

# Brighton & Hove City Council

## Council

## Agenda Item 58

**Subject:** Written questions from Councillors

**Date of meeting:** 19 December 2024

**Report of:** Corporate Director for Corporate Services

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**Ward(s) affected:** All

### For general release

The following questions have been received from Councillors and will be taken as read along with the written answer detailed below:

#### 1 Councillor Lyons

Given the previous problems of the ownership of the Woodland Drive Twitten, residents are asking how many other pathways & twittens within the city are not owned by the Council or Highways. We therefore recommend an audit.

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

Maps containing details of all Public Highway and Public Rights of Way are publicly available on the Council's website. Maps of all land owned by the Council are also publicly available on the Council's website. Auditing and mapping assets that are not owned or maintained by the Council would be an expensive exercise for which there is no council budget or resource assigned to complete. Within constrained public resources, it would be difficult to justify prioritising this over essential public services. We are continuously updating asset records including when a matter is drawn specifically to officers' attention, as was the case with the twitten connecting Woodland Drive with Three Cornered Copse.

#### 2 Councillor Hogan

What is the Administration's policy about tree replacements in 2025/2026? In some roads it seems that more trees have been felled in recent years than planted?

#### **Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:**

The administration's policy, in short, is that we need more trees. We have been battling the onslaught of Elm Disease and Ash Dieback for several years

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now, and it is incredibly frustrating that that consumes the majority of the resources available. For the current financial year, we allocated an additional £422k to help tackle the problem, but that has not been enough to fully contain it or to enable us to ramp up replacements.

This is forcing us to think more creatively. Having brought the council's budget in with an underspend in the previous financial year, we allocated some additional funds for tree-planting, some of which will be used to set up an ongoing fundraising/sponsorship scheme to get onto a more sustainable footing.

We also commissioned the Treeconomics report in partnership with CPRE Sussex, and that provides a very good basis for planning future planting activity.

### 3 Councillor Lyons

Why does Brighton & Hove Council lag other councils in PET1 recycling? Is it acceptable that such plastic should continue to be disposed of in household rubbish?

#### **Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:**

Thank you for your question. We do accept and sort PET1 at Hollingdean Materials Recovery Facility (MRF) in the form of plastic bottles. PET1 has made up approximately 3% of our dry mixed recycling this year so far (by weight). This is roughly 500 tonnes a year that is sorted at the MRF.

Pots tubs and trays (PTT) are made from PET1 and PP type plastics and are not currently sorted at Hollingdean MRF. We are working on plans to introduce these materials in 2025, as well as food & drink cartons and aluminium foil.

### 4 Councillor Hogan

When will the Council allow a resident to donate the cost of a bench or a replacement one in a park, cemetery, seafront or street?

#### **Reply from Councillor Robins, Cabinet Member for Sports & Recreation:**

I recognise that in some areas the addition of donated benches would greatly benefit our public spaces so am keen to get this up and running again. We are currently appointing a dedicated officer to look at a donations scheme across cityparks and the seafront. Part of that work will involve reinstating the donated benches scheme. We plan to reinstate the schemes next year.

### 5 Councillor Lyons

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When will the report be issued about parking in Nevill Ave, Nevill Rd & the surrounding area? It was promised in the autumn.

### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

Thank you for your further request to introduce a resident parking scheme in your ward. Following a number of meetings about this with residents and officers over recent months, I do appreciate the difficulties residents are facing and, therefore, we have added the Nevill area to our parking scheme priority timetable as a priority.

I have previously requested at Full Council that the results from the residents' survey undertaken by Councillor Lyons using Council letter headed paper is shared with officers rather than being only available to members of the Conservative Party. Residents may have completed this survey in good faith thinking this was for the Council rather than a councillor and his party. It is understood that the use of the data collected was not made in the survey and some residents may have considered this as Council-led consultation which it was not.

Nonetheless, I am very aware of increasing parking pressures in the Nevill / Orchards area of Hove, in part due to increased developments, pressure on city centre parking, overspill from light touch parking zones where residents chose not to have permits and commuters who park in this area to then catch trains and buses. This is why the Council is committed to respond well to residents' request for permitted parking in this area.

The Parking Scheme Priority timetable has been agreed and the Nevill Ave, Nevill Road and surrounding area consultation has been included as a priority. Officers are working hard to progress this, and the consultation will begin in Spring 2025.

The Parking Scheme Priority timetable aligns with the Parking Review actions and strategy we agreed earlier in the year and will allow us to take a fresh approach to the future of parking across the city to ensure parking is fairer and less complex for our residents, visitors, businesses and services.

### **6 Councillor Hogan**

Air quality readings within the first week of November in the city have been poor, with resident complaints as to increases in asthma. What plans has the council to deal with this?

### **Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:**

For many households in Brighton & Hove, early November is the beginning of the heating season where coal fires and log burning will increase pollutants and particles in the environment.

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We have recently launched a campaign aimed at raising awareness of the impact on public health from domestic burning, as well as instigating an enforcement pilot in the city's 5 Smoke Control Areas.

Also in early November, Guy Fawkes Night bonfires and fireworks contribute significantly to airborne particles over a number of days and will generate a substantial local spike in air quality readings.

The Council has recently launched a new system of continuous real time air quality sensors that are accessible to everyone and intended to promote community engagement and awareness of pollution. This will help local residents make informed choices and provide us with a far better dataset from which to plan future actions.

### 7 Councillor Lyons

When will residents in The Martlet be consulted about parking restrictions to reduce traffic at school times?

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

The Martlet is currently within the existing Zone O residents' parking scheme. If residents would like changes to existing parking restrictions, they can contact officers in the Parking Design & Implementation team outlining the change they would like to suggest and the reason for this.

Officers can then look to investigate any changes that may resolve the situation in liaison with residents. Where there is enforcement issue, we can work with our enforcement contractors to ensure this area is patrolled more frequently at school times.

We are keen also for parents and carers to consider how children travel to and from school and reduce the numbers of vehicles at the school gate. Active travel and car share options can reduce vehicle numbers and make it safer for the school community. We also encourage drivers to park considerately in relation to the local community.

