPEARING ON THE AGENDA.

25.1 Councillors Fryer and Rufus declared a personal but non-prejudicial interest in Item No.37 (b) Notice of Motion Support Consideration of a New Co-Operative Trust Primary School for Hove, being members of a Co-op Area Committee.

26. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 8 OCTOBER 2009 (COPY ATTACHED).

26.1 The minutes of the last meeting held on the 8th October 2009 were approved and signed by the Mayor as a correct record of the proceedings.

27. MAYOR'S COMMUNICATIONS.

27.1 The Mayor called on Councillor Theobald to come forward and present Tim Nicholls, Head of Environmental Health & Licensing the Best Partnership Award for Managing the Night-Time Economy, which had been given at the recently held Brighton and Hove Public Service Awards 2009.

27.2 The Mayor then noted that Councillor Smith in his capacity as Cabinet Member for Culture, Recreation & Tourism had recently attended the Eurocities Annual Conference and been issued with the new Members' Certificate for the Eurocities Network and offered her congratulations to him and the Leader of the Council.

27.3 The Mayor then offered her thanks to the Democratic Services Team who had offered their services to the Martlets, one of her mayoral charities, and had spent a day painting the basement of the new charity shop in Blatchington Road, Hove. Both she and her consort, Councillor Norman had joined the team for part of the day and know that the team enjoyed giving their time to such an organisation. She had received a letter of thanks from the Retail Manager of the shop for what proved to be a sterling effort with up to three coats of paint going on in places and hoped that such support to voluntary organisations would be something that the whole council would take forward.

27.4 The Mayor then referred to Item 36 on the agenda, the Local Development Framework – Brighton and Hove Core Strategy: Submission and in particular to the proposed protocol for the debate and approval of the Core Strategy which was detailed in the Addendum papers that had been circulated prior to the meeting. She noted that Councillor Mears wished to speak in relation to the protocol and therefore called on Councillor Mears.

27.5 Councillor Mears thanked the Mayor and stated that in view of the revision to the protocol at the Leaders Group on Monday to incorporate joint amendments, she wished to propose an amendment. She felt that in the interests of openness and transparency, each of the elements making up the overall amendments should be taken and voted on separately rather than as a block.

27.6 Councillor Simson formally seconded the proposed amendment.

27.7 The Mayor put the proposed amendment to the vote, which was lost.

27.8 The Mayor then moved that the protocol as detailed in the addendum papers should be accepted and used to govern the debate and any resolution in relation to agenda item 36. She also noted that in agreeing to the use of the protocol, the council would be agreeing to the suspension of Standing Orders to the extend that was necessary for the business to be transacted as set out in the protocol.

27.9 **The motion was carried.**

28. TO CONSIDER NOMINATIONS FOR (A) THE MAYOR-ELECT AND (B) THE DEPUTY MAYOR-ELECT

28.1 The Mayor called on the Monitoring Officer to outline the process for nominations for the Mayor-elect for 2010/11.

28.2 The Monitoring Officer informed the council that dependent on the number of nominations received, either a straight vote by show of hands or a recorded vote with Members indicating their preferred candidate would be used to determine the successful candidate. He then invited nominations for the Mayor Elect for the municipal year 2010/2011.

28.3 It was moved by Councillor Mears and seconded by Councillor Oxley that Councillor Geoff Wells be Mayor-Elect for the municipal year 2010/2011.

28.4 The Mayor noted that no other nominations were forthcoming, and having put the motion to council, which was carried, duly declared Councillor Wells as the Mayor-Elect for the municipal year 2010/11.

28.5 Councillor Wells thanked the Mayor and the council for his nomination and stated that he looked forward to undertaking the role following the Annual Council meeting in May.

28.6 The Monitoring Officer then invited nominations for the Deputy Mayor Elect for the municipal year 2010/2011.

28.7 It was moved by Councillor Mears and seconded by Councillor Simson that Councillor Ann Norman be Deputy Mayor-Elect for the municipal year 2010/2011.

28.8 There being no other nominations, and having put the motion to council, which was carried, the Monitoring Officer duly declared that Councillor Ann Norman as the Deputy Mayor-Elect for the municipal year 2010/11.

29. TO RECEIVE PETITIONS FROM MEMBERS.

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

29.2 Councillor Elgood presented a petition signed by 70 residents concerning the request for a Gating Order for Farman Street.

29.3 Councillor Elgood presented a petition signed by 35 residents concerning a request for the reinstatement of communal bins in the Waterloo Street area.

29.4 Councillor Marsh presented a petition signed by 400 residents concerning the site access for the Falmer Academy.

29.5 Councillor West presented a petition signed by 167 residents concerning traffic in Ditchling Rise.

29.6 Councillor Watkins presented a petition signed by 2,500 residents concerning the Old Market.

29.7 Councillor Watkins presented a petition signed by 120 residents concerning parking in Landsdowne Road.

29.8 Councillor Drake presented a petition signed by 105 residents concerning parking in Tivoli Crescent.

29.9 Councillor Drake presented a petition signed by 22 residents concerning parking north of Tivoli Crescent.

29.10 Councillor Mitchell presented a petition signed by 1,056 residents concerning parking in Zone A.

29.11 Councillor Oxley presented a petition signed by 100 residents concerning ten pin bowling at the King Alfred.

29.12 Councillor Taylor presented a petition signed by 336 residents regarding EDO.

29.13 Councillor Phillips presented a petition signed by 45 residents requesting the ability to make use of travel cards for journeys to work.

30. WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

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

30.2 Mr. Hawtree asked the following question:

"Could Councillor Theobald please tell us what plans he has for bringing back ten-pin bowling to the King Alfred?"

30.3 Councillor Smith replied, "The ten-pin bowling facility at the King Alfred Leisure Centre, as you probably know and most people in this Chamber, closed down about 10 years ago when the new one was opened at the Brighton Marina.

At the present time it would cost so much money, because it was the site maybe neglected for many, many years, to reinstate at the moment but when we do the Brief for the new King Alfred Centre obviously every option will be taken into consideration and obviously we will look at the ten-pin bowling at that time."

30.4 Mr. Hawtree asked the following supplementary question,

"That's rather encouraging Councillor Smith and I think our petition which was just gathered as a beginning yesterday showed residents recognised that ten-pin bowling provides social cohesion, inclusivity, fitness, even fun and also, I think as in Worthing, being somewhere to go in Hove of an evening, it would also be an economic force.

I hope, as you suggest, you are not now going to dash immediately residents' hopes to smithereens and so to get this (awful pun) ball rolling would you now agree to join with the dual opposition in actively setting up and studying the means to fulfil this entirely reasonable ambition?"

Councillor Smith replied, "Any option, as I said before when we do the Brief we'll look into it in real one, and if a commercial operator thinks it is viable to have two ten-pin bowling alleys in this city it could be possible."

30.5 The Mayor thanked Mr. Hawtree for his questions and invited Miss Nina Willcock to come forward and address the council.

30.6 Miss Willcock asked the following question:

"Would Councillor Smith please define the ways in which he considers the Jubilee Library to be successful in fulfilling its potential for community engagement?"

30.7 Councillor Smith replied, "The aims of community engagement are to inform, consult, involve, collaborate and empower. Jubilee Library fulfils these roles in the following ways:

- Jubilee Library helps to inform people, through the provision of books, journals and online resources that are made freely available.
- Jubilee Library regularly consults with library users, for instance, through the recent survey that took place in October.
- Jubilee Library involves the diverse communities in the city. For instance, working with Brighton & Hove Black History Group to deliver exhibitions, events and activities for Black History month.
  Jubilee Library also gets people involved through volunteering, for instance, supporting children's activities or working with Rare Books.
- Jubilee Library collaborates with different community organisations to provide better services for local people. For instance, by collaborating with Amaze, who support children and young people with special needs, to produce interactive story bags for children with learning difficulties.
- Jubilee Library helps empower people by providing access to information and knowledge to help them make informed decisions about important things in their lives, such as: pensions – through the Pensions Advisory Sessions; or about their health – through the health information that Jubilee Library provides, and the Books on Prescription schemes.
- Jubilee Library also empowers people through free access to the internet, enabling people who do not have access at home (and that is 68% of residents of the city who are library computer users) to do things like apply for jobs online."

30.8 Miss Willcock asked the following supplementary question, "That is really excellent but one more point. Happening upon a flyer, a leaflet or a poster can change a life. The Jubilee Library has an abundance of empty floor and wall space, yet so little of this is available for display of grass roots community information. Having said this it was delightful to discover yesterday an additional leaflet dispenser/carousel in the entrance foyer but there is still plenty of room for more.

