

**WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions listed on pages 57-60 of the agenda have been received from Councillors and will be taken as read along with the written answers listed below:

**(a) Councillor Pidgeon**

“Following his commitment to Councillor Norman at the Cabinet meeting on 14th July to review the amount of council taxpayers’ money spent on employing trade union representatives, can the Cabinet Member for Finance and Central Services please update me on his progress?”

**Reply from Councillor J Kitcat, Cabinet Member for Finance & Central Services.**

“Thank you for your question on the expenditure on Union duties within the HR budget. I am pleased to be able to say that significant progress has been made to bring expenditure back in line with the agreed budget.

The Strategic Director Resources has been carrying out a review with the Branch Secretaries of UNISON and GMB. Several meetings have taken place to examine current expenditure and decide a way forward. The focus has been on supporting facility time which accounts for over 98% of current expenditure, the remaining providing office equipment.

A way forward has been agreed to balance the HR Union budget by reducing the level of facility time and increasing Union contributions in some areas. Some details are yet to be confirmed and the Strategic Director Resources will now be implementing the changes with the Unions.”

**(b) Councillor C Theobald**

“Can the Cabinet Member for Planning, Economic Development & Regeneration confirm whether any alternative match funding for the INTERREG IV A 2 Mers Seas Zeeen programme has yet been secured following her decision on 3rd August to withdraw from the Avanta Work Programme placement contract for 18-24 year old job seekers in the city?”

**Reply from Councillor Kennedy, Cabinet Member for Planning, Employment, Economy & Regeneration.**

“Over the summer period the Council explored options to find alternative match funding from within existing budgets. Insufficient match funding could be found and in light of this a decision was taken to withdraw as Lead Partner and to support other agencies in taking forward the initiative. The Council was not

alone in reviewing its position. The City of Rotterdam also made an independent decision to withdraw.

Currently Medway Council is taking on the lead role. Within Brighton and Hove, we are supporting City College who are better placed to take forward the City's interest in this bid for EU funding. This support includes the Council facilitating a short term lease to the College to set up an Apprenticeship Training Agency presence on Queens Road.

We are continuing to explore the opportunities to create jobs, apprenticeships and training for young people in particular. We have moved forward on a number of key planning decisions (e.g. Astoria) which I hope will create jobs in the construction sector. The Leader of the Council recently met with Housing Association Chief Executives to explore how we can co-ordinate apprenticeship and pathways to employment for disadvantaged people.”

**(c) Councillor Peltzer Dunn**

“Can the Chair of the Governance Committee please confirm what arrangements are being made by officers to carry out the Council’s desire, restated at its meeting on 21st July, to return to a Committee system at the ‘earliest possible opportunity’, bearing in mind that the Localism Bill is nearing the end of its passage through Parliament?”

**Reply from Councillor Littman, Chair of the Governance Committee.**

“The resolution of full Council on 21 July required the Chief Executive to write to the Secretary of State asking for amendments to be made to the Localism Bill to enable the Council to return to the Committee System without delay.

A letter to the Secretary of State and the local MPs was sent out the next day, 22 July, and the response circulated to Members. In the response, the government stated: “We will have regard to [your request] when considering the detailed arrangements for implementing the Bill.” There was no other specific action requested of Officers as part of the July 21st resolution of full Council.

The government has not made any amendments to the Bill so far as it relates to this issue. Therefore, as it stands at the moment, the earliest that the Council could move to a Committee System would be at the Annual Council in 2015 unless the Secretary of State, by regulations, permits the Council to adopt a Committee System earlier. We are waiting for the final legislation and relevant guidance setting out the requirements for the submission of proposals. Officers are following the progress of the Bill and they have been updating the Leaders Group and the Governance Committee. They have all the necessary constitutional precedents for a Committee System available and ready to hand as and when needed. As soon as the legislation receives Royal Assent and relevant secondary legislation and guidance is in place, they will report to the Governance Committee with all the options.”

**(d) Councillor G Theobald**

“The South Downs National Park Authority has been in existence now for 6 months, following a full shadow year. This Council unanimously supported its formation and residents were rightly very enthusiastic about its potential. Bearing in mind the first thing visitors to the Park see when entering along Dyke Road is the encampment at 19 Acres, does Cllr. West, as the Council’s representative on the Authority, agree that this is not the kind of use the Park was established for and will he please advise the Council what specific actions have been taken so far by the Park Authority to give residents of the city confidence that it will achieve all that it was set up to do?”