### 8 Councillor Lyons

Residents in Eldred Avenue are asking when they will receive a response following the deputation in July as to a soft touch parking scheme/restricted access at the southern end of the road.

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

Thank you, Councillor Lyons, for your further request to introduce a resident parking scheme within Eldred Avenue and the surrounding roads. I do

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appreciate the difficulties a number of residents are facing and would like to be consulted to join the existing Controlled Parking Zone in the area. Therefore, we have added this area of your ward to our parking scheme priority timetable.

We would not implement new or changes to parking restrictions without first undertaking formal consultation. Further to the deputation to Council in July, should you hold any survey data from residents or outcomes from surveys you have undertaken that demonstrate the scale of support of implementing new restrictions in Eldred Avenue that you could share with Council officers, this would be very helpful.

Our early priorities within this timetable will focus on consultations within the Hollingdean and Nevill area where there is significant high demand for parking causing issues to residents. The timetable will be reviewed once these consultations have taken place to ensure the Eldred Avenue and surrounding area is prioritised to follow.

As outlined previously, the Parking Scheme Priority timetable aligns with the Parking Review actions and strategy we agreed earlier in the year and will allow us to take a different approach to the future of parking to ensure parking is fairer and less complex for our residents, services, businesses and services.

### **9 Councillor Theobald**

How will local councillors be kept informed of progress into finding suitable sites for park & ride? What is the envisaged timescale for consultation and implementation?

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

Thank you for your question, Councillor Theobald. After some 2 decades of not establishing a Park and Ride for the city, may I thank you for your keen interest in and support for our plans to deliver Park and Ride for Brighton and Hove. A report on Park & Ride will be presented to the Council Cabinet meeting early in 2025.

### **10 Councillor McNair**

Residents are concerned about the speed of traffic in Braybon Avenue and Carden Avenue, and how difficult it is to cross the road, especially by the Sainsbury's on Carden Avenue and at the bottom of Ladies Mile Road/Mackie Avenue. Can the council examine traffic calming measures at these hotspots?

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

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Thank you, Councillor McNair, for bringing your concerns about road safety on Braybon Avenue and Carden Avenue to our attention. We understand your concerns regarding the speed of traffic and pedestrians being able to safely cross the road. I'm pleased to report Braybon Avenue / Carden Avenue junction is already on the list of sites to be assessed in the 2024-25 financial year. Ladies Mile Road junction with Mackie Avenue can also be considered.

We will carry out a preliminary assessment according to the Safer, Better Streets framework and, should the location pass this assessment, we will proceed to a full assessment. From there the team will create a priority list of highly scoring locations and then allocate our resources to as many locations as possible for design and improvement.

When a location makes it to the priority list and is selected for improvements, our Highways Engineers will design the improvements to be the safest and most suitable for the location.

Sainsbury's in Carden Avenue has previously been considered and suitable infrastructure is already in place, new warning signage has been requested to highlight the presence of the zebra crossing facility to drivers.

Please find more details about the [Safer, Better Streets Programme](#) on the Council's website.

### 11 Councillor Meadows

Can we have an update on the restoration of the cricket pavilion at Patcham Place? Will it be repaired in time for the cricket season in 2025?

#### **Reply from Councillor Robins, Cabinet Member for Sports & Recreation:**

There are no plans to refurbish the pavilion at this stage. It has been vandalised repeatedly over a number of years. This administration have inherited sports pavilions that are in an awful state after years of neglect. We are embarking on an ambitious plan working with sports governing bodies to improve our parks pavilions and move them to a financially sustainable future through self- management by sports club.

### 12 Councillor Meadows

Can we have any update on progress in improving flood defences in Warmdene Road, Winfield Avenue, Old London Road, Carden Avenue and Surrenden Close?

#### **Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:**

Thank you, Councillor Meadows, for your question. Over the past 4 years the council has installed over £250,000 of surface water management infrastructure in the Carden Avenue, and Warmdene Road area. This includes

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two major Sustainable Urban Drainage Systems or SuDS schemes and a number of property level resilience activities.

Under the current round of property level resilience, the concerned resident in Winfield Avenue has been assessed for flood Property Level Resilience measures.

The council has been working with Southern Water to look at the flooding around the Winfield Avenue area.

There have not been any received reports of flooding in Surrenden Close and so are unable to comment on this at this time, [Get advice on flooding](#) is a page on the council's web site with more information. The ground water flooding in Old London Road is managed by the property level resilience installed in 2016. If there are other issues of flooding the flood risk management team are not aware of this.

It would be very helpful if you, Councillor Meadows, would kindly pass on the reports of flooding to the Flood Risk Management Team to inform their assessment of risk.

### 13 Councillor Meadows

Are all grit bins across Patcham & Hollingbury ready for winter? Could the grit bin at the junction on Ridgeside Avenue and Overhill Drive be replaced?

#### **Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:**

Thank you, Councillor Meadows, for your question. This year, Brighton & Hove City Council are winter prepared with three new gritters ready to roll out when road temperatures drop.

The hybrid vehicles are directed around the route using a state-of-the-art mapping system; they spread grit automatically, depending on the need and width of the roads.

The council has got 350 tonnes of grit, with 1,000 tonnes more on standby. For context, last winter, around 250 tonnes were used on the roads.

Gritting teams, who are on call 24 hours a day from November to April, can treat 156 miles of roads across Brighton & Hove, prioritising key routes, including bus routes and roads that lead to places like hospitals and the city centre.

The grit bin on this junction was reset recently when it had been overturned. Where a grit bin is damaged but still serviceable, it will be kept. However, if a grit bin is damaged beyond repair it will be replaced. Please do report any damaged or overturned grit bins to the Council team and we will respond promptly once we are made aware. Having grit available in strategic locations

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in local communities is an important safety measure during cold icy conditions.

### 14 Councillor Theobald

The pavement between 88 and 94 Overhill Drive has loose and dangerous slabs which could cause serious falls. What are the plans to relay the paving at this location?