Can we have your assurance please Councillor Smith that the Jubilee Library will take further steps to support public spirited endeavour by displaying local event information in dedicated spaces where it can easily be found?"

30.9 Councillor Smith replied, "We'll do it where we can but obviously it's more important for us as a public library to have local news and other news like the Health Authority and everything else there but we will look into it and do what we can."

30.10 The Mayor thanked Miss Willcock for her questions and invited Mr. Stephen Neiman to come forward and address the council.

30.11 Mr. Neiman asked the following question:

"Could Councillor Smith please tell us what provision the Council will be making for the arts in Hove?"

30.12 Councillor Smith replied "Brighton and Hove has been only one city since 1997, and the cultural provision that we have across the city is for our residents everywhere. We have the highest level of engagement in the arts outside of London at just under 62%. This survey was conducted across the whole city and represents all of our residents.

We are very proud of the cultural offer that we have in the city on a year round basis. There are around 60 festivals in Brighton and Hove including the main Brighton Festival in May with the Festival Fringe and the Great Escape and the Open House trails. In the autumn, there is another cluster of festivals with Cine City the film festival, the Brighton Photo Biennial, the Early Music Festival, the Sacred Music Festival and the very successful White Night.

Audiences, participants, performers, artists, musicians – are from all parts of the city. We will continue to promote and support the arts in the city – it is clearly one of our strengths and something that we are known internationally for. Part of the reason that people visit the city and part of the reason they want to live here is because of the arts and you know, personally, I 100% support the Old Market Arts Centre and I am the last person who would want to see it closed."

30.13 Mr. Neiman asked the following supplementary question, "I am relieved to hear that and I do know of your commitment. However, would you not agree with me that critical to that strength of the city's cultural terrine a variety of venues is important and must be distributed throughout the conurbation? The Brighton Centre, The Dome, the Hove Centre and the Old Market have all benefited from public funding of one kind or another, although you will be aware that the Old Market, in its 11 years, has not benefited from revenue funding from this council.

Under your instructions Councillor Smith, as Cabinet Member for Culture, you instructed the Acting Chief Executive Officer in February of this year to write to Her Majesty's Revenue & Customs to confirm, and I have the letter here, that 'my officers are working closely with the Old Market to provide a financial solution to their historical position'. As I say I have a copy of that letter with me.

Would you, therefore, Councillor Smith assure me and this council and the 3,500 people who have, to date, signed the Old Market petition for financial support that the commitment in that letter was not misleading, erroneous or mischievous and that you will give further commitment to ensure that the council provides financial support to enable the continuation of the Old Market which is west of this Town Hall as a cultural venue?"

30.14 Councillor Smith replied, "I can't answer on the financial report but you have got the full council backing for the Old Market Centre and that letter that we sent to the Inland Revenue there was really alright for the officers to do it."

30.15 The Mayor thanked Mr. Neiman for his questions and invited Mr. John Davys to come forward and address the council.

30.16 Mr. Davys asked the following question:

"The Planning Officer for the i360 has confirmed that not all of the required pre-commencement Conditions had been discharged as of 27th November 2009. Every single one of these Conditions must be discharged before any development may commence. Given this, the works undertaken in the week beginning 12th October 2009 cannot be considered as constituting lawful commencement of development. What is the Administration's view on whether the i360 Planning Consent (BH2006/02369) expired on 25th October 2009 i.e. 3 years after it was granted?"

30.17 Councillor Kemble replied, "I understand that the planning officer also advised Mr Davys that the Planning Authority had taken legal advice on commencement and is satisfied that the development may be treated as having lawfully commenced. The legal advice is based on current case law.

The vast majority of the pre-commencement conditions of the full planning permission and listed building consent have been met, with the exception of conditions relating to hard landscaping and the WWII gun emplacement located beneath the West Pier. Further discussion and agreement is required regarding condition 17 in respect of the hard landscaping. Condition 49 and listed building consent 5 require the submission of an historic building report on the WWII gun emplacement located beneath the Pier. This will be submitted after completion of demolition. The balustrade details required under condition 21 have been amended and will require a separate planning permission. The developer has been notified of this. The controlled pedestrian crossing over the Kings Road cycle path and footway during the construction period for deliveries (condition 9 of the full planning permission) will no longer be implemented. The structures that support the Upper Promenade are suitable for footway loadings only. All construction traffic will be from the Lower Esplanade.

The Local Planning Authority received written notification of the developer's intention to commence advanced piling works on 3 September 2009, to comply with listed building consent 7 and clause 3.1 of the S106 Legal Agreement, dated 16 October.

The advanced piling works commenced on 14 October 2009 at the foot of the stairs to the west of the West Pier within the curtilage of i360. The piling foundations are accepted as comprising a 'material operation' as defined in Section 56(4) of the Town and Country Planning Act 1990.

Based on these factors, I would reiterate that it is the opinion of the council's solicitor that the development may be treated as having lawfully commenced."

30.18 Mr. Davys asked the following supplementary question, "I would just like to ask then, given that there is on file some record of various people being of the opinion that the consent has expired and that the four bore holes filled in October do not constitute the start of development. Given this, is the council prepared to defend a legal challenge that it is, and I am aware of the case law that you mention there, is the council prepared

to defend a legal challenge that it is breaking planning law by bending the rules for the i360?"

30.19 Councillor Kemble replied, "I can only repeat that the council's solicitors' view is based on current case law and that the council is therefore satisfied that the i360 development has legally commenced."

30.20 The Mayor thanked Mr. Davys for his questions and invited Ms Valerie Paynter to come forward and address the council.

30.21 Ms. Paynter asked the following question:

"In an email to the Brighton O planning application agent Ian Coomber, copied to The Brighton Sailing Club, Chris A. Wright stated that "The construction and operation of the Brighton O and future dismantling will require the temporary relocation of the Brighton Sailing Club." and invites Mr. Coomber to contact the club "with a view to arriving at some form of agreement". This email was withheld from his working case file even after I requested it be added.

Does the administration want the sailing club off the beach to make way for the Brighton O and support the officer's statement?"

30.22 Councillor Smith replied, "The short answer is no, we do not want the Sailing Club to leave the beach. We are fully supportive of the Sailing Club and always have been. We recognise the longstanding and valued use of the Sailing Club. If planning permission is granted for the O it will be on the basis of minimum disruption to and full consultation with the Sailing Club. The council will not hesitate to use its position as landlord to safeguard the Sailing Club's position and I am confident that a satisfactory solution can be reached."

30.23 Ms. Paynter asked the following supplementary question, "The Sailing Club I can tell you has no intention of voluntarily leaving the beach or reneging on the agreement it made with the i360 developers for temporary boat storage. Officers are not prepared to allow the Brighton O to operate simultaneously with i360, so the question arises: why is the Brighton O not on the plans list for December 16 with an outright recommendation of refusal, why has it been deferred to January?"

30.24 Councillor Smith replied, ""I understand we are dealing directly with the Sailing Club on this issue."

30.25 The Mayor thanked Ms. Paynter for her questions and invited Ms Christina Summers to come forward and address the council.

30.26 Ms. Summers asked the following question:

"As a member of Calvary Church situated on Viaduct Road, and an active member of several local community groups including Transport21, I appreciate the complexities that the Council face as they begin to tackle the problems of traffic, pollution and noise around Preston Circus. These issues are serious, present a constant danger to public

health & safety and the pollution alone exceeds EU limits. Can the Council at least give assurances that it will take measures that are affordable, effective and quick to implement such as a speed camera to deter traffic speeding into, and along, Viaduct Road?"

30.27 Councillor Theobald replied "I agree with you that the issues in and around the London Road area are complex and also not just about transport. This is why we are developing a master plan, known as a Supplementary Planning Document, to tackle these issues, especially air quality levels.

Speed cameras can only be installed where specific criteria are met and are associated with casualties and excessive speed. In the last three years there have been no recorded collisions. However, if there is evidence that the installation of cameras will meet the criteria in this area in future, we will seriously consider them. In the meantime, I will ensure that the Police are made aware of your concerns about speeding drivers."

30.28 Ms. Summers asked the following supplementary question, "The Minister of Calvary Church recently highlighted his concern about pollution caused by traffic in a letter to several Councillors. He referred to a young mum living in Shaftesbury Road who, some 35 years ago, had expressed her distress at air pollution levels and the effect this would have on her babies. He assured her then that the council were bound to take measures to deal with it. This never happened and she moved out of the area.

Could the current Administration assure mums like her that they will do something, somewhat quicker, before they all move out of the area?"

