

<b>Council</b>	<b>Agenda Item 85</b>
24 March 2011	Brighton & Hove City Council

## **WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions have been received from Councillors and will be taken as read along with the written answers which will be included in an addendum that will be circulated at the meeting:

### **(a) Councillor Davis**

"What 'slow down' and Schools signs are planned to be installed along the Old Shoreham Rd near the junction at the Upper Drive?"

#### **Reply from Councillor Theobald, Cabinet Member for Environment.**

"I am pleased to report that two new electronic 'school warning' signs have been installed on the Old Shoreham Road, either side of the Upper Drive.

These complement the new puffin crossing currently being installed on the Upper Drive near this junction.

In addition to this, all the road markings along the Old Shoreham Road from BHASVIC to Portslade have been refreshed where necessary and a general de-clutter of signs has been carried out – removing redundant ones and combining others, some existing signs were either replaced or cleaned as appropriate."

### **(b) Councillor Elgood**

"Can the Cabinet Member for Environment kindly update me on the progress towards a gating order for Farman Street? As he will be aware this small cut through off Western Road has seen a particularly high level of anti-social behaviour and crime as a result of the high number of licensed venues on Western Rd."

#### **Reply from Councillor Theobald, Cabinet Member for Environment.**

"Statutory consultation on a proposed Gating Order at Farman Street took place between September and October 2010 and resulted in a number of representations both for and against being received and considered.

In the consultation it suggested a gate at the junction of Farman St and Western Road to be locked between the hours of 9pm and 8am to restrict access from Western Road to Farman St only. The lock will not restrict access from Farman St into Western Road at any time this is so that the area will remain accessible from Cross Street. (The legislation does not permit the full gating of an area of residential properties)."

**(c) Councillor Elgood**

“A recent licensing hearing concerning a premise on Western Road revealed that its existing licensing permissions did not match those relating to the current planning permissions for the venue. What checks are made between licensing and planning (and vice versa) to ensure that both permissions match? How does the council ensure that there are no differences between the two sets of permissions and has the council identified this as an issue in previously agreed applications, where premises now operate with one or other permissions incorrectly?”

**Reply from Councillor Theobald, Cabinet Member for Environment.**

“Planning and licensing are separate statutory regimes with different considerations. It is quite legitimate for planning permission and a premises licence to impose different conditions. It is the responsibility of the premises licence holder to comply with all permissions.

The law precludes using lack of correct planning permission being used to justify refusal unless a licensing objective is not supported. Licensing objectives are crime prevention, public safety, public nuisance or protecting children. Planning considerations are different to Licensing Objectives. The lack of appropriate planning position cannot be used to justify licence application refusal or impose conditions in itself. To do so, would leave the Council acting outside its powers.

Officers have reported to Cabinet last March on this subject. Officers continue to work towards ensuring planning policy and enforcement is more effectively used to supplement the existing licensing powers to control the availability of alcohol through licensed premises in the city.

Where appropriate when considering planning applications within the policy framework planning conditions can be attached to permissions to safeguard amenity and mitigate against impact”

**(d) Councillor Lepper**

“Can the Cabinet Member for enterprise give assurances to the local businesses and Community Transport, who currently rent space from the Council on the Preston Barracks site, that if future developments on that site should mean their relocation, every help will be given to them by the Council to do so locally, thus safeguarding the business and the jobs of those who work for them.”

**Reply from Councillor Fallon-Khan, Cabinet Member for Enterprise, Employment & Major Projects.**

“The council is of course committed to supporting businesses wherever possible. Indeed, it was the council’s desire to assist a number of local businesses back in 2004 (at a time when they had to vacate their previous site –

Hollingdean Depot), that led to agreement to their temporary relocation to Preston Barracks. They have been fully aware from the outset that their occupation was an interim arrangement pending redevelopment. They have operated from the site for considerably longer than originally anticipated and I am very pleased that the council has been able to assist in this way.

The city council will again assist where it can. Equally, I am sure the businesses will be proactively searching for alternative accommodation and will be making best use of the time still available to them. I would therefore hope that a longer-term solution can be found. I am aware that Councillor Lepper has raised her concerns at previous Board meetings and I know that officers will update the businesses as the project moves forward.

As a member of the Preston Barracks Project Board, Councillor Lepper will know of the progress that has been made, in recent months in particular, in moving forward with plans in partnership with the University of Brighton. Having been supported by the Board, I am delighted that the draft planning brief was approved at the 10 March Environment CMM. This is a significant step forward and consultation on the draft brief will be starting shortly. This site offers a fantastic opportunity to deliver a high quality development, one that will create much needed jobs and contribute to the regeneration of this area of the city."

