

NOTICE OF MOTION

AMENDMENT FROM THE LIBERAL DEMOCRAT GROUP

GOVERNMENT SURVEILLANCE OF COMMUNICATIONS – THE DATA BASE STATE

Insert a final bullet point as shown in bold italics:

“This Council notes with grave concern the Home Secretary’s recent announcement of an Interception Modernisation Programme which will establish a central database of the electronic communications data records of all individuals in Britain. The proposals are as a result of the Government’s adoption into UK law of the EU Data Retention Directive 2006, which requires the introduction of such a scheme for internet communications by 1st April 2009. A public consultation on the proposals is due to take place in early 2009.

Whilst this Council recognises the increasingly complex nature of investigating the terrorist threat, it believes that a database of this sort would represent a serious and unnecessary infringement of the ancient and hard-fought civil liberties of the people of Brighton & Hove and the rest of the country.

This Council agrees with the Information Commissioner who stated recently that such proposals would be “a step too far for the British way of life”. Indeed, such an approach is counter-productive and hands a moral victory to the terrorists, and their apologists, who oppose the very democratic principles upon which our liberal society is founded.

This Council expresses concern with the proposals on the following grounds:

- Cost – Government IT schemes are notoriously expensive. Initial estimates put the potential costs of the Interception Modernisation Programme at up to £12 billion.
- Data security – The Government has an abysmal record of protecting personal information and sensitive data. Indeed, the Prime Minister recently admitted that “we cannot promise that every single item of information will always be safe”.
- Efficacy – a recent report from the U.S. National Academies concluded that such a surveillance system would be inefficient, would create huge numbers of false leads and would be highly unlikely to detect or pre-empt terrorist attacks.
- Surveillance overload – this is another in a long line of intrusive surveillance measures introduced or proposed by this government such as ID cards, the National DNA Database (which stores the DNA of innocent people) and the Contact Point child database.

Therefore, this Council instructs the Chief Executive:

- To write to the Local Government Association and the Office of the Information Commissioner, requesting that they join the council in conveying to the Government their concern about the potential adverse impact on civil liberties of establishing a central electronic database.

- ***To request that the Cabinet considers expressing the views set out in this motion as part of a response to the Home Office's consultation on the secondary legislation for ID Cards, which amongst other issues is seeking comment on the information held on the National Identity Register and the agencies required to share information held on citizens."***

Proposed by: Cllr Paul Elgood

Seconded by: Cllr David Watkins

NOTICE OF MOTION

AMENDMENT FROM THE GREEN GROUP

DEMOCRATIC ACCOUNTABILITY AND THE ~~QUANGO STATE~~ **DELIVERY OF PUBLIC SERVICES**

Delete text as crossed out and replace with new text as shown in bold italics:

“This Council believes that an over-reliance on unelected quangos and ~~public bodies~~ ***private enterprises*** to deliver public services undermines the principle of democratic accountability that is fundamental to our society. ~~The spending of taxpayers’ money, without proper lines of accountability is bad for civic society, effective government and undermines public trust and confidence.~~ This Council thinks that local councils, and the partnership structure they head, are better positioned to deliver public services ***than either QUANGOs or privately-owned businesses*** because they command a clear democratic mandate from local residents, ~~unlike quangos.~~

This Council notes with concern that there has been a considerable growth in unelected, unaccountable QUANGOs and other private bodies ‘~~quango state~~’ over the last ***three decades, from the privatisation of essential public services since the 1980s to the advent of the £2.6 billion a year South East England Regional Development Agency more than ten years later.*** Examples of the ‘~~quango state~~’ include:

- ~~Since 1997, the cost of quangos has increased in real terms by over 50%~~
- ~~In 2006/07, taxpayers funded 1,162 public bodies, none of which was run by someone with a direct public mandate.~~
- ~~These unaccountable public bodies cost the British taxpayer nearly £64 billion every year.~~
- ~~An example of expensive quangos that lack a democratic mandate are Regional Development Agencies (RDA), which spent £2.6 billion of public money in 2006/7.~~
- ~~The RDA responsible for spending money on the behalf of residents of Brighton & Hove is the South East England Development Agency (SEEDA), which spends nearly £200 million annually.~~
- ~~RDA board members are not elected by the people who they are supposed to work for, and are only appointed or accountable to a Government Minister in Whitehall (in this case the Secretary of State for Business, Enterprise & Regulatory Reform).~~

This Council believes **this democratic deficit in the provision of public services requires** the ‘~~quango state~~’ requires fundamental reform and wherever possible and appropriate, powers, resources and responsibilities should be devolved to directly-elected local authorities.

