

**BRIGHTON & HOVE CITY COUNCIL**

**COUNCIL**

**4.30pm 27 JANUARY 2011**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Wells (Chairman), A Norman (Deputy Chairman), Alford, Allen, Barnett, Bennett, Brown, Carden, Caulfield, Cobb, Davey, Davis, Deane, 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, Peltzer Dunn, Phillips, Pidgeon, Randall, Rufus, Simpson, Simson, Smith, Steedman, C Theobald, G Theobald, Turton, Wakefield-Jarrett, Watkins, West, Wrighton and Young.

**PART ONE**

**59. DECLARATIONS OF INTEREST**

59.1 There were no declarations of interests in matters appearing on the agenda.

**60. MINUTES**

60.1 The minutes of the last ordinary meeting held on the 16<sup>th</sup> December 2010 were approved and signed by the Mayor as a correct record of the proceedings; subject to the following amendments:

- (i) the insertion of the word '**Deputy**' before Mayor at paragraph 45.8;
- (ii) paragraph 49.35 to read, "Councillor Fallon-Khan stated that he understood the petition's objective but felt that there was a need to consider the best use of the available funding to improve the area **and to take into account the importance of biodiversity issues for the area.**"
- (iii) the replacement of the word 'Duncan' by '**Mears**' at paragraph 51.5.

**61. MAYOR'S COMMUNICATIONS.**

61.1 The Mayor informed the Council of the recent death of former Councillor Bennett and drew Members attention to the fact that it was also Holocaust Memorial Day. He noted that former Councillor Bennett had been a hard-working and much respected member of

the community representing what was now Hove Park Ward. He stated that the council's thoughts were with Councillor Jayne Bennett and family members at this time.

- 61.2 The Mayor then held a minute's silence to honour the memory of a friend and colleague and all those who suffered as a result of the holocaust.
- 61.3 The Mayor then offered the Council's congratulations to the Council's Planning Team who had won two awards from the South East Branch of the Royal Town Planning Institute. He invited Mathew Thomas to accept the Climate Change award for the Biodiversity Supplementary Planning Document and Jo Thompson and Gill Thompson to accept the commendation awarded in the Master Planning category for the Brief for the former Royal Alexandria Children's Hospital.
- 61.4 The Mayor then stated that he was very pleased to present the Brighton & Hove Revenues & Benefits team with their Customer Service Excellence Award and invited Stephen Hird, Revenue & Benefits Manager to accept the award.
- 61.5 The Mayor then reminded Council of his Charities Spring Dinner taking place on the 18<sup>th</sup> February 2011.
- 61.6 Finally, the Mayor stated that he was aware that the Leader of the Council wished to make a statement and therefore called on Councillor Mears to address the meeting.
- 61.7 Councillor Mears thanked the Mayor and stated that she was delighted to inform Members that the Council had achieved 3 star standard for its Equalities Framework. She wished to place on record her thanks to Councillor Simson, the Equalities & Communities Team and all staff involved in achieving the standard.

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

- 62.1 The Mayor invited the submission of petitions from councillors and members of the public. He reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.
- 62.2 Councillor McCaffery presented a petition signed by 167 residents concerning a request for a paddling pool in Preston Park.
- 62.3 Councillor Kennedy presented a petition signed by 151 residents concerning the compulsory purchase of Anston House.

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

- 63.1 The Mayor reported that five written questions had been received from members of the public. He noted that a period of 15 minutes was set aside for the consideration of public questions at council meetings and that a written response would be given to any outstanding questions once the time period had elapsed.

- 63.2 The Mayor then invited Mr. Hawtree to come forward and address the council.
- 63.3 Mr. Hawtree asked the following question, "Would Cllr Theobald please tell us what plans he has to highlight the boundary at which Brighton meets Hove, and vice versa?"
- 63.4 Councillor Mears, Leader of the Council replied, "Thank you for your question Mr Hawtree. The policy of my Administration has always been to preserve and celebrate the distinct identities of Brighton, Hove and Portslade, whilst at the same time recognising the benefits that being a unified city brings.

Indeed, as I am sure you will be aware, Mr Hawtree, we have recently set up a Civic Awareness Commission to look at just these sorts of issues, across the whole city. There are many landmarks and features in each of the three areas which contribute towards their unique character – the three town halls, the libraries, the differing styles of architecture and probably most importantly of all, the residents that live in them. It is particularly this diversity which makes the city of Brighton and Hove such an attractive place to be.

The boundary, of course, is already marked physically at the seafront by the Peace Statue but due to the length of the border – stretching right up to the Downs – it would be impractical and costly to actually put in an identified border and any other measures to highlight it.

However, Mr Hawtree, I am sure we are always open to any suggestions as to how we can enhance the character and appearance of the whole city and I would be delighted to hear from you if you have any views."

- 63.5 Mr. Hawtree asked the following supplementary question, "Thank you, Councillor Mears, and as one border highlight has now vanished, the sign which twinned Hove with Draveil in Europe on Western Road, what steps will Councillor Mears now consider taking to twin Hove with Hove, North Dakota, something which would be of mutual benefit for Hove, North Dakota, which was once a city but has now dwindled to a population of two people?

Our support would encourage its regeneration on the world stage and even more importantly act as a reminder of what could happen to Hove, England, if, faced by cuts, this authority does not do its utmost to help people this side of the border."

- 63.6 Councillor Mears replied, "Thank you, Mr Hawtree, for your supplementary. I'm not sure if you want me to give a serious answer as obviously this was quite a frivolous supplementary question.

Obviously you've been there. If you actually move there I am sure that would make three residents, but as I've already said in my first reply to you this is a fantastic city, it's really diverse and I believe actually right across the city, whether you're in Brighton, whether you're in Hove, whether you're in Portslade, we have some amazing parts of the city.

We also have coming up in the next two years events that will come through the Civic Awareness Commission which will highlight the city in its full beauty and recognise all

the outstanding parts of the city, so if you're staying here, if you're not going, I am sure you'll be delighted to take part."

- 63.7 The Mayor thanked Mr. Hawtree for his questions and invited Mr. Jarrett to come forward and address the council.
- 63.8 Mr. Jarrett asked the following question, "Could Councillor Theobald explain how will the closure of the Hove Road Policing unit in Holland Road due to Coalition government cuts to Police budgets affect the safety of residents in the surrounding Goldsmid ward?"

I am particularly concerned about school children crossing The Old Shoreham Road, The Drive, Davigdor Road and the many rat runs leading off these roads."

- 63.9 Councillor Mears, Leader of the Council replied, "Thank you, Mr Jarrett, for your question. I am confident that the relocation of the Road Policing Unit from Hove will not have any detrimental effect on road safety within the city, including Goldsmid Ward.

The way that Sussex Police organises its resources is a matter for the Chief Constable but we have been reassured by the Head of the Road Policing Unit that their resources will still be routinely deployed to the city on road safety operations. Sussex Police have also given reassurances that they will continue to work closely with the city council on road safety matters and will continue their involvement with the local Casualty Reduction Action Group and the countywide Sussex Safer Roads Partnership.

The council consistently monitors road safety across the city and where necessary works with other organisations, including the police, to implement appropriate measures, such as the recently installed pedestrian refuge in Davigdor Road, which I hope you would welcome."

- 63.10 Mr. Jarrett asked the following supplementary question, "Since I submitted this question, a local resident who works as a civilian at Police Headquarters in Lewes has informed me that a decision has been made to close the whole of Hove Police Station, although that hasn't been publicly admitted. Could you tell me please what will the council response be in the light of that marked reduction of activity in Hove? How will you reassure residents about their safety in all forms?"
- 63.11 Councillor Mears replied, "Thank you, Mr Jarrett, for your interesting supplementary. Can I just say at this moment in time we have had no official announcement. We do have a representative on the Police Authority here, so I'm sure when the police do get around to making that announcement we will be informed.

Could I just very quickly, very remiss of me I didn't answer some of the other points that you raised in your first question and that was particularly around the Government cuts. The economy was run into the ground by Labour. They left us with the worst structural deficit in the G20. Therefore, any cuts that are having to be made are Labour cuts and as we can see from the agenda today they are still in complete denial about the deficit.

Her Majesty's Inspector of Constabularies produced a report saying that the police forces can save over £1 billion a year, more than 12% of their budgets, by working more efficiently without even thinking about touching the front line. The Chief Constable of

Sussex has said about their reduced funding and I quote 'this represents an opportunity to put people, not paperwork, at the heart of policing' and it goes on to reassure the public that 'we're fundamentally changing the way we police to put people at the centre of all we do'. He is saying that the police are going to react to the reduced funding, not by burying their heads in the sand or demanding more money – which is always the Socialist answer – no, he is suggesting a constructive, proactive approach where we do away with all the unnecessary bureaucracy and concentrate resources fully on the front line. I hope you found that helpful."