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

Thank you, Councillor Theobald, for raising this matter. The area inspector will visit the site within 10 days of a report. If the inspector identifies an investigation level defect, then the slabs will be reset/ replaced. Defects such as this need to be reported via the website so that they can be assigned to an inspector in good time. We review the condition of roads and pavements routinely and prioritise planned works within the resources available. Where a defect is deemed hazardous or dangerous, action will be taken. Please feel free to raise such matters with the Council team directly rather than necessarily via Full Council. Officers are ready to respond and where a hazard is brought to your attention, a swifter response to make safe can be made.

### 15 Councillor McNair

There is a very large Elm tree in the Peace Gardens which is either due to be removed or has been. Are there plans to replace it? Can residents have a say in the tree replacement? How?

#### **Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:**

There is indeed a large elm due to come down at the Peace Garden. Of course we would like to replace it, but a source of funding has not yet been identified. However, the tree planting officer is optimistic that we will find the funds to replace it, and we would of course welcome views from residents.

### 16 Councillor McNair

The lights behind flats 38-48 in Bramble Way are extremely dim making walking there after dark extremely difficult. When are the lights going to be fixed?

#### **Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes:**

Our Housing electrical team attended to inspect on 27/11/24 and they have an appointment on Monday 16 December to carry out the work to the lights behind 38-48 Bramble Way.



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### 17 Councillor Theobald

Residents in Patcham & Hollingbury have been requesting the bus stop before Churchill Square in Western Road be reinstated, as the distance between the two existing stops is significant. Could the council and Brighton & Hove Buses discuss this?

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

Thank you for your question, Councillor Theobald. The bus stops were removed last year as part of the Western Road plans approved under the previous administration following public consultation. This was decided in partnership with bus operators because the stops were relatively closely spaced. This was designed to improve the flow of buses through the area. The new road layout would make it possible to reinstate the previous westbound bus stop at Castle Street, but this would be a decision for operators and the main bus operator has so far decided against this. The Western Road improvement scheme is now complete making significant and much called for improvements along Western Road between Montpellier Road and Churchill Square including new bus stops, seating, street trees, safer crossings, wider pavements and improved bus journey times. We are currently inviting feedback on the project. The survey is open until the end of January, we welcome feedback, and I would encourage residents to respond to this.

### 18 Councillor McNair

Residents are obviously concerned about the impact of the insolvency of the i360 on the city's finances. What practical effects will the insolvency have on the council's finances? What is the council doing to find alternative provision? What is the likelihood of finding an alternative owner? How much longer will the i360 continue as an attraction?

#### **Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:**

The amount outstanding under the financing arrangement with the i360 Company is £51 million. However, this includes a commercial mark-up, accrued interest, and a £4 million Coast to Capital Local Enterprise Partnership loan (i.e. a government-backed loan). The underlying loan debt that the council will need to manage and repay is approximately £32 million. The council has had in place an approved Minimum Revenue Provision (MRP) policy to pay this off at a rate of £2.2 million per annum until 2041.

However, due to the poor performance of the i360, the council made provision for £1.2 million of the MRP payment within its revenue budget in 2024/25 to partially cover non-payment in the expectation that the i360's revised business model would recoup this sum in future years. That is clearly not

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going to happen. The council is likely therefore to need to make further provision of £1 million per annum to fully service the MRP payment, subject to the outcome of the company administration process i.e. whether or not any sale proceeds are received to reduce the debt. The additional impact on the council's budget of this latest turn of events is therefore £1 million per annum. It is interesting that the Conservative member does not understand that, despite the Green and Conservative Groups voting to provide the i360 with a loan in 2014, they were agreeing to provide a loan to a private company over which the council has no jurisdiction. They were agreeing for council to effectively act as a bank.

We are now in a legal company administration process. Although, like a bank, the council has some rights as a secured creditor, such as veto over sale to another operator, it is for the Administrator, appointed by i360, to achieve the best possible outcome for all creditors. The Administrator is statutorily required to consider all available options.

Assuming the Administrator achieves a sale of the business, the future of the i360 will be for a new operator to determine as they will own the business and its assets. While I wish to see any operator succeed for the sake of continuing to provide employment and an attraction for the city, I am clearly not in any position to give any guarantees over its future.

### 19 Councillor Bagaeen

Addressing residents' urgent concern about a rogue builder and freeholder

I am grateful to the Leader and her team that the council arranged and conducted a formal inspection under Housing Health and Safety Rating System to Nevill Court in Hove. Following this inspection a Statutory Improvement Notice was issued to the builder/freeholder detailing the works required and the deadline to complete them.

Officers have said that they are obliged to provide the freeholder time to complete these and to consider any reasonable representation the freeholder may make. Officers have also said that the freeholder has the right to appeal this notice within 21 days of the notice being served.

Can you please assure the tenants/leaseholders that the Council is also looking out for them and doing everything it can to support them while they are living in flooded, cold and mouldy homes?

### **Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes:**

The council takes the ongoing repairs issue in Nevill Court seriously. As indicated, our Private Sector Housing Team have served an enforcement notice. However, there are specific legal procedures that must be followed to ensure that enforcement is carried out correctly. Our main objective in this

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case is, and always has been, to resolve the issues of water ingress as soon as possible.

Our case officer has been maintaining contact with affected tenants and leaseholders and we have provided support to tenants/occupiers by referring them to our Housing Advice Service to review options for temporary accommodation for those worse affected. Where leaseholders have asked for legal advice, we have also advised that they contact LEASE (<http://www.lease-advice.org/which>) is a government funded independent advice agency for residential leaseholders.

### 20 Councillor Bagaeen

MODA/BHCC s106 Agreement

In correspondence from March 2024 from Legal Services (Council ref. 105829/Sackville), officers wrote that as of the [then] last financial year, the Council's Local Employment Service had spent £4,715 of the total sum received (£233,560) for the Residential Local Employment Contribution as contained in the MODA/BHCC S106 Agreement dated 5 August 2020. Under Schedule 11 of this s106 Agreement, in paragraph 4, the Council has committed: "... to directly support the delivery of the Local Employment Scheme with direct provision of construction training job opportunities to be provided on-site during the construction phase(s) in relation to the Proposed Development and provide specialist and/or bespoke support that local residents may need or would benefit from whether unemployed, under-employed, or with little or no skills."