30.29 Councillor Theobald replied, "Well we have been in Administration for just over two years and you refer to 35 years ago. I can remember the area extremely well because I was the Councillor for that area some 15/20 years ago in opposition.

I cannot answer your question specifically and say any more than what I have just said to you and that is that the Supplementary Planning Document is one that is being considered later this evening and there are many points in that which hopefully will alleviate your concerns."

30.30 The Mayor thanked Ms. Summers for her questions.

31. DEPUTATIONS FROM MEMBERS OF THE PUBLIC.

31.1 The Mayor reported that four Deputations had been received and invited Mr. Mark Dyson as the spokesperson for the deputation to come forward and address the council.

31.2 Mr. Dyson thanked the Mayor and stated that:

"On behalf of the residents of Tivoli Crescent I would like to highlight the significant issues that we now face due to the failure of the local council to properly consider the impact of the recently introduced Controlled Parking Zone to the local area. In our view the consultation leading to the introduction of the current scheme has been extremely poor and inadequate, and furthermore we have not had satisfactory responses to our many complaints since the scheme's introduction.

We have now conducted our own survey resulting in another petition which I presented to Councillor Drake earlier this afternoon from all of the 97 properties in Tivoli Crescent that we have identified. An overwhelming 92%(?) of these are now in favour of being included in an extension to the scheme. We could not include Woodside Lodge as the council did in their 2007 survey as being part of Tivoli Crescent. Importantly we have discovered that these 27 flats are, in fact, eligible to apply for residents' parking permits in Zone A, despite having their own more than adequate underground parking facility. So we would question the validity of the results of the 07 survey, that included them, upon which the overall 'NO' vote excluded us from further consultation.

With the introduction of this new residents' parking scheme next to the Tivoli area the council have essentially created a free parking zone right on the edge of a controlled parking zone and a two minute walk from a busy commuter railway station at Preston Park. This is Tivoli Crescent. Residents now find it extremely difficult to park with virtually no off-street parking options, unlike Reigate Road, with non residents cars displaced from the zone being left for days or even weeks. There is no overflow now available because Tivoli Crescent is bordered at either end by Woodside Avenue and The Drove - two roads now in the new zone with its excessive restrictions. Even the council parking strategy officer, Charles Field, responsible for the scheme has had to admit and I quote: "We do monitor schemes as they first go in and ask that residents give things some time to settle down. We do appreciate that currently commuters appear to be resisting paying to park, which has not been the case in other schemes."

Residents now have first-hand experience of the issues this has created. Most issues are around safety and accessibility which now affect families, children and the elderly.

Cars now park extremely close to each other. Can councillors imagine what it is like having to take a detour around several cars with an elderly resident who has great difficulty in walking in order to get into a waiting vehicle? Families, tradespeople and visitors routinely double-park in the street as they have little option. Parents with young children are understandably not prepared to leave children unattended in cars parked in a different street whilst they transfer their shopping. Tradespeople similarly have little option other than to double-park when transferring heavy tools and equipment to sites. All of this adds to the congestion in the area.

Parking on verges and corners has become much more frequent creating added danger for children who play in the street. Visibility for traffic using the road has been reduced significantly. We acknowledge the recent council planning notice to introduce 'no waiting' restrictions around the junction of Tivoli Crescent North. However, short term, this will make parking even more difficult to find for residents. These issues need to be addressed immediately and we cannot wait another two years to be slotted into a future timetable. May we please remind you that the council has legal obligations in this respect under the Road Traffic Act of 1984.

What do Tivoli Crescent residents want now? I refer to key points in your March 2008 environment report:

4.3.4 In order to draw up a viable scheme with clear boundaries, and to minimise any displacement, officer recommendation is to include all the roads around the Preston Park Station area in one parking scheme zone.

4.3.5 Only two roads were against inclusion and officer recommendation is that these roads could suffer displacement and cause confusion over scheme boundaries if they were excluded.

It is now patently obvious that Tivoli Crescent should have been included in the scheme, judging by the criteria applied to both Inwood Crescent & Millers Road.

We have liaised with local residents through meetings and door to door discussions. The vast majority of residents believe that there is now no possible way forward without introducing a residents' parking scheme in Tivoli Crescent. However, as Zone A have found out to their cost any scheme need only be 9am-6pm on weekdays. Anything beyond this is excessive and punitive, spoiling the character of the area and simply designed to generate revenue for the council. We fully support residents in Zone A campaigning for a change to their scheme.

We have been informed by the Parking Strategy Manager that and I quote: 'if, after the scheme has been running a while, residents would still like the times or days reviewed, then the best course of action would be to raise a petition stating what is preferred.' Residents have now raised two petitions and believe that Tivoli Crescent should be urgently included within the current Controlled Parking Zone A, with the restrictions on parking 9am-6pm excluding weekends."

31.3 Councillor Geoffrey Theobald stated that "The council is aware that the introduction of a parking scheme may cause some displacement into adjacent areas although to what level is very hard to predict.

For this reason we made sure that we consulted a wide area, not just the roads immediately next to Preston Park Station. In October 2007 a letter was sent to every household in Tivoli Crescent, Tivoli Crescent North, Tivoli Place, Matlock Road, Maldon Road and Tivoli Road. The letter did draw residents' attention to the fact that nearby roads may decide to opt for a scheme and asked whether they wanted to be included. However all these roads voted overwhelmingly against a scheme. 44% is a high response rate for a parking scheme consultation and so although officers have considered displacement effects the council did not feel able to proceed in these roads without a suitable mandate from the residents. Equally officers felt that not to proceed with the scheme in the immediate Preston Park Station locality would not be fair on residents suffering parking pressures and safety issues and who voted in the majority for a scheme, hence proceeding with a scheme within these roads. Following the decision at committee a postcard was sent to every address stating how their area had voted and which contained details of where to look up this report.

There was a petition from Tivoli Crescent residents which was presented in April of this year. The petition requested that all residents in Tivoli, Maldon and Matlock were consulted again to see if they would like to be included within a parking scheme. Unfortunately, such extensive consultation requires a huge amount of time and

resources and by this stage the Area A parking scheme had already progressed to the final Traffic Order stage.

It was therefore too late to begin consultation again within the Tivoli area. Any future consultation would have to look at the area as a whole rather than individual roads and the current timetable is committed up to 2011 consulting other areas of the city who have been waiting for some years. However, the council will look at future schemes when resources become available."

31.4 The Mayor thanked Mr. Dyson for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and deputation would be referred to the Environment Cabinet Member Meeting 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.

31.5 The Mayor then invited Mr. Duncan Blinkhorn as the spokesperson for the second deputation to come forward and address the council.

31.6 Mr. Blinkhorn thanked the Mayor and stated that "This week sees two events which highlight the links between fossil fuel emissions and public health. Firstly, as you all know the Copenhagen Climate Conference, where nations are struggling to agree a plan to curb CO2 emissions.

Secondly, and perhaps less well known and closer to home, this week is an anniversary – it's five years since the Lewes Road and London Road were declared an Air Quality Management Area committing the City Council to make a plan, to curb vehicle emissions along these key routes, to protect public health – it's a sort of local microcosm of the Copenhagen challenge. If the plan that comes out of Copenhagen achieves for the planet what the Air Quality Action Plan has so far for the Lewes Road, then we really are all doomed.

I would like to draw your attention to some of the information in the supporting notes and, in particular, a graph based on the city's Air Quality Action Plan which tells the story of air quality on the Lewes Road during the last five years, showing actual against predicted nitrogen dioxide levels. You will see that after five years of monitoring and in spite of various measures to make the Lewes Road a sustainable transport corridor the air quality has, in reality, not improved significantly at all. In fact, in 2008 it was much worse than even the 'do nothing' scenario which had been predicted back in 2004.

These issues were illustrated, perhaps clearly, by the decision in May where planning permission for flats on the Vogue Gyratory on Lewes Road was turned down because the air was considered so foul it would be unsafe to open the windows. You only have to spend a Friday afternoon outside the Lewes Road Co-op, as I often do, for your throat and lungs to tell the story about the quality of air there.

We have recently set up a Lewes Road for Clean Air Campaign because of our deep concern, local residents that is in the area, about the lack of progress on all of this. We are part of Transport 21, a new umbrella of other local community groups intent on freeing our neighbourhoods from being overrun by cars and heavy traffic. We believe

that Brighton & Hove can be a vibrant and prosperous city, and the Lewes Road can serve this as an important transport route but do so *without* damaging the health of the people that live, work and travel along it and, one day, without damaging global climate.