- 63.12 The Mayor thanked Mr. Jarrett for his questions and invited Mr. Collins to come forward and address the council.
- 63.13 Mr. Collins asked the following question, "Residents of Hove are concerned at the reduction of hours at Hove Police Station and the potential closure of the station. They feel strongly that a full police presence must be retained at Holland Road. What is the council's representative on the Sussex Police Authority, Councillor Ben Duncan, doing to ensure our views are fully represented?"
- 63.14 Councillor Duncan, the Council's Police Authority Representative replied, "Thank you very much, Mr Collins, for your question. I think Councillor Mears and the previous questioner will be interested in this answer too but it is absolutely clear that there is a review going on of the whole police estate, they've got about 36 police stations across Sussex. Everything is kind of up for grabs. They're reviewing, in an attempt to save just under £2 million, the way they provide front access to members of the public across the whole of Sussex and indeed one of the proposals being looked at is a reduction of hours at Hove Police Station.

There are two things which I think it's really important to stress in my answer. The first as Councillor Mears said, this is an operational decision taken quite properly by the Chief Constable, it's not a decision that the Police Authority can take for him: it wouldn't be appropriate for us to do so. Our role as Members of the Police Authority is therefore engaging with the process of formulating that policy and ensuring there is proper public consultation.

The second thing that I would say is really important is that no final decision has yet been taken. There will be a full public consultation in February and March. Personally I have agitated and made the argument that there should be full public consultation and it should be listened to rather than just being a paper stamping exercise. I have raised my concerns about the reduction of hours at Hove Police Station with the Divisional Commander, Chief Superintendent Graham Bartlett, and I have raised my concerns in meetings with the Resources Scrutiny Committee of the Police Authority.

Ultimately, however, this is driven by cuts, it is driven by Conservative and Liberal Democrat Government cuts which, and another part of the same quote that Councillor Mears was referring to, is that Sussex Police have got a budget reduction of £52 million to deal with over the next four years. That will see about 1,000 police jobs go, it will also see reduced hours at police stations. I don't believe that those cuts are necessary, I think that it's the wrong political decision but here in Sussex we've got to deal with what the Government gives us. I very much hope that the front line service provided to residents in Hove and across the sector are as good after the review as they are now."

63.15 Mr. Collins asked the following supplementary question, "I would like to thank Councillor Duncan for that considered answer. I am glad he agrees with me that it's a very important issue and he obviously rightly speaks at the meetings he has attended. Can I ask him if he felt it was so important why did he miss three of the six Sussex Police Authority meetings and don't the residents of Hove deserve better?"

63.16 Councillor Duncan replied, "The Police Authority meetings and this is a bugbear of mine which I've raised a number of times, are not diarised in consultation properly with Brighton & Hove City Council meetings.

Of those six meetings and I will, quite happily, give you a written and full response to all of this when I've gone back through the diary but I can tell you from memory that of those six meetings one of them clashed with a meeting of Brighton & Hove City Council. I can't be in two places at once and it's a matter of great regret to me, to this Group and to this council that I am the only representative of this council on the Police Authority, although it's certainly true that if they clash with council meetings, the same clash would be the case for every other Member too, were there any more.

Of the other meetings, there was one meeting that I didn't attend, having given apologies, because of the sickness of my child for whom I'm responsible for caring and who frankly has to take priority. When a parent has a sick child they have to sometimes miss meetings. The third meeting you refer to I really can't remember off the top of my head but I will check my diary and give you full details in a written response."

63.17 The Mayor thanked Mr. Collins for his questions. He noted that Ms. McWilliam was unable to attend the meeting and had nominated a representative to put her question on her behalf and therefore invited Mr. Philo to come forward and address the council.

63.18 Mr. Philo asked the following question, "I'd like to know what, if anything, the council is prepared to do in response to the urgent need to improve safety on Surrenden Road, and is it really true that a child needs to die before we get a fixed crossing?"

63.19 Councillor Mears, Leader of the Council replied, "Officers have previously commissioned a traffic and pedestrian count in Surrenden Road as a result of requests from local Members for a formal crossing. As a result additional road signs, markings and parking restrictions have already been implemented to improve pedestrian safety, particularly in respect of children. To continue to deal with such requests and as part of the development of our third Local Transport Plan, officers are currently developing a detailed assessment methodology to determine the relative priority of pedestrian crossing requests throughout the city.

Officers will then report back to a future Cabinet Member Meeting with the results of the assessment and will seek permission to implement as many of the priority schemes as funding levels will allow. It is certainly not true that there needs to be a fatality before we consider installing fixed crossings."

63.20 Mr. Philo asked the following supplementary question, "Fiona is most concerned, it's a very, very dangerous road. It's a rat-run for people coming down from Ditchling Road on to the London Road and what is being done so far is not sufficient in an area where

there are six schools. She would like to ask the council if you're going to implement a 20mph speed limit, if you're going to implement traffic slowing measures and if you're going to implement, most importantly, two pedestrian crossings along the road?"

- 63.21 Councillor Mears replied, "I do recognise the concern that has been raised here today and what I would suggest through my Cabinet Member, Councillor Geoffrey Theobald, is that officers actually meet on site, probably it would be more helpful if we go down. I am sure Ms McWilliam probably would want to be there.

There is a report going to the Cabinet Member's CMM but I think in light of some of the issues you have raised I am more than happy to direct officers back down on to the site to relook at it."

- 63.22 The Mayor thanked Mr. Philo for his questions and invited Mr. Woodhouse to come forward and address the council.

- 63.23 Mr. Woodhouse asked the following question, "The March 2010 Winter Service Plan Review found that 'A constant theme was the residents felt isolated, their area had been forgotten and that insufficient gritting had been carried out across the city.' The Review also found that the severity of the extreme weather could have been reduced if communities were better informed and supported to provide immediate relief in non central areas while the Council and its Partners worked to reduce the events' effects in the city's critical areas.

Did this Winter Service Review leave the Council and its Partners better informed and enabled to better handle the recent extreme weather events in December 2010?"

- 63.24 Councillor Theobald, Cabinet Member for Environment replied, "Thank you for your question and I am very pleased to answer this one because I do believe that this winter we were even better prepared for the severe weather which we experienced before Christmas.

I myself gave evidence to the Scrutiny Review and that Scrutiny Review was very positive, and I am on record to thank the Members of that Scrutiny Panel for the way in which they looked at the various aspects as to how the previous winter had gone and how we could positively improve what we do as far as residents are concerned.

This has resulted in several changes. For example:

- Following discussions with the various emergency services, we have expanded the number of gritting routes and these are actually all agreed in the Winter Service Plan which was agreed at my Cabinet Member Meeting before Christmas and those are actually on the website. This is something which I felt very strongly about because my own electors had said to me, why was it that buses, I'm giving an example from Patcham, that buses were stopping along the London Road; why weren't they going along Mackie Avenue and Carden Avenue, for example, when cars were. It's absolutely vital that you get the buses because they impact on the grit and so we have worked with the bus company to identify 'turn around points', because there's often a very good reason why the bus can't get to the end as it were. If we can turn

the bus round, even though it's not at the end, because it might be steep, then that's helpful, and so we have been able to do this with them.

- We provided 50 more grit bins across the city.
- We have identified locations for grit drops and this is very useful because when the weather is really very, very bad you can actually throw off the lorries the grit to enable residents to help themselves. The locations were chosen as key points in areas most likely to suffer from greater snowfall – i.e. the higher areas of outlying wards.
- Our communications to residents were much more comprehensive. I hope residents appreciated that this time around. We promoted widely our message to residents to 'Shovel, Sweep and Salt' using all media, including the social media. On our website residents could view maps to see where their nearest grit bins and piles were located as well as the roads and pavements which were gritted.
- We regularly updated Ward Councillors and the media with any developments.
- On an operational level, we were able to mobilize our equipment and staff much more quickly to undertake gritting.

A lot of this extra activity was possible because at last year's budget this Administration put an extra £100,000 per year into funding for the Winter Service Review, so I just hope that's helpful in answering your question."

63.25 Mr. Woodhouse asked the following supplementary question, "Thank you for your full and complete reply Councillor Theobald. You remarked about the buses in Patcham. That is true they were short-turned at the Ladies Mile Pub but, in fact, to get access to the bounds of Patcham, it's at least a half a mile in other directions, that was one aspect. If you look at the way the 5B bus ran, the 5B bus didn't go up Surrenden Road, it was unable to.

In the light of that does the Councillor not agree that the council's actions failed to meet its obligations to the less accessible areas of Brighton, such as Patcham, in that extreme weather event?"

63.26 Councillor Theobald replied, "First of all it is the bus company, they decide whether the buses are going to run or not, not us. They decide this. Obviously we work with them very closely and we encourage them. We need the buses and heavy vehicles to impact on the grit but the fact is that there is no council in the country that is able to undertake, particularly if they've got hilly areas, a full gritting service. I think that's really what you're alluding to. I guess that was really the point that you were trying to make.

Our roads and pavements go from here to Inverness if you actually put them all together so it is a very big task to undertake but by its very nature Brighton & Hove, you know they are very hilly, so it's extremely difficult and unless you get heavy vehicles impacting on the grit that you put down it won't work, so I take the point you make. I hope that we have been able to work with the buses and we have been able to get them to work. I



want them to fulfil their full service if they possibly can but at the end of the day it is the bus company who actually decide the health and safety risk.”

