

**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30pm 30 JANUARY 2014****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

**Present:** Councillors Cobb (Chair), Randall (Deputy Chair), Barnett, Bennett, Bowden, Brown, Buckley, Carden, Cox, Daniel, Davey, Deane, Duncan, Farrow, Fitch, Gilbey, Hamilton, Hawtree, Hyde, Janio, Jarrett, Jones, A Kitcat, J Kitcat, Lepper, Littman, Mac Cafferty, Marsh, Meadows, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pissaridou, Powell, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Wakefield, Wealls, Wells, West and Wilson.

**PART ONE****63. DECLARATIONS OF INTEREST**

63.1 No other declarations of interests in matters appearing on the agenda were made.

**64. MINUTES**

64.1 The minutes of the special meeting held on 12 December 2013 and the last ordinary meeting held on the 12 December 2013 were approved and signed by the Mayor as a correct record of the proceedings.

**65. MAYOR'S COMMUNICATIONS.**

65.1 The Mayor stated that she unfortunately had to relay the sad news that Chris Cooper, who was one of the security guards at Kings House and who also worked at Council meetings, passed away unexpectedly on Saturday 18 January, after an operation. Chris was a friendly, positive and engaging man and would be greatly missed by his colleagues. A book of Condolence had been signed by many of his colleagues and was at the reception desk that day, together with a charity collection. Condolences were extended to his wife and family. The Mayor went on to announce the death of a former Conservative Councillor and Hove Mayor Marshall QPM, and the death of a former Mayoress Esther Theobald (when her husband Stanley Theobald was Mayor in 1971). A minute silence was held in all of their memory.

65.2 The Mayor stated that Brighton & Hove City Council had last week celebrated achieving a world first by becoming the first local authority to be awarded two major international

standards for environmental management and sustainable events. The ISO certificates were awarded for the Council's work on reducing the environmental impact of events in council venues, including the Brighton Centre, Hove Town Hall and outdoor events on council owned land. Congratulations were extended to the Sustainability Team the Events team.

- 65.3 The Mayor stated that the Budget Council on 27 February 2014 would be moved to Hove Town Hall.
- 65.4 The Mayor that it had been requested that item 75(d) 'Notice of Motion – Motion of no confidence in the Leader and his administration of Brighton & Hove City Council' be moved forward and considered after Item 68. Having taken soundings the Mayor noted that the majority of Members were in favour of this and moved the item under Council Procedural Rule 7.2.

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

- 66.1 The Mayor invited the submission of petitions from councillors and members of the public. She 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.
- 66.2 The Mayor noted that 5 petitions and e-petitions had been submitted and invited Ms Richardson to present her petition signed by 1443 residents concerning postponement of enforcement of yellow lines on Elm Grove.
- 66.3 The Mayor then invited Ms Reynolds to present her e-petition signed by 742 concerning the 20mph zone in the Fiveways area.
- 66.4 The invited Mr Wilson to present his e-petition; however, he was not present at the meeting to do so.
- 66.5 The invited Mr Fisher to present his e-petition; however, he was not present at the meeting to do so.
- 66.6 Councillor Bennett presented a petition signed by 206 residents concerning Dyke Road Cycle and Pedestrian Facilities.
- 66.7 The Mayor noted there were no other petitions to present.

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

- 67.1 The Mayor reported that 3 written questions had been received from members of the public and invited Mr Tilley to come forward and address the council.
- 67.2 Mr Tilley asked the following question;

"The Council was busy last year with many successful projects including The Living Wage, Council Equal Pay and Allowances, Improvements at Seven Dials, 20Mph Scheme, Lewes Road Safer Bus and Cycle Lanes, Energy and Water Meters, Lowering

of Pollution Levels, Roll out of Communal Recycling to up the levels, what do you think were the highlights from last year and what are the Council going to do this year?"

67.3 Councillor J. Kitcat replied:

"We have a lot planned ahead, as you know it's a difficult time for Councils but in spite of that we've got big ambitions to invest in the future of this City for example in the seafront we want to keep up the progress on air quality and road safety because we know that we inherited a very poor record on that.

Keep up the progress on school improvement after our record GCSE results, keep the up the school expansion, keep moving to a more digital way of working in the Council, reducing our carbon footprint, getting out of King's House, signing a City Deal and protecting the most vulnerable in our City with our proposals for a social care referendum.

Finally of course I could go on forever but it is the case that three quarters of our manifesto commitments are either done or on course to be committed, I think it's a pretty good way of doing things, pretty old fashioned perhaps; we stood for election on the basis of promises and now we are delivering."

67.5 By way of further information Councillor J. Kitcat added:

"One of our achievements that we are proud of is going to a far more open way of working in this Council and as you'll know we published our draft budget months in advance, previous administration did it days in advance so the whole city's had a chance to have a look at the challenges we face.

We've also adopted the open Government Licence so by default, everything this Council produces rightfully belongs to the people and they can use it. Personally I would like to go even further and have a default openness for every meeting but it would require the agreement of all Councillors in this Chamber. I personally think everyone has a right to film, photograph, video and record these meetings; they're public, they're webcast anyway and this is the one thing I agree with Eric Pickles on."

67.6 The Mayor thanked Mr Tilley for his questions and invited Mr Melson to come forward and address the council; which was read by the Acting Democratic Services on Mr Melson's behalf:

"Does this Council operate and support a policy of Consultation with Residents on matters that affect them, of ensuring that the Consultation process gives Residents full information on the matter being Consulted, is inclusive, open and transparent and that the outcomes of Consultations are reported accurately to Members and the Public?"