**(e) Councillor Morgan**

"Can the Cabinet Member advise of the progress made on the sale of the land currently occupied by Whitehawk Library and Youth Centre, whether bids have been sought or received, what timetable there is for the sale and what the market value of the land is?"

**Reply from Councillor Alford, Cabinet Member for Central Services.**

"The recommendation to sell this site was presented to Cabinet on 14 January 2010 (item 161, Forward Plan No: CAB13950). More recently the Planning Projects Team has provided informal planning guidance notes for this site as well as land on Whitehawk Road (Wellsbourne Centre). The Property Estates Team are currently having informal discussions with agents with a view to identifying a shortlist to tender for the instruction for the marketing and sale of both sites. The intention is to commence marketing in May with a closing date for offers projected for July. Negotiations will then commence with the successful bidder or bidders to complete a sale which would likely complete in 2012. Initial valuations based on assumptions for residential development have estimated a value for both sites in the region of £1m - £1.5m which will be tested when put to the market.

The Whitehawk co-location project has been partly funded by the Education capital programme and so £1m from the receipt for these two sites will be repaid to the Education capital programme once the sales complete."

**(f) Councillor Morgan**

“How much has the council spent printing and posting the incorrect rate bills for charities?”

**Reply from Councillor Young, Cabinet Member for Finance.**

“We wrote to 100 organisations (charities and not for profit organisations) to forewarn them that their bills may be incorrect, due to unforeseen delays in processing applications for rate relief. The cost involved in sending these letters was relatively small at £105.89, and helped to ensure our customers were aware of what was happening. We have advised those involved to disregard their bill until they get an amended one in April.”

**(g) Councillor Elgood**

“Hotels and Guest Houses benefit from voucher parking in Kemp Town. Could the council consider extending the scheme to other parking zones, including in Brunswick and Adelaide, where small hotels and guest house owners have requested a similar scheme?”

**Reply from Councillor Theobald, Cabinet Member for Environment.**

“The council will consider the issue of extending the hotel voucher permit scheme to other parking zones as part of the citywide parking review this summer.”

**(h) Councillor Hawkes**

“Has the Cabinet member looked into the possible impact this government’s abolition of Educational Maintenance Allowance will have on young people in Brighton & Hove and what does she plan to do about it?”

**Reply from Councillor Brown, Cabinet Member for Children & Young People.**

“The cost of providing EMA is approximately £600 million. The grant is allocated according to household income which does not necessarily reflect the actual needs of the student.

There is another source of funding to support students in real need ...the discretionary Learner Support Funds which is given directly to sixth form colleges and Colleges of further Education. (The Local Authority is given Learner Support funding for those in school sixth forms.) The government is intending to increase this discretionary fund.

Decisions regarding the new discretionary fund will be made locally, enabling schools, colleges and training providers to target support at those young people in greatest need.

In finalising the arrangements for the enhanced discretionary learner support, the Department will consult with schools, colleges and training organisations and other interested parties, including on how to ensure that the most vulnerable young people, who are facing genuine financial barriers to participation, receive appropriate support to enable them to continue in education or training.

The plan is to allocate the enhanced funding in line with the timetable for overall funding allocations for schools and colleges, which will be made by the end of March 2011.”

**(i) Councillor Hawkes**

“Despite this government’s claim that they had found “more resources” for our school’s, new figures have revealed that the average secondary school will see its budget for building work, repairs and computers slashed by £86,000 next year and for primary schools in England the figure is £26,000. Does this concern the cabinet member and how does she plan to work with local schools to manage this further loss of funding?”

**Reply from Councillor Brown, Cabinet Member for Children & Young People.**

“The government has been able to safeguard resources for schools and through the pupil premium increases funding. As part of the spending review for 2011/12, the overall settlement for schools, within the Dedicated Schools Grant, has been maintained at flat cash per pupil, which means that funding will rise in line with pupil numbers.

The pupil premium is in addition to this and is estimated at £625m nationally for 2011/12. For schools in Brighton & Hove, the pupil premium funding will be in the region of £2m and it is planned for this pupil premium money to increase over the next 4 years.

Brighton & Hove has benefited from a significant capital building project in Moulsecoomb, a brand new secondary school and has secured funding for new buildings and refurbishment at Portslade Community College. We also have funding for the building necessary to increase the number of primary classrooms.