- 63.27 The Mayor thanked Mr. Woodhouse for his questions and noted that this concluded the public questions.

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

- 64.1 The Mayor reported that no deputations had been received for the current meeting.

#### **65. PETITIONS FOR COUNCIL DEBATE**

- 65.1 The Mayor stated that under the Council’s petition scheme, if a petition contained more than 1,250 signatures, it could be debated by the Full Council and such a request had been made in respect of a combined e and paper petition concerning Schools Sports Partnerships.
- 65.2 The Mayor then invited Councillor Davis to present her petition.
- 65.3 Councillor Davis stated that a total of 1,273 people had signed either the paper or e-petition version which read as follows:
- “We the undersigned petition the council to lobby the Coalition Government for the retention of the Brighton & Hove Schools Sports Partnership. We deplore the action by the government that, without consultation, has removed the funding from this partnership along with the 499 other such partnerships in schools across the country. Since the clubs started in the year 2000, participation rates among all school students has increased from 25% to 95% with 72 individual schools in Brighton and Hove benefiting from the wide range of sporting activities on offer. We support the local teachers and students that have been involved with providing the network of different activities to help young people stay fit and healthy and call on the City Council to maintain this partnership that is doing so much to increase the sporting skills and participation of all of the city’s young people.”
- 65.4 Councillor Davis stated that she hoped that the petition would be fully supported.
- 65.5 Councillor Brown stated that officers were working with the schools and other bodies such as Brighton & Hove Albion to support activities and to review the levels of provision to have a more co-ordinated approach.
- 65.6 Councillor Fryer suggested that there would be a reduction of opportunities in schools as a result of the proposal to cut sports partnerships.
- 65.7 Councillor Kemble Councillor Kemble stated that the council would continue to support schools and young people as much as possible however there was a need to look at how this could be achieved.

- 65.8 Councillor Elgood and Watkins indicated their support for the petition and the vital service that was provided which was now threatened by the necessity of making cuts.
- 65.9 Councillor West queried whether the Administration recognised the importance of supporting non competitive sports as well as competitive ones.
- 65.10 Councillor Mears confirmed that all forms and levels of sports were supported and stated that she would provide Councillor west with a written briefing on all aspects of sporting activity in the city after the meeting.
- 65.11 Councillor Hamilton queried how much devolved capital was available to schools.
- 65.12 Councillor Brown stated that she would provide the Councillor with a written answer and reiterated the support for schools which she noted would be looked at as part of the budget deliberations.
- 65.13 The Mayor noted that the recommendation to refer the petition to the Cabinet had been moved and put it to the vote which was carried.
- 65.14 **RESOLVED:** That the petition be referred to the Cabinet for consideration.

## **66. WRITTEN QUESTIONS FROM COUNCILLORS.**

- 66.1 The Mayor reminded the Council that councillors' written 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.

- 66.2 **(a)** Councillor Fryer asked:

"There has been a lot of controversy surrounding Pride and its future in recent weeks. This includes not only the location of Pride itself but the post-pride party which receives a mixed reception in the St. James's Street area.

Will you commit to doing a full consultation of households in the St. James's Street area to see if residents would prefer to have the post-Pride party on Madeira Drive or on St. James's St?"

- 66.3 Councillor Mears replied:

"The post-Pride party in the St James' St area is not a council run or controlled event. After the Pride Park Festival which ends at 8pm the majority of people head for town and naturally gravitate to St James Street. It is a known fact that this area will attract a large number of visitors on the night this has been well documented over the past few years and it is known that a large group of party goers will always gather in and around St James Street on Pride weekend. Therefore, it is better that the local authorities both support and advise its management as an organised event rather than responding to the outcomes of a disorganised gathering. The authorities also recognise that the event has an impact on those members of the community who do not participate, however the measures that we suggest are in the interests of residents and visitors alike.

As there is no legal power to prevent people gathering in the St James Street area if they wish to, the best we can hope to achieve is to work closely with the 'organisers' to ensure that safety issues are considered and implemented. To this end council officers from events, highways and licensing would work closely with the Police, ward councillors and other emergency services, as they have done in previous years, to ensure that this year's event meets the requirement of 'safe and well managed'."

66.4 (b) Councillor Kitcat asked:

"Can Cllr Theobald explain how council properties advertised for lease as being for club use only are monitored to ensure that they are only used by genuine clubs? How are clubs defined by the council in these cases?"

66.5 Councillor Mears replied:

"A club which expresses an interest in a council property which is available for let would be expected to submit a proposal giving details on the club to include:

- . A constitution or set of rules
- . Details of the committee/trustees
- . Affiliation to National Governing Body if applicable
- . Confirmation of 'not for profit' status

These requirements are in line with those used by Sport England when recognising club status. At the point where a club is selected and a draft lease is agreed they would be asked to provide confirmation of a separate club bank account held in the name of the organisation with two signatories and for two or more trustees to be named on the lease.

Once the lease is in place the lessee must abide by the terms of the lease including the user clause. In marketing any other premises, this will be on the basis of an agreed brief. Each bid is then decided on it's own merits and in compliance with the brief."

66.6 (c) Councillor Kitcat asked:

"Could Cllr Mears provide details on types of Council data and publications which are being considered for release under the Open Government Licence by her administration? Could she also update the meeting on how open licensing discussions with partner organisations are progressing?"

66.7 Councillor Mears replied:

"Officers are in the process of reviewing non personal and works datasets that would be suitable for publication in line with the principles of the Open Government Licence (OGL). Initial concentration is focusing on working with internal data custodians of geographical datasets to identify which of these could easily be made available for publishing.

A proposal to publish the data within the Brighton & Hove Local Information Service (BHLIS) under an agreed licence model for the Brighton & Hove Strategic Partnership will be developed further including the terms for using information under the OGL.

This will build on the good work BHLIS has delivered in making available a significant amount of local information from partner organisations.”

66.8 (d) Councillor Elgood asked:

“The 'organisational health' performance data for the number of top 5 per cent earners from an ethnic minority background employed by the City Council was not available at the Overview and Scrutiny Commission for Councillors to monitor. The subsequent late release of this data showed that the Council is still missing the target for this. What action is the Council taking to improve the diversity of its senior workforce?”

66.9 Councillor Alford replied:

“The council has been successful in doubling their level of representation over the last few years. The latest figure available shows that at the end of September 2010, 3% of staff within this group were from an ethnic minority background. This compares with a figure of 1.59% in early 2006.

In addition to the established DiverseCity branded recruitment advertising that is designed to attract more job applicants from ethnic and other minority groups, the council also uses a contracted search agency when recruiting to senior posts. The agency is required to search extensively for potentially suitable candidates and to provide a long-list to the council that includes applicants from a black or minority ethnic background. In cases where the long-list is all white, the agency is asked to carry out a further search. We also advertise in the minority media which has increased traffic to our job site. We are committed to improving the diversity of our workforce but recognise this is more difficult with the current recruitment slowdown/freeze.”

66.10 (e) Councillor Elgood asked:

“Minutes released under FoI from the NSL parking contract meetings with the City Council state that NSL has acquired a CCTV monitoring vehicle for enforcement and that it has been agreed that 'Body Cams' can be worn. Could the Council state how these are/will be used and what protocol is in place to ensure the appropriate use of the vehicle/cams by the contractor and information that they provide? Additionally, what democratic agreement has been sought to allow this?”

66.11 Councillor Mears replied:

“The Council has not made a decision to use CCTV vehicles or Body Cams. NSL did have use of a CCTV vehicle, but just for a one day trial period, on 4 February 2010. The vehicle was parked outside a school to see how effective it was in deterring motorists from parking near to the school gates and jeopardising the safety of children. Because this was a trial no PCNs were issued.

A Body Cam is a small device set inside an ID card which can be worn to record conversations. NSL has proposed their use as a proven way of rapidly resolving disputes between members of the public and Civil Enforcement Officers. These devices have been used by other local authorities to assist the police in gathering evidence of crime and disorder and other anti-social behaviour.

Since no decision has been made to introduce either system, there is no protocol. Were a decision to be made, a protocol would be developed.”

66.12 (f) Councillor Elgood asked:

“The Government has announced that schools will receive an extra £430 for each pupil receiving free school meals through the Pupil Premium. How many children will benefit from this in the city, with the data broken down by the ward they live, if held in that way?”

66.13 Councillor Brown replied:

“In 2011/12, the pupil premium will be allocated to those pupils eligible for free school meals (FSM) based on the January 2011 census for pupils in years from Reception to Year 11. The census takes place on Thursday 20<sup>th</sup> January and the Local Authority will then need to collate and verify returns from all schools. Therefore, until this data has been processed, it is not possible to say exactly how many children in the city will benefit or provide the breakdown at ward level.

However, in order to give an estimation of the likely impact, the data from January 2010 would have given the following outcome:

Number of children eligible*	4,761
Amount per pupil	£430
Total Pupil Premium	£2,047,230

The breakdown across wards is not readily available.

\*please note this is an estimated figure and includes students at Falmer School. In 2011, BACA will also be eligible for the pupil premium and this will be paid to the Academy by the Young People’s Learning Agency.”