67.7 Councillor Randall replied:

"The answer to your question is yes and I can give you three current examples of what we're doing. The consultation on the regeneration of the Manor Place Estate with both residents and Councillors, the comprehensive consultation with sheltered housing residents is part of the long overdue comprehensive sheltered housing review, the

interim report will go to the sheltered housing action group for its comments before review is finalised and I've also asked the Older People's Council to give their view on it.

The last one I would quote is the tenant's scrutiny which we set up when we came in to power, the first two reports are now completed and will shortly come to housing committee. They cover housing customer services and standard letters and they will inform future policies of this Council.

I might also add that for the first time, we've actually identified how much this Council spends on participation and the figure is just over £500,000 a year."

67.8 Mr Melson asked the following supplementary question:

"Housing Committee Members on the 15<sup>th</sup> January 2014 were given false and misleading statements by an officer that consultation on service changes have been held with residents and the high rise action group were happy with the service changes and said, "we've had a good run for our money" and despite the emails, the Chair of Housing perpetuated that statement in the Argus on the 18<sup>th</sup> January 2014.

Will any action be taken in regard to the officer responsible for the misleading statements to the housing committee? And will the Chair of Housing issue a public apology to the high rise action group and support the high rise action groups' request to the chief executive for an independent audit investigation of the conduct of the housing management?"

67.9 Councillor Randall replied:

"The officer in question disputes that the statements were false and misleading and another officer backs up her account of the meeting and I have a written statement which I'm happy to share with Councillors if they'd like to see it and with you John (Mr Melson) but I don't think it's fair to vilify an officer or discuss an officer's behaviour in this place.

The statement was not made by the chair Andy Tuck but by another tenant and that the exact words were, "high rise tenants have been lucky for a long time in the way charges have been spread across all tenants." The statement, as I said, was not made by the Chair, Andy Tuck. In these circumstances no action will be taken against the officer and there will be no independent audit however the Interim Head of Housing is looking at the organisation of housing management with a fresh pair of eyes and will make her own recommendations for change which Councillors and residents will be asked to comment on and approve.

I'm going to the next high rise action group meeting while we discuss the service charges with residents and invite them to work with us to produce a new service compact for the high rise blocks which will include a new lift failure compensation package and the production of an annual financial service charge report showing what money has been collected and how it is being spent.

I share the view of Andy King that if tenants pay an extra charge they're entitled to a better service than they've had for many years from this Council."

67.10 The Mayor thanked Mr Melson for his questions and noted that in relation to the next question Mr Coomber had not able to attend and put his question, but this would be included in the minutes for Members' information as set out below.

"Can I ask the council to provide an explanation of the current Service Levels and Key Performance Indicators that CityClean provide and if they include the following:

- The number of incidents of vehicle unavailability, breaking out those where no fault was found
- The number of missed collections, including a breakdown where the collection had been marked as complete
- The time taken to recover a missed collection i.e. days taken after scheduled pickup to collect refuse

These are just a few examples, no business of Citycleans size can run without good management information that is reliable and validated."

67.11 Response from Councillor West:

"Thank you for your question regarding refuse and recycling collections which I presume is in response to the recent disruption to the service. I am aware you have received a response from the Executive Director, Environment, Development & Housing (Geoff Raw) and my response confirms the information he has already provided.

The disruption is the result of the biggest change the service has ever undergone following changes to staff allowances. The council needed to implement a fair and transparent way of paying staff allowances and this resulted in revised working patterns for the refuse, recycling and street cleansing staff.

As part of this work new refuse and recycling rounds had to be implemented across the city from the 7<sup>th</sup> October affecting some 200,000 collections per week.

It was always expected that the rounds would have to be tweaked once they had been rolled out and for the refuse service this took place in December with positive effect. The changes to the recycling rounds are being finalised now and this should result in the performance of this service also improving.

There was additional disruption over Christmas because the catch up arrangements on Saturdays were voluntary – as with the previous catch up arrangements, contractually staff were not required to work. It was always anticipated that the shortfall could be back filled using agency staff. In the event fewer staff than expected chose to come in and the service was unable to carry out all collections as scheduled.

In response to this we are looking at service provision over future bank holidays.

27 crews work on a daily basis across refuse and recycling employing close to 80 staff. If a whole day is missed then it takes time to catch this up as it is simply not possible to provide double the amount of resource to catch up in a day.

We experienced a very high volume of calls and other communications during the service disruption. Unfortunately people were not always able to get through to our contact centre and log their missed collection.

Where streets or days were missed and this was already known individual missed collections were not recorded in order to avoid delays in responding to other calls. I therefore do not have all the figures you have requested.

The service logged 5559 calls regarding missed collections for the period July 2013 – January 2014 but as I have said this is not an accurate reflection of the number of missed collections.

I agree with you that any business or service needs reliable performance data in order to manage and improve performance and I can tell you that a new customer management system has been introduced in to the Environment contact centre and this is being rolled out more widely across the council. The system is already proving to be successful and once fully implemented by the start of the next financial year it will provide a comprehensive performance reporting mechanism.”

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

68.1 The Mayor reported that one deputation had been received from members of the public and invited Mr Eakins as the spokesperson for the first deputation to come forward and address the council.

68.2 Mr Eakins thanked the Mayor and stated that:

“Late last year in November and December we conducted a resident transport survey in 3 wards across the City, Brunswick and Adelaide, Central Hove and South Portslade, we received hundreds of responses from a good cross section of the City, plenty of Green supporters, Labour Supporters, Conservative Supporters, UKIP supporters and even the odd Liberal Democrat Supporter.

You would have received the results of the transport survey and it's split in to 4 sections, I'll briefly go over the edited highlights rather than regurgitate the whole report. On the pedestrian section we would ask the Council to note and be mindful of how popular pedestrianised areas of the City are and to consider further pedestrianisation of areas of high footfall.

