

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions listed on pages 51-54 of the agenda have been received from Councillors and will be taken as read along with the written answers listed below:

(a) Councillor A. Norman

“What is the cost of the Budget consultation work currently being carried out for the Council by the New Economics Foundation?”

Reply from Councillor Littman, Deputy Chair of the Policy & Resources Committee (Responsible for Finance).

“The Budget Update and Budget Progress 2013/14 report to Policy & Resources Committee on 12 July 2012 set out a wide range of Community Engagement and Consultation to help inform the setting of the 2013/14 budget. The overall budget for consultation approved by the committee was £15,000 to £20,000 including provision for a public consultation event.

“Subsequently, the New Economics Foundation (NEF) were engaged to facilitate an independently run public consultation event at the Jubilee Library on 26 September 2012. The results and full report from the consultation event will be reported to members. The cost of the engagement with NEF is £4,000 plus a maximum of £200 for expenses.”

(b) Councillor A. Norman

“The latest Audit Commission Annual Governance Report for Brighton & Hove City Council once again identifies serious weaknesses in the operation of the Council’s Human Resources Payroll System which creates a ‘risk of misstatement and fraud’. Can the Leader of the Council please tell us what steps are being taken to address these serious shortcomings and does he agree that the length of time it has taken to sort out these problems is simply unacceptable?”

Reply from Councillor J. Kitcat, Leader of the Council.

“The problems that have arisen from the previous administration’s procurement of the HR IT system are concerning, and have needed some work to fix.

“The Audit Commission Annual Governance Report for Brighton & Hove City Council covers the period 1 April 2011 to 31 March 2012. The control issues relate to the outcome of work by both the Audit Commission and Internal Audit.

“During the year, the Audit Committee was made aware of the control issues and progress to address, including resource constraints and issues with the iTrent HR System. These issues have been taken very seriously and action has been taken to

ensure that the recommendations made by both Internal Audit and the Audit Commission have been implemented. It should be noted that audits tests and further ones carried out by HR have not found any evidence of fraud.

“Internal Audit is working closely with HR Management to implement actions and improve controls. A further Internal Audit review will be carried out in January 2013 to provide assurance.

“Only one medium priority internal audit recommendation now remains outstanding, expected to be implemented by the end of October 2012. This relates to the testing of all exception reports.

“A number of control issues arose due to the complexity of the payroll operation. This is being addressed including the recent successful transition from weekly to monthly payrolls.

“To further reassure the Council, the Annual Governance Report informed the Audit & Standards Committee at its meeting in September 2012, that the District Auditor had carried out substantive testing of the payroll and concluded that there was no material impact on the council’s accounts or any evidence of fraud and that she was able to provide the council with an unqualified opinion on its 2011/12 financial statements.

“The most recent external audit checks continue to confirm very good progress is being made. I would like to take this opportunity to thank the staff from HR and the Programme Management Office who have worked so hard on delivering these improvements.”

(c) Councillor K. Norman

“Section 269 of the Public Health Act gives local authorities powers to control the use of movable dwellings and to license the use of land as a site for such a dwelling. If the land in question is to be used for more than 28 days in total in any calendar year, planning permission must be obtained. Furthermore, a site which is used for more than 42 days consecutively or 60 days in total in any consecutive 12 months must have a site licence. Can Cllr. West please confirm whether planning permission has ever been sought, or a site licence obtained, for the ‘tolerated’ traveller site at 19 Acres, given that it has been occupied for well over 28 days on 3 separate occasions in the last 18 months?”

Reply from Councillor West, Chair of the Environment & Sustainable Committee.

“Government guidance states that it is good practice to allow some toleration for short periods in locations where the encampment does not have significant adverse impact on the settled community and/or where health and welfare needs might make immediate eviction unreasonable.

“Travellers on unauthorised encampments are considered to be trespassers, so no licence or planning permission application is necessary. There have been two

occasions over the past 18 months when 19 acres have been occupied by an unauthorised traveller encampment for more than 28 days. On both occasions, after a short period of toleration in accordance with the government guidance, legal action was successfully taken to remove the travellers from the unauthorised encampment. To have applied for licences and planning permission would have been counterproductive and may have risked the possibility of an interest in land being created. “

(d) Councillor C. Theobald

“Nationally, £200 million of taxpayers’ money is lost due to fraud and error in the council tax benefit system. Localisation of council tax support will give councils a greater incentive to clamp down on fraud and error as they will get to keep all the savings made. Can the Administration’s Finance Spokesperson give an estimate of how much is currently lost through fraud and error in Brighton & Hove and what steps are being taken to cut down on that from next year?”

Reply from Councillor Littman, Deputy Chair of the Policy & Resources Committee (Responsible for Finance).

“In excess of £25m was paid out in Council Tax Benefit in 2011/12. Of this £83,508 was identified as overpaid due to local authority error or administrative delay and a further £59,949 as fraudulent overpayments.

“It is normal practice to recoup these overpayments by collecting them as unpaid council tax. The localisation of council tax and the associated reduction in government funding of over £2.5m for the replacement scheme for Council Tax Benefit will place additional pressures on the council.