The City's Transport Plan points out that: 'only reductions in car use of 10% to 20% will achieve a significant improvement in air quality that is measurable and noticeable'. The 10:10 Climate Campaign, which the city recently signed up to and which we applaud and welcome, has engaged thousands of people, hopefully millions eventually, who believe that 10% is a realistic target for reducing emissions during the next year. We believe that such targets are achievable if we approach them with enough ambition and imagination.

We've been conducting our own research which backs up the Department for Transport records that 18,000 vehicles a day use the Lewes Road. Our research shows about 1,250 motor vehicles per hour up and down the Lewes Road but perhaps more significant than that we have found that three-quarters of those are private cars and the majority of those private cars, 60%, carry only one person, the driver. We feel this is a totally inefficient and unsustainable use of road space and clean air.

We believe there is plenty of scope for reducing this part of the traffic. Our research has also found that many potential cyclists are scared to cycle along the Lewes Road because of the sheer volume of traffic and inappropriate parking.

We would like to direct you to examples, such as Copenhagen, which have impressive records on managing these issues and they constitute, certainly in the case of Copenhagen but also cities like Amsterdam, a genuine cycle city which has 250km cycle tracks, every taxi has racks for carrying bikes on, they have co-ordinated traffic lights to favour cyclists during the rush hour. These are the sorts of ideas that we feel Brighton & Hove should be looking at. They are not complacent about what they have achieved and have upped their target for people cycling to work from 30% to 50%.

We welcome the City Council's current commitment to the 10:10 Climate Campaign and the vision of a low-carbon Brighton & Hove. Lewes Road for Clean Air would like to see this commitment applied to transport. We have also signed up to 10:10 because we aim to reduce traffic on the Lewes Road by 10% during 2010.

We plan to encourage motorists, who use the road, to make a pledge to find alternatives to car use on at least one day per week. We believe that a lot can be achieved, even within the next year. We would like to call upon your support in achieving such an ambitious target within the next year. We are proposing ideas like weekend 'Park and Ride' using empty university car parks, mass cycle rides to create a safety in numbers environment for cyclists along Lewes Road and perhaps signposts discouraging car use. Those are the sorts of ideas I would certainly like to explore further and I hope 10% less traffic in 2010 is certainly a good place where we can work together to start."

31.7 Councillor Geoffrey Theobald stated that "I am aware of your group's campaign work and the interest that exists in this particular area of the city about this important issue. Lewes Road is one of many important transport corridors now included in the city's Air Quality Management Area and in which we have to seek to reduce pollution levels.

We set out to manage traffic and tackle congestion through implementing several measures and planning future proposals, providing information on transport options and travel conditions through signs on our 'Journey-on' website: delivering new ways of reaching the city centre such as new 'Park and Ride' sites: new cycle routes and new bus routes and services such as the proposed bus-based coastal transport system along the seafront. Making stations more accessible: managing, extending and enforcing parking schemes, reducing the need for some people to leave the city on a daily basis by increasing job opportunities and through the Local Development Framework planning strategy making changes to speed limits where appropriate, once the current city-wide review of speed limits is completed. And something which I am personally very keen on, and if only the Government would listen and act on, is the re-opening of the Lewes to Uckfield railway line, because I am quite convinced that quite a few people drive their motor cars from Crowborough, from Uckfield, from Tunbridge Wells into this city when they ought to be coming by rail and that's something that, you know, I personally very strongly support.

I would just add one other point and that is that officers have checked the data that has been submitted with your deputation and we have found it to be incorrect and this is explained as follows:

The 2005 monitoring value on the graph is incorrect, out of date 2004 model predictions are being used for 2010. With the correct results for 2005 a downward nitrogen dioxide trend is seen. On central Lewes Road most NO2 concentration is derived from sources other than cars, like heavy goods vehicles, buses and domestic equipment sources like gas boilers and cookers.

Now if it's helpful to you officers will be happy to write to you to explain this matter further."

31.8 The Mayor thanked Mr. Blinkhorn for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and deputation would be referred to the Environment Cabinet Member Meeting 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.

31.9 The Mayor then invited Ms Jessica Balkwill as the spokesperson for the third deputation to come forward and address the council.

31.10 Ms Balkwill thanked the Mayor and stated that "I would like to thank you for the opportunity to present the results of our survey about the parking scheme that has recently been introduced in Zone A.

We have over the last two weeks knocked door to door over the entire affected area which is somewhere around 651 households. We have managed to speak to 335 residents to gauge their response on four separate queries we have about the scheme. The resounding response that we have seen is that the residents are unhappy with their scheme. We feel that this is very disappointing given the length of time the council has spent introducing the scheme, the money it has cost and the hard work by the people in

the council who have designed the scheme. The majority of complaints are around the hours of operation which the majority of residents think are excessive. Residents who originally voted in favour of the scheme have now voted for a review of this as they are unhappy with the hours. We are now also paying for a service that was previously free and many feel we are not getting value for money and are, in fact, being penalised.

From the results of our survey we would like to propose that the council consider the following points:

Firstly, that the council needs to review their procedures for how the scheme was implemented. It should not take between three and five years to put a scheme in place and then be this badly received. Our suggestion within this is that the way the boundaries are defined could be changed and that to implement the scheme a minimum response rate from affected households would be needed. This change would have prevented the problems we have had with Tivoli Crescent, Matlock Road and also Maldon Road.

The council needs to review the way it communicates with residents about the implementation of a scheme. The most important information about the scheme, noticeably the hours, was not posted directly to the residents with an explanation of the proposed hours and the logic behind them. Displaying the information on lampposts and in local churches is no longer a viable way to communicate in the modern world. We believe that the council should have sent a letter to the residents outlining the proposed hours of the scheme and the reasons behind this and then invite them to vote on those hours. This would have resulted in a scheme that suited the needs of the majority and not the minority who have pushed for its inception.

The council needs to find whether parking schemes are for residents' benefits or whether they are for revenue generation. If the schemes are for the residents' benefits then surely each scheme should be assessed on its own merits and designed for the needs of that area specifically. We appear in our scheme to have opposing needs. I believe the residents of Reigate Road initiated the campaign to protect themselves from displacement parking in Zone Q - Prestonville. The residents of Reigate Road are not affected directly by commuter parking unlike most of the other roads in Zone A. I am not sure why Reigate Road is so badly affected, as the neighbouring roads of Compton, Inwood Crescent and Millers seem unaffected and voted against the scheme. The roads closer to the station, namely Hampstead, Kingsley, Woodside, The Drove, Robertson Road and Scarborough all suffer with commuter parking, as does Tivoli Crescent.

It would seem to us that a more sensitive option would have been to include Reigate Road in Zone Q and open up Zone A for those affected by the station parking. Currently the pay and display bays are virtually unused as commuters can park for free in the roads surrounding Zone A and although it is only a cost of £4 a day, which seems like a small amount of money, this adds 25% to the cost of a commuter trying to use a local station which many of us value greatly and specifically move to the area to take advantage of.

What we would like to do is give you the feedback from our survey which was over 335 households. The main complaint for the people who responded was that the severity of

the hours of operation were restrictive and as all the roads, apart from Reigate, suffer from commuter parking we do not need restrictions on the weekend. Out of the 335 households 84% voted in favour of removing the weekend restrictions. This also commuted to nine roads in favour and one road against that recommendation.

We surveyed the households about the weekday hours to see if residents would prefer a 9am-6pm or a lighter touch styled scheme, as many residents have found the daily restrictions of 9am-8pm very restrictive in terms of communication with the community, families, childcare and the elderly. 74% voted that they would like a review of the weekday hours, which is eight roads in favour, one road 50-50 and one road against.

We were interested to see what residents thought of the council's consultation process, whether it was adequate and whether it was well communicated. 73% of the 335 households voted that they did not feel it was adequate, with eight roads in favour of the statement and two roads against. We also proposed that visitor permits should be increased to an annual allowance of £100 per person per annum at a cost of £1, not £2 as the current cost is. Almost everybody in the survey felt the scheme was too expensive, especially the permits. The increase in allowance would mean that those who used the road during the day for childcare, tradesmen or the elderly who rely on non-professional visitors would be able to lead their life without invasion for a reasonable price.

Effectively, the final point, we have managed to have an 84% vote in favour of doubling the allowance of visitor permits and no roads against that statement at all."

31.11 Councillor Geoffrey Theobald stated that "As you are aware we are also hearing from residents that changes have made a huge improvement to the parking and general environment. I believe that is the next deputation saying that they are happy with the scheme.