**Reply from Councillor West, Cabinet Member for Environment & Sustainability.**

“The South Downs National Park Authority (SDNPA) is the organisation responsible for promoting the purposes of the National Park and the interests of the people who live and work within it. It’s responsibilities include:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the area and,
- To promote opportunities for the understanding and enjoyment and special qualities of the park by the public.

The National Park Authority also has a duty to work in partnership with local authorities to foster the economic and social well-being of all of the diverse communities. Over 100,000 live within the South Downs National Park. This includes Gypsy and Traveller communities who live on the many public and privately owned sites that exist within the Park and those who living within settled housing. There is also a long history of Gypsies and Travellers using land within the National Park area and being traditionally welcomed at stopping places across the South Downs.

The group of Travellers who have occupied the ‘19 acres’ site were tolerated at this location over the summer period as a practical solution to prevent an unauthorised encampment in a more sensitive location elsewhere in the city. This period of toleration has now come to an end and the Council is currently seeking possession of the land. A possession order was obtained in the County Court on 14th October 2011.”

**(e) Councillor Mears**

“In relation to the proposed use of Black Rock as a temporary coach park, could the Cabinet Member for Transport & Public Realm please tell me:

- a) when the decision was taken formally to overturn the 22nd March Cabinet Member decision which granted permission for the coach park;

- b) why the initial cost estimate for the works increased from £100k to £200k and
- c) what is the £100k from Seaside Towns grant, that was allocated by the Cabinet Member, now being used for?"

**Reply from Councillor Davey, Cabinet Member for Transport and Public Realm.**

"a) No Cabinet Member decision has been overturned. At the Enterprise, Employment & Major Projects Cabinet Member Meeting on 22 March the decision was taken to grant landlord consent for the use of Black Rock as a temporary coach park.

There are currently insufficient funds to establish a permanent coach park as originally conceived. Officers are therefore reviewing the position, taking into account:

- i) the options for managing coach parking in the city;
- ii) the financial viability of a coach park at Black Rock and budget options;
- iii) a forthcoming comprehensive seafront strategy and potentially competing uses for the land.

I will be consulting my Cabinet colleagues to ensure we arrive at an agreed way forward.

b) Following a detailed specification, tenders and analysis, the cost estimate of £100,000 increased to over £200,000 in order to include:

provision of a facilities block; drainage works; levelling out of different areas of tarmac; works to the Marina Road entrance to allow easier coach access; security whilst works take place.

c) With regards to the Seaside Towns grant, the remaining £100,000 was allocated by the Leader of the Council at the time for the coach park at Black Rock."

**(f) Councillor Janio**

"Over the past few years, the excellent provision of youth services provided by the Hangleton and Knoll Project, funded as part of the council Youth Service, has meant that the west of the city has seen a gradual reduction in youth Anti Social Behaviour. This has been confirmed by the police and academic studies. What steps is the Council taking to ensure that this local service and expertise are maintained through the new commissioning process?"

**Reply from Councillor Shanks, Cabinet Member for Children and Young People.**

“I agree with you on the excellence of the Hangleton and Knoll project, I visited it in the summer. Unfortunately the minister in charge of youth services , Tim Loughton does not agree with us on their value and I would ask you to contact him about this. As you may know youth services are closing around the country and the minister feels they should not be given public money.

Provision of youth work services has long relied on a strong partnership between community and voluntary sector providers and local Authority services. This includes the Hangleton Youth Centre, the Portslade Village Centre and the Youth Crime Prevention Team in the west of the city. We will continue to work together and the reduction of Anti Social Behaviour will remain a shared priority.

The Youth Service Review involved local youth organisations, including the Hangleton and Knoll Project. A draft Youth Services Commissioning Strategy has been out for public consultation over the summer, and was considered by a Panel of the Children and Young People’s Overview and Scrutiny Committee on Monday October 17th.

The Strategy sets the outcomes we want for young people and the principles for the commissioning and delivery of youth services. It maintains a firm commitment to a neighbourhood approach to meet local needs and make best use of local resources and expertise.”

**(g) Councillor Pissaridou**

“Would the Cabinet Member 1) explain what support is given to looked after children when allocating school places and 2) provide assurance that looked after children are placed in the most appropriate local schools possible”

**Reply from Councillor Shanks, Cabinet Member for Children and Young People.**

“The Early Years Consultants support Early Years Foundation Stage Personal Education Plans (PEPs) for Looked After children aged three and over attending Brighton and Hove private, voluntary and independent early years settings.