Can you please outline how the Council has spent this skills funding and who the providers/beneficiaries were?

#### **Reply from Councillor Sankey, Leader of the Council & Cabinet Chair:**

A total of £9715.00 has been spent from the developer contribution associated with the Sackville Trading Estate Development. This sum (4% of the overall sum paid) contributes to the administrative costs off managing the Local Employment Scheme for Construction, which includes development, implementation and monitoring of the employment and training strategy which is a requirement of the Section 106 agreement. Where sums remain uncommitted beyond the completion of the construction phase due to a lack of suitable opportunities on the site, they are then used to support wider construction skills development and training opportunities for residents and businesses in the city.

### 21 Councillor Bagaeen

MODA CLG Projects

Community groups and sports clubs, residents, the Hove Civic Society, schools, and the Friends of Hove Park have for months been promised by the

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Council a S106 workshop to address the unresolved issue of the previously agreed MODA Hove Community Liaison Group s106 project allocation. The Council has failed thus far to hold this workshop and these groups have only faced obfuscation from the council.

Can you please identify what steps and actions are being taken bring this workshop forward as a matter of urgency so that community volunteers can responsibly continue to manage important community infrastructure?

### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

Thank you, Councillor Bagaeen, for your question. The Community Liaison Group hosted by MODA was disbanded in July 2024. In response to coordinate the Council's S106 allocation, a workshop with community groups and representatives was proposed and agreed. In response, a series of dates for the workshop in November were proposed but none proved convenient. The council is keen to ensure that all of the groups representing projects seeking funding are able to participate. Fair allocation to meet the needs of the local communities is important and we are committed to facilitating this. A new set of dates has been proposed in early January which will hopefully prove to be more successful.

### **22 Councillor Bagaeen**

Parking woes on Nevill Road, Nevill Avenue and Cranmer Avenue

Thank you for your efforts and unwavering support in addressing ongoing parking issues on Nevill Road, Nevill Avenue and Cranmer Avenue.

When we agreed in the Autumn 2023 ETS Committee, which you and I sat on, to look at an integrated solution rather than a piecemeal intervention for these three roads, we were advised to wait for the council's parking review.

Can you please detail all of the actions taken by officers relating to addressing severe and ongoing parking issues across these three roads and what solutions have been identified for all three?

### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

Thank you, Councillor Bagaeen, for your question and request to introduce a resident parking scheme in the Nevil area of Hove. Following a number of meetings about this with residents and officers over recent months, I do appreciate the difficulties residents are facing and, therefore, we have added the Nevill area to our parking scheme priority timetable as a priority.

I am very aware of increasing parking pressures in the Nevill / Orchards area of Hove, in part due to increased developments, pressure on city centre parking, overspill from light touch parking zones where residents chose not to

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have permits and commuters who park in this area to then catch trains and buses. This is why the Council is committed to respond well to residents' request for permitted parking in this area.

The Parking Scheme Priority timetable has now been agreed and the Nevill Avenue, Nevill Road, Cranmer Avenue, Court Farm Road and surrounding area consultation has been included as a priority. Officers are working hard to progress this, and the consultation will begin in Spring 2025.

The Parking Scheme Priority timetable aligns with the Parking Review actions and strategy we agreed earlier in the year and will allow us to take a fresh approach to the future of parking across the city to ensure parking is fairer and less complex for our residents, visitors, businesses and services.

### 23 Councillor Shanks

The area near Sainsburys on New England Road has no street lighting currently, can this be looked into? It's very dark and is difficult to see the steps.

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

This area does not fall under the Highway Street lighting asset. This query has been referred to Hyde Housing who are responsible for this area. They can be contacted via <https://www.hyde-housing.co.uk/tenants/repairs-and-maintenance/report-a-repair/> or on 0800 3 282 282 between 8am – 5pm, Monday to Friday.

### 24 Councillor Shanks

The lift from the back of the station managed by Hyde housing has had many operational problems. It is often out of order but provides a vital means of access to and from the station for local residents. Will the council intervene to ensure it is made permanently operational?

#### **Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes:**

The provision and continued operation of the lift was secured through a S106 agreement in December 2011 linked to one of the development sites in the New England Quarter. It forms part of the station link improvement, which was deliberately designated as unadopted highway in private ownership so as not to cause a further burden on the council's highways budgets.

As a single lift, it is unreasonable to expect that it will be permanently in service 24/7 365 days per year. It's owner (Hyde Housing) will need to make it unavailable for statutory maintenance, repairs and breakdowns. During periods of unavailability, there are alternative accessible routes in the area, although they do require a significant detour.

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The council last engaged with Hyde in relation to problems with the lift in October 2020. If Councillor Shanks can provide the Director of Place with more information on recent problems, he will arrange to engage with them again to ensure that they are complying with their ongoing responsibilities under the S106 agreement.

### 25 Councillor Shanks

My ward of West Hill and North Laine has a large amount of CIL money and none has yet been allocated for the vital community use that is needed. The S106 money allocated for London Road/Providence Place has also not commenced. Can we please have an update?

#### **Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:**

There is currently circa £51k that has been received from planning permissions taken forward within your ward secured through the Community Infrastructure Levy. The Administration will be consulting with residents and local members in deciding how that money should be targeted on local priorities in your ward early in 2025.

S106 monies of circa £1m have been received to develop the New England Quarter and circa £165k has been spent developing a concept plan of proposals. A consultation on the plan will be undertaken in early 2025, including options for an initial phase of works as there is insufficient funding to deliver the entire plan. Once the consultation has been undertaken, it is anticipated that the first phase will move to the construction procurement stage in Autumn 2025.

### 26 Councillor Shanks

What will the council do to support Magpie to stop them finishing the service?