On cycling; one of the most responded sections, especially in the comments, there's 3 points to this section. On bike racks, a high response from residents who say they are not sufficient. We appreciate the Council has a mechanism for residents who request extra cycle parking but we don't believe that this is working well enough so we suggest that the Council either advertise this more or offer a more comprehensive solution to this.

On the second section, on cycle lanes, the majority of residents who responded to the survey said that they do not feel safe cycling in Brighton and Hove and whilst, mercifully, there are few cycling fatalities in the City there are quite a few respondents who said they have stopped cycling because they don't feel it is safe to do so. One of the main

issues that we've identified that people are concerned about is over cycle lanes and we ask the Council to consult the cyclists and cyclist groups to see where the organised and planned cycle lanes are of particular concern. One which was identified several times in the results of the survey was the cycle configuration from the Level to the Palace Pier where it seems to be jumbled confused and inadequate.

Thirdly on the final cycling section, we request the Council to install extra signage advising pedestrians of the seafront cycle lane, I know this as being debated in public a few times before but quite a few cyclist experience a case where pedestrians are crossing the road at the seafront on to the lawns, don't really look to see that there's a cycle lane there running across as well and cyclists are very fed up of almost accidentally crashing in to them lots of times.

A couple of suggestions have been made where this could be painted a different colour or a raised curb but we do request that extra signage for pedestrians advising them that is a cycle lane there.

Thirdly on the motor transport section we do ask the Council to introduce free Sunday parking across the City as it has considerable public support and we suggest the Council does help motorists get around the City more easily by opening up bus lanes to private car usage in off peak hours, they do this in other cities such as Manchester and London we believe there's probably enough room on certain bus lanes to do this in Brighton as well to help residents who feel that it is too congested in the city.

Finally on buses, we got a marvellous response on buses, people love buses in Brighton and Hove, they think they're clean, punctual and there's definitely enough of them the only real criticism that people came out with was during Winter time when it's icy and snowy, thankfully this Winter we haven't experienced that but there are far too many bus services cancelled and we ask the Council to work with bus companies to see what it can do; perhaps there's extra gritting that could be put on.

Thank you very much for receiving our deputation this afternoon we ask that this could be forwarded to the new Local Transport Plan for process that we understand the Council will be engaged in shortly this spring as the LPT3 is coming to a close this year."

68.3 Councillor Davey replied:

"You cover a great deal of issues which I haven't got time to go through but I will pick out a few highlights to respond to if I may. First of all on walking, I very much welcome your support for pedestrian priority measures – we know that these are always popular once they are implemented and look forward to improvements in the Old Town area which will be coming forward later this year which did have the support of most of the other Councillors.

With buses I am pleased that you found that the bus service in the city was popular. We are indeed blessed with the most successful bus service in the country outside of London and one that continues to thrive as a result of the partnership working between the council and all the bus companies.

DFT figures show that people in Brighton & Hove catch the bus more than anywhere else in the country outside of London. It is schemes such as the new Lewes Road bus and taxi lanes that have contributed so much to this success; there has been a 7% increase in bus use there in 2013 with a staggering 16.5m bus passenger journeys along that corridor alone. That is 50% more than the whole of Portsmouth.

I am surprised that you have come out in favour of allowing other vehicles into bus and taxi lanes at quiet times. I am yet to hear a coherent argument for how this would help other motorists as by definition the roads are quiet at that time so there isn't a problem with congestion.

Doing so would however undermine the safety of both cyclists and pedestrians who rely on the extra protection from traffic that these lanes provide. Interestingly a recent report highlighted the difference in the number of fines issued to motorists in bus lanes – it compared Reading that has part bus lanes and Brighton & Hove which does not. In 2013 in Reading there were 72,000 fines issued to drivers for driving in bus lanes – that is in contrast with less than 3 thousand here. So I fear that should part time bus lanes become a reality here we will see further deterioration in compliance as is apparent in other Cities.

I hope that this is a change that councillors of all parties will resist. That was certainly the position of Lib Dem MP Norman Baker when he was Transport Minister as he urged Liverpool not to remove all of their bus lanes completely. Unfortunately the Labour mayor took no notice

With regard to cycling I fully acknowledge that this city has a long way to go before it feels like a place that is truly a City fit for Cycling. However we have made very good progress over the last three years. The City was one of the first to gain cross party support and sign up to the Times Cycling Campaign and make a pledge to make Brighton and Hove a city fit for cycling. The new Lewes Road cycle lanes have already helped to bring about a 14% increase in cycle usage there and these were designed with the help of local cycle groups, that's the first time that's happened in this City.

The seafront cycle route remains popular returning an impressive 500,000 cycle trips a year more than in most other cities. We're also seeing increases on the new Old Shoreham Road Facility and a recently completed 7 Dials which is designed to make the area safe for everybody as is the introduction of 20 mph speed limits on residential roads which we welcome your endorsement of.

There is much more work going on including the new cycle parking across the City and the new bike hub up Brighton Station which is being constructed as we speak. Most of these schemes have attracted significant funding from the Department for Transport so have required minimal extra funding locally. The success of cycling in the City has been recognised nationally and subsequently we have been invited to give evidence to the Commons Select Committee on transport who are currently looking at the very important matter of cycling safety and they are very impressed with what is happening in this City.

How we fit the transport demands of a successful city growing in numbers of people both who live and visit here whilst remains the same physical size is a challenge for us all and it is important that as many voices as possible are heard in that debate."



68.4 The Mayor thanked Mr Eakins for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Environment, Transport & Sustainability Committee for consideration. The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

**69. WRITTEN QUESTIONS FROM COUNCILLORS.**

69.1 The Mayor reminded the Council that written questions from Members 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:

**(a) Councillor Brown**

69.2 “Figures supplied by the Chartered Institute of Public Finance and Accountancy (CIPFA) show that the number of people volunteering in libraries increased nationally from 23,397 in the year to the end of March 2012 to 33,808 in 2013. How many people currently volunteer in Brighton and Hove’s public libraries?”