The 9am-8pm Monday-Sunday residents' parking scheme proposal has, as you have said, been through extensive consultation, including leaflets with questionnaires and plans indicating proposed hours, days of operation and these went to every household. There was little correspondence asking the council to change the hours or days of the scheme. There was also a further opportunity to comment on the plans when the final draft Traffic Regulation Order was advertised in the spring of 2009 and all comments were included in the report to the Environment Cabinet Member meeting in July 2009.

The consultation procedures have also been through the Standards & Complaints Team who concluded that the consultation process had been carried out as per procedure and legislation and therefore correctly.

In terms of the finances, the council borrow the costs of setting up the scheme against the future income and schemes usually take about five to seven years to pay back the initial set-up costs. Income from residents' parking schemes must fund the ongoing maintenance, running costs and enforcement and any surplus must be spent on transport related projects, including concessionary bus fares, public transport subsidies and safety schemes.

Any major changes, such as size of zone or time of operation would require considerable consultation and redrafting of the Traffic Order and would have to be considered alongside other areas on the list for parking scheme consultation. However, we always advise residents to allow a scheme to settle in for a while before making decisions about major changes. This is because it takes a while for parking patterns to change and for residents and visitors to get used to how the scheme operates and fits their needs. If, after the scheme has settled in, a majority of residents would still like the times or days reviewed then the best course of action, as has already been said this afternoon, would be to raise a petition stating clearly what is preferred. Any such change though would have to apply to the entire parking area and not just to one road, so we would need to know that there was wide-spread support for any alternative proposals."

31.12 The Mayor thanked Ms Balkwill for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and deputation would be referred to the Environment Cabinet Member Meeting 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.

31.13 The Mayor then invited Mr. Paul Crawford as the spokesperson for the fourth deputation to come forward and address the council.

31.14 Mr. Crawford thanked the Mayor and stated that "The substance of my deputation is in front of you and if I can just make a few main points, I would like to tell you how vastly improved the quality of life in our area has been since the inception of the parking scheme in Zone A.

No scheme is going to meet the complete, unanimous support of all residents but it's a substantial and drastic improvement. As Councillor Theobald said all parking schemes take time to settle in and we urge you to agree that considering any changes to the scheme would be grossly premature while it's only been in operation for a matter of weeks.

I can't ignore the petition that was presented by Councillor Mitchell and I would like to point out that it was actually in the nature of a questionnaire and not a petition. There was the opportunity to say whether you were for or whether you were against, so the gross numbers that are quoted do not give a representative view of all the residents in the area. Without wanting to sound argumentative, I can't allow the previous speaker's claim to speak for all the residents of the area to go unchallenged. There are many of my neighbours who are very happy with the scheme and I feel that the way in which the opposition has been presented is tendentious, unrepresentative and inaccurate and certainly that speaker does not speak for me or my neighbours.

We certainly oppose any change in the hours or days of the scheme. We have bought our permits. We don't want to find that those of us who go out to work, come home after 6 o'clock and find the area swamped with white vans again (thank you very much) and we don't want white van dumping starting all over weekends again as we have had to suffer for years in the past. We would also echo the point which you have heard from several other members here today about the problems of other people in other parts of

the city who have not been considered, even once, for some solution to their parking problems. It would, of course, be selfish to reconsult Zone A so soon after it has last been consulted.

Many of my neighbours and I have been working, for what, five years or so to get to the situation we are in now and we are very grateful, very appreciative of what has been done and we have no wish to sort of queue jump for other parts of the city where they are still suffering and where they haven't had any solution proposed at all. I think the consultation was professional, thorough and fair and took place over a long period and I completely disagree that it was inadequate in any way or that anybody did not have the opportunity to put their views across.

As I say I have been to many meetings of the previous Environment Committee, now the Environment Cabinet Member meetings, and as I said we had to lobby hard and long to get to the position that we are at now. We are very grateful and we resist any change to it, certainly for the time being until it's had a chance to settle in.

Finally, if I could just thank our local Ward Councillors, Ken and Ann Norman and Pat Drake, who have been very supportive throughout the process and the lead officers in bringing the scheme to fruition, particularly Charles Field and Christina Liassides, who have been extremely professional, supportive and helpful in providing information and I would like to thank them for all their hard work and support and just finally to say we are very grateful. Thank you for what you have done for us and please don't wreck it."

31.15 Councillor Geoffrey Theobald stated that "I do think that colleagues here and those out in the wider world will appreciate, if they hadn't before, what a difficult job the council's officers have in dealing with residents' parking schemes where you have some people in favour and some people maybe, think the other way.

I do want to thank Mr Crawford very much, obviously, for his remarks and, of course, particularly his remarks to the council's officers. I am very glad to hear his support for the fact that the consultation in his view has been done professionally and well and it is, as I say, rather nice to hear from residents that changes have made a huge improvement to the parking and general environment. I agree with the suggestion, and I have said this already this afternoon, that schemes do need time to settle in and that's exactly what Mr Crawford has said, because that enables residents both inside and outside the scheme to see how well it operates for their needs.

We do not review schemes as a matter of course now because there are other areas waiting on the list for consultation on new schemes. However, we can make minor changes up to twice a year: for example, addition of a disabled bay or other minor changes to the signing or lining but any major changes such as size of zone or times of operation would require considerable consultation and redrafting of the Traffic Order. It would have to be considered alongside other areas on the list for parking scheme consultation."

31.16 The Mayor thanked Mr. Crawford for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and deputation would be referred to the Environment Cabinet Member Meeting 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.

32. WRITTEN QUESTIONS FROM COUNCILLORS.

32.1 The Mayor reminded the council that councillors' questions and the replies from the appropriate councillor were now taken as read by reference to the list included in the addendum, which had been circulated as detailed below.

32.2 **(a)** Councillor McCaffery asked:

"This Council is responsible for the safety of children in our care. The number of children in care has increased from an average of 375 in December 2008 to an average of 460 at the present time, an increase of 25%. Would the Cabinet Member inform this Council of the increase in the budget necessary to meet this substantial increase in demand?"

32.3 Councillor Brown replied:

"Pressure on the children's social care budget has been considerable this year and there have been significant additional costs (£1,519,000) stemming from increased activity.

These have arisen from an increase in legal fees (£650,000), an increase in agency placements for children (£487,000) and an increase in area social work teams (£305,000).

This pressure is being felt nationally across other Local Authorities and arises from a number of factors:

- the introduction of the Public Law Outline
- an increase in court fees
- an increase in referrals following the death of Baby P and other high profile cases
- credit crunch and other economic factors

Our staff have done an excellent job managing the increased activity and the focus has been on running a service which ensures the safety and well-being of children in Brighton and Hove. But we are not complacent about this and we will continue to work to ensure good standards of child protection and safeguarding.

Going forward we are taking steps to keep children safe and ensure effective use of resources at a time when child protection is under national scrutiny and central Government grant funding is failing to keep pace with the increased demand . This work includes a renewed focus on preventative services to support children and families at risk. It also includes reviewing how we work with partner agencies. We are also doing work to ensure best value placement costs and care planning arrangements."

32.4 Councillor McCaffery asked a supplementary question; "I do understand you are doing your best and I note indeed you are not complacent but currently you have to make a £4.3m saving. The schools' budget is in many ways rightly protected which means that

the saving falls on children's services. The base budget is around £45m and savings of £4m are required. Am I right in thinking that means this is a saving of around 10% and is required on work relating to safeguarding children? This seems an undue burden.

Does the council agree that this will be more than difficult to find and as such is an unfair burden on a service which is about protecting and saving lives and that this saving could be more equitably distributed across the council departments to ensure that the children for whom we are responsible are kept safe?"

32.5 Councillor Brown replied; "Yes, you are quite right, it is very difficult to make those amounts of savings and obviously child protection is always highest in our minds. We have very carefully worked out where we can make savings next year and we are still looking to make another £940,000 worth of savings but I do have to say that we have been given an above average inflationary rise next year of over £900,000 and there has been £1m put in a contingency fund if it is needed for looked after children."

32.6 **(b)** Councillor Kitcat asked:

"Can Cllr Geoffrey Theobald provide details on what is done with the biodegradable waste produced by the work of City Parks in particular where it is taken, how it is processed and whether this is done by contractors or the Council itself?"

32.7 Councillor Theobald replied:

"Waste from our gardens and parks is dealt with in separate ways - depending on the nature of the waste. Wood predominantly produced from the maintenance of the city's trees is chipped and used to mulch the city's shrub beds, thus replacing residual herbicides which used to be used for weed control in these areas.

Chipping and mulching waste wood is carried out by our own staff. Mixed garden waste is taken to Stanmer Park where it is shredded and then transported to Isfield for composting to be completed. This is carried out by a specialist contractor selected following an open tendering procedure."