#### **Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:**

I have been in touch with Magpie since the news came that they were to stop their recycling collections. As a customer myself, I am very concerned at the loss of their service. Magpie have not contacted us requesting any support, but I have written to them and am meeting with them this week to see if there is anything we can do.

### 27 Councillor Davis

Will the Council work to keep the TRO on Balfour Road School Streets?

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

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Thank you, Councillor Davies, for your question. The Experimental Traffic Order which supports the Balfour Road School Streets restriction is coming to an end. Officers have collated consultation data who met with myself, ward councillors (including yourself) and the next stages will be considered. At the officer led briefing with myself and ward councillors on 11<sup>th</sup> October 2024, it was agreed that Preston Park Ward councillors were to approach to the school community to determine whether volunteers could be found to keep this scheme operational. We know from experience in 2023/24 school year that this scheme has been a success. However, it is concerning and disappointing that many drivers have ignored the restrictions choosing to take their cars to the school gate rather than follow the signs and allow them and others to walk, cycle or scoot close to the school gate at the start and end of the school day putting at greater risk their children and others in school community.

The schools are committed to staffing one of the roads. Nonetheless, it is recognised that for this school streets scheme to be sustainable, volunteers are needed. It was agreed that if ward councillors were unable to help facilitate a volunteer base, the scheme in its present form may have to cease or be put on hold until additional powers of enforcement can be found.

### 28 Councillor Hill

Residents on Springfield Road have expressed concerns regarding parking as the street is filled with parked cars often. How is the council looking to alleviate this problem, particularly in regards to new developments in the Zone J parking zone?

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

Thank you, Councillor Hill, for your question. Having met you with residents in Springfield Road concerning street tress earlier this year, I'm sorry to hear of the concerns from residents regarding parking in Springfield Road. A lot of work was undertaken by officers previously which included a review of parking in Zone J in 2021. Residents indicated they were in general happy with how the scheme was then operating so no major changes were proposed based on these responses from residents and business.

If following additional parking pressures in the area, residents would like to see changes to existing parking restrictions or questions regarding new developments then residents and ward councillors can contact officers in the Parking Design & Implementation team outlining the change they would like to suggest and the reason for this. Officers can then look to investigate any changes that may resolve the situation in liaison with residents. Where there are enforcement issues then we can work with our enforcement contractors to ensure this area is patrolled more frequently at school times.

### 29 Councillor Hill

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Sylvan Hall Residents Association has not been consulted as part of the Section 20 notice for Sylvan Hall. I have been sent information by association members that suggests that it should be given formal notice and a right to choose the contractors for the major works. Does the council accept this position?

### **Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes:**

Improving the quality of our council homes is one of our key priorities. We are proposing extensive external works at Sylvan Hall including replacement of roof covering; undertaking concrete and masonry repairs; cavity wall and loft insulation; replacement of windows and balcony doors; repair of main entrance doors and rear doors to the building.

We are at the informal stage of consultation which is on plans for our proposed works ahead of formal tendering of works and the appointment of a principal contractor.

We are not at the stage of formal consultation with leaseholders, where Section 20 notices of proposed works are issued. When formal consultation commences, the selection of contractors for major works schemes will follow a legally compliant process. We are happy to engage with residents over how best to enable their input into procurement of a contractor for these works.

### **30 Councillor Hill**

At last Cabinet meeting, Cllr Taylor rejected the Green Party's suggestions to consider additional measures regarding the proposed catchment policy to give preference in catchments children who do not have an EHCP but are in the process of acquiring one by having to take the council to tribunal. Does Cllr Taylor recognise that the new catchment proposals mean many more children who should really be entitled to an EHCP and have special educational needs will have to travel long distances to school under this proposal? Many of whom struggle with burnout when in education anyway and that is made worse with a long journey to school. Does he not appreciate that a pre-existing problem of the Council denying EHCPs to SEND children will be exacerbated by this? This can be true even whilst the policy has benefits in other areas.

### **Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:**

We recognise the breadth of need there is in the city and where children need an Education, Health and Care Plans there are processes in place to assess and deliver on that.

'Catchment areas' do not influence eligibility for EHC needs assessments or EHC plans. The statutory criteria for these assessments are based on the



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individual needs of children, not the schools they attend. The Council regularly conducts a significant number of EHC needs assessments and issues a high volume of EHC plans compared to other Local Authorities, demonstrating that the Council does not deny EHC plans to SEND children. In fact, over the past five years, there has been a 48% increase in the number of EHC plans issued in the city. Additionally, the Council performs well in terms of timeliness, with assessments being completed 28.5% faster than the national average.

### 31 Councillor Hill

In the last 5 years the Brighton & Hove only won 7 out of the 64 cases that actually went as far as a SEND Tribunal. Is it not time that the Council looks at changing how it approaches applications for an EHCP to stop so many families being dragged into expensive legal processes?

#### **Reply from Councillor Daniel, Cabinet Member for Children, Families, Youth Services & for Ending Violence Against Women & Girls:**

As a council we will seek to avoid a situation where we are in any sort of formal disagreement with parent-carers around the best solution for education and support for SEND children. We are improving our Alternative Provision and support for schools around the best ways to accommodate and provide appropriate support for SEND children within mainstream settings and a detailed paper on the tiers of support around SEMH options came to cabinet last summer. We will always seek feedback on improvements to our processes. The numbers of tribunal findings against the council have decreased further in the last two years in contrast to the national picture. We always aim to resolve cases where possible so that only essential cases reach the tribunal and that is what I will continue to work with our new Director on. Over the last five years 169 cases have gone through mediation rather than a tribunal and of those 80% have been resolved in that process avoiding an escalation to a tribunal. This is a much more effective way to work with families and children and I thank the SEN team for their progress on this approach and will ask our Director to keep me updated on these figures annually as a minimum with the expectation that we increase the proportion resolved in this far more constructive way.