**Reply from Councillor Bowden, Chair of the Economic Development & Culture Committee.**

69.3 “2011/12: 21 individual volunteers;  
2012/13: 21 individual volunteers; and  
2013/14: 51 individual volunteers to date.”

**(b) Councillor A. Norman**

69.4 “Does the Council have any plans to take part in the Royal British Legion’s Centenary Poppy Campaign?”

**Reply from Councillor Jarrett, Chair of the Adult Care & Health Committee.**

69.5 “As part of the city’s four year World War 1 commemoration programme, the council will be supporting the Royal British Legion’s Centenary Poppy Campaign and supplying every school with a pack of 1000 poppy seeds. Schools have given an overwhelmingly positive response to the idea, which will support their plans for a four year educational programme about WW1, particularly focusing on the stories and sacrifice of Brighton & Hove residents and the part the city played during the conflict. A field of Poppies will be planted in the city as part of the wider programme that also includes:

- An EU-funded programme, ‘The Great War - Between the Lines’ delivered by The Royal Pavilion & Museums
- Performances of The Winslow Boy, The Accrington Pals and Not About Heroes
- A D Day musical concert
- Armed Forces Day events
- Commemorative interfaith services

- A Seafront exhibition, Dr Brighton's War

Further information and a full calendar of events can be found at [www.brighton-hove.gov.uk/ww1](http://www.brighton-hove.gov.uk/ww1)"

**(c) Councillor Mitchell**

69.6 "Given the continuing chaotic recycling and refuse collection services and the fact that it has come to light that the Green Administration is, after all, making special productivity payments to Cityclean staff, can the Leader of the Council provide the following information;

- a) A month by month breakdown of the separate costs of the refuse and recycling services from April 2012 including all elements such as use of agency staff, additional vehicle hire, special productivity payments and additional payments for week-end working.
- b) Can he state the separate, total numbers of refuse and recycling staff and how many of these staff have worked in the separate services on Saturdays since Christmas?
- c) What are the terms for the payment of the £1,200 productivity payments?"

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

69.7 a) "The cost data you have requested is included in the addendum long with this answer. Payment for weekend working is done in line with the council's new agreement on allowances which followed the recent extensive and difficult negotiations.

You will see a spreadsheet showing the monthly expenditure for the CityClean refuse and recycling service between April 2012 and December 2013 – split by expenditure type. There are two tables, one for Refuse collection costs, and the other for Recycling collection costs. Please note that there are some significant monthly variations in costs which can at times be due to the profile/timing of payments and recharges relating to vehicle costs. A separate table contains the vehicle hire Costs.

b) There are in total 59 Refuse staff. 11 staff worked on the three Saturdays after Christmas and New Year (up to and including 11/01/14). 17 payments of £130 per Saturday were made. This means some of these staff worked more than one Saturday and were paid the sum for each Saturday worked.

There are in total 50 Recycling staff. 16 staff worked on the three Saturdays after Christmas and New Year (up to and including 11/01/14). 39 payments of £130 per Saturday were made. This means some of these staff worked more than one Saturday and were paid the sum for each Saturday worked.

- c) These are not productivity payments. The new allowance framework negotiated after Policy & Resources Committee's decision in January 2013, allows for one-off payments in exceptional circumstances - such as to recognise extra effort being made by our staff. Such one-off ex-gratia payments are made at the discretion of the service manager. Under the terms of the agreement, this payment is not affected by whether crews chose to work the Saturdays after Christmas and New Year Bank Holidays. Working these Saturdays is not contractual and therefore voluntary.

The payment is £1200, paid in two parts, in December and March, to reflect the planned bedding in period for the new rounds over six months. The round reorganisation at City Clean is the biggest and most complex change to the service for many years."

**(d) Councillor Pissaridou**

- 69.8 "If the Council's lead spokesperson on Transport will provide a breakdown of the cost of installing and maintaining a "light touch" parking scheme, detailing how the cost is attributed to each aspect of the scheme and what revenue, from whatever source, funds such a scheme, where parking is restricted for two hours a day between the hours on 10-11am and 7-8pm every day.

In addition, if he will also confirm how much parking permits cost and how many have been sold in the existing light touch schemes across the City."

**Reply from Councillor Davey, Lead Member for Transport.**

- 69.9 "The cost of installing and maintaining a "light touch" parking scheme varies depending on the size of the scheme and how many roads are involved. However, it is important to note that lining and signing implementation, maintenance costs and enforcement costs would be approximately the same as a full scheme as the lining and signing requirements are virtually the same and zones receive similar levels of enforcement. Zone W receives 1 visit per day as does neighbouring Zone R and Zone U receives 3 visits per week, like Zone T.

The main difference is that Pay and Display machines are an essential initial cost for full schemes although the Council is working towards pay by phone which will reduce and, in some cases, remove the need for Pay & Display machines. There is no Pay and Display income or costs for light touch schemes.

In terms of revenue, the income of the current light touch schemes is approximately £20,000 (which is approximately 60% take up of available resident permits) and £50,000 (which is approx 80% take up of available resident permits) for Area U (St Luke's) and Area W (Westbourne West) respectively. This is based on a light touch resident permit cost of £55 for a 6 month permit or £90 for an annual permit compared to a full scheme which is £40 for a 3 month permit or £120 for an annual permit.