66.14 (g) Councillor Steedman asked:

“On behalf of my constituent, Mr John Stevens, of Leach Court, could the Cabinet Member for the Environment please confirm why the following materials are not currently collected for recycling, and when he plans for these items to be included?

- a) Lightbulbs
- b) Window envelopes
- c) Aluminium foil
- d) Broken glass (given that the intact bottles smash as soon as they are tipped into the lorry)
- e) Plastics other than bottles of types 1 and 2

f) Paper shredded for security reasons”

66.15 Councillor Mears replied:

“We currently offer a kerbside recycling service that includes paper, card, tins and cans, plastic bottles and glass. We also collect drinks cartons, toys and textiles at many of our ‘bring’ sites. Our priority is to recycle as much as possible while ensuring the quality of our recycling is high and it is reprocessed in a sustainable way.

Energy saving and fluorescent light bulbs can be recycled at either of our Household Waste Recycling Sites. It is not practical to collect them at the kerbside as they would need to be kept separate from the other materials. We ask people to remove the windows from envelopes before recycling them to improve the quality of recycled paper however it does not really matter if they don’t. Foil makes up a very small amount of the waste stream and is often heavily contaminated with food residues. For these reasons we do not collect it.

Staff manually load glass on to the collection vehicles so for health and safety reasons we cannot accept broken glass. Broken glass can be taken to a bottle bank to recycle. Alternatively it should be wrapped in newspaper and placed out with refuse. Although many plastics are recyclable there are limited facilities to reprocess them, and many of the markets are overseas. Plastic containers can also be contaminated with food. This is why we do not collect mixed plastics at this stage. The types of plastics used to make bottles are readily recyclable and we have reliable reprocessing markets.

Shreds of paper are difficult to sort and can fall out of the recycling process, so if possible we suggest people add it their compost bin. Opportunities for increasing the range of materials recycled are regularly reviewed.”

66.16 (h) Councillor Steedman asked:

“Yet again, neighbourhood support, in the form of dedicated Council staff, for the Tarner and Eastern Road areas, two of the most deprived neighbourhoods in the city, is under threat. The resident-led Partnerships and Action Groups in these areas have achieved a great deal, but their continued existence hangs in the balance without ongoing support, which was already pared to the bone by previous cuts. Will the Cabinet Member for Community Affairs please confirm that the residents in these areas of the city will continue to receive the same number of hours of dedicated support over the next financial year as it does at present?”

66.17 Councillor Simson replied:

“The support for the Tarner & Eastern Road Partnerships has been provided for the last two years by a council officer on a fixed term contract which is due to end on the 31st March 2010.

Officers are currently working with the largest Community Development provider organisation in the city, the Trust for Developing Communities (TDC), to agree their areas of work for the following year. A priority list of neighbourhoods has been developed based on a needs analysis of local demographic information and the degree

of social capital in the area. Both Turner and Eastern Road are included in this list and the intention is that provision is re-negotiated with the TDC.”

66.18 (i) Councillor Steedman asked:

“Could the Cabinet Member for Housing please confirm the number of empty homes in Brighton and Hove, breaking the figures down by ward and by tenure? And could she confirm whether she believes that this figure is acceptable?”

66.19 Councillor Caulfield replied:

“At 31 December 2010 Council Tax records show that there were 810 privately owned properties which have been empty over 6 months and 140 Council Owned Properties., this is broken down by ward in *Appendix 1*.

The majority of these empty properties will re-enter the property market over the next 6 months. The focus for the council is on those longer term empty properties which have been empty over 2 years of which there were 35 council owned properties and 228 privately owned properties at 31 December 2010.

These Empty Properties are a wasted resource and the longer a property has been empty the greater the chances it will be in poor condition and be having a detrimental effect on the area. Dealing with these empty properties is a key priority for the council and our Empty Property Team focus on reducing these numbers to increase housing supply and improve neighbourhoods for local people. The team currently has a caseload of 266 properties and in 2009-10 bought 168 properties back into use through a robust approach working with owners wherever possible.

In addition to these private properties there were at 31 December 2010, 140 empty Council owned properties, 35 of which have been vacant for more than 2 years. The majority of these properties are the very expensive ones that we are not currently in a financial position to refurbish. In November, Cabinet gave approval for the housing company (Brighton & Hove Seaside Community Homes) to secure funding which will be used to bring all of our expensive council-owned empty properties back into use.

In addition during this financial year Cabinet agreed an additional budget of £300,000 to bring some of these council empty properties back into use as much needed family homes. I am also pleased that work has now commenced on refurbishing a grade II listed building in the North Laine area.

**Appendix 1 Long Term Empty Dwellings (Prescribed Class C) over 6 Months at 31 January 2011 by ward**

WARD	COUNCIL OWNED	PRIVATELY OWNED	GRAND TOTAL
BRUNSWICK & ADELAIDE		71	71
CENTRAL HOVE	18	63	81
EAST BRIGHTON	8	29	37
GOLDSMID	14	59	73

HANGLETON & KNOLL	5	11	<b>16</b>
HANOVER & ELM GROVE	20	47	<b>67</b>
HOLLINGDEAN & STANMER	9	12	<b>21</b>
MOULSECOOMB & BEVENDEAN	18	21	<b>39</b>
NORTH PORTSLADE	1	8	<b>9</b>
PATCHAM	4	21	<b>25</b>
PRESTON PARK	10	37	<b>47</b>
QUEEN'S PARK	11	75	<b>86</b>
REGENCY	1	76	<b>77</b>
ROTTINGDEAN COASTAL		65	<b>65</b>
SOUTH PORTSLADE	4	12	<b>16</b>
ST PETER'S AND NORTH LAINE	1		<b>1</b>
ST. PETER'S & NORTH LAINE	3	75	<b>78</b>
HOVE PARK		19	<b>19</b>
WESTBOURNE	4	37	<b>41</b>
WISH		27	<b>27</b>
WITHDEAN	5	33	<b>38</b>
WOODINGDEAN	4	12	<b>16</b>
Grand Total	140	810	<b>950</b>

66.20 (j) Councillor Duncan asked:

“Following last year's decision not to change parking rules for the Baker's Bottom area of the Queen's Park ward, problems for residents persist, with emergency vehicles struggling to gain timely access, obstruction and confrontation over parking places leading to police having being called, and problems of access for people trying to use pavements with either wheelchairs or child buggies.

Will Councillor Theobald invite residents, local councillors and parking officers to establish a working group to examine solutions to the parking-related problems in the area, looking specifically at whether the extension of double-yellow lines around junctions, as requested by local PCSOs, would help?”

66.21 Councillor Mears replied:

“As you are aware despite support from the local PCSOs, residents in this area rejected a resident parking scheme. This scheme would have included double yellow lines on the junctions. Therefore, the best way forward is for residents to put together a petition requesting double yellow lines on this junction so the Council can determine the current strength of support for this proposal.”

66.22 (k) Councillor Duncan asked:

“Can Councillor Theobald clarify what plans the council has to consult widely with park users about the future of the former bowling green in Queen's Park - and what budget is



available for doing so? What budget is available for implementing any improvements identified by such consultation?"

66.23 Councillor Mears replied:

"Officers will need to assess what budget can be allocated to the former bowling green in Queens Park in the next financial year. This will, of course, depend on needs across the city, although I can say that the condition of the old green does need addressing.

The ward councillors will be involved in guiding the consultation process. The costs of that process will be funded from a budget allocation to the project. We would consult with users of the park, as well as the Friends of Queens Park group."

66.24 (l) Councillor Duncan asked:

"Will Councillor Theobald commit to maintaining subsidies on all bus routes serving the Queen's Park area in order to ensure that continued provision of services providing a vital lifeline to many, especially older, residents, in particular the 81, 23 and 37 services. Will he, in any event, be making representations to Brighton and Hove Bus Company asking it to try to find ways of ensuring the long-term viability of these services, perhaps by stimulating demand with fare reductions?"

66.25 Councillor Mears replied:

"The council currently subsidises the 37 and 37B which serve the Queens Park area of the city, and also Services 81A and 81C, which operate on Sundays. Service 23 is run commercially by Brighton & Hove Buses. The council has regular discussions with local bus companies to ensure the viability of the bus network across the whole of Brighton & Hove and will continue to do so."

66.26 (m) Councillor Duncan asked:

"Does Councillor Theobald agree with many residents that the opening of a new Sainsbury supermarket on St James's Street, the firm's tenth in the city and the fourth supermarket in a 300m stretch of the road, would be a blow to the unique nature of the St James's Area local shopping area, and have a negative impact on both local residents and independent businesses in the vicinity? Do you think planning law and the city's Core Strategy are sufficiently powerful to protect the urban fabric of the area?"

66.27 Councillor Mears replied:

"The council is sympathetic to the concerns raised by residents and traders in St James's Street, about the emergence of a major food retailer in the district centre. Indeed we have been campaigning throughout the year in support of smaller and independent traders; taking time to highlight the impact that multinationals can have on businesses with less corporate clout.

Although we appreciate the concerns your question raises, local authorities are currently unable to consider issues of competition within the remit of planning law. Planning permission is not needed for a major retailer to move into an existing shop unit.