We have been particularly successful in resolving SEND disputes through mediation, where most cases do not escalate to formal appeals. This reflects the effectiveness of early intervention and dispute resolution processes, which offer families and us an alternative to formal tribunal proceedings. By continuing to invest in mediation and offering proactive support to families, Brighton and Hove can maintain lower numbers of tribunal cases and foster more positive outcomes for children and young people with SEND. The council does not proceed to a tribunal hearing unless necessary, however, there are cases that must go through the legal process particularly cases where parents are appealing for very high-cost independent school provision which represents an inefficient use of public funds and council funds.

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Having said all of that it is important to set the statistics you cite in a benchmarking context for transparency. In comparison to national statistics we are performing slightly better than average as nationally, 98% of tribunal cases are determined in favour of the appellant, leaving councils with a success rate of just 2%. This highlights the challenges faced in defending decisions relating to SEND provisions. In contrast to the national trend, Brighton and Hove has managed to secure a higher success rate in SEND tribunal appeals. Over the last 5 years the council's success rate is 11%, which is above the national average.

As set out above, whatever the outcome at a tribunal, it is costly for us as authority and for families in terms of both time and emotion and I will instead focus my leadership attention on increasing our resolutions through alternative processes because that's better for a collaborative working relationship between our teams and the families and ultimately, I believe, that's what is better for the child and their outcomes.

### 32 Councillor Hill

I have been told by constituents that the stress of SEND Tribunals has been compounded by the catchment proposal. Will the council make a particular effort to listen to families in this situation as part of the consultation process? They feel their voices are not being listened to.

#### **Reply from Councillor Daniel, Cabinet Member for Children, Families, Youth Services & for Ending Violence Against Women & Girls:**

Catchment area doesn't link to parental preference for a school for a child or young person who has an EHC plan. The L.A always approaches SEND tribunals by listening to the views of parents and carers.

It is important that the council hears from a wide range of parents/carers in the city during this current consultation process. Targeted approaches are being made to ensure the families of children with SEND are heard and that their lived experiences can influence Council decision making. I am making appointments with parents who have raised this issue for January and working with officers to ensure that their concerns are addressed in whatever final proposal arises from the consultation.

### 33 Councillor Hill

Regarding the sibling link, can the council reassure families in Round Hill who have written to me worried that they will be more likely to have to send their children to different secondary schools due to the catchment proposals?

#### **Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:**

There are no catchment area changes proposed in the RoundHill area of the city. Even in areas where there are proposed boundary changes, the council

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will honour the sibling link for those families if the older child is still on roll at the school when the younger one starts in year 7.

### 34 Councillor Hill

The Council have promised in writing to me that to help mitigate flooding risk on Park Crescent writing to me that 'We are going to install a kerb along the centre of the road. This meets the desires of the residents, it returns to a solution which was in place 7 years ago. As this is only a kerb, this shouldn't affect the operators'. When will the kerb be put in place?

#### **Reply from Councillor Muten, Cabinet Member for Transport, Parking & Public Realm:**

Thank you, Councillor Hill, for your question. We are committed to resolving the flooding issues including finding effective flood risk mitigation measures for Park Crescent. When this communication was originally offered up to you, Cllr Hill, this was based on a concept design. Unfortunately, further investigations have determined it is not possible to construct this solution due to buried services and signalling loops which have been installed.

Other options are being investigated to move the water away from Park Crescent. We are working in partnership with Southern Water who, subject to their business plan determination by Ofwat, have indicated a substantial commitment to improving drainage and mitigating flood risk in our city over the next 5 years. As a Council, we will be working closely with Southern Water to ensure that they follow through with their commitments and communities in our city see the improvements that are needed.

### 35 Councillor Hill

Will additional street cleaning be considered to accompany the introduction of a food waste collection in the city next year? In my experience of living in Cardiff, I found that food waste bins there tended to cause a lot of mess in student areas. This led to rats and seagulls in the streets. While secure caddies do help, they don't always get used correctly and mess is inevitable with a new system like this.

#### **Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:**

Thank you for your question. We are mindful of the operational challenges of the new food waste service and developing plans accordingly, to mitigate against some of the risks associated with waste spillage. The food waste vehicles will be fitted with jet washing units and other equipment to deal with any issues as they present. We will also ensure communal bins receive routine cleaning and maintenance.

We will be introducing the new service in stages so that we can learn from any issues that arise as we go.

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### 36 Councillor West

At a public meeting held on 23 June 2005, residents were assured by experts that the Waste Transfer Station and Materials Recovery Facility to be built at Hollingdean, would be “a modern facility, designed in such a way that odour releases are thoroughly trapped and filtered... and it was guaranteed that “you won’t see odours or anything else which would offend you”. This is taken from a transcript of a recording made at the meeting (which is still available). Far from being a state-of-the-art facility fit and able to contain odorous organic waste, this facility, agreed to by the Labour administration, has from day one blighted residents' lives with the stench of waste; forcing them to keep windows shut and unable to enjoy their gardens in summer. Does the Council recognise this is an unacceptable state of affairs?

#### **Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:**

Thank you for your question. Hollingdean Material Recovery Facility (MRF) operated by Veolia, plays a crucial role in managing waste and recycling for the city. It operates in full compliance with the site’s planning consent and environmental permit, which includes an odour management plan.

The facility is regularly inspected by the Environment Agency and local council officers.

Veolia has made several enhancements to ensure the site operates in accordance with industry best practices. Recently, they replaced the hall doors with a model that opens and closes much faster than the previous ones. Additionally, extra odour suppression units equipped with carbon filters have been installed to help extract dust and odours from the air. These improvements complement existing measures, including priority haulage to minimise waste levels, deep cleaning of the building twice a year, proactive replacement of worn panels, and annual odour management training for site staff.

If local residents notice any unpleasant odours in the air, we encourage them to contact Veolia immediately at 01273 511310. The site manager will survey the site and surrounding area to identify and address the source of the issue. Please also encourage residents to contact me so that I can monitor the issue.