“The council has a zero tolerance policy to fraud. The Head of Audit and Business Risk is paying particular attention to minimising the risk of fraud in the Local Council Tax Support System and is working closely with the Revenues & Benefits service to devise a rigorous fraud prevention and detection programme to ensure we continue in our determined drive to pay support only to those who are entitled to it. This will include the use of data and intelligence, and existing and planned powers for the proactive investigation of fraud.”

(e) Councillor Bennett

“Residents are becoming increasingly concerned about the state of the tennis courts in Hove Park. Some work was carried out on the courts 2 or 3 years ago to improve drainage but this has not proved effective. Whenever there has been rain the courts flood and pools of water sit on them instead of draining away. This makes them dangerous to play on, but even worse is the fact that the courts become very slippery because they are never cleaned. Dirt carried in on shoes turns into mud after even a little light rain, and with poor drainage the mud is never washed away. Will the Chair of the Economic Development & Culture Committee please ensure that this situation is addressed as a matter of urgency before one of our residents has a serious accident as a result of the state of the courts?”

Reply from Councillor West, Chair of the Environment & Sustainability Committee.

“All flat surfaces are subject to problems with standing water in heavy rain. With Hove Park the problem is exacerbated by the large surface area and the fact that the surrounding park land is at a higher level than the courts. Because of this the courts have low level walls on three sides to prevent additional water ingress and this partly results in the water taking longer to drain. Drainage channels were installed two years ago which has helped the problem considerably. The water also drains away through the courts which are relatively porous.

“Property Services are investigating whether it is possible to form drainage points on the south side of the courts to enable water to be swept away to the ‘Astro’ courts which are on a lower level and – being porous - should provide greater drainage capability. If it can be shown that such action would not result in damage or flooding to the ‘Astro’ courts, then the work will be carried out.”

(f) Councillor Cobb

“Can Cllr. Davey confirm when the last structural survey was carried out on the Hove Town Hall Norton Road car park? I am concerned that the many leaking drain pipes are undermining the structural integrity of the cement blocks of which the car park is built.”

Reply from Councillor Davey, Chair of the Transport Committee.

“The last concrete defect inspection survey was carried out on 23rd November 2011, with the next annual inspection scheduled for the end of October/early November this year.

“Repairs to the highest priority defects identified were carried out over the first three weeks of July this year. This included repairs to the North stairwell, re-sealing of expansion joints and repairs to the deck coatings to the upper exposed levels.

“The drainage pipes were also cleaned through from the roof levels to the ground, and the emptying of the ground and basement interceptor chambers is scheduled for November.”

(g) Councillor Simson

“At the beginning of this year, the Green administration made the decision to divert £175K from the Community Development budget to Neighbourhood Councils. This was despite the fact even following extensive consultation showing that there was little or no appetite for it in the communities and meant that vital community development work in both Woodingdean and Hollingbury was completely cut causing detriment to both neighbourhoods.

Can Cllr Duncan please tell me whether:

- he still considers this was the right thing to do or has the administration made a mistake?
- this is producing value for money, as community development work does?
- he is considering diverting funds from other budgets causing those programmes to also suffer?"

Reply from Councillor Duncan, Chair of the Community Safety Forum Committee.

"In answer to your specific questions, I can confirm that I still do consider establishing the neighbourhood council pilots - which seek to put real power in the hands of communities in a way previous administrations of this council seemingly quite failed to understand, and in response to an enthusiastic response from community activists and groups from across the city, including, for example, the Deans Business Club in Woodingdean - the right thing to do.

Two pilots were launched in September, and they are already starting to produce tangible results. A VFM analysis will be carried out in due course, but I stress the programme is not about saving money but delivering real democracy to communities across the city.

Finally, the success of devolving power to local communities will, of course, depend on the ability to fund the programme. At this stage, it's not the diversion of funds that seems to be the issue but massive cuts to this and other councils - and continued financial uncertainty, being forced on this council through last minute announcements by the Government, and deals over local taxation arrangements being done by local members of both opposition parties."

Supplementary information

1500 residents responded to the consultation, 88% strongly agreed or tended to agree that they would like to have more influence over decisions and services affecting their area, of this 68% said that they would become involved in local governance. 30 expressions of interest were received to become pilot Neighbourhoods Governance areas, including one from Woodingdean, Deans Business Club.

The Community Development Commission 2012-14 provided an in-depth need assessment informing decision making, this refocused priorities on areas with the most need. The 175k continues to support the work of involving and engaging communities in local decision making and solutions.

The NG pilots were launched in September 2012 and will be monitored and evaluated quarterly alongside the commissioned community development work, with the first full report in January 2013. This will inform local and strategic decisions during and after the pilot. Monitoring and evaluation reports will identify outcomes achieved, key challenges and barriers to success and identify good practice that delivers sustainable results.

The Neighbourhood Governance approach in both pilots is being driven by existing residents groups who wish to have more power and responsibility, to create better neighbourhoods and local services. In Whitehawk these groups are merging to create one Neighbourhood Council and in Hollingdean and Stanmer a steering group is being developed that is made up of representatives from a range of groups and forums.

The Whitehawk Neighbourhood Council is planning an initial event in October which intends to stimulate discussions about budgets, allocations, funding priorities, and to open up new ways of achieving local priorities. They are also working on their own governance structures, looking to develop Participatory Budgeting with Health and Youth funding and develop a Neighbourhood Plan.