However, the Leader of the Council has recently written to the Secretary of State for Communities and Local Government, requesting that he considers introducing such powers for councils as a matter of urgency in the spirit of the new Localism Bill.

While we welcome the interest of individual supermarkets and the business they bring, we are concerned about the combined impact of so many in the city centre. So much so, that the Leader has just called for a citywide conference to debate the matter and once a date is fixed I will ensure that every Member is given an invitation.

The council also remains supportive of independent retailers in its emerging Core Strategy policies, ensuring that the vitality and viability of shopping centres in the city is enhanced. We will continue to promote campaigns to encourage consumers to buy locally and we will continue to work positively with existing retailers, ensuring that the shopping areas of the city remain viable and attractive.”

66.28 (n) Councillor Duncan asked:

“Given that icy and snowy conditions have affected the city four times in the last year, and that scientists are predicting that the frequency of extreme winter weather events is likely to increase in coming years, can Councillor Theobald commit to increasing the budget for delivering the council's winter service plan, especially for the purchase of grit and provision of grit bins? Can he assure this council that, meanwhile, grit will not be placed on pavements in such a way as to close thoroughfares for residents using wheelchairs or other mobility devices?”

66.29 Councillor Mears replied:

“This administration has already increased the winter service budget by £100,000 - starting from 2010-11. The increase has enabled us to place over 50 more grit bins in the city, bringing the total to 407. It is not so much an issue of cost but of how long it takes us to refill the bins during severe weather. If we provide a bin residents will rightly expect it to be filled reasonably quickly when emptied, and we feel that 400+ is the maximum that we can sensibly provide for.

The Scrutiny Panel of last year did not feel that increasing grit bins was the most sensible option, preferring the idea of providing additional grit in bags or piles when needed. You are correct to point out that grit piles may narrow down pavement access. Where this occurs it is largely down to the fact they are not being fully used by residents during the snowfalls and are then remaining on street after the snow has gone.

We do try wherever possible not to obstruct the pavement but it is difficult in some areas that don't have wide pavements. I will, however, make sure that the teams are reminded of the access issue during any future snow.”

## **67. ORAL QUESTIONS FROM COUNCILLORS**

67.1 The Mayor reminded the Council that councillors' oral would be taken in the order as listed in the council agenda and that a period of 30 minutes was set aside for the item.

Should any questions not be reached at the end of the time period, those councillors would have the opportunity for their questions to be carried over to the next council meeting.

67.2 The Mayor then called on Councillor Simson to put her question to Councillor Duncan, as the Council's representative on the Police Authority.

67.3 (a) Councillor Simson asked, "As Councillor Duncan will be aware the Community Safety Forum is the main arena for the community to express their views to the council and its partners on crime and policing in the city. As Chairman of the Forum I am very concerned that he has decided to give up his seat to a fellow Councillor in his Group, particularly as he is the council's only formal link to the Sussex Police Authority.

Can I ask Councillor Duncan how does he propose to relay the concerns of the whole city to the Police Authority if he no longer has that link and also, as we hear today, that he often doesn't attend these meetings anyway?"

67.4 Councillor Duncan replied, "Specifically about the Community Safety Forum, we have had some correspondence about this for the most recent meeting and I would refer you to my answer that I gave you earlier which was simply that if as a Member of the Sussex Police Authority you, as Chair of that Community Safety Forum, would like me to attend future meetings, that hasn't been the practice in the past but if that is now your wish, then do please notify me of those meetings in advance as you were very kindly able to do a couple of weeks before this one. If I'm available at that time I will come along as the representative of the Police Authority and if I'm not, as I have said this time, I will be happy to accept any written questions and deal with them or take any messages forward to the police.

Frankly, I am just getting a little bit tired of this because it does seem that at every single one of these meetings there's a question which relates to exactly the same topic and I refer you and all Councillors to the answers that I have given this council several times before which is that if the Mayor or the Leader of the Council were to invite me to give a regular update on the Police Authority activity to this council I would be more than happy to do so."

67.5 Councillor Simson asked the following supplementary question, "I'm surprised that Councillor Duncan doesn't like repeat questions because we often are the victims of repeat questions from one of his colleagues on his side.

My supplementary is: as Councillor Duncan is aware Sussex Police Authority will shortly be setting their budget for 2011/2012. In the interests of openness and transparency will Councillor Duncan pledge to consult with residents and fellow Councillors before casting his vote, in particular about whether the Authority should be taking advantage of the Government's offer to freeze council tax or will he, as he did last year, be voting for a large increase in council tax."

67.6 Councillor Duncan replied, "As Councillor Simson may or may not be aware there is a legal responsibility on Police Authorities to consult widely with members of the public before setting their budget. That exercise will happen ahead of the budget meeting for the Police Authority on February 10<sup>th</sup>.

The result of that consultation will be reported to all Members, including myself, and I will base my decisions at that meeting on several things, mainly the debates at that meeting which I can't pre-empt but not least the consultation responses and what residents of this city, and indeed if this Administration has got a particular view I invite you to share it with me and I will bear that into account as well, but ultimately I will be voting in that meeting according to the questions that are put to that meeting on an agenda which has yet to be published, so I can't pre-empt the question or the answer at this stage."

- 67.7 (b) Councillor Duncan asked, "You will see that the subject I have indicated is 'Undercover Policing'. The reason for that is that, as you may or may not be aware, there was considerable disquiet earlier this year about news reports which emerged to say that undercover police had infiltrated and were working within the environmental and peace movements and that the identity of one such officer, not one employed here in Sussex, had been made known to the public and there were all sorts of concerns that the activity of that officer was being paid for by the tax-payer.

I immediately, in my responsibility as this council's representative on the Police Authority, went to the officers of Sussex Police Authority and asked them for a briefing on Sussex's involvement in this sort of activity. I am yet to get a proper answer but my question for you at this stage is: when there is a budget meeting on February 10<sup>th</sup> I will have to decide how best to vote, knowing that there are £52 million worth of cuts from this Government on the back of cuts made by the last Government to policing in Sussex. I've had to decide priorities and I wondered if it was your priority and therefore this Administration's priority to keep funding undercover officers working in Sussex's environmental protest groups or to protect the funding of liaison officers working with the victims of domestic violence and LGBT hate crime?"

- 67.8 Councillor Mears replied, "First of all I should point out that undercover policing is clearly an operational matter for the Force and it would not be appropriate for me as Leader of the Council to tell them how they should be doing their job, just as I wouldn't be expecting them to tell me how to do mine. I understand that you have already put a question to the Sussex Police Authority on this matter and that you have received a response from the Deputy Chief Executive. I will read out his response just for clarity.

*'The Authority assures you that it takes the responsibility for the oversight of all matters of policing very seriously, including the use of undercover and surveillance tactics that the police employ as necessary. Operational and financial details are made available to senior members of the Police Authority who have been vetted as required. This means that these details are made available to the Authority in a controlled, sensitive and confidential way.'*

I understand that the Police Authority has also offered you as our Member on the Brighton & Hove City Council further briefings on the regulation, authorisation and safeguards and finance in general terms in relation to this sensitive area of policing. I suggest you take it up with them Councillor because you are on the Police Authority. It's a very interesting question that you have just asked me but I actually think you're ducking your responsibilities."

- 67.9 Councillor Duncan asked the following supplementary question, "I will just ask a supplementary, although I do note that I don't want to use my supplementary to ask the same question again but I'm none the wiser about your attitudes really whether or not you think it's more important to protect the rights of victims of domestic violence or make sure that we've got the presence of undercover officers in protest organisations. I really don't know your views. I didn't hear your answer to that point.

My supplementary question is simply this: do you therefore, if indeed you think that it is an operational matter and it's entirely up to the police to get on with whatever policy they want to have about undercover officers, are you quite comfortable with the answer that you've just read that the representative of this council on Sussex Police Authority has absolutely no role in the scrutiny or oversight of any plans the Chief Constable might have in this regard?"

- 67.10 Councillor Mears replied, "I think I understand your question. I'm quite concerned at your level of questioning because you are the council's representation on the Police Authority. You have access to briefings, far more than myself as Leader or Opposition Members. You have access through the Police Authority but the officers in the Police Authority, perhaps you're struggling, have offered to give you extra briefings so you totally understand.

It is not for this council to direct the Police Authority or indeed the Fire Authority but we do have discussions and obviously if issues come up we would put our point across if it was relevant to the residents in the city. I mean surely Councillor that's your role when you go to the Police Authority.

I did attend a Police Authority meeting, actually you weren't there which is quite interesting, but it was interesting to see that the other Members on the Police Authority took their role very seriously and were asking the relevant questions, so Councillor my question to you which isn't really the right way round but I think Councillor, I'll rephrase that Councillor. My concern, Mr Mayor, and I will address you. My concern, Mr Mayor, is that I do find the Councillor's questions quite bizarre. I'm not quite sure where he's going, perhaps he want to stick it on a leaflet, I really don't know but I think he needs to recognise he has a responsibility to this council. He is the police representation on this Authority and he should take his responsibilities seriously or stand down."