~~Where this is not possible, quangos should be directly accountable to Parliament, rather than the Executive. Local outposts of national quangos should be held properly to account by local authority overview & scrutiny committees under powers contained~~

~~in the Local Government and Public Involvement in Health Act 2007 and the new Local Democracy, Economic Development & Construction Bill. This Council believes that Brighton & Hove Overview & Scrutiny committees should make more use of these powers.~~

~~In 1995, Gordon Brown promised a “bonfire of the quangos” if the Labour Party got into power, however all that happened was unelected quangos grew more powerful and less accountable to local people whose taxes they spend.~~

Therefore this Council:

Requests that the Chief Executive writes to the Minister for the Cabinet Office calling for him to:

- a) ***Encourage*** ~~Ensure that a far higher proportion of all significant quango board appointments~~ ***to be made from*** are directly-elected local representatives or councillors – ***and that they should, in these times of economic hardship and increasing numbers of public sector redundancies, receive no extra pay or allowances for sitting on these bodies.***
- b) Ensure that board members have a duty to stand down when they no longer represent the sector from which they were appointed.
- c) ***Introduce confirmation hearings in front of a House of Commons select Committee, or local authority overview & scrutiny committee (as appropriate), for all appointments to the board – and the annual budgets and accounts – of all QUANGOs, companies and other non-governmental organisations delivering public services.*** ~~For quangos that remain, introduce U.S.-style confirmation hearings for national and regional quango appointments (and their annual budgets) in front of a House of Commons Select Committee.~~

Proposed by: Cllr Ben Duncan

Seconded by: Jason Kitcat

NOTICE OF MOTION

AMENDMENT FROM THE LABOUR GROUP

DEMOCRATIC ACCOUNTABILITY AND THE QUANGO STATE

Delete text where crossed out and insert new text and paragraphs as shown in bold italics:

~~“This Council believes that an over-reliance on unelected quangos and public bodies to deliver public services undermines the principle of democratic accountability that is fundamental to our society. The spending of taxpayers’ money, without proper lines of accountability is bad for civic society, effective government and undermines public trust and confidence. This Council thinks that local councils, and the partnership structure they head, are better positioned to deliver public services because they command a clear democratic mandate from local residents, unlike quangos.~~

This Council notes with concern that there has been a considerable growth in an unelected, unaccountable ‘quango state’ over the last decade. Examples of the ‘quango state’ include:

- Since 1997, the cost of quangos has increased in real terms by over 50%
- In 2006/07, taxpayers funded 1,162 public bodies, none of which was run by someone with a direct public mandate.
- These unaccountable public bodies cost the British taxpayer nearly £64 billion every year.
- An example of expensive quangos that lack a democratic mandate are Regional Development Agencies (RDA), which spent £2.6 billion of public money in 2006/7.
- The RDA responsible for spending money on the behalf of residents of Brighton & Hove is the South East England Development Agency (SEEDA), which spends nearly £200 million annually.
- RDA board members are not elected by the people who they are supposed to work for, and are only appointed or accountable to a Government Minister in Whitehall (in this case the Secretary of State for Business, Enterprise & Regulatory Reform).

~~This Council believes the ‘quango state’ requires fundamental reform and wherever possible and appropriate, powers, resources and responsibilities should be devolved to directly elected local authorities.~~

~~Where this is not possible, quangos should be directly accountable to Parliament, rather than the Executive.~~

This council welcomes the government’s Sub National Review that seeks to reform regional economic development and supports the LGA’s call for the handing down of finance and powers from the RDAs to local councils (when necessary) to be enshrined in legislation. It believes that locally elected councillors should still play a central part in the work of the reformed RDAs.

This council supports the government's consideration of the creation of Regional Parliamentary Select Committees to ensure their correct accountability to Parliament.