### 37 Councillor West

Despite the best efforts of Veolia to ameliorate smells at the WTS, it has proved impossible to find a technical solution to the smell. In 2014 the Environment Agency identified the problem as “the design of the building and the nature of the waste received. The primary source is the food waste contained within domestic refuse. The only possible way for the council to remove that is for the local council to instigate separate waste collections for

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food waste". So, with the advent of universal food waste collections, we have a once in a generation opportunity to resolve the 20 year problem created by the inability of the WTS to contain the odour of rotting food, by ensuring this is organic matter is taken directly and separately from door-step caddies to a different location away from homes. Where will that new food waste handling facility be located?

### **Reply from Councillor Rowkins, Cabinet Member for Net Zero & Environmental Services:**

The proposal for Hollingdean Waste Transfer Station (WTS) is to store food waste inside sealed containers when separate food waste collections commenced. These containers are effective at minimising the escape of odour. Veolia will ensure that the transfer station doors are closed when vehicles are tipping food waste into these containers. The containers will also be prioritised for onward haulage to the composting facility to minimise the amount of waste at the transfer station at any given time. Veolia has experience of handling food waste in this manner inside the transfer hall at Newhaven ERF, where food waste from Lewes District Council was tipped into similar types of containers. We are confident that a similar arrangement will work well at Hollingdean. As we will be rolling out food waste in stages, we will be able to identify any issues as we go and address them accordingly.

### **38 Councillor West**

I understand that the i360 may be closing for maintenance in January. Given the attraction is in administration, has the council sought assurance that it will reopen again? If no one else will take it on, it is surely vital the council keep it going to avoid the significant costs of mothballing or demolition. No one could have predicted the changes to the way people live their lives that covid brought, the impact this would have on visitor attractions, and all manner of public gatherings. From the outset Labour have talked the attraction down, encouraging public derision, which has impacted visitor numbers, and will now be discouraging potential buyers. If no buyer is found, and the council is left to operate the attraction, will Labour finally find the good sense to start talking the i360 up?

### **Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:**

The i360 has filed for administration, and if a buyer cannot be found will be entering administration. if that happen, all decisions about opening and operation will be taken by the administrator. The administrator has a duty to represent the council's needs as the major creditor to the i360, but they also have to ensure the i360 trades solvently without requiring further injections of public cash.

I have been meeting almost daily with the administrators and potential buyers and I have been making clear that despite the mistakes of the past this

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administration is supportive of the i360 and want it to continue as a going concern that contributes to the vibrancy of the seafront.

Comments from politicians have not shifted the dial on the number of visitors coming to the i360, so the problem has been the assumptions about visitor numbers in the original business case being wholly unsustainable.

### 39 Councillor West

The Cabinet has decided to increase verge mowing in the quest for a 'neat and tidy' appearance. For the past 10 years or more City Parks have been operating a single annual autumn cut on many broad verges, for example those alongside Carden Hill and the south side of Surrenden Avenue along to Ditchling Road. This low mow approach has been of great benefit to biodiversity as native species have re-colonised these areas, and the approach has been well respected and understood by the public. These areas are not currently included in the Wilder Verges scheme which are protected from frequent mowing. Will they be added to the scheme or face being trashed by the Councils mowers?

#### **Reply from Councillor Robins, Cabinet Member for Sports & Recreation:**

We would like to expand the number of verges covered in the Wilder Verges scheme. We will be looking for verges where there is both public support and good biodiversity potential. I can officers to consider these two verges from a biodiversity point of view and ask ward Cllrs about local support.

### 40 Councillor McLeay

It has been reported that over the past year, the Combatting Drugs Partnership has closed down 38 county lines, which led to 99 arrests and over 8,000 drug seizures and added 80 young people to prevention programmes. These are impressive numbers. However, residents communicate that drug related ASB is more prevalent than ever. If drug dealing and drug misuse continue to take place on the doorsteps of residents, and residents are told by officers and police that "a lack of resource" prevents them from taking further action to resolve the situation - what would the administration recommend residents do next? What more can be done to "reduce harm caused by drugs and alcohol for everyone who lives in, works in, or visits Brighton & Hove" if there is a lack of resource?

#### **Reply from Councillor Burden, Cabinet Member for Adult Social Care, Public Health & Service Transformation:**

The Combatting Drugs Partnership is a multiagency partnership including representation from Police, probation, local authority public health, housing, community safety and children and young people teams, drug and alcohol treatment and recovery services, and people with lived experience. Members also sit on this Board. It is the police activity that has delivered on the breaking the County Drugs Lines and arrests. The draft Drug and Alcohol

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Strategy, which is currently out for consultation, builds on the work over the past 2 years of the Combatting Drugs Partnership and focuses on three work streams: to reduce the supply of drugs into the city; improve the treatment capacity and quality of the service, and to reduce the demand for drugs by addressing the risk factors (poor mental health, trauma etc) and to challenge the normalisation of the drugs culture in the city. The programme of work is enhanced by additional national funding streams, one of which has just been secured for 25/26. These come with certain conditions for evidenced based interventions, but does mean that some services will have a protected resource. Members and Officers and other partners, including the police are working with residents to continue to work to reduce the harms of ASB. This includes recent meetings in the council chamber that residents attended along with partners for a coordinated listening exercise specifically around ASB in the Regency, Brunswick and Adelaide Wards. Actions have been noted for members of the board and other partners to take forward to mitigate the impact of ASB on residents and our services. Many of those actions are applicable city wide and will be advanced over the next few months.

### 41 Councillor McLeay

I have been advised by officers that the Council will only consider a gating PSPO measure if there is “evidence of serious violence, including violence against women and girls (VAWG)”. With a rape reported on Zion Gardens back in July of this year (2024) – why are the council still refusing to issue a gating PSPO to the Air Street end of the alleyway [Zion Gardens]? How many more people need to get hurt before this measure will be implemented?