As advised there is no Pay & Display in light touch zones but, in addition to resident permits, we will also receive income from Penalty Charge Notices (PCNs), suspensions,

visitor permits and school permits. The income from each zone is not ring fenced to the individual zone but instead goes into the central fund which funds items such as the direct cost of providing our services, sustainable transport initiatives and concessionary travel across the city. On average fewer Penalty Charge Notices are issued in light touch schemes; in 2012/13 just over 2,000 PCNs were issued resulting in income of approximately £73,000.”

**(e) Councillor Janio**

69.10 “Could the Leader of the Council explain the measures being taken towards ensuring that Individual Electoral Registration is on schedule across the city, given that it was not possible to cross check a high percentage of the electoral roll in several wards e.g. 25% of voters in St. Peters & North Laine?”

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

69.11 “I am grateful for the opportunity to mention the progress which is being made in preparing for Individual Electoral Registration (IER).

It is the duty of the Electoral Registration Officer, Penny Thompson to ensure that electoral registers are complete and accurate, and it is the council’s duty to ensure that she has sufficient resources to carry out her statutory duties regarding electoral registration.

The national transition to IER is being led by Cabinet Office (CO) with support and guidance from the Electoral Commission (EC).

The Confirmation Dry Run in summer 2013 – an exercise where our electoral register was matched with DWP records - did indeed show that the number of electors who would automatically transfer to the new system would be lower in Brighton & Hove than in other parts of Great Britain.

Electoral Services have analysed those results, along with other customer data, to build a demographic profile of our registration area. They have also developed a public engagement plan which addresses how to engage those who are less likely to be confirmed by data-matching, and those who are less likely to be registered at all. There are plans in place to:

- contact residents directly, for example through writing to residents;
- to work with partners, such as the Universities, to communicate IER messages;
- and to use local media and advertising to promote IER.

The exercise over the summer also gave staff a good opportunity to rehearse the benefits of carrying out further data matching with local records, which improved the overall matching score.

The Cabinet Office has been monitoring our preparations for IER. Electoral Services have kept up to date with the activities required by the CO, and have been entering the details on the CO’s “readiness portal”.

The Electoral Commission has set Performance Standards for IER, and they are satisfied that the ERO's Implementation Plan, Risk Register and Public Engagement Strategy, meet those standards. The plans demonstrate that the ERO "has an understanding of the particular challenges in her registration area and that she has targeted priorities for engaging with residents to best respond to the challenges."

In the coming months, Electoral Services will be recruiting additional staff, and will be training staff in the IER processes. They will be firming up arrangements with suppliers, such as print bureaus and election software companies. They will also review and monitor their plans on a regular basis, to ensure that they are keeping to schedule."

**(f) Councillor G. Theobald**

69.12 "Given the Administration's new found but belated enthusiasm for exploring alternative models of Council service delivery, will the Leader of the Council commit today to bidding for funding under the Government's new Delivering Differently Challenge fund which provides support and cash for councils wishing to create mutual and social enterprises?"

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

69.13 "I have asked officers to consider options for bidding to the Delivering Differently Challenge now that the details of the scheme have been released. It is very a challenging timetable but officers have agreed to look at assessing whether we can find a proposal which may have been developed previously for other bids and could fit the scheme criteria. This could include the use of smart technology, for example by using innovative systems to improving access to parking in the city and thereby also reducing unnecessary traffic congestion. But there may be others. That said, I recognise the teams best able to make a submission are heavily loaded and that we need to be realistic about what is possible within the timeframe."

**(g) Councillor Brown**

69.14 "Can we have confirmation that the Hove Open Bowls Tournament will be held as usual this July?"

**Reply from Councillor Bowden, Chair of the Economic Development & Culture Committee.**

69.15 "The decision on whether the Hove Bowls Tournament takes place does not rest with the council. It is an event that the organisers agree with Hove and Kingsway Bowling Club to use their facilities. The organiser's web site is advertising the tournament to take place from the 21<sup>st</sup> to the 26<sup>th</sup> of July 2014."

**70. ORAL QUESTIONS FROM COUNCILLORS**

70.1 The Mayor noted that notification of 3 oral questions had been received and that 30 minutes was set aside for the duration of the item. She then invited Councillor K. Norman to put his question to Councillor West.

**City Clean**

70.2 Councillor K. Norman asked:

“Over a number of years I and many others around the City have asked the blocked drains to be cleared in various parts of the City many of which have been blocked for years despite asking for them to be cleaned and cleared out. We have now have substantial plant growth which makes for a solid impenetrable plug and there are many such blocked drains in my ward and around the City.

Bearing in mind the current high volumes of water that continue to fall out of the sky, all drains should be regularly checked for free water flow which is clearly not the case so inevitably leads to high volumes of water flowing on to lower lying areas and increasing the depth of flood water on pavements and highways.

What system is in place to deal with this problem? And I really don't want, and I think it's out of date by now, the fallen leaf excuse.”

70.3 Councillor J. Kitcat responded in the absence of Councillor West:

“If you provide us a list of the detailed areas you're referring to we'd be very happy to look into it. We do have a surface water action plan that deals with all the matters that you raise and of course I'm sure you'll know that Brighton and Hove is actually one of the highest risk areas in the Country for surface water flooding and we would be keen to see more funding put in to that for the environment agency are being deeply cut by your Government.

Also our representative for the flooding committee for the region proposed an increase in funding there and that was refused by Conservative Councillors sitting there. So unfortunately we are where we are but happy to respond in detail in writing if you'll provide the locations.”

70.4 Councillor K. Norman asked the following supplementary question:

“I wasn't talking about the general flooding, my point here is that the drains that are continually blocked and have vegetative growth growing out of them so they have solid plugs in those drains, in my ward I have asked many times for them to be cleared, I see the truck and they either just have a dabble at it and it doesn't work.