Furthermore, this council notes that 23 councils are now working together via Multi Area Agreements with greater levels of local autonomy devolved to these councils from central government in areas such as housing, skills, transport and regeneration and would urge this council to consider the benefits of this way of working.

Local outposts of national quangos should be held properly to account by local authority overview & scrutiny committees under powers contained in the Local Government and Public Involvement in Health Act 2007 and the new Local Democracy, Economic Development & Construction Bill. This Council believes that Brighton & Hove Overview & Scrutiny committees should make ~~more~~ **good** use of these powers **once the Bill is enacted**.

~~In 1995, Gordon Brown promised a "bonfire of the quangos" if the Labour Party got into power, however all that happened was unelected quangos grew more powerful and less accountable to local people whose taxes they spend.~~

Therefore this Council:

Requests that the Chief Executive writes to the Minister for the Cabinet Office calling for him to:

- d) Ensure that a far higher proportion of all significant quango board appointments are directly-elected local representatives or councillors.
- e) Ensure that board members have a duty to stand down when they no longer represent the sector from which they were appointed.
- f) For quangos that remain, introduce U.S.-style confirmation hearings for national and regional quango appointments (and their annual budgets) in front of a House of Commons Select Committee.

Proposed by: Cllr Gill Mitchell

Seconded by: Cllr Warren Morgan

NOTICE OF MOTION

AMENDMENT FROM THE LIBERAL DEMOCRAT GROUP

ACCELERATED DEVELOPMENT ZONES

Add new points at the end of the motion:

“This Council believes that Accelerated Development Zones (ADZ) offer an innovative method for councils of raising much-needed funding for infrastructure investment and business growth. ADZs work by local authorities borrowing money against future additional business rate income that would be generated by new businesses following the development of new infrastructure.

Importantly, this additional income derives from new business creation rather than further taxation of existing business. ADZs are widely credited with the regeneration of industrial cities in the U.S., such as Pittsburgh and Chicago.

ADZs bring significant and additional benefits to local transformational projects which, without significant enabling infrastructure investment, would not otherwise be delivered. ADZs would, hence, have the potential to help deliver significant major projects in Brighton & Hove.

This Council welcomes the moves led by Birmingham City Council to establish an ADZ for the Birmingham city region. Research by the Core Cities Group has estimated that if an ADZ were introduced in the Eastside area of Birmingham, it would create up to 7,500 new jobs, 760 new homes and would add an extra annual Gross Value Added (GVA) to the local economy of £306 million.

This Council notes the Government’s efforts to give councils greater flexibility over business taxation through LAGBI, BIDS and recent proposals for supplementary business rates, but recognises that these measures don’t go far enough.

Therefore, this Council resolves to instruct the Chief Executive to:

- Write to the Secretary of State for Communities and Local Government urging her to include provision for ADZs in the Business Rate Supplements Bill, currently before Parliament.
- Write to the City’s three MPs urging them to support such a measure.
- ***This Council also notes the concerns expressed in Parliament during the passage of the Business Rates Supplements Bill and urges the Government to resolve these before its final reading with a view of encouraging more flexible, localised and accountable business rate taxation, especially mindful of the impact of the recession on local businesses in the city.***

- ***This Council further requests that the Council's Overview and Scrutiny function to consider examining the possible benefits of ADZs for Brighton & Hove.***

Proposed by: Cllr Paul Elgood

Seconded by: Cllr David Watkins

NOTICE OF MOTION

AMENDMENT FROM THE LABOUR GROUP

ACCELERATED DEVELOPMENT ZONES

Delete text as crossed out and insert new text and paragraphs as shown in bold italics:

“This Council believes that Accelerated Development Zones (ADZ) **may** offer an innovative method for councils of to ~~raise~~ **raising much needed** funding for infrastructure investment and business growth. ADZs work by local authorities borrowing money against future additional business rate income that would be generated by new businesses following the development of new infrastructure.

Importantly, this additional income derives from new business creation rather than further taxation of existing business. ADZs are ~~widely~~ credited with the regeneration of industrial cities in the U.S., such as Pittsburgh and Chicago. **However, ADZs, which are titled Tax Increment Financing (TIF) districts in the US, have also attracted criticism at State and Federal level. Legislation has been passed by the State of California to curb the abuse of ADZs by local politicians and developers and the Kelo v. City of New London Supreme Court case focussed on similar abuses within a TIF district.**

ADZs **may** bring significant and additional benefits to local transformational projects ~~which, without significant enabling infrastructure investment, would not otherwise be delivered. ADZs would, hence, and~~ **could** have the potential to help deliver significant major projects in Brighton & Hove.