- 67.11 (c) Councillor Janio asked, "I know that as well as being our representative on the Sussex Police Authority that you also sit on the Authority's Resources Scrutiny Committee. Given this can you assure us that you will both scrutinise and hopefully reject any unnecessary proposals to reduce funds available for the protection of private property in Brighton and Hove?"

- 67.12 Councillor Duncan replied, "Well, in short, the budget papers they're not presented simply in terms of what bits of expenditure are about protecting property or indeed upholding any law 'X' as opposed to any other law 'Y'.

What I can do is, I can absolutely assure you that during all the discussions that have taken place in setting the Local Policing Plan for Brighton and Hove for the next year, I have absolutely defended and insisted that the police should put in there a commitment to protect personal property in the city and equally to protect the right to peaceful

protest. There is a recognition that as in all of these things they're in the Local Policing Plan, there is some balance there. That's an operational matter for the police but I can assure you that if there are any proposals specifically to cut money for the protection of private property then, of course, I will vote against it but I don't anticipate there being any such proposal."

67.13 Councillor Janio asked the following supplementary question, "So if we assume that these resources are going to be available, you said a peaceful protest. Does that mean you will also support the police acting against unruly mobs that are active in this city, for instance maybe against Vodafone in this city? Will you support the action of the police against unruly mobs in this city?"

67.14 Councillor Duncan replied, "Well, that is as I said a really vague question. Of course I support the police in their activities when their activities are about defending the rule of law and combining the protection of life, limb, everyone's right to personal property and defending the right to peaceful protest. Sometimes protest isn't peaceful and the police have to take other measures and just pat everyone on the back. I accept that, of course, and I don't really understand what more I could say but please be assured that I want to protect everyone's rights in this regard."

67.15 (d) Councillor Fryer asked, "My question is to the Leader of the Council if she happens to know why the Localism Bill makes no reference to giving people more power over licensing regulations?"

67.16 Councillor Mears replied, "Can I just for clarity, just to help Councillor Fryer, the licensing is not in the Localism Bill, because the licences are taken as a separate issue. To be helpful, Mr Mayor, if she was to contact her colleague MP I am sure she would be able to give her the details in the House of Commons and explain to her where licensing actually comes forward and I am sure she will find it quite helpful."

67.17 Councillor Fryer asked the following supplementary question, "I think you are aware that a lot of residents feel there should be a lot greater powers for local residents over the licensing regulations and there was a hope that the Localism Bill would address those concerns and it hasn't.

I think you are aware that a lot of people would like more powers for the local people over licensing regulations and they were hoping the Localism Bill would address those concerns and it doesn't look like it is addressing those concerns, so hopefully you'll agree that residents want more power over this.

My question is, would you be prepared to make that representation to your colleagues in Government that the Localism Bill should refer to licensing as well?"

67.18 Councillor Mears replied, "I thought I was being helpful first time round but I obviously wasn't, so I'll make it perhaps a bit clearer for the Councillor. The Home Office is responsible for licensing and in December 2010 they introduced a whole range of reforms in the Police Reforms and Social Responsibility Bill.

Proposals include:

- applicants being requested to give greater consideration to the local area when making their licence applications;
- retailers being banned from selling alcohol below cost price;
- extending early morning restriction orders;
- flexible closing times;
- a late night levy;
- making health bodies responsible authorities;
- making relevant licensing authorities responsible authorities;
- tougher rules on persistent sales of alcohol to children;
- police representation to be given greater consideration, reducing the burden of proof;
- suspending the licenses due to the non-payment of fines;
- revised guidance on temporary events notices;
- removing the vicinity test for the interested parties;
- review of cumulative impact policies.

I had explained in my first answer, Mr Mayor, that I think the Councillor has got confused between the Localism Bill but as I said if she looks up the Home Office she will find that she will be able to access the answers she is looking for."

67.19 (e) Councillor Oxley asked, "Could I ask Councillor Smith to make a statement on the future of the King Alfred?"

67.20 Councillor Smith replied, "The starting point for any development brief which emerges in the next year or so for the King Alfred site is the provision of first-class sporting facilities. A city of this size and reputation deserves to have a leisure centre to compare with any in the country and we are determined to deliver that for the residents.

It is extremely regrettable that the previous Administration got so tied up with the Karis scheme on the King Alfred that they completely got it out of context. It was supposed to be a leisure centre with a slightly lower amount of residential property. It ended up a grossly over-developed site: it was over-priced, everything went out the window.

What is upsetting to this council is the previous Administration didn't have any Plan B to counteract this. We promised when we came in four years ago that we would restore the King Alfred so it can be used today. We have spent over £2 million on the King Alfred bringing it up to date and I am sure if any councillors in this room haven't been in the King Alfred to see the modern facilities, they will be impressed.

May I end saying the last thing, I am happy to confirm to Councillor Oxley that the Conservative Administration will never sanction any development on the site without the involvement of the local community."

67.21 Councillor Oxley asked the following supplementary question, "I am very grateful to Councillor Smith and especially for his final comments there regarding the importance of taking local people along but can I press him further. Will a future Conservative Council build towers on that site?"

67.22 Councillor Smith replied, "No."

67.23 (f) Councillor Fallon-Khan asked, "I have here a copy of the 2005 Local Plan. On page 200 it clearly identifies, in 6104, Hangleton Bottom as a waste site. Could I ask Councillor Alford, the Cabinet Member for Central Services, to clarify to the council who was in Administration at the time and where does the ultimate responsibility lie for this folly?"

67.24 "I have with me here today a document that was delivered to my home in December. It states as follows:

*'The preferred option of the Inspectors who carried out the Inquiry into the Waste Local Plan for the whole area was that for the future Hangleton Bottom should be retained as an open space.'*

Not my words, the words of a Labour Party document published on behalf of Councillors Carden and Hamilton. Anyway if we can just clarify the situation once and for all, at the risk of repeating myself, the Local Plan was implemented 21 July 2005 by a Labour Administration who approved Hangleton Bottom for inclusion in the Waste Local Plan for recycling purposes. There again we know that included Councillor Mitchell, Chair of the Environment Committee, Councillor Hamilton, Chair of the Planning Applications Sub-Committee and Councillor Carden as Mayor.

We must conclude now that not only did the Labour Administration approve the Hangleton Bottom site for recycling operations but even more disturbingly they appear to have ignored the advice of the Inquiry Inspectors at the time not to do it. Could I make it clear myself and my Conservative colleagues in South Portslade and Hangleton, together with our MP, Mike Weatherley, all remain totally opposed to any form of recycling operation at Hangleton Bottom."

67.25 Councillor Fallon-Khan asked the following supplementary, "Following on from misinformation put out in Councillors Hamilton and Carden's names, will the Cabinet Member for Central Services please explain again what market testing actually is, reiterating why this Administration want to give opportunities to the residents to make choices for themselves, something evidently lacking in 2005 when the Labour Party made the decision for them?"

67.26 Councillor Alford replied, "Market testing is not selling, it will form part of a consultation where residents can make their own choices on information from Market Research, particularly with reference to community facilities. Market Research is followed by an informal planning brief, then preliminary discussions with Members and consultations with residents. If residents do not like what is on offer they can reject it. If residents do like what they see, a marketing partner can be sought, an exploration brief given, then some analysis, and even if anything came to Cabinet residents would still have an opportunity to reject the proposition. Simply put residents will decide, not Councillors, on what ultimately happens at Hangleton Bottom. This is in style with the totally opposite approach that is usually demonstrated by the Labour Party."



**68. REPORTS OF THE CABINET, CABINET MEMBER MEETINGS AND COMMITTEES.****(a) Callover**

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

- Item 69 - Support Services for Victims of Sexual Violence Scrutiny Review Panel Report;
- Item 70 - Dementia Strategy Scrutiny Review Panel Report;
- Item 71 - School Exclusions Scrutiny Review Panel Report.

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

68.2 The Head of Democratic Services confirmed that Items 69, 70 and 71 had been reserved for discussion; and

**(c) Oral Questions from Members**

68.3 The Mayor noted that there were no oral questions as all the items had been reserved.

**69. SUPPORT SERVICES FOR THE VICTIMS OF SEXUAL VIOLENCE - SCRUTINY REVIEW PANEL REPORT**

- 69.1 Councillor Watkins introduced the report and stated that he believed the review and the recommendations would have a significant impact in the city. He wished to thank all those who attended the meetings and gave evidence as well as the officers who supported the review. He also hoped that the forthcoming budget cycle would provide an opportunity to give consideration to the level of support that those organisations involved in the area required from the council. The whole process had been enlightening and he hoped all Members would take the time to read the full report.
- 69.2 Councillor Simson welcomed the report and stated that it had been an important review which had heard from a number of people and organisations. She noted that the Community Safety Forum was fully supportive of the review and that the Cabinet had accepted the recommendations, some of which had already been implemented. She wished to thank the Panel Members and the officers involved.
- 69.3 Councillor McCaffery also welcomed the report and wanted to thank Councillor Watkins for his sensitive chairing of the review panel. She noted that a number of the recommendations had been implemented and hoped others would be taken forward and real progress made.
- 69.4 Councillor Brown stated that it had been an important piece of work and noted that the Children and Young People's Plan included an element to strengthen child protection. She stated that officers were working with partner organisations to take matters forward and a presentation was to be made at the next Children & Young People's Trust Board meeting on the issue.