Now we are having problems with our heavy rainfall and of course we will be getting more flooding on certain areas but if we had our drains and gullies cleared properly we would be able to see a lot of that water disappear down the drains and gullies and go away. We are not seeing that, we are seeing the gullies in the gutters where we've got dropped curbs filled with water where it should be draining away, we're not getting that

so it's imperative that we have a real look at that to make sure we're doing the best we can.

I'm going to check the affected drains in my ward and I'm giving the Council 2 weeks to check them and I would like confirmation that they've all been checked and they are all working properly."

70.5 Councillor J. Kitcat replied:

"As I said before if Councillor Norman wants to send us a list of particular problem areas, officers would be very to look at it and I would refer him to the strategy I previously mentioned."

Councillor K. Norman called a point of order:

"My question was I would like to have an answer as to when they're cleared, can we be told that they're cleared?"

Councillor West then continued the response:

"I will certainly follow up on Councillor Norman's points on asking where we are with checking the drains in his ward and ensure that he is properly informed. I do take very seriously these issues and I caught the tail end of what Councillor Kitcat was saying but obviously surface water flooding is a very important issue and I sit on the Southern Regional Flood and Coastal Committee so I'm very tuned in to all these issues so I will take those points forward."

### **Help for Disadvantaged Youngsters**

70.6 Councillor Marsh asked:

"I'm very pleased to hear, Councillor Shanks in the previous debate, your continued commitment to the public sector provision to provide public services so I'd like to ask you please, why you have decided to make what seems to me the unkindest cut of all i.e. a saving of £14,000 in relation to the short breaks which carers for disabled children currently enjoy?"

This is an overall budget of £940,000 so it seems a very tiny cut but it seems a cut where the impact on those affected will be particularly great and I'd like to ask you why you made that choice and whether you think that it's a better way to make a cut like that to a budget which actually equates to the amount that your administration spent on painting the 20mph signs throughout the City which I gather was £1,000,000?"

70.7 Councillor Shanks responded:

"I don't know how much the 20mph and how much that cost but I'm sure it was a completely different budget. It's very difficult as you know, in terms of budgets, as I said earlier we've got a huge pressure on budgets, we've got the Central Government cutting £23,000,000 out of our budget. As I've said before I've worked in public sector and I've worked with young people all my life, I would certainly like to be improving the services

for young people and I think we've done a good thing with that, we've kept the funding for youth services, we've cut the funding for children's services etc.

The budget, as you say is £940,000 and out of that we're asking a 2% efficiency saving from our in house and from the 3<sup>rd</sup> sector providers and we will be talking to 3<sup>rd</sup> sector providers. What we are concerned is that it does not impact on front line services. That there will not be a reduction in short breaks for those parents and you have my word that if that was the case I would not be supporting this saving."

70.8 Councillor Marsh asked the following supplementary question:

"In the same paper which I'm reading from, home school transport of course is a big issue for those children who are disabled and who have special needs and I notice quite a savage cut proposed there of £263,000 and some £160,000 has already been identified but I just wonder, I know that it is possible to use moneys which have been gained from our parking income from our parking tickets and I think we are about the third highest authority in the country in terms of the revenue from this particular stream.

I just wondered if Councillor Shanks had considered using that revenue stream in order to protect those vulnerable children from the transport cuts?"

70.9 Councillor Shanks replied:

"I think my colleagues would be quite concerned if I took money from one budget to use it for another one. In terms of 20mph, that does support safe independent travel for children because cars are travelling slower and one of the reasons that we've been able to reduce the budget for special needs travel is because a lot more children are travelling independently and certainly I used to work with young people with disabilities back in the 80's and one of the things was trying to get parents to support their independent travel; having people on the bus escorts etc and where trying to do that where children can do that because that's such a good thing for them to be able to learn that lesson to be able to do that in later life.

Obviously there are some children who cannot travel independently and they will get transport from the Council. We have a statutory duty to provide that. This is a budget that has been decreasing because more children are at school locally, less children are travelling to placements further afield so it's not a budget that I am concerned in terms of a cut on that.

In terms of general cuts to services I'd ask your party to support our 4.75% Council tax increase. If we don't get a decent increase in Council Tax this year this will remove the Council Tax base and we may be coming back to say there are real cuts in these services which i certainly don't want to see."

### **Budget 2014/15**

70.10 Councillor Summers asked:

"Councillor Kitcat, in view of the notice of motion that earlier on passed through and also of the prevailing view from opposition Councillors to your referendum proposal, despite



this extraordinary campaign that your party's launched and backed by the national party, your MP and also it seems GMB and UNISON, I'm just wondering in view of that if you wouldn't giving us an idea of what your plan b might be?"

70.11 Councillor J. Kitcat responded:

"Well by law, first of all, in presenting the referendum we also have to present the alternative should the referendum not be successful which will be the threshold. The threshold is currently 2% but it is highly expected that Mr Pickles will reduce that but quite frankly as the largest party in the administration; we've done what we're supposed to do. We've put forward a proposal which we've carefully considered in light of the feedback in the consultation and in conversations with many stakeholders in the City and it's for the opposition parties, if they're not happy, to offer an alternative and while I don't like it, the Tories have at least been open with their alternative, we're still waiting to hear any positive from the red team and Councillor no at their head."

70.12 Councillor Summers asked the following supplementary question:

"Whilst it would be wonderful to think that an extra £2,750,000 as the Green say on their website, I quote, "would safeguard critical services for elderly and vulnerable and cancel out austerity cuts", I must ask the Council Leader this, isn't it the case that the Council has actually a statutory obligation to provide those critical social services anyway irrespective of any increase in Council Tax or not? And isn't it their fault also the case that the £5,800,000 of savings so far identified by your group are much more to do with modernising our services provision and working more efficiently in anticipation of a virtually unstoppable increase in demand?"

Isn't it more to do with that than it's ever to do with simply cutting frontline services or jobs per say?"