An Early Years Consultant attends the meeting, which is called by the child’s social worker, to support the practitioners in the setting and to ensure that action points are appropriate. The Early Years team leader also attends a termly coordination meeting for Early Years, Personal Education Plans (PEPs) chaired by Sarah Guy Senior Practitioner from the Educational Psychology Service and attended by Lorraine Myles, Virtual School Headteacher, PRESENS, (Pre-School SEN Service) the foster care team and other relevant professionals.

Once children enter the school system, the admissions code is unequivocal in that we must give first priority to Looked After Children. If a child in the care of

the local authority, a Looked After Child, applies for a place they get first pick ahead of everyone else.

If there is no place available we work with the schools to admit the child as an exception.

If it is an infant class that is full, the legal limit is 30; children in care can, and are, admitted outside the normal admission round as an exception

The Virtual School supports all school aged children in the care of Brighton & Hove. The aim of the team is to support children in care to ensure they achieve improved educational outcomes.

Alongside specific programmes of support and activities for children, the Virtual School for Children in Care works with a wide range of partners. This includes the social work colleagues who hold parental responsibility for children in care. Social workers and foster carers are provided with guidance and support with regard to school provision and allocations and informed of their right to receive first preference for their school choice.

Even when a looked after child is placed outside of Brighton & Hove, their admission rights remain the same.

Although this rarely happens, the Director of Children's Services has the right to direct any school that refuses to co-operate under these arrangements.

The Admissions policy for Brighton & Hove clearly states the circumstances where allocations for school placements are prioritised. Children in the care of the local authority are at the top of this list."

**(h) Councillor Pissaridou**

"Will the Cabinet Member confirm how many people in total have been fined for dog fouling in Brighton & Hove over the past twelve months, and how many people were fined in each of the last twelve months?"

**Reply from Councillor West, Cabinet Member for Environment & Sustainability.**

"The Animal Welfare Team, Park Rangers and Seafront Officers are all authorized under the Clean Neighbourhoods and Environment Act 2005 to issue fixed penalty notices for dog fouling.

In the last year, 4 fixed penalties were issued for fouling and 5 for dogs off the lead, including a skateboarding dog in Sidney Street that had knocked over several people including a pregnant woman.

The Animal Welfare Team carryout approximately 250 proactive patrols of city hotspots, along with approximately 300 investigations of dog fouling complaints and in excess of 165 hours of patrols during the weekends each year.

In 2010/11, over 300 dog fouling complaints were received. In the same year, the Council had to deal with 369 stray or abandoned dogs. Members will understand that dog fouling investigation work has to be seen in the wider context of animal welfare work.

This is a national issue. In UK 126,000 stray dogs were recorded by authorities. A quarter was passed to welfare organizations or dog kennels. The national animal charities are under pressure. The number of stray dogs has increased by 4% in UK last year. Only 42% were reunited with their owners. There needs to be greater controls on dog breeding and responsible dog ownership. In our city 186 out of the 369 strays were reclaimed by owners. A resulting demand is placed on welfare organizations.

Complaints about fouling have fallen. In 2006-07, the year before the new Dog Control Order for fouling was introduced, 415 complaints were received. In 2010-12, 304 complaints were received, a fall of 25%. This fall reflects the team's hard work on this issue.

Stray dogs and cruelty investigations take priority over fouling, and I commend the Council's animal welfare officers' hard work in both these areas."

**(i) Councillor Robins**

"The annual report to council tenants and leaseholders 2011 claims that this administration will continue to overclad flats and insulate them, reducing residents' fuel consumption by up to about 17%. I would be grateful if the Cabinet Member could explain:

- a) how this figure was calculated and
- b) whether the figure of 17% is a proportion the total amount of fuel consumption used, or a proportion of the amount of fuel used to specifically heat the property?

Does the Cabinet Member agree that the council's contractor, Mears, should be carrying out their own satisfaction surveys on their own work?"

**Reply from Councillor Wakefield, Cabinet Member for Housing.**

"The statistics referred to in the annual report describe the average energy reduction at Wiltshire House following over-cladding – when compared to Hereford Court, a block of identical design and construction that is not clad.

This analysis was undertaken using government-approved SAP (Standard Assessment Procedure) energy software modelled on two standard one-bedroom flats of the same size and position in each building.

The modelling assumes the same heating system and controls, and a standard use profile. The energy modelled is for hot water and space heating use only, so doesn't include individual dwellings' electrical use, which is difficult to model

because of differing lifestyle choices, such as number of appliances & white goods. The modelling showed that energy use in a flat in this block could be expected to fall by around 17.5% as a result of the installation of insulated cladding.