- 69.5 Councillor Phillips stated that she believed this had been an important area for a scrutiny review and she had found the evidence to be both moving and enlightening. She thanked everyone involved in the process and hoped that the voluntary organisations involved would continue to be fully supported by the council.
- 69.6 Councillor Duncan noted that the review had followed from a notice of motion and stated that he believed it was one of the most significant issues that had come before the council. He intended to ensure the report and its findings were brought to the attention of the Sussex Police Authority.
- 69.7 Councillor Watkins thanked the Members for their comments and the positive response to the report. He hoped that having brought together a number of people and representatives as part of the review process that they would now continue to meet and work together to ensure that a comprehensive support service could be maintained. He suggested that the council could facilitate regular meetings and commended the report to the Council.
- 69.8 The Mayor noted that the report had been moved and asked that the recommendation be agreed.
- 69.9 **RESOLVED:** That the report be noted.

### Refreshment Break

- 6.10 Following the debate the Mayor then adjourned the meeting for a refreshment break at 6.20pm.
- 6.11 The Mayor reconvened the meeting at 6.55pm.

## 70. DEMENTIA STRATEGY - SCRUTINY REVIEW PANEL REPORT

- 70.1 Councillor Hawkes introduced the report and stated that this was something which affected the whole family and carers not just the individual who was suffering from the illness. It was an emotional subject and one that needed on-going review and support. She wished to thank the Members on the Panel and the officers who supported the review.
- 70.2 Councillor Turton referred to the first recommendation and suggested that further consideration may be required in light of the proposals contained in the Health & Social Care Bill. He noted that unless amendments were made, the Bill would result in competition rules being brought into the primary care area and financial penalties which then might impact on the services available.
- 70.3 Councillor Ann Norman welcomed the report and stated that it was an excellent example of collaborative working. She believed it was vitally important to continuing working with health partners and support organisations. She also hoped that in the future the difficulties caused by head injuries bringing on trauma could be taken into account, as this was an area where an increasing number of people were suffering.

- 70.4 Councillor Ken Norman thanked the Review Panel for the report and stated that it had highlighted a potential time bomb that was ahead of everyone. It was therefore important to ensure that the delivery of services met individual's needs. He noted that Brighton & Hove was involved in a national pilot project on dementia support and to date feedback had been very positive. He also noted that it was intended to have a dementia champion appointed by the Brighton Hospital Trust.
- 70.5 Councillor Wrighton thanked the Panel for the report and the scrutiny team who helped to put the report together. She stated that it was important to ensure that healthcare staff and GP's were trained to recognise the onset of dementia and that more support was available to carers. She hoped that further reports would be brought to the Scrutiny Committee so that this matter could be carefully monitored.
- 70.6 Councillor Oxley welcomed the report and noted that it was becoming an increasing issue in the city. He felt that the question of support to carers needed further consideration as relationships with loved ones changes as the illness progressed. It was also important to be aware how people could become isolated with the onset of the illness and how this could be addressed, whilst recognising the need to maintain an individual's dignity.
- 70.7 Councillor Fallon-Khan stated that he believed it was an excellent report and one which needed to be brought to the attention of the GP's in the city.
- 70.8 Councillor Peltzer Dunn stated that it was a caring and compassionate report which addressed the issue and should be fully supported. He hoped that it would help to remove the stigma associated with the illness and help to ensure the sufferer and/or carer never felt alone in trying to deal with the illness.
- 70.9 Councillor Randall welcomed the report and stated that he hoped alternative methods of treating the illness would be given more consideration; such as the pro-active approach taken in Finland which had had excellent results.
- 70.10 Councillor Watkins stated that he hoped the report would be publicised widely throughout the city including doctors' surgeries.
- 70.11 Councillor Hawkes noted the various comments and stated that she was aware of the Finish model which she hoped could be taken board. She also hoped that the point raised by Councillor Norman regarding head injuries could be taken on board as part of the process in implementing the recommendations and therefore commended the report to the council.
- 70.12 The Mayor noted that the report had been moved and asked that the recommendation be agreed.
- 70.13 **RESOLVED:** That the report be noted.

**71. SCHOOL EXCLUSIONS - SCRUTINY REVIEW PANEL REPORT**

- 71.1 Councillor Fryer introduced the report and stated that it had been a very interesting review. She wished to thank the other Members of the Panel and to pay tribute to Councillor Smart who had passed away. The review had highlighted areas for improvement and the need to ensure that exclusions were not used as a form of punishment but rather to protect young people from harm. There was a need to provide suitable facilities at schools and to embed the process into the schools' culture and she welcomed the approach of CAHMS.
- 71.2 Councillor Allen stated that it had been an excellent review and he wished to thank Councillor Fryer for Chairing the Panel and hoped that the recommendations would be taken forward.
- 71.3 Councillor Brown thanked the Panel for the positive report and stated that she supported the recommendations which she hoped would be taken forward by the Headteachers and Schools. She also noted that the number of exclusions had gone down recently and that a virtual Head had now been appointed for Looked After Children. She hoped that this would have a positive impact and help to address the issue of SEN pupils being excluded.
- 71.4 Councillor Watkins welcomed the report and the appointment of the virtual Head, which he felt could be the template for the future.
- 71.5 Councillor McCaffery welcomed the report and the comments on foetal alcoholism and noted that there could have been more of a reference to autism. She also suggested that as many councillors were on schools' governing bodies they should actively raise the matter of exclusions at Governors' meetings to help address the issue and take the recommendations forward.
- 71.6 Councillor Fryer noted the comments and hoped that all Members would support the recommendations and ensure that they were implemented.
- 71.7 The Mayor noted that the report had been moved and asked if the recommendation was agreed.
- 71.8 **RESOLVED:** That the report be noted.

**72. NOTICES OF MOTION.****(a) Maintain the Brighton & Hove Schools Sports Partnership "Sport for All"**

- 72.1 The Notice of Motion as detailed in the agenda was proposed by Councillor Mitchell and seconded by Councillor Davis.
- 72.2 The Mayor then put the following substantive motion to the vote:

"This council notes with concern the attempts by the Secretary of State for Education, Michael Gove, to abolish the 450 School Sports Partnerships in the country that include

the Brighton & Hove Schools Sports Partnership based at Dorothy Stringer School that now stands to lose its previous funding of £320,000 per annum to run the Partnership.

The council further notes that government funding for school sports has been reduced with short-term funding from the Department for Education ending between 2011 – 2013.

The council reaffirms its support for the work of the Partnership and its Sports Co-ordinators that, through its involvement with all LEA schools, has significantly increased participation in sport, dance and healthy activities with thousands of Brighton and Hove young people taking part in activities provided by the additional 64 sporting clubs organised by the Partnership.

It particularly acknowledges and values the commitment from the 1,000 Volunteer Sports Leaders within the programme, both adults and year 10 and year 11 students.

It notes the comments of local Headteachers who have praised the work of the Partnership for its sharing of expertise and advice and who have seen how regular sporting activity has helped to raise educational attainment in their schools.

The council recognises that regular participation in enjoyable, varied sporting activity can improve the health and well being of young people and provide a positive outlet for competitive physical exercise and behaviour.

It acknowledges the success of this year's School Sports Festival that involved 19,000 of the city's young people.

Within the reduced funding regime this council requests the Cabinet to commit to:

1. Taking the lead, along with organisations such as Brighton & Hove Albion FC, Sussex Cricket Club, South East Dance and local gymnastic clubs, to ensure that access to the variety of sporting and other activities currently on offer to the city's young people does not diminish and that where possible budgets, premises, transport and expertise can be shared; and
2. Working quickly and pro-actively with all its schools, including Primary Schools, and local sports leaders, with the aim of maintaining a Brighton & Hove Schools Sports Partnership based on the ethos of 'Sport for All'.

The Council further requests the Chief Executive to write to the Secretary of State for Education highlighting the success of the Brighton and Hove School Sports Partnership and asking that he reconsiders his decision to reduce its funding."

**72.3 The motion was carried.**

**(b) Promoting Choice Through Transport Policy.**

**72.4** Councillor Hyde informed the Mayor that she wished to withdraw the motion.

72.5 The Mayor noted that the motion had been withdrawn.

**(c) Improvements to the Management of Housing**

72.6 The Notice of Motion as detailed in the agenda was proposed by Councillor Caulfield and seconded by Councillor Mears.

72.7 Councillor Simpson moved an amendment on behalf of the Labour Group which was seconded by Councillor Allen.

72.8 The Mayor noted that the amendment moved by Councillor Simpson had not been accepted by Councillor Caulfield and therefore put the proposed amendment to the vote which was carried.