32.8 Councillor Kitcat asked a supplementary question; "The council's Stanmer Park site, if I am right, stands next to a local composting co-operative but instead you are trucking it to Isfield, which is a shame.

Can Councillor Theobald confirm or deny that the Environment Agency requested the council clean up City Parks waste dumped on the Stanmer Park area and, if so, provide details?"

32.9 Councillor Theobald replied; "I don't think that is a supplementary at all, Madam Mayor."

32.10 Councillor Caulfield asked a further supplementary question; "Can Councillor Theobald agree with me that the sheep grazing scheme that we have rolled out across the city, for example Wild Park and Moulsecoomb, has demonstrated how a Conservative led council can deal with grass and shrub waste?"

32.11 Councillor Theobald replied; "I certainly agree."

32.12 **(c)** Councillor Kitcat asked:

"Can Cllr Geoffrey Theobald clarify for members the contractual arrangements with Veolia regarding municipal waste collection? Is it the case that any residential waste collected from the street must be processed by Veolia?"

32.13 Councillor Theobald replied:

"The Waste PFI Contract, like many contracts across the country is with a sole service provider. This means that they alone have the contract to handle the council's waste and receive an income, and this income provides for the construction of the waste facilities for Brighton & Hove City Council and East Sussex County Council.

The contract is complex and the details are on the website."

32.14 Councillor Kitcat asked a supplementary question; "So Councillor Theobald is it this regrettable, expensive PFI Waste Contract which is holding up plans for food and garden waste collections?"

32.15 Councillor Theobald replied; "The answer is no."

32.16 **(d)** Councillor Davey asked:

" At the first full meeting of the recently formed city wide Transport Partnership the Cabinet Member for Environment who chairs the partnership suggested that he had been told to be there and thought that the meeting was a waste of time that would achieve nothing.

In light of this could the Leader of the council please clarify whether or not her administration is committed to cross sector partnership working to address the acute transport problems facing Brighton & Hove and whether she agrees or not that the council needs to bring about a widespread shift to sustainable low carbon transport across the city?"

32.17 Councillor Mears replied:

"I have been assured by the Cabinet Member for Environment that he did not say those words at the Transport Partnership meeting but I really am unable to comment with any authority on what may or may not have happened because I was not there.

What I can say is that I personally endorsed the setting up of the Transport Partnership at the LSP meeting in October so that we could have a forum which enables the Council and our partners to work together on finding solutions to some of the City's transport problems. I stand by this decision. We are already making progress in terms of low carbon transport through for example electric vehicle charging points, committing to park and ride and looking at our own vehicle fleet as part of the 10-10 campaign commitment."

32.18 Councillor Davey asked a supplementary question; ""I am pleased that you feel there is progress on low carbon transport, so I would be grateful if you could update us on the progress of the Old Shoreham cycle route. When will you publish the results of the public consultation which ended in October and when, in light of what I understand was a very substantial response with the significant majority in favour, will you authorise the building of this cycle route which should have started in November and according to our agreement with Cycling England who are funding it must be completed this financial year?"

32.19 Councillor Mears replied; ""Thank you Councillor Davey for your question and it will be published shortly."

32.20 **(e)** Councillor West asked:

"In 2005 Peter Brett Associates conducted a study of potential park and ride sites. Of the 11 potential sites that were considered worth looking at in detail, Braypool Sports Ground, Waterhall, Waterhall ("the Borough Plan site"), Mill Road West (Green Ridge) and Patcham Place all now fall within the National Park. Patcham Court Farm is being marketed for business development, Woollards Field will be home to The Keep (records office). The former Gasworks and Roedean Miniature Golf Course are now at the wrong end of the new coastal bus lane. As an indication of the feasibility of finding suitable sites it is worth noting the two top scoring sites were shockingly Patcham Place and Green Ridge! Of the remainder, that leaves just Basin Road, Shoreham Harbour and Court Farm, neither of which were judged able to properly serve the important A27/A23 junction.

In the light of this can Councillor Theobald state which sites are being considered in the new study commissioned of Peter Brett into Park and Ride, and by what miracle he expects this to reveal any better conclusions about the availability of feasible sites, and how the expense of such a study is therefore justified?"

32.21 Councillor Theobald replied:

"Thank you for drawing out some aspects of the work that was undertaken by the previous administration. We have not commissioned a new study, but we have asked consultants to review and update the past work in the light of changes in circumstances that have occurred since 2005, for example the announcement on the National Park.

We want to consider the possibility of identifying sites that are smaller than those that were previously considered. Once we are able to report on the outcome of that review, we will do so."

32.22 Councillor West asked a supplementary question; "May I thank Councillor Theobald for his interesting answer and from that I understand that the 2005 Park and Ride study is now to be reviewed rather than there being a new study: yet we know from that study that most of the sites considered are now either off limits or in the wrong place as I have expressed in my question.

As the 2005 study also concluded that small Park and Ride sites to be unfeasible, that's why it was looking at large ones, how does Councillor Theobald now believe a different

conclusion will be found from the review of a redundant study, also in light of the uncertainty that this reveals about the feasibility of Park and Ride, how does Councillor Theobald justify the solid commitment to three to five sites in the draft Core Strategy?"

32.23 Councillor Theobald replied, "As I have said in my answer here we have gone out to consultants and our own officers because of the changes of circumstances to look at other sites and look again at previous sites and as I say in my answer here, once we have the results of that we will report the outcome of that review, and we will do that."

32.24 **(f)** Councillor West asked:

"The 2005 Park & Ride study (using Halcrow Demand Modelling) also revealed that 2 out of 3 morning peak hour car trips begin and end within the city. Of the remainder more leave the city than are incoming. This pattern is repeated for daytime traffic as well. Only a small proportion of traffic in the city is therefore in-bound, perhaps only 10% of total trips. Moreover, the scale of in-bound traffic is such that even given a park and ride capacity of 1500 spaces, only around 10 percent of in coming traffic could make use of such a service. In other words the impact Park & Ride could have on overall city traffic is slight, perhaps a reduction of only a few percent.

In light of this, would Councillor Theobald agree that the greatest challenge for our transport policy is to make it possible for large scale modal shift by the city's own population, and that a comprehensive city wide rapid transit system (most feasibly bus based), plus measures to reduce the need to travel, will be essential to bringing this about?"

32.25 Councillor Theobald replied:

"Park & Ride has never been expected to be the sole solution to Brighton & Hove's transport issues. It has to be part of a broader strategy for the city that gives choice for everybody. We know that travel patterns are complex in a city where people have many different needs. We have therefore produced a joined-up strategy in our Local Development Framework, and will no doubt be discussing it in detail later on in this meeting.

We already have a more comprehensive bus service than in most towns and cities in the UK and proposals in the Local Development Framework, will increase job opportunities to help increase the number of people working within the city rather than travelling outside, thus reducing the need for travel for some residents."

32.26 Councillor West asked a supplementary question; "As you recognise and I quote: 'Park & Ride has never been expected to be the sole solution to Brighton & Hove's transport issues', which I can completely agree with, then can you explain why Park and Ride and not also a major rapid transit system that would serve the suburbs as well as the coast it is not also sited as an integral part of improving transport choice in the Core Strategy, improving choice, I would say, for citizens across the city not to use a car?"

32.27 Councillor Theobald replied; "The Leader of the Council made a statement yesterday on a number of issues city-wide and the Leader actually referred to Park and Ride and

other issues and I am sure that Councillor Randall who was there would be able to acquaint Councillor West with what the Leader of the Council said."

33. REPORTS OF THE CABINET, CABINET MEMBER MEETINGS AND COMMITTEES.

(a) Callover

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

Item 34 – Brighton and Hove Children & Young People's Plan
Item 36 – Local Development Framework – Brighton and Hove Core Strategy: Submission

(b) Receipt and/or Approval of Reports

33.2 The Chief Executive confirmed that Item No's. 34 and 35 had been reserved for discussion and that the Gambling Act 2005 – Revised Policy, Item 35 on the agenda with the recommendations therein be approved and adopted.

(c) Oral Questions from Members

33.3 The Mayor noted that there were no oral questions.

34. BRIGHTON AND HOVE CHILDREN AND YOUNG PEOPLE'S PLAN

34.1 Councillor Brown, Cabinet Member for Children & Young People introduced the report, which outlined the proposed Children & Young People's Plan for 2009-12. She noted that the Plan was jointly owned by the partner organisations that made up the Children's Trust Board and that they fully supported the Plan. She also wished to thank the officers involved in bringing the Plan together and in particular the Assistant Director Strategic Commissioning & Governance.