Mears carry out useful information gathering on their performance, and the information received is carefully monitored by the council. The Council's Partnering & Performance Team audit data quality for the partnership. While Mears collect their own satisfaction surveys, this is only one of many different ways we get feedback on the service. Others include:

- Tenants carrying out 'mystery shop' exercise on the service;
- Feedback from tenant satisfaction questionnaires;
- Regular surveys of residents views (STAR/Status survey)'
- Feedback from engagement events such as the City Assembly;
- Feedback from resident representatives at meetings such as the Repairs & Maintenance Monitoring Group, Area Panels, Housing Management Consultative Committee and the Repairs Core Group;
- Analysis and learning from complaints about service delivery;

The partnership with Mears is increasing the level of feedback that we receive from residents. Before the new repairs contract we had a low level of feedback (below 5%), but we are now getting feedback for 20% of repairs that are carried out.

The processes for feedback is something that a future tenant scrutiny panel could look at."

**(j) Councillor Farrow**

"Can the Cabinet Member tell me how Brighton and Hove City Council currently tackles persistent rogue landlords and with what success?

In light of Shelter's Evict Rogue Landlords campaign, is this Administration:

- a) Prepared to address the issue of rogue landlords as a priority and,
- b) Get tough with those landlords who believe they can get away with illegal and unethical behaviour?"

**Reply from Councillor Wakefield, Cabinet Member for Housing.**

"Brighton & Hove has a private rented sector twice as large as the national average, at 23 % of all households. The City has the sixth largest private rented sector in the country.

Working with the private rented sector and good landlords is a priority for the Council to: meet housing need; prevent homelessness, and; improve the condition and sustainability of private rented homes.



As with other cities we have a mix of good and bad landlords. The council is very keen to see standards maintained and employs officers in the Private Sector Housing, Housing Options and Housing Acquisition teams who are actively engaged in this area.

The Council has a long history of dealing with issues of management and conditions in the private rented sector.

This administration welcomes Shelter's "Evict Rogue Landlords" campaign in addition to the excellent research and campaigning they have done on the issue in the past. In particular the campaign raises the issue of persistently poor quality accommodation and attempts by landlords not to follow lawful processes to evict tenants – both of which are important issues.

The council operates an Accredited Landlord scheme to improve knowledge and standards in the sector. Where breaches occur, we take enforcement action with the regulatory powers we have."

**(k) Councillor Marsh**

"Will the administration commit to maintaining 'Safe and Sorted' children and young people's services after April 2012?"

**Reply from Councillor Shanks, Cabinet Member for Children and Young People.**

"The Administration stepped in to provide temporary support to enable Central Sussex YMCA to continue the Safe and Sorted youth advice service until the end of this financial service when a National Lottery bid was unsuccessful.

The Local Authority and Central Sussex YMCA were already working together closely and the Safe and Sorted Project recently re-located into the council's 67 Youth Centre in Moulsecomb

Many Community and Voluntary Sector organisations have reported a similar reduction in external funding opportunities and this has inevitably created significant pressure and uncertainty. The Administration is working closely with the Community and Voluntary Sector Forum to find a way forward.

As a result of the difficulties faced by the Safe and Sorted Project the provision of Youth Advice Services will be addressed by the Youth Service Commissioning Strategy but, at this point in time it is not possible for the Local Authority to guarantee the future of any specific provider or service."

**(I) Councillor Marsh**

“Would the Cabinet Member agree that many parents in the city do not want their children to attend a Faith School and that expecting them to do so simply in order to get a school place for their child is unfair and erodes their ability to express a meaningful preference of school?”

**Reply from Councillor Shanks, Cabinet Member for Children and Young People.**

“Many parents do not want their children to attend a Faith School and some do.

Both wishes are catered for in Brighton & Hove by the provision of Voluntary Aided Schools and Community Schools. Voluntary aided schools are faith schools and in our case either Anglican or catholic. Community schools are not faith schools.

In other authorities there is a third option of Voluntary Controlled schools, which are also faith schools. The provision of a breadth of school types is determined by central government in order to offer parents a potential range of choices.

For many parents their wish is for their child to attend their local school regardless of its designation. The council supports local schools for local children. Of course we would not want parents to have to send their children to a faith school

Given the spread of faith schools across the city it is possible for parents to have a local school that is not their preferred designation. However parents have the right to express three preferences and to rank these accordingly.

The Council uses its admissions process to provide parents with their first preference wherever possible.

It would be helpful if faith schools were prepared to take children of other or no faith but this will not be a solution to the problems of lack of school places which are being addressed in papers coming to the November Cabinet.”