72.9 The Mayor then put the following Notice of Motion as amended to the vote:

“This Council welcomes the huge improvements in housing management performance over the last 3 years which are highlighted in the recent Audit Commission report – ‘Review of the Housing Repairs and Maintenance Contract’. In particular:

- Urgent repairs have reduced from 29% in 2007/08 to 14% in 2009/10 whilst planned repairs have increased from 44% in 2007/08 to 62.4% in 2009/10
- 98.3% of urgent repairs are now completed in the target time compared to 89.3% in 2007/08
- A massively improved response time for emergency repairs with 98.4 % completed on time in 2009/10 compared to 83% in 2007/08
- The time taken to re-let properties has also improved from 35 days in 2006/7 to 26 days in 2009/10.
- At the end of March 2010, over 60% of the Council's housing stock was ‘decent’ compared to 44% at the end of March 2008
- Improving value for money - housing management costs have now reduced to average when compared to other councils.
- Increasing income through improved management of tenant rent and a significant reduction in bad debt provision.
- Resident satisfaction with the service is in the top 25% of councils, with 96% happy with the service and 88% rating the service as 8 out of 10 or above

Furthermore, this Council welcomes the Audit Commission’s recognition of the causes of the previous poor performance.

However, this council does express concern at the proposal by Communities Secretary Eric Pickles to curb the ability of councils, as part of their housing management and housing need processes, to bring empty homes back into use, with a requirement that they stay empty for two years thus adding to neighbouring residents’ fears that they will attract squatters.

This Council further welcomes the Audit Commission’s recognition of the efforts of the Council to bridge the Decent Homes funding gap left by the previous Administration after the failed stock transfer ballot in 2007. In particular:

- A new procurement strategy and combined housing procurement contracts which will save approximately £150 million over 30 years.
- A new housing Local Delivery Vehicle – Brighton & Hove Seaside Community Homes which will deliver up to £30 million of investment into some of the City's poorest housing stock.
- A bid to the Coalition Government's '*Decent Homes Backlog Funding for Council Landlords 2011-15*' which, if successful, would be the first money received by Brighton & Hove tenants for improvement works from central Government for over 10 years.

In addition, there is a clear and welcome recognition of the strong resident involvement mechanisms put in place since 2007, which have contributed to these successes.

This council also notes that following the national implementation of the first ever Decent Homes Policy, nine out of every ten social homes are now up to the Decency Standard as the previous Government worked to tackle the £19bn backlog of council and housing association repairs when 40% of social homes were in an unacceptable condition.

Therefore, this Council places on record its thanks and appreciation to all residents, council officers, partners and other stakeholders who have contributed so much to improving the housing service which the tenants and leaseholders of Brighton & Hove deserve."

**72.10 The motion was carried.**

**(d) Save London Road Post Office**

72.11 The Notice of Motion as detailed on the agenda was proposed by Councillor West and seconded by Councillor Davey.

72.12 Councillor Oxley moved an amendment to delete paragraph 4 of the motion on behalf of the Conservative Group which was seconded by Councillor Young.

72.13 The Mayor noted that the amendment moved by Councillor Oxley had not been accepted by Councillor West and therefore put the proposed amendment to the vote which was lost.

72.14 The Mayor then put the following substantive motion as unamended to the vote:

"This Council notes that the Post Office Ltd has written to the Chief Executive stating its intentions to close and relocate London Road Post Office Branch to new premises at 14 Preston Road, north of Preston Circus.

This Council also notes that in 2008 six post office branches were closed in the City. There was widespread public outcry from residents and businesses, and a strong

campaign of opposition including a letter-writing campaign, a petition, public meetings and a motion passed by this Council.

This Council acknowledges that residents and businesses are concerned that the new location is not as accessible as the current one, won't offer the same level of service, and that there is also likely to be a negative impact on the local economy of London Road.

Further, this Council notes the recently-passed Postal Services Bill, which could have serious consequences for Post Offices across the city. The provisions eliminate any guarantee of the current business agreement with Royal Mail, thus allowing for its privatisation – an option which remains deeply unpopular with most people, as it may lead to increased prices and a wider deterioration of service in favour of profit. [1]

This Council recognises:

1. The economic and social importance of maintaining an adequate and accessible post office service at the heart of the London Road shopping and commercial district;
2. The importance to local residents and businesses, particularly vulnerable and less mobile users, of other remaining Post Office branches around the city;

The Council therefore requests that the Chief Executive:

1. Responds to this consultation, and writes to Secretary of State for Business Innovation and Skills, setting out the concerns that Council has noted;
2. Explores with the Post Office alternative partnership arrangements, including the possibility that Council and Post Office services might be offered from a shared premises;
3. Makes clear to the Post Office the importance of all the remaining branches in the city and seeks assurance that none of these are under threat of closure; and that investment and innovation will ensure they will not be allowed to fall into a less viable state."

[1] 60% of people believe the Royal Mail should remain a wholly publicly-owned organisation. YouGov Poll August 2010."

## **72.15 The motion was carried.**

### **Motion to terminate the meeting:**

72.16 In accordance with Procedural 17, the Mayor noted that the meeting had been in session for four hours and he was therefore required to move a closure motion to effectively terminate the meeting.

72.17 The Mayor therefore moved the closure motion and put the matter to the vote which was lost and therefore resulted in the continuation of the meeting.



**(e) Continue the Educational Maintenance Allowance**

72.18 The Notice of Motion as detailed in the agenda was proposed by Councillor Hawkes and seconded by Councillor Mitchell.

72.19 The Mayor then put the following substantive motion to the vote:

“This council expresses deep concern over the proposed cancellation of Education Maintenance Allowance (EMA).

This Council is aware that:

- The EMA is available to 16-19 year olds who come from low income families and whose household's net income is below £30,000 per annum and that there is an additional grant for those students from families whose household income is below £20,000 per annum.
- That significant numbers of students attending Sixth Forms and Colleges of Further Education in Brighton and Hove benefit from EMA. For example, 65% of students, aged 16-19, that attend City College Brighton & Hove qualify for EMA.
- EMA is intended to help with the cost of books, travel, equipment or anything useful to the continuation of learning and paid straight into the pupil's bank account, giving them independence and allowing them to take charge of a small weekly budget.
- Payments are only made for good attendance, punctuality and performance.

This Council believes that EMA is needed to maintain participation, aspiration and attainment levels amongst young people and believes that their removal is especially likely to disadvantage young people in lower socio-economic groups in continuing their education. This will affect their ability to access further training and jobs to the detriment of the local economy and their personal lives.

Therefore, this council:

- 1) Calls on all of its Elected Members to note the national 'Save EMA' petition – <http://saveema.co.uk/join>
- 2) Requests that the Council's Chief Executive writes to the Rt. Hon Michael Gove, the Secretary of State for Education, asking him to reinstate EMA; and
- 3) Calls on the three Brighton and Hove MPs to lobby the government for a reversal of their decision to scrap EMA that will reduce access to further education for young people in Brighton and Hove and will prevent many children from the poorest families from accessing further education at all.”

72.20 **The motion was carried.**

**(f) The Local Government Finance Settlement and Subsequent Effects**

- 72.21 The Notice of Motion as detailed in the agenda was proposed by Councillor Randall and seconded by Councillor Kitcat.
- 72.22 Councillor Hamilton moved an amendment on behalf of the Labour Group which was seconded by Councillor Mitchell.
- 72.23 The Mayor noted that the amendment moved by Councillor Hamilton had not been accepted and therefore put the proposed amendment to the vote which was lost.
- 72.24 The Mayor then put the following substantive motion unamended to the vote:

“This Council notes with dismay the cuts imposed by the national coalition government upon funding for local services. This Council is concerned that December’s local government finance settlement will limit the council’s ability to meet the level and quality of service provision that the people of Brighton & Hove deserve.

This Council also notes that despite the Secretary of State Eric Pickles’ dismissal of the ‘front-loaded’ nature of these cuts as “a fiction”, it is clear that the heaviest burden will fall in the coming financial year, with a target of £30 million of spending to be axed. [1]

This Council deplores the Government’s decision to force local government into enacting these cuts so suddenly, while limiting options to mitigate the effects on services and jobs. This Council refutes the coalition government’s claims that these cuts can be met solely by back-office changes and by raiding reserves. Most of this Council’s reserves are allocated and cannot be spent to plug holes caused by cuts in central government grants.

This Council deeply regrets that residents of the city - particularly vulnerable groups - will bear the burden of unsustainable growth under the previous Labour government ideologically-driven cuts programme under the current Coalition Government.

Furthermore this Council is concerned that such cuts will also damage the local economy as redundancies occur, support for those put out of work becomes more costly, and a drop in demand for goods and services affects other sectors.

Therefore, this council:

- Rejects the Government’s assertion that their programme of cuts is “fair” or “necessary”;
- Deplores the confrontational approach taken by the Local Government Minister Eric Pickles MP in responding to local government concerns;
- Reaffirms the importance of working with trade union representatives to find ways to preserve services and jobs;

- Encourages and supports an open, cross-party process to address the difficult challenges posed by the 2011/12 council budget and to minimise the loss of essential frontline services.”

[1] Hansard, 6<sup>th</sup> December,  
<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm101206/debtext/101206-0001.htm>.

72.25 **The motion was carried.**

### **73. CLOSE OF MEETING**

73.1 The Mayor closed the meeting at 10.10pm

Signed

Chairman

Dated this

day of