70.13 Councillor J. Kitcat replied:

"First of all in relation to statutory requirements, the reality is that the statutory requirement is usually just to have a service, the type, quality and quantity of it is ill defined if defined at all and what we've seen in West Sussex for example is a massive scaling back so the eligibility criteria for example had been, I think in an ill considered move, elevated to only the highest and most critical need so the majority of people with lower or medium levels or need are not getting any support from their local authority.

That ultimately ends up with these people showing up at hospitals and having more severe and difficult 'to treat' needs, so far better to get in early and that is the approach that we have taken here by protecting that eligibility. So yes we have statutory duties for so many different areas that we provide for in the city but the nature of that duty is not defined and so the choices will remain, who provides the service? How? At what level? So I think there is a debate to be had and I'm glad that both of the major local papers will be holding debates on this issue leading forward the City definitely needs it, it is time and people like SCOPE, Age UK and others are running campaigns saying 'Council run social care is in crisis' so this is not something that has been conjured up in a moments haste, this is carefully considered and a true reflection of the situation we face ourselves in.

In terms of the savings for Adult Social Care, yes absolutely are about realigning and changing and modernising so that it is fit for the future and meet with the growing demand because no matter what happens the population is set to grow, we see a 20% jump in over 85's till 2021 is the ONS estimate, that is a very severe challenge to us even if we keep still and we know that Council Tax has been well below inflation since we took office inflation has been 9.6% and Council Tax has risen just a shade under 2%. So we're not even keeping up in real terms.

So in terms of those savings we will continue to move forward with them but others which are limiting the amount of resources we can provide the poor and vulnerable, we would like to increase them and not decrease them and that is the gold stance that we've taken."

## **71. CALL OVER FOR REPORTS OF COMMITTEES.**

### **(a) Callover**

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

- Item 72 - Refresh of the Sustainable Community Strategy 2014-2017
- Item 73 - Greater Brighton Economic Board
- Item 74 - Housing Revenue Account Budget 2014/15

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

71.2 The Acting Democratic Services Manager confirmed that all items had been reserved for discussion

### **(c) Oral Questions from Members**

71.3 The Mayor noted that there were no oral questions.

## **72. REFRESH OF THE SUSTAINABLE COMMUNITY STRATEGY 2014-2017**

72.1 Councillor J. Kitcat introduced the report which had been referred from the Policy & Resources Committee meeting held on 16 January 2014 to the Council for approval. He stated that he wished to take the opportunity to acknowledge how much impact the original local strategic partnership had had, and the positive steps that had been taken to achieving greater openness. The update would assist in clarifying the strategy; as well as providing new energy and focus.

72.2 Councillor Simson welcomed the report, and gave thanks to the input and support of all partners; which was an important part of the ethos of the strategy. The capacity to provide more joined up services was central to achieving the most from these services.

72.3 Councillor J. Kitcat thanked Councillor Simson for her comments, and noted that Members would continue to be updated.

72.4 **RESOLVED:** That Council adopt and approve the Strategy.

**73. GREATER BRIGHTON ECONOMIC BOARD**

73.1 Councillor J. Kitcat introduced the report that had been referred from the Policy & Resources Committee on 17 October 2013 to the Council for approval. He stated his own passion for this work and welcomed collaborative working behind administrative boundaries to create a functional economic area. Thanks were extended to all neighbouring authorities and Council Leaders who had been involved; each of which had signed up to this through their own governance arrangements.

73.2 Councillor G. Theobald stated that he echoed the comments made by Councillor J. Kitcat, and that the city would give the greatest impetus for growth in the economic area. Working beyond administrative boundaries was welcomed for the greater benefit of the 700k population of the economic area.

**73.3 RESOLVED:**

- (1) That Council agrees the establishment on 01 April 2014 of the Greater Brighton Economic Board ('the Board'), constituted in accordance with the Heads of Terms specified in Appendix One.
- (2) That Council notes that establishment of the Board is dependent on all the bodies represented on the Board agreeing that it be established.
- (3) That Council agrees the appointment of the Greater Brighton Economic Joint Committee ('the Joint Committee') as an integral part of the Board.
- (4) That Council notes that appointment of the Joint Committee is dependent on all the local authorities represented on the Board agreeing that it be appointed.
- (5) Subject to all Board members ( both individual local authorities and business partners) agreeing the establishment of the Board, and subject to the constituent local authorities agreeing the appointment of the Joint Committee, that Council:
  - § Grants delegated authority to the Chief Executive and the Executive Director Environment, Development & Housing to take all measures necessary for or incidental to (i) the implementation of recommendations (2.1) and (2.3) above, and (ii) the on-going management and administration of the Board; and
  - § Instructs the Monitoring Officer to amend the council's constitution to reflect the establishment of the Board.
- (6) That Council agrees that Brighton & Hove City Council's right to request that a decision of the Board be called in pursuant to paragraph 1.3 of the Call-In Protocol set out in Appendix One, Schedule One, be exercised at the behest of any five members of the Council, not all of which belong to the same political group.
- (7) That Council instructs the Monitoring Officer to amend the council's constitution to give effect to recommendation 2.6.