#### **Reply from Councillor Daniel, Cabinet Member for Children, Families, Youth Services & for Ending Violence Against Women & Girls:**

Given the incident raised alongside the other concerns from the councillor, officers reviewed the situation to look at a gating order but unfortunately, they consider that this is not a viable solution for the following reasons:

*It's a public highway with right of way. All residents on and backing onto Zion Gardens would need access (potentially hundreds of people), there's a private driveway to an underground car park and an office block on Queens Square that has a fire exit on Zion Gardens.*

Instead, Community Safety and Neighbourhood Policing have reviewed Zion Gardens with regards to complaints and the incidents raised and are undertaking the following actions:

1. The police are working alongside our drug outreach partners to address drug users and using evidence to identify suspects where necessary.
2. City Clean are also visiting 3 times a week. There has been a multi-agency response to this matter.
3. The local PCSO is managing the problem profile and has regular contact with those affected.

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We would ask that both you and residents continue to report any concerns and incidents to the police to ensure the appropriate resources can be targeted. They would then discuss at the Joint Action Group (JAG) where consideration can be given to looking at police actions and deploying resources accordingly.

Their current focus is on identifying suspects and sending a clear message, whilst reinforcing this with civil powers such as CPW's and CPNs with the council's support.

### **42 Councillor McLeay**

We have heard that the council is committed to transparency to accountability. I have been made aware by Brighton Pavilion's MP, that despite Caroline Lucas requesting over 18 months ago that fire risk assessments (FRAs) be made available to tenants online, they are still not accessible online. Residents in my ward have been reaching out to their MP for help. Can we get a commitment that fire risk assessments, in particular for high-rise and medium-rise buildings, will be published online and made accessible to residents before the end of January 2025?

#### **Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes:**

Our priority is to ensure the health & safety of our residents and those who visit and work on our homes.

In order to ensure ongoing compliance and that we have a full set of up to date risk assessments for all our properties, we have commissioned a contractor to undertake a full new set of fire risk assessments on our high risk and lower risk buildings takes time and this work is nearing completion.

We plan to publish the risk assessments for the Large Panel System Blocks on the council website by 17<sup>th</sup> January 2025. The publication of FRAs for other high-rise blocks and medium rise blocks will not be complete before the end of January but the timetable for publishing those FRAs will be known and shared with residents and ward councillors.

### **43 Councillor McLeay**

In 2019, planning committee granted permission for the development of Longley Industrial Estate. At that time the s106 amount committed was in the region of £1.3M. In 2022 a project manager was appointed to support with the disbursement of these funds in the local area. The local community (residents and businesses on Elder Place, Providence Place, London Road and New England Street) have not seen the disbursement of any of these funds - they are understandably getting anxious over the number of years that have passed and how much of the fund will remain for projects they have communicated are needed. Can we get an update as to how much of the s106 funding from this development remains in the pot? Can we also get a



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confirmed date for when we will see plans and proposals for the disbursement of this s106 funding?

### **Reply from Councillor Taylor, Deputy Leader & Cabinet Member for Finance & City Regeneration:**

S106 contributions of £790,808 and £215,857 were secured for public realm and sustainable transport infrastructure improvements respectively. A contribution of half a million pounds towards the enhancement of outdoor/indoor sports, parks and gardens, children's play space, allotments, and semi-natural space was also made, but was allocated to other citywide projects and so does not form part of the project budget.

The monies must be spent within 7-years of the date of receipt. With 50% paid at commencement and 50% at completion, by December 2027 and June 2030.

Pre-project costs have been incurred, and a project budget of about £841k remains. Spend to date has been on surveys, searches, design fees, engagement activities, and staff costs. The sustainable transport contribution also funded the new Beryl Bike Hub on New England Road.

The project budget is insufficient to fund the Concept Plan in full, and implementation will be phased, with the first utilising the entire project budget.

Non-statutory public consultation on the Concept Plan is being planned for early 2025.

Following public consultation and finalisation of the Concept Plan, the project will progress to detailed design stage for Phase One, and it is hoped that capital works procurement and construction would commence by Autumn 2025.

### **44 Councillor McLeay**

I have received a number of messages from residents in the past year alerting me to used needles found discarded in public walkways - Brighton Greenway, Valley Gardens, Frederick Gardens, and Zion Gardens specifically.

Fortunately, these discarded sharps were found by adults who reported them for collection. In Sydney, Australia, the local authority introduced "council sharps bins" installed in community centres, libraries, parks and public toilets to encourage responsible discarding of sharps and for them to be managed separately from general waste. While I'm aware there are some community sharps bins located in parts of the city, what would be the administration's appetite to explore rolling this out more broadly, making them more visible in public areas across the city?

### **Reply from Councillor Burden, Cabinet Member for Adult Social Care, Public Health & Service Transformation:**

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We are working closely with residents and City Clean to try to address the drug litter problem, including discarded needles. City Clean have started to focus on high litter areas with a more frequent service and residents can report litter. In addition, we have started to pilot sharps bins in areas of the city with high drug litter, e.g. seafront toilets. We currently have 76 sharps boxes in 23 of our public toilet sites across the city. While this does seem to help in terms of reducing discarded needles, it can also act as a focus for drug activity. The public meetings mentioned in a previous response (Q40) also identified necessary work in this area. We are currently coordinating partnership working between City Clean and the drug and alcohol treatment service (Change Grow Live (CGL)) to evaluate the impact of the sharps bin pilots and to explore further the benefits and challenges of rolling out sharps bins more broadly.

### **45 Councillor Pickett**

In light of the high proportion of Armed Forces Veterans that end up homeless in Brighton & Hove, when will the council enable a Veterans Hub to be set up that will provide assistance to these people, who we know are hesitant to engage and admit if they have problems. A hub (as set up in other cities) would provide a contact point and help this particular and vulnerable group find a way off the streets.

### **Reply from Councillor Williams, Deputy Leader & Cabinet Member for Housing & New Homes:**

It is a tragedy that Armed Forces Veterans across the country face homelessness and that is why when making recent changes to our Housing Allocations Policy we have given veterans a greater priority for social housing.

Unfortunately, the reality is that we are in the midst of a national housing crisis and we are regularly faced with the difficult fact that there is more local demand for homes than there is housing.

Preventing homelessness is therefore our priority and we encourage all veterans experiencing homelessness to contact the council to get help as early as possible.