

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions listed on page 29 of the agenda have been received from Councillors and will be taken as read along with the written answers listed below:

(a) Councillor Cox

“With the welcome sight of the fountain in Victoria Gardens at last back in working order, what plans does the Council have for restoring the much more beautiful fountain in the Old Steine Gardens to its former and fully working glory in time for summer?”

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

“Both the Victoria Fountain at the Old Steine and the Mazda Fountain in South Victoria Gardens are operational and have been since Easter.

When the winds are high or there is persistent heavy rain the gardeners turn them off for a while to prevent water spraying everywhere and annoying the public. It is possible that Councillor Cox was there during one of these periods.

Pre-season commissioning works are done in early April each year and the fountains operate from around Easter until October and are drained down for the winter for safety reasons. They are sometimes turned off during the Brighton Festival if their operation interferes with whatever event is being held in the immediate vicinity.”

(b) Councillor G. Theobald

“Brighton & Hove has a caravan site at Sheepcote Valley with 215 pitches, 124 of which are hardstanding. Will Cllr. West tell me why travellers who set up unauthorised encampments in the city’s parks are not directed to this site where all other visitors wishing to camp in the city would be expected to go?”

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

“Thank you for your question.

Officers have informed me that the power to direct Travellers to a site is a power available to the police under S62a of the Criminal Justice and Public Order act 1994. It is not a power granted to the Local Authority. The Local Authority can, as a landowner, request that the police use their powers under s62a to direct Travellers to a site. Under s62a (6) this must be managed by a Local Authority within whose area the land is situated or a registered social landlord. In the case of Horsdean the site is run by the Local Authority. The

Caravan Club site at Sheepcote Valley now called Brighton Caravan Club is part of or associated with the Caravan Club and therefore not run by the Local Authority and is not a registered social landlord. The provision of S62a therefore does not apply and Travellers cannot be directed there.

Additional information below:

S62a

(5) The officer must consult every local authority within whose area the land is situated as to whether there is a suitable pitch for the caravan or each of the caravans on a relevant caravan site which is situated in the local authority's area.

(6) In this section—

- “caravan” and “caravan site” have the same meanings as in Part 1 of the Caravan Sites and Control of Development Act 1960;
- “relevant caravan site” means a caravan site which is—
 - (a) situated in the area of a local authority within whose area the land is situated, and
 - (b) managed by a relevant site manager;
 - “relevant site manager” means
 - (a) a local authority within whose area the land is situated;
 - (b) a registered social landlord;
 - “registered social landlord” means a body registered as a social and lord under Chapter 1 of Part 1 of the Housing Act 1996.”