This Council ~~welcomes~~ **notes** the moves led by Birmingham City Council to establish an ADZ for the Birmingham city region. Research by the Core Cities Group has estimated that if an ADZ were introduced in the Eastside area of Birmingham, it would create up to 7,500 new jobs, 760 new homes and would add an extra annual Gross Value Added (GVA) to the local economy of £306 million.

However, this Council also notes that ADZs are untested in the UK and there exists no evidence based assessment to quality assure and verify the effectiveness of ADZs ~~This Council notes the Government’s efforts to give councils greater flexibility over business taxation through LAGBI, BIDS and recent proposals for supplementary business rates, but recognises that these measures don’t go far enough.~~

Therefore, this Council resolves to:

request the Cabinet Member for Enterprise, Employment and Major Projects to consider the need for a detailed report and scoping study to be prepared by officers for initial consultation with the Brighton and Hove Economic Partnership and other key stakeholders before subsequent presentation at a

future Enterprise, Employment and Major Projects Cabinet Member Meeting

~~Write to the Secretary of State for Communities and Local Government urging her to include provision for ADZs in the Business Rate Supplements Bill, currently before Parliament.~~

- ~~• Write to the City's three MPs urging them to support such a measure."~~

Proposed by: Cllr. Craig Turton

Seconded by: Cllr. Gill Mitchell

REVISED NOTICE OF MOTION**LABOUR AND GREEN GROUPS****UNFAIR PREPAYMENT METER ENERGY PRICES**

Since being appointed to the Department of Energy and Climate Change, Ed Miliband has made tackling unfair fuel pricing one of his main priorities. Ed Miliband MP (Secretary of State for Energy and Climate Change) warned,

"The recent Ofgem report found that millions of vulnerable customers were losing out who were on pre-payment meters, off the gas grid, or served by companies that used to be the local monopoly.

"There can be no excuse for these practices, and unless all energy companies accept their responsibility for ending them, we will use our powers to do so."

Energy regulator Ofgem and the National Housing Federation have recently highlighted the unjustified overcharging for energy of those not on gas mains and those with prepayment meters.

The National Housing Federation report stated that customers using these meters typically paid £150 more a year than those paying by direct debit, and around £60 more than those who paid quarterly by cash or cheque. EDF, British Gas and Scottish and Southern Energy still charge gas pre-payment customers higher rates than their other customers.

This motion asks that all members of the council;

- Welcome Ed Miliband's objectives when he calls for energy companies to act more responsibly.
- Support tougher action, in the form of legislation if energy companies fail to fairly regulate their energy prices, and refuse to stop targeting the most vulnerable members of our community.
- Support the positive action taken by companies like Scottish Power who have already moved their prepayment tariffs in line with all other price plans.
- Welcome the increase in Winter Fuel Allowance in 2008 which ensured that all people over 60 received up to £250 and up to £400 for people over 80.
- Welcome action by energy companies that have set up energy trusts or charities, such as British Gas energy trust and EDF energy trust which offer financial assistance and advice to low income families and individuals that are struggling to pay their bills.
- Support the government-funded Warm Front scheme which aims to make homes warmer and more energy-efficient, by providing packages of insulation and

heating improvements up to the value of £2,700 (or £4,000 if oil central heating is recommended).

It therefore requests the Chief Executive to write:

1. Calling on the Government to take action to end this 'therm tax' levied by the energy companies on pre-payment customers, who are generally people on low incomes struggling to make ends meet.
2. Calling on the city's three MPs to urge the Government to take action to end this iniquitous 'therm tax'.

Proposed by: Cllr Anne Meadows

Seconded by: Cllr Jason Kitcat

Supported by: Cllrs Gill Mitchell, Christine Simpson, Jeane Lepper, Warren Morgan, Juliet McCaffery, Les Hamilton, Pat Hawkes, Mo Marsh, Bill Randall, Ben Duncan, Ian Davey, Rachel Fryer, Amy Kennedy, Sven Rufus, Paul Steedman, Keith Taylor, Vicky Wakefield-Jarrett, Pete West and Georgia Wrighton

REVISED NOTICE OF MOTION

AMENDMENT FROM THE CONSERVATIVE GROUP

UNFAIR PREPAYMENT METER ENERGY PRICES

Delete words as crossed out; add new paragraphs and text as shown in bold italics.