34.2 Councillor Hawkes welcomed the Plan and stated that she felt it was an excellent document which outlined the way forward and also wished to add her thanks to the officers involved in its formulation.

34.3 Councillor Fryer also welcomed the Plan and highlighted aspects that she felt would be important elements to look at over the plan's duration and hoped that these could be taken on board.

34.4 Councillor Brown noted the comments and stated that the plan outlined the strategic direction for children's services over the coming years and hoped council would approve the plan.

34.5 The Mayor noted that the recommendations had been moved and put them to the vote which was carried.

34.6 **RESOLVED –**

(1) That the Brighton and Hove Children and Young People's Plan 2009-12 be approved;

(2) That it be noted that all partners had agreed to take the Children and Young People's Plan 2009-12 through their respective governance arrangements once the Children and Young People's Trust Partnership had approved the plan; and

(3) That the arrangements for publication and distribution as set out in paragraphs 3.3 and 3.7 to the report be agreed.

35. GAMBLING ACT 2005 - REVISED POLICY

35.1 That the Statement of Gambling Policy be approved and adopted.

36. LOCAL DEVELOPMENT FRAMEWORK - BRIGHTON AND HOVE CORE STRATEGY: SUBMISSION

36.1 The Mayor noted that the council was quarate and therefore reconvened the meeting at 6.55pm.

36.2 Councillor Peltzer Dunn asked for a point of clarification on whether the detailed list of amendments circulated to all councillors on the evening of the 9th December showed the extent of the amendments known at that time.

36.3 The Head of Democratic Services confirmed that the detailed list that had been e-mailed to all Members was considered to be the correct version at the time of circulation.

36.4 Councillor Peltzer Dunn queried why the hard copy of amendments then circulated to Members just prior to the meeting differed from the version that had been e-mailed.

36.5 The Head of Law stated that an administrative error had been highlighted in the morning of the Council meeting, which officers had then sought to clarify and subsequently rectify so that the hard copy of amendments listed in the Addendum papers was correct. The difference being that elements in relation to the Labour Group amendment on the Marina should have been shown as part of the Joint Amendment rather than as part of the Labour Amendment under Theme 2 – The Economy.

36.6 The Mayor noted the information and called on Councillor Mears to introduce the report.

36.7 Councillor Mears introduced the report and formally moved that the Core Strategy be adopted and submitted to the Secretary of State.

36.8 Councillor Theobald formally seconded the report and wished to place on record his thanks to the officers involved in putting the revised Local Development Framework together.

36.9 The Mayor noted that the protocol covering the consideration of the item had been agreed and therefore each theme would be moved and seconded by representatives of

the Administration, followed by those moving seconding joint and/or individual amendments under each theme, before moving to a general debate and then voting on the amendments and the final substantive recommendations.

36.10 Councillor Theobald introduced the first theme covering 'The Spatial Strategy, Housing and Urban Fringe' and moved that the theme be approved.

36.11 Councillor Caulfield seconded the theme.

36.12 Councillor Mitchell moved the joint Liberal Democrats/Green/Labour Groups' amendment to the theme as detailed in the addendum papers.

36.13 Councillor Elgood seconded the joint amendment.

36.14 Councillor Meadows moved the Labour Group's amendment to theme.

36.15 Councillor Marsh seconded the Labour Group's amendment.

36.16 Councillor Wrighton moved the Green Group's amendment to theme.

36.17 Councillor West seconded the Green Group's amendment.

36.18 The Assistant Director – City Planner informed the council that the Green Group's amendment was unsound and could not therefore be regarded as a viable amendment to the Core Strategy.

36.19 The Mayor noted the information and ruled that the Green Group's proposed amendment could not be considered or voted upon.

36.20 Councillor Kemble introduced the second theme covering 'The Economy' and moved that the theme be approved.

36.21 Councillor Caulfield seconded the theme.

36.22 Councillor Elgood moved the joint Labour/Green/Liberal Democrats Groups' amendment to the theme as detailed in the addendum papers.

36.23 Councillor Randall seconded the joint amendment.

36.24 Councillor Hamilton moved the Labour Group's amendment to theme.

36.25 Councillor Carden seconded the Labour Group's amendment.

36.26 Councillor Kitcat moved the Green Group's amendment to theme.

36.27 Councillor Taylor seconded the Green Group's amendment.

36.28 The Assistant Director – City Planner informed the council that the Green Group's amendment was unsound and could not therefore be regarded as a viable amendment to the Core Strategy.

36.29 The Mayor noted the information and ruled that the Green Group's proposed amendment could not be considered or voted upon.

36.30 Councillor Theobald introduced the third theme covering 'Transport and Infrastructure' and moved that the theme be approved.

36.31 Councillor Young seconded the theme.

36.32 Councillor Mitchell moved the joint Green/Labour/Liberal Democrats Groups' amendment to the theme as detailed in the addendum papers.

36.33 Councillor West seconded the joint amendment.

36.34 Councillor Turton moved the Labour Group's amendment to theme.

36.35 Councillor Lepper seconded the Labour Group's amendment.

36.36 Councillor Duncan moved the Green Group's amendment to theme.

36.37 Councillor Phillips seconded the Green Group's amendment.

36.38 The Assistant Director – City Planner informed the council that four of the Green Group's elements listed under their overall amendment were unsound and could not therefore be regarded as viable amendments to the Core Strategy. However, two elements were sound and could therefore be included.

36.39 The Mayor noted the information and ruled that the four elements listed as unsound under the Green Group's proposed amendment could not be considered or voted upon. However, the remaining two elements could be debated and voted on in due course.

36.40 Councillor Elgood raised a point of order and asked if the Mayor would agree to a short adjournment as he believed there was an opportunity for the Group Leaders to reach an agreement on the various amendments and how they should be dealt with.

36.41 The Mayor noted the information and agreed to Councillor Elgood's request on the basis that it was hoped agreement could be reached which would assist the process for consideration of the matter before council.

36.42 The meeting was adjourned at 8.25pm.

36.43 The Mayor reconvened the meeting at 10.00pm and asked the Monitoring Officer to outline the process that had been agreed by the Group Leaders and their Groups during the adjournment.

36.44 The Monitoring Officer informed council that following discussions the Groups had been able to identify a number of the elements listed under each of the Joint Amendments where unanimity existed. It was therefore proposed that these should be taken on block and voted on. This would then leave a number of elements that could not be accepted and therefore would have to be taken on an individual basis and voted on separately. In

view of this, it was proposed to enable the remaining three themes and the amendments to be moved and seconded formally, to dispense with the intended general debate on the report and the amendments and to move to a vote on the various themes and amendments as necessary.

36.45 The monitoring Officer then confirmed that it was proposed to vote on the joint amendments as follows:

Theme 1,
Theme 2 other than one element changes to DA2 Brighton Marina,
Theme 4,
Theme 5,
Theme 6 with a slight change to wording to be clarified by the Assistant Director – City Planner,
Theme 3 with the various elements not accepted taken individually, followed by:

The Labour Group's amendments in respect of Themes 1, 2 and 3; and
The Green Group's two elements in respect of Theme 3.

36.46 The Mayor noted the information and put the proposals to the council which were agreed.

36.47 Councillor Mears noted that a number of elements under Themes 2 and 3 remained unaccepted and therefore requested that a recorded vote be taken when they were due to be voted upon.

36.48 The Mayor noted that sufficient support had been indicated for a recorded vote and also noted that the proposers of the four notices of motion listed on the agenda had asked to withdraw them in view of the lateness of meeting and sought agreement from the council, which was agreed.

36.49 Councillor Simson introduced the fourth theme covering 'Reducing Inequalities' and moved that the theme be approved.

36.50 Councillor Oxley seconded the theme.

36.51 Councillor Elgood moved the joint Liberal Democrats/Labour/Green Groups' amendment to the theme as detailed in the addendum papers.

36.52 Councillor McCaffery seconded the joint amendment.

36.53 Councillor Wakefield-Jarrett moved the Green Group's amendment to theme.

36.54 Councillor Fryer seconded the Green Group's amendment.

36.55 The Assistant Director – City Planner informed the council that the Green Group's amendment was unsound and could not therefore be regarded as a viable amendment to the Core Strategy.

36.56 The Mayor noted the information and ruled that the Green Group's proposed amendment could not be considered or voted upon.

36.57 Councillor Norman introduced the fifth theme covering 'Open Space, Biodiversity, Sports and a Healthy City' and moved that the theme be approved.

36.58 Councillor Brown seconded the theme.

36.59 Councillor Randall moved the joint Green/Liberal Democrats/Labour Groups' amendment to the theme as detailed in the addendum papers.