The amount available to individual schools through devolved formula capital (DFC) has been reduced and officers are working with schools to look at the best ways to use this efficiently. Some schools will contribute their DFC to existing projects and others may consider pooling their allocation to benefit groups of schools.”

**(j) Councillor McCaffery**

“As one of the very few councillors living near London Road, I am only too aware of the volume of traffic coming into the City and the heavy congestion this causes and would wish to encourage the use of other forms of transport, Could Cllr Theobald inform me of the cost of a normal return journey to the city Centre for two adults and two children?”

**Reply from Councillor Theobald, Cabinet Member for Environment.**

“Whilst it is a busy road it is also vitally important in providing access to the City for our many visitors and our residents.

Assuming that none of the members of the family hold any concessions, the Brighton and Hove Bus Company fare for each adult would be £3.70, and for the children it would be £1 each way, giving a total cost of £11.40. However the adult ticket for £3.70 is an all-day City Saver giving unlimited travel between Steyning, Shoreham, Lewes and Seaford. If the adults held Annual Saver tickets, and the children held Bus ID cards, then the total cost for the family for the day would be £3.16.”

**(k) Councillor Simpson**

“Could the Cabinet member give a best estimate as to how many Housing Benefit claimants will be affected by the cuts to the benefit that are being introduced over the next few years. Please can you inform me as to the numbers of Private Sector tenants and also a figure as to the number of working age Brighton and Hove City Council tenants who will be affected by such measures as the restriction of the payment of Housing Benefit to the number of bedrooms to match household size?”

**Reply from Councillor Young, Cabinet Member for Finance.**

“There are 28,114 people claiming Housing Benefit (HB) in Brighton and Hove. 9,630 of these are for Council owned, or Council leased accommodation. 18,484 are for private rented accommodation of which 4,891 are for Housing Association properties. The remaining people rent from independent private landlords and agencies.

Of the customers who rent from independent private landlords, 12,665 are paid under the Local Housing Allowance (LHA) scheme. A further 913 are paid on older HB schemes because of the length of their tenancy, it is a protected tenancy or because they live in unusual accommodation, for example houseboats.

There are currently 5,485 working households claiming HB and LHA. 4,183 rent from independent private landlords and agencies, 476 from Housing Associations and 821 from the Council.

7248 LHA claims currently have their benefit based upon an amount more than their rent. These 'excess' payments will be ended over the next 12 months starting in April 2011.

All LHA will be eventually based on the 30th percentile of local rents rather than the 50th percentile. This will be implemented for existing customers over the next 21 months starting from April 2011.

Non-dependent deductions are changing over the next three years to take into account inflation since 2001 when they were frozen. This will affect approximately 185 customers in Housing Association properties 265 who rent from independent landlords and agencies and 530 in Council Accommodation. A further 1000 claims with non-dependants are exempt from deductions.

The Government is yet to issue detail on the proposal that payment of HB should match household size and bedrooms in the Social Sector."

**(I) Councillor Meadows**

"Is Cllr Norman concerned about the cutbacks his government is making on the inspection of Care Homes and will he be making representations to the Secretary Of State for Health regarding the impact on local care homes?"

**Reply from Councillor Norman, Cabinet Member for Adult Social Care & Health.**

"This question is linked to the new standards for regulated social care services that came into force on 1/10/10, including essential standards of quality and safety that all care providers must meet. The Care Quality Commission introduced a new registration and monitoring system alongside this. This includes a shift from periodic inspections and quality ratings to a system of continuous monitoring of compliance with these essential standards. The Commission have introduced a Quality Risk Profile on all providers which enables them to gather and analyse available information. This informs the actions they will take in relation to providers including inspection activity.

Findings from CQC monitoring are publicly available and the Commission have a range of enforcement powers if providers fail to meet standards. The Commission have also announced the development of a new scheme to promote excellence in regulated social care services with a proposed implementation date of April 2012.

These national developments have been complemented by the introduction of more robust Care Governance arrangements in Brighton & Hove through the Care Governance Panel which monitors the quality of care across local services. Officers from the Council meet regularly with the local CQC team to discuss the quality of local services. At my Cabinet Member Meetings I receive regular reports summarising the quality of care home provision in the city.

The quality and safety of care in local care homes is of utmost importance to me. I am satisfied that the monitoring of local care services by the CQC, alongside the local arrangements in the city are robust, and therefore I will not be making representations to the Secretary of State.”