“Since being appointed to the Department of Energy and Climate Change, Ed Miliband has made tackling unfair fuel pricing one of his main priorities.

For 11 years, previous Labour Ministers have spectacularly failed to deal with fuel poverty. The Government’s own figures estimate that the number of ‘fuel poor’ households in England is now higher than at any time recorded since Labour came to power. Even the Government now accepts that it will fail to meet its legal duty to reduce fuel poverty in the time frame that it created.

Ed Miliband MP (Secretary of State for Energy and Climate Change) warned,

"The recent Ofgem report found that millions of vulnerable customers were losing out who were on pre-payment meters, off the gas grid, or served by companies that used to be the local monopoly.

"There can be no excuse for these practices, and unless all energy companies accept their responsibility for ending them, we will use our powers to do so."

Energy regulator Ofgem and the National Housing Federation have recently highlighted the unjustified overcharging for energy of those not on gas mains and those with prepayment meters.

This Council welcomes Ofgem’s belated recognition that energy firms are not doing enough to reduce people’s fuel bills, but believes they should do more.

Ofgem began a six-week consultation on changes to the suppliers’ licences this month. This Council notes with concern that people in Brighton & Hove are struggling to heat their homes and pay their bills now, but the Government’s regulator is not likely take any decisions until the end of February.

The National Housing Federation report stated that customers using these meters typically paid £150 more a year than those paying by direct debit, and around £60 more than those who paid quarterly by cash or cheque. EDF, British Gas and Scottish and Southern Energy still charge gas pre-payment customers higher rates than their other customers.

This Council believes that the Government needs to do more to support the introduction of 'smart meters' in people's homes. Smart meters cover both electricity and gas use (and can also cover water use), and offer accurate real-time information on households usage, allowing for accurate billing. Studies suggest smart meters offer a potential to deliver sustained energy savings of 5% to 10% for customers, and make people more conscious of their energy usage.

This motion asks that all members of the council;

- ~~Welcomes Ed Miliband's objectives when he calls for energy companies to act more responsibly.~~ ***Call on Ed Miliband to take real, effective action to make energy companies act more responsibly, which the Government has so far failed to do.***
- Support tougher action, in the form of legislation if energy companies fail to fairly regulate their energy prices, and refuse to stop targeting the most vulnerable members of our community.
- Support the positive action taken by companies like Scottish Power who have already moved their prepayment tariffs in line with all other price plans.
- ***Recognise that despite*** ~~Welcome~~ the increase in Winter Fuel Allowance in 2008, which ensured that all people over 60 received up to £250 and up to £400 for people over 80, ***older people still make up a significant proportion of the people suffering fuel poverty.***
- Welcome action by energy companies that have set up energy trusts or charities, such as British Gas energy trust and EDF energy trust which offer financial assistance and advice to low income families and individuals that are struggling to pay their bills.
- Support the government-funded Warm Front scheme which aims to make homes warmer and more energy-efficient, by providing packages of insulation and heating improvements up to the value of £2,700 (or £4,000 if oil central heating is recommended).

It therefore requests the Chief Executive to write:

1. Calling on the Government to take action to end this 'therm tax' levied by the energy companies on pre-payment customers, who are generally people on low incomes struggling to make ends meet.
2. Calling on the city's three MPs to urge the Government to take action to end this iniquitous 'therm tax'.
3. ***Responding to Ofgem's consultation, entitled 'Addressing unfair price differentials', on the council's behalf urging it to take stronger action against energy companies.***

- 4. Calling on the Government to introduce 'smart meters' to help people suffering fuel poverty reduce their energy bills.**
- 5. Calling on the Government to make every energy company to offer social tariffs to vulnerable households and provide information on energy bills that clearly shows customers whether they are on the cheapest tariff offered by their energy company.**

Proposed by: Cllr Maria Caulfield

Seconded by: Cllr Mary Mears

NOTICE OF MOTION

JOINT AMENDMENT FROM THE CONSERVATIVE AND GREEN GROUPS

WIND TURBINES

Delete the words as crossed out and add the words and insert new paragraphs as shown in bold italics:

This Council welcomes in principle the ~~announcement of~~ plans announced by the Government and the Crown Estate to spend £180 million, ***in conjunction with the private sector***, on the placement of wind turbines off the Sussex Coast.