36.60 Councillor Watkins seconded the joint amendment.

36.61 Councillor Fallon-Khan introduced the sixth theme covering 'Sustainable Development, Design and Public Spaces and Climate Change' and moved that the theme be approved.

36.62 Councillor Older seconded the theme.

36.63 Councillor Kennedy moved the joint Labour/Liberal Democrats/Green Groups' amendment to the theme as detailed in the addendum papers.

36.64 Councillor Allen seconded the joint amendment.

36.65 The Assistant Director – City Planner confirmed that there was cross-party support for the Joint Amendment to Theme 1.

36.66 The Mayor moved that the Joint Amendment to Theme 1 be agreed.

36.67 **The motion was carried.**

36.68 The Assistant Director – City Planner confirmed that there was cross-party support for all the elements listed under the Joint Amendment to Theme 2, other than in respect of the proposed amendment to DA2 Brighton Marina (27 -29).

36.69 The Mayor moved that the various elements detailing changes under the Joint Amendment to Theme 2, other than DA2 Brighton Marina (27-29) be agreed.

36.70 **The motion was carried.**

36.71 The Mayor noted that a recorded vote had been requested and moved that the proposed amendments to the wording listed in the Joint Amendment for Theme 2, DA2 Brighton Marina (27-29) be agreed;

	NAME	FOR	AGAINST	ABSTAIN
Cllr	Alford		x	
	Allen	x		
	Barnett		x	
	Bennett			x

	Brown		x	
	Carden	x		
	Caulfield		x	
	Cobb		x	
	Davey	x		
	Davis	x		
	Drake		x	
	Duncan	x		
	Elgood	x		
	Fallon-Khan		x	
	Fryer	x		
	Hamilton	x		
	Harmer-Strange		x	
	Hawkes	x		
	Hyde		x	
	Janio		x	
	Kemble		x	
	Kennedy	x		
	Kitcat	x		
	Lepper	x		
	Marsh	x		
	McCaffery	x		
	Meadows	x		
	Mears		x	
	Mitchell	x		
	Morgan	x		
	Norman, Ann		x	
	Norman, Ken		x	
	Older		x	
	Oxley		x	
	Peltzer Dunn		x	
	Phillips	x		
	Pidgeon		x	
	Randall	x		
	Rufus	x		
	Simpson	x		
	Simson		x	
	Smart		x	
	Smith		x	
	Steedman	x		
	Taylor	x		
	Theobald, Carol		x	
	Theobald, Geoffrey		x	
	Turton	x		
	Wakefield-Jarrett	x		
	Watkins	x		
	Wells		x	
	West	x		

	Wrighton	x		
	Young		x	
	Total	**28**	**25**	**1**

36.72 **The motion was carried.**

36.73 The Assistant Director – City Planner confirmed that there was cross-party support for the Joint Amendment to Theme 4.

36.74 The Mayor moved that the Joint Amendment to Theme 4 be agreed.

36.75 **The motion was carried.**

36.76 The Assistant Director – City Planner confirmed that there was cross-party support for the Joint Amendment to Theme 5.

36.77 The Mayor moved that the Joint Amendment to Theme 5 be agreed.

36.78 **The motion was carried.**

36.79 The Assistant Director – City Planner confirmed that there was cross-party support for the Joint Amendment to Theme 6, subject to a change in the wording in relation to Valley Gardens.

36.80 The Mayor moved that the Joint Amendment to Theme 6 with the revised wording in relation to Valley Gardens be agreed.

36.81 **The motion was carried.**

36.82 The Assistant Director – City Planner confirmed that the elements 11, 13 (first 13), 24a, 25b, 28, 32-33, 38a, 42a, 46-47, 51a, 57, 59b, 104 and 105 listed under the Joint Amendment to Theme 3 could not be accepted and therefore would be taken on an individual basis.

36.83 The Mayor moved that the various elements detailing changes under the Joint Amendment to Theme 3, other than those listed by the Assistant Director, which were to be the subject of separate votes be agreed.

36.84 **The motion was carried.**

36.85 The Mayor noted that a recorded vote had been requested and moved that the proposed amendment to the wording listed under 11 in the Joint Amendment for Theme 3, be agreed;

	NAME	**FOR**	**AGAINST**	**ABSTAIN**
Cllr	**Alford**		x	
	Allen	x		
	Barnett		x	

	Bennett		x	
	Brown		x	
	Carden	x		
	Caulfield		x	
	Cobb		x	
	Davey	x		
	Davis	x		
	Drake		x	
	Duncan	x		
	Elgood	x		
	Fallon-Khan		x	
	Fryer	x		
	Hamilton	x		
	Harmer-Strange		x	
	Hawkes	x		
	Hyde		x	
	Janio		x	
	Kemble		x	
	Kennedy	x		
	Kitcat	x		
	Lepper	x		
	Marsh	x		
	McCaffery	x		
	Meadows	x		
	Mears		x	
	Mitchell	x		
	Morgan	x		
	Norman, Ann		x	
	Norman, Ken		x	
	Older		x	
	Oxley		x	
	Peltzer Dunn		x	
	Phillips	x		
	Pidgeon		x	
	Randall	x		
	Rufus	x		
	Simpson	x		
	Simson		x	
	Smart		x	
	Smith		x	
	Steedman	x		
	Taylor	x		
	Theobald, Carol		x	
	Theobald, Geoffrey		x	
	Turton	x		
	Wakefield-Jarrett	x		
	Watkins	x		
	Wells		x	

	West	x		
	Wrighton	x		
	Young		x	
	Total	**28**	**26**	

36.86 **The motion was carried.**

36.87 Councillor Simson moved that the remaining elements which made up the joint amendment for Theme 3 be taken on block rather than on an individual basis.

36.88 The Mayor put the proposal to council which was agreed.

36.89 The Mayor noted that a recorded vote had been requested and moved that the proposed amendments to the wording listed under 13 (first 13), 24a, 25b, 28, 32-33, 38a, 42a, 46-47, 51a, 57, 59b, 104 and 105 in the Joint Amendment for Theme 3, be agreed;

	NAME	FOR	AGAINST	ABSTAIN
Cllr	**Alford**		x	
	Allen	x		
	Barnett		x	
	Bennett		x	
	Brown		x	
	Carden	x		
	Caulfield		x	
	Cobb		x	
	Davey	x		
	Davis	x		
	Drake		x	
	Duncan	x		
	Elgood	x		
	Fallon-Khan		x	
	Fryer	x		
	Hamilton	x		
	Harmer-Strange		x	
	Hawkes	x		
	Hyde		x	
	Janio		x	
	Kemble		x	
	Kennedy	x		
	Kitcat	x		
	Lepper	x		
	Marsh	x		
	McCaffery	x		
	Meadows	x		
	Mears		x	
	Mitchell	x		

	Morgan	x		
	Norman, Ann		x	
	Norman, Ken		x	
	Older		x	
	Oxley		x	
	Peltzer Dunn		x	
	Phillips	x		
	Pidgeon		x	
	Randall	x		
	Rufus	x		
	Simpson	x		
	Simson		x	
	Smart		x	
	Smith		x	
	Steedman	x		
	Taylor	x		
	Theobald, Carol		x	
	Theobald, Geoffrey		x	
	Turton	x		
	Wakefield-Jarrett	x		
	Watkins	x		
	Wells		x	
	West	x		
	Wrighton	x		
	Young		x	
	Total	**28**	**26**	

36.90 **The motion was carried.**

36.91 The Mayor then put the Labour Group's amendment under Theme 1 to the vote.

36.92 **The motion was carried.**

36.93 The Mayor then put the Labour Group's amendment under Theme 2 to the vote.

36.94 **The motion was lost.**

36.95 The Mayor then put the Labour Group's amendment under Theme 3 to the vote.

36.96 **The motion was lost.**

36.97 The Mayor then put the Green Group's two remaining elements which proposed amendments to Theme 3 to the vote.

36.98 **The motion was carried.**

36.99 The Mayor then put the substantive motion, that the Core Strategy and supporting documents as amended be approved and adopted for submission to the Secretary of

State, preceded by a 6-week publication stage, subject to any minor editorial changes agreed by the Cabinet Member for Environment in consultation with the Director of Environment.

36.100 **The motion was carried.**

Note: The full set of amendments to the Core Strategy as approved by the Council are appended to the minutes (appendix 1).

37. NOTICES OF MOTION.

37.1 The Mayor noted that with the agreement of council and following the requests of each of the proposers the four Notices of Motion listed on the agenda had been withdrawn.

37.2 The Mayor then closed the meeting.

The meeting concluded at 10.45pm

Signed Chair

Dated this day of