**74. HOUSING REVENUE ACCOUNT BUDGET 2014/15**

- 74.1 Councillor Randall introduced the report which had been referred from the Housing Committee meeting held on 15 January 2014 for information. He stated that the Housing Revenue Account was a ring fenced fund to be used for the benefit of tenants, and the Housing Committee had discussed proposals in relation to service charges in detail. In relation to high rise blocks it had been the established norm that all tenants would share the costs of lifts and lighting; however, it was now proposed that only those in high rise blocks be charged 85p per week for lighting and £1.10 per week lifts. Most of the high rise blocks in the city were approximately the same age, and the lifts were coming to the end of their usable life; there was a lift replacement programme, but it would take some years to recover the costs.
- 74.2 In relation to scooter storage where new purpose built sheds had been installed with charging points there would a flat rate fee of £4 each week. It was calculated that only 1400 tenants would be affected, and the remainder would have the charges covered through Housing Benefits. It was considered that the increased charges for sheltered housing was proportionate given that there had been no increase since 2003, and the Council offered site based management which was considered a crucial service. In relation to some of the consultation around this issue it was noted that it had not been possible to consult at the November round of Area Panels as the budget had not been known until late December. It was considered that this change was appropriate as some of these matters had been left unchanged for some time, and further consultation was due with groups such as the Sheltered Housing Group.
- 74.3 Councillor Peltzer Dunn thanked Councillor Randall for his introduction of the item, and went on to express his concern with the proposed charges; stating that the charges would penalise those residents who would suffer the most as part of this. He went on to add that the Council needed to provide safe and clean access areas to building, and he accepted that the costs should be shared amongst tenants, but felt the proposed charges would be harder to justify when the charges for communal gardens and grounds were considered.
- 74.4 Councillor Mears stated that she did not support these proposed changes as they were being used as mechanism to divert funds from the HRA into the general fund, and there was concern that tenants had not been properly consulted on these matters. Concern was also expressed in relation to the staffing implications of these changes at a time when the Council continued to look very carefully at budgets. Councillor Mears added she agreed with the comments made by Councillor Peltzer Dunn and hoped the Housing Management Consultative Sub-Committee would give tenants 'a voice' through this process.
- 74.5 Councillor Barnett stated that these proposals were an 'attack on tenants' and stated that the potential costs could be a huge impact on tenants with fixed incomes. She added that the HRA account was in surplus this year and urged the administration to reconsider.

74.6 Councillor Simson noted, in her role as Chair of the Budget Scrutiny, that this was the first shift of funds from the HRA to the general fund, and provided more flexible opportunities for what the fund would be used for.

74.7 Councillor Randall responded to the debate, and stated that the current situation with regard to the lifts was unfair and for most tenants these changes to costs would be covered through housing benefits. There was also increased work in relation to community projects being undertaken, and ongoing work to support tenants with digital courses. It was also noted that there was a historic practice of taking £1.2M out of HRA for such projects and other local authorities were looking at moving much larger proportions of funds.

74.8 **RESOLVED:** That Council note the report from the Housing Committee.

## 75. NOTICES OF MOTION.

### (a) Disabled Access – Rottingdean Terrace

75.1 The Notice of Motion as detailed in the agenda was proposed by Councillor Hyde and seconded by Councillor K. Norman.

75.2 The Mayor then put the following motion to the vote:

This Council resolves:

“To request that Policy & Resources Committee allocate £4,000 towards the cost of a ramp to facilitate access to the Rottingdean Terrace stage auditorium to enable those residents and visitors with a disability and in pushchairs to enjoy the many events and activities that take place at this popular seafront location.”

75.3 The motion was **carried**.

### (b) Environmental Policy

75.4 The Notice of Motion as detailed in the agenda was proposed by Councillor Sykes and seconded by Councillor Jones.

75.5 The Mayor then put the following motion to the vote:

This Council resolves:

“To request a statement from the Prime Minister, on the Government’s performance on environment and climate policy against their goals, and how resilience to a changing climate and future resource shortages are being addressed by Government.”

75.6 The motion was **carried**.

**(c) Immigration**

75.7 The Notice of Motion as detailed in the agenda was proposed by Councillor Hawtree and seconded by Councillor Buckley.

75.8 The Mayor then put the following motion to the vote:

This Council resolves:

“In view of Hove and Brighton's long tradition of welcoming people from all parts of the country and beyond, this council opposes the Immigration Bill which is currently before Parliament and calls upon the city's MPs to vote against it.”

75.9 The motion was **carried**.

**(d) Motion of no confidence in the Leader of the Council and his Administration of Bright & Hove City Council**

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

75.11 The Mayor then put the following motion to the vote:

This Council resolves:

“In light of the administration's behaviour with regards to the budget process, calls on the Leader of the Council and his administration to resign and for talks led by the Chief Executive to begin on forming a cross party caretaker administration to run the Council until the local elections in 2015.”

75.12 The motion was **carried**.

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

75.14 The Mayor moved the closure motion and put the matter to the vote which was carried and therefore the Mayor noted each of the remaining items would need to be taken and voted on or withdrawn by the mover before the meeting was concluded. She noted that the remaining item was No. 75(e).

**(e) Ethical Care Charter**

75.15 Following the motion to terminate the meeting at 9.15 Councillor Meadows indicated she wished the item to be taken.

75.16 The Mayor then put the following motion to the vote:

This Council resolves to

“Recommend the Adult Care and Health Committee to sign up to UNISON’s Ethical Care Charter setting minimum standards to protect the dignity and quality of life for people who need homecare.

The charter will commit Brighton and Hove City Council to commission care solely from providers who:

- Give workers the freedom to provide appropriate care and be given the time to talk to their clients.
- Allocate clients the same homecare worker(s) wherever possible.
- Do not use zero hour contracts.
- Pay the Brighton and Hove Living Wage rate of £7.65 an hour
- Match the time allocated to visits to the particular needs of the client. In general, 15-minute visits will not be used as they undermine the dignity of the clients.
- Pay homecare workers for their travel time, their travel costs and other necessary expenses such as mobile phone use.
- Schedule visits so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time.

75.17 The motion was **carried**.

## **76. CLOSE OF MEETING**

76.1 The Mayor thanked everyone for attending and then closed the meeting.

The meeting concluded at 9.25pm

Signed

Chair

Dated this

day of