This council believes that the turbines would be a major addition to sustainable energy generation in the South East, providing up to 500 megawatts an hour for the National Grid and forming part of the national goal of 25 gigawatts by 2020.

Furthermore, this council welcomes the economic benefits and creation of 'green-collar' jobs that an offshore wind farm would potentially bring to Brighton & Hove, and endeavours to do everything possible to maximise these benefits for the City's residents.

This Council also welcomes the work currently being carried out to consider the merits of setting up a local Energy Service Company (ESCO) in Brighton & Hove. This would not only utilise localised renewable energy sources but would also potentially lead to reduced energy bills for council house tenants.

This Council believes that increasing use of sustainable forms of energy including wind, tidal and solar generation will reduce our use of fossil fuel ***and give much needed help to the U.K. in meeting its target of producing 20% of its energy from renewable sources by 2020. The UK's current renewal energy production is only 4.6%.*** ~~and praises the work of Des Turner MP for his decade of work in promoting research and investment in renewable and sustainable forms of energy in Parliament.~~

This Council requests that

(1) the Chief Executive write to ***the Crown Estate and*** the Secretary of State for Energy and Climate Change, the Rt Hon Ed Miliband MP, expressing our support for these ***offshore wind farm*** plans and asking how ***Brighton & Hove can facilitate the development in order to make most economic benefit from it.*** ~~promote the use of wind turbines for energy generation in our area, and to urge that the precise siting of the turbines be subject to consultation with Natural England.~~

(2) The siting of the turbines be subject to consultation with conservation groups / appropriate bodies.

Proposed by: Cllr Denise Cobb

Seconded by: Cllr Paul Steedman

NOTICE OF MOTION

AMENDMENT FROM THE CONSERVATIVE GROUP

RETAIL

Delete words crossed out and replace with the new words and insert new paragraphs as shown in bold italics:

“This Council gives its fullest support to Brighton and Hove’s unique, independent traders and wishes to ensure their long term viability.

This Council notes that:

- Brighton and Hove’s smaller, independent traders are central to the appeal of the city to visitors and residents alike, and thus central to the creation and retention of local jobs;
- The recession is making life particularly tough for these unique shops as people re-evaluate their spending and the Council has recently launched a Be Local, Buy Local campaign to support local traders; ***in addition to other positive council actions which include:***
 - ***emergency ‘recession relief’ package***
 - ***establishment of the economic taskforce***
 - ***suspension of city centre roadworks over Christmas***
 - ***promotion of small business rate relief***
 - ***funding more business support clinics***
- The Centre for Cities recently estimated that Brighton ~~is likely to~~ **could** lose up to **between 2400** - 7400 jobs in the period to 2011, with up to **and 30** - 40% of these **could** coming from the retail and leisure sector;
- ***This council recognises that the economy is in a state of flux; however the Retail Strategy 2006 identified capacity in Brighton & Hove for growth in convenience and comparison retailers in the longer-term. The very significant expansion of the city’s chainstore retail sector projected in the Council’s 2006 Retail Study, written at the height of the debt fuelled boom, may be unrealistic and create further threats to the continued viability of our local, independent traders. In many cases independent and highstreet retailers are not market competitors and a strong regional shopping centre is important to attract shoppers and tourists who support the independent sector.***

This Council therefore:

- Expresses its support for Brighton and Hove's unique, independent retailers in these difficult financial circumstances **and the council's proactive action to support these important small businesses;**
- **Acknowledges that the national and local economy is in a state of flux that may affect economic assumptions in the short term. Once economic conditions have stabilised for a sustained period, requests the Cabinet consider whether it would be appropriate to** take a fresh look at the assumptions behind, and conclusions of, the present Retail Strategy (a key background document to the emerging Local Development Framework), to make certain that they are still sound.

Proposed by: Cllr Ted Kemble

Seconded by: Cllr David Smith